

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3967

By: Menz

AS INTRODUCED

An Act relating to eminent domain; amending 27 O.S. 2021, Section 18, as amended by Section 1, Chapter 197, O.S.L. 2024 (27 O.S. Supp. 2025, Section 18), which relates to Landowner's Bill of Rights; requiring certain statement to be provided to property owner; requiring the Attorney General to review and update the Landowner's Bill of Rights every two years; providing clarification on what a bona fide good-faith effort to negotiate is; allowing the transfer of land between certain state agencies; and providing an effective date.

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

SECTION 1. AMENDATORY 27 O.S. 2021, Section 18, as amended by Section 1, Chapter 197, O.S.L. 2024 (27 O.S. Supp. 2025, Section 18), is amended to read as follows:

Section 18. A. The Attorney General shall prepare a written statement that includes a "Landowner's Bill of Rights" for a property owner whose real property may be acquired by a person, acquiring agency, or other entity through the use of the entity's

1 eminent domain authority under this title or Title 66 of the
2 Oklahoma Statutes. The statement shall be made available to the
3 public and written in plain language designed to be easily
4 understood by the average property owner. The statement shall be
5 provided to the property owner at the earliest stage of the
6 acquisition process and prior to any negotiation for purchase. The
7 Attorney General shall review and update the Landowner's Bill of
8 Rights at least once every two (2) years to ensure accuracy and
9 clarity.

10 B. The Landowner's Bill of Rights shall notify each property
11 owner of the right to:

12 1. Notice of the proposed acquisition of the owner's property;

13 2. A bona fide good-faith effort to negotiate by the entity
14 proposing to acquire the property. A bona fide good-faith effort to
15 negotiate shall include providing the property owner with the
16 appraisal or damage assessment relied upon by the acquiring entity;

17 3. An assessment of damages to the owner that will result from
18 the taking of the property;

19 4. A hearing under this title, including a hearing on the
20 assessment of damages;

21 5. An appeal of a judgment in a condemnation proceeding,
22 including an appeal of an assessment of damages; and

23 6. First refusal or right of first offer if the acquired land
24 is ever sold by the state or any state agency or any person who

1 acquired the land through the use of eminent domain authority. If
2 the landowner chooses to exercise this right, the price would be the
3 lower of either the current market value or the price received by
4 the landowner under the eminent domain sale. This right shall be
5 available to the landowner in the original eminent domain sale and
6 to the first generation of heirs.

7 However, acquired land may be transferred to another state
8 agency that is appropriated by the Oklahoma Legislature without
9 prompting the first refusal or right of first refusal as provided in
10 this paragraph.

11 C. The statement shall include:

12 1. The title "Landowner's Bill of Rights"; and

13 2. A description of:

14 a. the condemnation procedures provided by this title,

15 b. the condemning entity's obligations to the property
16 owner,

17 c. the property owner's options during a condemnation,
18 including the property owner's right to object to and
19 appeal an amount of damages awarded, and

20 d. the property owner's right of first refusal or right
21 of first offer if the acquired land is ever sold by
22 the state or any state agency or any person who
23 acquired the land through the use of eminent domain
24 authority.

SECTION 2. This act shall become effective November 1, 2026.

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