

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3520 _____ Of the printed Bill
Page _____ Section _____ Lines _____

Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu
thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: TJ Marti

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 PROPOSED POLICY
4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3520

By: Marti

7 PROPOSED POLICY COMMITTEE SUBSTITUTE

8 An Act relating to utilities; providing definitions;
9 directing utility companies to complete required
relocation within ninety days of receipt of Notice to
10 Relocate; clarifying when time period begins;
11 establishing utility company's liability for
liquidated damages; clarifying liquidated damages;
12 providing list of entities that may enforce
requirements; directing for enforcement action to be
brought in district court; providing list of reasons
13 for extension; stipulating that extension must be
approved in writing and may not exceed ninety days;
14 providing for codification; and providing an
effective date.

15
16
17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 180.21 of Title 17, unless there
20 is created a duplication in numbering, reads as follows:

21 For purposes of this act:

22 1. "Notice to relocate" means written notice issued by a public
23 entity to a utility identifying the public infrastructure project

1 and providing final approved construction plans and proof of funding
2 availability;

3 2. "Public infrastructure project" means any street, road,
4 bridge, drainage, water, sewer, broadband, transit, or public
5 improvement project funded in whole or in part by:

- 6 a. a municipality or county,
7 b. the State of Oklahoma, or
8 c. federal funds administered by a public entity;

9 3. "Relocation" means the removal, movement, adjustment, or
10 replacement of utility facilities required to accommodate a public
11 infrastructure project;

12 4. "Utility" means any private or public utility, electric
13 cooperative, telephone company, cable provider, broadband provider,
14 pipeline company, or other entity owning or operating utility
15 facilities within public rights-of-way; and

16 5. "Utility facility" means any privately, publicly, or
17 cooperatively owned line, system, or structure used to produce,
18 transmit, or distribute essential services, including electricity,
19 gas, oil, water, steam, communications, and sewage.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 180.22 of Title 17, unless there
22 is created a duplication in numbering, reads as follows:

23 A. Upon receipt of a Notice to Relocate, a utility shall
24 complete all required relocation within ninety (90) calendar days.

1 B. The ninety-day period begins upon the utilities receipt of
2 the Notice to Relocate.

3 SECTION 3. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 180.23 of Title 17, unless there
5 is created a duplication in numbering, reads as follows:

6 A. Beginning on the ninety-first day, a utility that has not
7 completed required relocation shall be liable for liquidated damages
8 in the amount of Five Thousand Dollars (\$5,000.00) per day, per
9 project, until relocation is completed.

10 B. Liquidated damages under this section:

- 11 1. Represent a reasonable estimate of public delay costs;
- 12 2. Are not a penalty; and
- 13 3. May be recovered by the public entity funding the project.

14 C. Liquidated damages may be withheld from any relocation
15 reimbursement or invoiced directly to the utility.

16 SECTION 4. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 180.24 of Title 17, unless there
18 is created a duplication in numbering, reads as follows:

19 A. This act may be enforced by:

- 20 1. Any municipality or county;
- 21 2. The Department of Transportation; or
- 22 3. Any other public entity funding the project.

23 B. Enforcement actions may be brought in district court, and
24 prevailing public entities shall be entitled to:

- 1 1. Liquidated damages;
2 2. Injunctive relief; and
3 3. Recovery of attorney fees and court costs.

4 SECTION 5. NEW LAW A new section of law to be codified

5 in the Oklahoma Statutes as Section 180.25 of Title 17, unless there
6 is created a duplication in numbering, reads as follows:

7 A. A utility may only request an extension of the ninety-day
8 time to relocate its facilities in writing and for the following
9 reasons:

- 10 1. Natural disaster or act of nature;
11 2. Federal permitting delays outside the utility's control;
12 3. Material shortages certified by at least two suppliers; or
13 4. Extraordinary safety hazards.

14 B. Extensions must be approved in writing by the public entity
15 and may not exceed ninety (90) days per public infrastructure
16 project.

17 SECTION 6. This act shall become effective November 1, 2026.

19 60-2-16021 MJ 02/02/26