

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1205

By: Daniels

AS INTRODUCED

An Act relating to municipalities; creating the Oklahoma Safe Neighborhoods Act of 2026; providing short title; defining terms; allowing certain individuals to submit certain claims for compensation from municipality; providing requirements for certain compensation; requiring municipality take certain action within certain period; providing for certain cause of action; allowing for certain additional compensation in certain circumstance; providing certain exemptions; allowing certain individuals to submit certain claims for compensation from county; providing requirements for certain compensation; requiring county take certain action within certain period; providing for certain cause of action; allowing for certain additional compensation in certain circumstances; providing certain exemptions; providing for noncodification; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Oklahoma Safe Neighborhoods Act of 2026".

1 SECTION 2. NEW LAW

2 A new section of law to be codified
3 in the Oklahoma Statutes as Section 22-166 of Title 11, unless there
4 is created a duplication in numbering, reads as follows:

5 As used in Sections 3 through 6 of this act:

6 1. "Fair market value" means the value or price at which a
7 willing buyer would purchase property and a willing seller would
8 sell property if both parties are knowledgeable about the property
9 and its uses and if neither party is under any undue pressure to buy
10 or sell, and for real property shall mean the value for the highest
11 and best use for which such property was actually used, or was
12 previously classified for use, during the calendar year next
preceding the applicable January 1 assessment date;

13 2. "Illegal public camping" means the act of constructing or
14 arranging any tent, shelter, or bedding for the purpose of or in
15 such way to permit overnight use on a property not designated for
16 such use;

17 3. "Loitering" means to stand or wait around idly or without
18 apparent or rational purpose;

19 4. "Panhandling" means the process of occupying areas adjacent
20 to public rights-of-way with the intent of soliciting donations for
21 any purpose with the knowledge that there will be a likelihood of
22 those seeking such donations stepping into the public right-of-way
23 where vehicular traffic is or may be present;

5. "Policy, pattern, or practice" means an act that is systemic, pervasive, or organized, or of a generalized nature such that it is the standard operating procedure, but does not include isolated, sporadic, or accidental acts;

6. "Property owner" means one or more persons, jointly or severally, in whom is vested:

a. all or any part of the legal title to a real property,

or

b. all or any part of the beneficial ownership and a right to present use and enjoyment of the property, and such term includes a mortgagee in possession; and

7. "Triple net leaseholder" means the lessee of a commercial lease where the lessee pays rent and utilities as well as insurance, maintenance, and property taxes on such leased property.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22-167 of Title 11, unless there is created a duplication in numbering, reads as follows:

A. 1. Any property owner or triple net leaseholder with real property located within a municipality with a population over one hundred thirty thousand (130,000), according to the latest Federal Decennial Census, may submit a written claim for compensation if the municipality where such real property is located:

1 a. adopts any ordinance, policy, practice, or law
2 declining to enforce existing laws, ordinances, or
3 rules prohibiting:

- 4 (1) illegal public camping,
5 (2) obstructing public thoroughfares,
6 (3) loitering,
7 (4) panhandling,
8 (5) public urination or defecation,
9 (6) public consumption of alcoholic beverages,
10 (7) possession or use of illegal substances, or
11 (8) shoplifting,

12 and such owner or leaseholder incurs and documents an
13 expense to mitigate the effects of such on the owner's or
14 leaseholder's real property, or

15 b. maintains a public nuisance, and such owner incurs and
16 documents an expense to mitigate the effects of such
17 public nuisance on the owner's or leaseholder's real
18 property.

19 2. For any claim submitted under the provisions of this
20 subsection, a property owner or triple net leaseholder shall receive
21 as compensation an amount equal to the documented expenses incurred
22 by such owner or leaseholder that were reasonably necessary to
23 mitigate the effects of such ordinance, policy, practice, law, or
24 public nuisance on such owner's or leaseholder's real property.

