

1 ENGROSSED HOUSE
2 BILL NO. 3159

By: Roberts and Menz of the
House

3 and

4 Gollihare of the Senate
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6
7 An Act relating to eminent domain; amending 27 O.S.
8 2021, Section 18, which relates to the Landowner's
9 Bill of Rights; providing for the right of first
10 refusal or right of first offer for property acquired
11 by eminent domain; providing for the right of first
12 refusal or right of first offer to be included in the
13 Landowner's Bill of Rights; and providing an
14 effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 27 O.S. 2021, Section 18, is
17 amended to read as follows:

18 Section 18. A. The Attorney General shall prepare a written
19 statement that includes a "Landowner's Bill of Rights" for a
20 property owner whose real property may be acquired by a person,
21 acquiring agency, or other entity through the use of the entity's
22 eminent domain authority under ~~Title 27~~ this title or Title 66 of
23 the Oklahoma Statutes. The statement shall be made available to the
24 public and written in plain language designed to be easily
understood by the average property owner.

B. The Landowner's Bill of Rights shall notify each property
owner of the right to:

- 1 1. Notice of the proposed acquisition of the owner's property;
- 2 2. A bona fide good-faith effort to negotiate by the entity
- 3 proposing to acquire the property;
- 4 3. An assessment of damages to the owner that will result from
- 5 the taking of the property;
- 6 4. A hearing under ~~Title 27 of the Oklahoma Statutes~~ this
- 7 title, including a hearing on the assessment of damages; ~~and~~
- 8 5. An appeal of a judgment in a condemnation proceeding,
- 9 including an appeal of an assessment of damages; and
- 10 6. First refusal or right of first refusal offer if the
- 11 acquired land is ever sold by the state or any state agency or any
- 12 person who acquired the land through the use of eminent domain
- 13 authority. If the landowner chooses to exercise this right, the
- 14 price would be the lower of either the current market value or the
- 15 price received by the landowner under the eminent domain sale. This
- 16 right shall be available to the landowner in the original eminent
- 17 domain sale and to the first generation of heirs.

18 However, acquired land may be transferred to another state

19 agency without prompting the first refusal or right of first refusal

20 as provided in this paragraph.

21 C. The statement shall include:

- 22 1. The title "Landowner's Bill of Rights"; and
- 23 2. A description of:
- 24

- 1 a. the condemnation procedures provided by ~~Title 27 of~~
2 ~~the Oklahoma Statutes~~ this title,
- 3 b. the condemning entity's obligations to the property
4 owner, and
- 5 c. the property owner's options during a condemnation,
6 including the property owner's right to object to and
7 appeal an amount of damages awarded, and
- 8 d. the property owner's right to first refusal or right
9 of first offer if the acquired land is ever sold by
10 the state or any state agency or any person who
11 acquired the land through the use of eminent domain
12 authority.

13 SECTION 2. This act shall become effective November 1, 2024.

14 Passed the House of Representatives the 6th day of March, 2024.

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16 _____
17 Presiding Officer of the House
18 of Representatives

19 Passed the Senate the ____ day of _____, 2024.

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22 Presiding Officer of the Senate
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