

## 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**

Amendment submitted by: TJ Marti

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

PROPOSED POLICY  
COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 3520

By: Marti

PROPOSED POLICY COMMITTEE SUBSTITUTE

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

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

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

For purposes of this act:

1. "Notice to relocate" means written notice issued by a public 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. Liquidated damages;
2. Injunctive relief; and
3. Recovery of attorney fees and court costs.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 180.25 of Title 17, unless there is created a duplication in numbering, reads as follows:

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

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

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

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

60-2-16021 MJ 02/02/26