1 B. 1. Any property owner or triple net leaseholder with real
2 property located within a municipality with a population over one
3 hundred thirty thousand (130,000), according to the latest Federal
4 Decennial Census, may submit a written claim for compensation if the
5 municipality where such real property is located:

6 a. adopts any ordinance, policy, practice, or law
7 declining to enforce existing laws, ordinances, or
8 rules prohibiting:

- 9 (1) illegal public camping,
10 (2) obstructing public thoroughfares,
11 (3) loitering,
12 (4) panhandling,
13 (5) public urination or defecation,
14 (6) public consumption of alcoholic beverages,
15 (7) possession or use of illegal substances, or
16 (8) shoplifting,

17 and the fair market value of such property owner's or
18 leaseholder's private real property is reduced by such, or

19 b. maintains a public nuisance, and the fair market value
20 of such property owner's or leaseholder's private real
21 property is reduced by such public nuisance.

22 2. For any claim submitted under the provisions of this
23 subsection, a property owner or triple net leaseholder shall receive
24 as compensation an amount equal to the reduction in fair market
25

1 value of such owner's or leaseholder's private real property
2 resulting from the ordinance, policy, practice, law, or public
3 nuisance.

4 SECTION 4. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 22-168 of Title 11, unless there
6 is created a duplication in numbering, reads as follows:

7 Any compensation paid under the provisions of Section 3 of this
8 act:

9 1. Shall be in lieu of any claim for monetary damages; and

10 2. May not exceed the amount paid by the property owner or
11 triple net leaseholder in primary property taxes for the prior tax
12 year on such property. If the total amount of the claim for
13 compensation is greater than such amount paid by the owner or
14 leaseholder, and such claim is accepted, the municipality shall pay
15 such owner or leaseholder an amount equal to the amount paid by such
16 owner or leaseholder in primary property taxes for the prior tax
17 year. The property owner may submit a claim for the remaining
18 portion of compensation in the following and subsequent tax years,
19 as needed.

20 SECTION 5. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 22-169 of Title 11, unless there
22 is created a duplication in numbering, reads as follows:

23 A. 1. Within thirty (30) days of a property owner or triple
24 net leaseholder submitting a written claim for compensation to a

1 municipality, as provided by Section 3 of this act, the municipality
2 shall either accept or reject such claim.

3 2. If a municipality accepts such claim, it shall pay the
4 compensation requested by such owner or leaseholder.

5 3. If a municipality rejects such claim, or does not respond to
6 the claim within thirty (30) days, such owner or leaseholder may
7 file a cause of action in the district court of the county in which
8 the real property is located to challenge the rejection of the
9 claim. The questions of whether the property owner is entitled to
10 such compensation and whether the amount of the claim is reasonable
11 are judicial questions in a cause of action filed pursuant to this
12 paragraph. The municipality shall have the burden of proof to
13 demonstrate that its rejection is lawful or that the amount of the
14 claim is unreasonable. The property owner or triple net leaseholder
15 shall not be liable to the municipality for attorney fees or costs.
16 If such owner or leaseholder prevails, they shall be awarded
17 reasonable attorney fees and costs.

18 B. 1. A property owner or triple net leaseholder shall not be
19 required to submit any claim besides that provided for in Section 3
20 of this act as a prerequisite to demanding or receiving
21 compensation.

22 2. A property owner or triple net leaseholder may only submit a
23 claim under the provisions of Section 3 of this act once per tax
24 year.

1 C. If the ordinance, policy, practice, law, or public nuisance
2 remains in place after the property owner or triple net leaseholder
3 submits a claim as provided in Section 3 of this act, and such owner
4 or leaseholder files a claim for compensation in a subsequent tax
5 year, the owner or leaseholder shall be entitled to request
6 reasonable additional compensation unless the municipality and such
7 owner or leaseholder enter into a knowing and voluntary settlement,
8 or the municipality ends or abates the ordinance, policy, practice,
9 law, or public nuisance.

10 SECTION 6. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 22-170 of Title 11, unless there
12 is created a duplication in numbering, reads as follows:

13 A. This act shall not be construed as prohibiting a property
14 owner or triple net leaseholder from entering into a knowing and
15 voluntary settlement with a municipality for an amount less than
16 such owner's or leaseholder's claim for compensation submitted under
17 the provisions of Section 3 of this act.

