

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
10 relocation within three hundred sixty-five days of
11 receipt of Notice to Relocate; clarifying when time
12 period begins; establishing utility company's
13 liability for liquidated damages; clarifying
14 liquidated damages; providing list of entities that
15 may enforce requirements; directing for enforcement
16 action to be brought in district court; providing
17 list of reasons for extension; stipulating that
18 extension must be approved in writing and may not
19 exceed three hundred sixty-five days; providing for
20 codification; and providing an effective date.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 180.21 of Title 17, unless there
24 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, transit, or public improvement
5 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, pipeline company, or
14 other entity owning or operating utility facilities within public
15 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:

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1 A. Upon receipt of a Notice to Relocate, a utility shall
2 complete all required relocation within three hundred sixty-five
3 (365) calendar days.

4 B. The three-hundred-sixty-five-day period begins upon the
5 utilities receipt of the Notice to Relocate.

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

9 A. Beginning on the three hundred sixty-sixth day, a utility
10 that has not completed required relocation shall be liable for
11 liquidated damages in the amount of Five Thousand Dollars
12 (\$5,000.00) per day, per project, until relocation is completed.

13 B. Liquidated damages under this section:

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

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

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

22 A. This act may be enforced by:

- 23 1. Any municipality or county;
- 24 2. The Department of Transportation; or

1 3. Any other public entity funding the project.

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

4 1. Liquidated damages;

5 2. Injunctive relief; and

6 3. Recovery of attorney fees and court costs.

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

10 A. A utility may only request an extension of the three-
11 hundred-sixty-five-day time to relocate its facilities in writing
12 and for the following reasons:

13 1. Natural disaster or act of nature;

14 2. Federal permitting delays outside the utility's control;

15 3. Material shortages certified by at least two suppliers; or

16 4. Extraordinary safety hazards.

17 B. Extensions must be approved in writing by the public entity
18 and may not exceed three hundred sixty-five (365) days per public
19 infrastructure project.

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

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22 60-2-16377 MJ 02/16/26
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