

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3095

By: Jenkins

6 AS INTRODUCED

7 An Act relating to property; enacting the Rural  
8 Landowners Protection Act; defining terms;  
9 prohibiting governmental entities from taking certain  
10 actions with respect to certain facilities without  
11 landowner approval; providing for allocation of  
12 shares based on real estate parcels; providing for  
13 approval of certain facilities based upon vote  
outcome; requiring board of county commissioners to  
administer provisions; imposing duties on board of  
county commissioners; prohibiting submission of  
question within designated time period after failure  
of approval; providing for noncodification; providing  
for codification; and providing an effective date.

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

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

21 This act shall be known and may be cited as the "Rural  
22 Landowners Protection Act".

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1 SECTION 2. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 2021 of Title 60, unless there  
3 is created a duplication in numbering, reads as follows:

4 As used in this act:

5 1. "Covered facility" means any proposed facility or  
6 installation falling within one or more of the following North  
7 American Industry Classification System (NAICS) codes or  
8 functionally equivalent operations:

9 a. NAICS 221115, relating to wind electric power

10 generation,

11 b. NAICS 221121, relating to electric bulk power

12 transmission and control, when used primarily for wind-  
13 energy transmission,

14 c. NAICS 423930 or 562920, relating to recyclable material  
15 merchants and materials recovery facilities, when used  
16 for wind-turbine component recycling or  
17 decommissioning,

18 d. NAICS 518210, relating to data processing, hosting, and  
19 computing infrastructure providers, when used for  
20 operation of a large-scale data center,

21 e. NAICS 221122 relating to grid-scale battery storage  
22 installations, and

f. activities relating to carbon capture, carbon  
recapture, carbon-sequestration, or related scientific  
or industrial operations;

2. "Election" means an election required by this act which  
    11 be conducted in substantially the same manner as elections for  
    12 county free-fair boards, including notice, ballot preparation,  
    13 voting location requirements, and canvassing of results, pursuant  
    14 to Sections 15-21 through 15-32 of Title 2 of the Oklahoma Statutes;

9       3. "Impact radius" means the area extending five (5) miles in  
10 all directions from the outermost boundary of a proposed covered  
11 facility or infrastructure; and

12       4. "Landowner of record" means the person or persons identified  
13 in county land records as holding title to a parcel, or such person's  
14 authorized representative.

15 SECTION 3. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 2022 of Title 60, unless there  
17 is created a duplication in numbering, reads as follows:

18       A. No state agency, county, municipality, or political  
19 subdivision shall issue any permit, zoning action, certificate, or  
20 authorization for construction or operation of a covered facility  
21 unless the project first receives landowner approval as provided in  
22 this section.

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1       B. Each parcel of privately owned land located wholly or  
2 partially within the impact radius shall be allotted one (1) share of  
3 voting authority, to be exercised by the landowner of record.

4       C. A proposed covered facility shall be deemed approved only if  
5 at least two-thirds (2/3) of all counted shares vote in favor of the  
6 project.

7       D. The county commissioners of the county in which the largest  
8 portion of the proposed project is located shall administer the  
9 landowner election.

10       E. Within thirty (30) days of receiving notice of application  
11 for a covered facility, the board of county commissioners shall:

- 12       1. Identify all landowners of record within the impact radius;
- 13       2. Provide written notice to such landowners; and
- 14       3. Set a date for the election.

15       F. A project, substantively identical to one that fails to  
16 receive landowner approval, shall not be resubmitted for a landowner  
17 approval election for a period of three (3) years from the date of  
18 the election at which the project failed to receive approval.

19       SECTION 4. This act shall become effective November 1, 2026.

21       60-2-15523       MAH       01/09/26