18 B. The provisions of this act shall not apply to:

19 1. Decisions by municipal authorities to exercise prosecutorial
20 discretion not to prosecute alleged offenders, if such discretion is
21 exercised on a case-by-case basis and the justifications for each
22 decision are published monthly by the municipality;

23 2. Acts of clemency; or

24 3. Acts or omissions mandated by federal law.

1 SECTION 7. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 390.1 of Title 19, unless there
3 is created a duplication in numbering, reads as follows:

4 As used in Sections 8 through 11 of this act:

5 1. "Fair market value" means the value or price at which a
6 willing buyer would purchase property and a willing seller would
7 sell property if both parties are knowledgeable about the property
8 and its uses and if neither party is under any undue pressure to buy
9 or sell, and for real property shall mean the value for the highest
10 and best use for which such property was actually used, or was
11 previously classified for use, during the calendar year next
12 preceding the applicable January 1 assessment date;

13 2. "Illegal public camping" means the act of constructing or
14 arranging any tent, shelter, or bedding for the purpose of or in
15 such way to permit overnight use on a property not designated for
16 such use;

17 3. "Loitering" means to stand or wait around idly or without
18 apparent or rational purpose;

19 4. "Panhandling" means the process of occupying areas adjacent
20 to public rights-of-way with the intent of soliciting donations for
21 any purpose with the knowledge that there will be a likelihood of
22 those seeking such donations stepping into the public right-of-way
23 where vehicular traffic is or may be present;

1 5. "Policy, pattern, or practice" means an act that is
2 systemic, pervasive, or organized, or of a generalized nature such
3 that it is the standard operating procedure, but does not include
4 isolated, sporadic, or accidental acts;

5 6. "Property owner" means one or more persons, jointly or
6 severally, in whom is vested:

7 a. all or any part of the legal title to a real property,
8 or

9 b. all or any part of the beneficial ownership and a
10 right to present use and enjoyment of the property,
11 and such term includes a mortgagee in possession; and

12 7. "Triple net leaseholder" means the lessee of a commercial
13 lease where the lessee pays rent and utilities as well as insurance,
14 maintenance, and property taxes on such leased property.

15 SECTION 8. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 390.2 of Title 19, unless there
17 is created a duplication in numbering, reads as follows:

18 A. 1. Any property owner or triple net leaseholder with real
19 property located within a municipality with a population over one
20 hundred thirty thousand (130,000), according to the latest Federal
21 Decennial Census, may submit a written claim for compensation if the
22 county where such real property is located:
23
24
25

1 a. adopts any ordinance, policy, practice, or law
2 declining to enforce existing laws, ordinances, or
3 rules prohibiting:

- 4 (1) illegal public camping,
5 (2) obstructing public thoroughfares,
6 (3) loitering,
7 (4) panhandling,
8 (5) public urination or defecation,
9 (6) public consumption of alcoholic beverages,
10 (7) possession or use of illegal substances, or
11 (8) shoplifting,

12 and such owner or leaseholder incurs and documents an
13 expense to mitigate the effects of such on the owner's or
14 leaseholder's real property, or

15 b. maintains a public nuisance, and such owner incurs and
16 documents an expense to mitigate the effects of such
17 public nuisance on the owner's or leaseholder's real
18 property.

19 2. For any claim submitted under the provisions of this
20 subsection, a property owner or triple net leaseholder shall receive
21 as compensation an amount equal to the documented expenses incurred
22 by such owner or leaseholder that were reasonably necessary to
23 mitigate the effects of such ordinance, policy, practice, law, or
24 public nuisance on such owner's or leaseholder's real property.

1 B. 1. Any property owner or triple net leaseholder with real
2 property located within a municipality with a population over one
3 hundred thirty thousand (130,000), according to the latest Federal
4 Decennial Census, may submit a written claim for compensation if the
5 county where such real property is located:

6 a. adopts any ordinance, policy, practice, or law
7 declining to enforce existing laws, ordinances, or
8 rules prohibiting:

- 9 (1) illegal public camping,
10 (2) obstructing public thoroughfares,
11 (3) loitering,
12 (4) panhandling,
13 (5) public urination or defecation,
14 (6) public consumption of alcoholic beverages,
15 (7) possession or use of illegal substances, or
16 (8) shoplifting,

17 and the fair market value of such property owner's or
18 leaseholder's private real property is reduced by such, or

19 b. maintains a public nuisance, and the fair market value
20 of such property owner's or leaseholder's private real
21 property is reduced by such public nuisance.

