

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3095

By: Jenkins

4
5
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
14 outcome; requiring board of county commissioners to
15 administer provisions; imposing duties on board of
16 county commissioners; prohibiting submission of
17 question within designated time period after failure
18 of approval; providing for noncodification; providing
19 for codification; and providing an effective date.

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

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

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

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

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

4 2. "Election" means an election required by this act which
5 shall be conducted in substantially the same manner as elections for
6 county free-fair boards, including notice, ballot preparation,
7 polling location requirements, and canvassing of results, pursuant
8 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.

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.

20
21 60-2-15523 MAH 01/09/26
22
23
24