22 2. For any claim submitted under the provisions of this
23 subsection, a property owner or triple net leaseholder shall receive
24 as compensation an amount equal to the reduction in fair market
25

1 value of such owner's or leaseholder's private real property
2 resulting from the ordinance, policy, practice, law, or public
3 nuisance.

4 SECTION 9. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 390.3 of Title 19, unless there
6 is created a duplication in numbering, reads as follows:

7 Any compensation paid under the provisions of Section 8 of this
8 act:

- 9 1. Shall be in lieu of any claim for monetary damages; and
10 2. May not exceed the amount paid by the property owner or
11 triple net leaseholder in primary property taxes for the prior tax
12 year on such property. If the total amount of the claim for
13 compensation is greater than such amount paid by the owner or
14 leaseholder, and such claim is accepted, the county shall pay such
15 owner or leaseholder an amount equal to the amount paid by such
16 owner or leaseholder in primary property taxes for the prior tax
17 year. The property owner may submit a claim for the remaining
18 portion of compensation in the following and subsequent tax years,
19 as needed.

20 SECTION 10. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 390.4 of Title 19, unless there
22 is created a duplication in numbering, reads as follows:

- 23 A. 1. Within thirty (30) days of a property owner or triple
24 net leaseholder submitting a written claim for compensation to a

1 county, as provided by Section 8 of this act, the county shall
2 either accept or reject such claim.

3 2. If a county accepts such claim, it shall pay the
4 compensation requested by such owner or leaseholder.

5 3. If a county rejects such claim, or does not respond to the
6 claim within thirty (30) days, such owner or leaseholder may file a
7 cause of action in the district court of the county in which the
8 real property is located to challenge the rejection of the claim.
9 The questions of whether the property owner is entitled to such
10 compensation and whether the amount of the claim is reasonable are
11 judicial questions in a cause of action filed pursuant to this
12 paragraph. The county shall have the burden of proof to demonstrate
13 that its rejection is lawful or that the amount of the claim is
14 unreasonable. The property owner or triple net leaseholder shall
15 not be liable to the county for attorney fees or costs. If such
16 owner or leaseholder prevails, they shall be awarded reasonable
17 attorney fees and costs.

18 B. 1. A property owner or triple net leaseholder shall not be
19 required to submit any claim besides that provided for in Section 8
20 of this act as a prerequisite to demanding or receiving
21 compensation.

22 2. A property owner or triple net leaseholder may only submit a
23 claim under the provisions of Section 8 of this act once per tax
24 year.

1 C. If the ordinance, policy, practice, law, or public nuisance
2 remains in place after the property owner or triple net leaseholder
3 submits a claim as provided in Section 8 of this act, and such owner
4 or leaseholder files a claim for compensation in a subsequent tax
5 year, the owner or leaseholder shall be entitled to request
6 reasonable additional compensation unless the county and such owner
7 or leaseholder enter into a knowing and voluntary settlement, or the
8 county ends or abates the ordinance, policy, practice, law, or
9 public nuisance.

10 SECTION 11. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 390.5 of Title 19, unless there
12 is created a duplication in numbering, reads as follows:

13 A. This act shall not be construed as prohibiting a property
14 owner or triple net leaseholder from entering into a knowing and
15 voluntary settlement with a county for an amount less than such
16 owner's or leaseholder's claim for compensation submitted under the
17 provisions of Section 8 of this act.

18 B. The provisions of this act shall not apply to:

19 1. Decisions by county authorities to exercise prosecutorial
20 discretion not to prosecute alleged offenders, if such discretion is
21 exercised on a case-by-case basis and the justifications for each
22 decision are published monthly by the county;

23 2. Acts of clemency; or

24 3. Acts or omissions mandated by federal law.

SECTION 12. This act shall become effective July 1, 2026.

SECTION 13. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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