

1 **SENATE FLOOR VERSION**

2 February 10, 2025

3 **AS AMENDED**

4 SENATE BILL NO. 80

5 By: Standridge and Bergstrom

6 [Oklahoma Turnpike Authority - new turnpike or
7 turnpike modification - notice - compliance - relief
8 - court costs and attorney fees - promulgation of
9 rules - codification - effective date]

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

11 SECTION 1. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 1708.1 of Title 69, unless there
13 is created a duplication in numbering, reads as follows:

14 A. Prior to the proposal of any new turnpike or modification to
15 an existing turnpike, the Oklahoma Turnpike Authority shall:

16 1. Give notice to all affected property owners pursuant to
17 Section 2004 of Title 12 of the Oklahoma Statutes;

18 2. For at least thirty (30) days after publication and notice
19 of the intended turnpike action, afford a comment period for all
20 interested persons to submit data, views, or arguments in writing.

21 The Authority shall consider fully all written submissions regarding
22 the proposed turnpike;

23 3. Within thirty (30) days of the close of the public comment
24 period, schedule a hearing on any proposed turnpike or modification

1 of an existing turnpike. At such hearing, persons may present oral
2 argument, data, and views on the proposed turnpike to the Authority;

3 4. Consider the effect its intended action may have on the
4 various types of property owners, businesses, and governmental
5 entities. Except where such modification or variance is prohibited
6 by statutory or constitutional constraints, if the Authority finds
7 that its actions may adversely affect any such entity, the Authority
8 may modify its proposal. For business entities, the Authority shall
9 include a description of the probable quantitative and qualitative
10 impact of the proposed turnpike, economic or otherwise, and use
11 quantifiable data to the extent possible, considering both short-
12 term and long-term consequences;

13 5. Consider the effect its intended action may have on the
14 various types of consumer groups. If the Authority finds that its
15 actions may adversely affect such groups, the Authority may modify
16 its proposal to exclude the activity that may potentially cause such
17 adverse effects; and

18 6. When the Authority provides notice pursuant to paragraph 1
19 of this subsection, provide one electronic copy of the complete map
20 of the proposed turnpike to the Governor, the President Pro Tempore
21 of the Senate, and the Speaker of the House of Representatives.

22 B. The notice required by paragraph 1 of subsection A of this
23 section shall include, but not be limited to:

24

- 1 1. In simple language, a brief summary of the turnpike and a
2 map of the turnpike;
- 3 2. The proposed action being taken;
- 4 3. The circumstances which created the need for the turnpike;
- 5 4. The specific legal authority, including statutory citations,
6 authorizing the proposed turnpike;
- 7 5. The intended effect of the turnpike;
- 8 6. If the Authority determines that the turnpike affects
9 business entities, a request that such entities provide the
10 Authority, within the comment period, in dollar amounts if possible,
11 the increase in direct costs such as fees, and indirect costs such
12 as reporting, recordkeeping, equipment, construction, labor,
13 professional services, revenue loss, or other costs expected to be
14 incurred by a particular entity due to compliance with the proposed
15 turnpike;
- 16 7. The time when, the place where, and the manner in which
17 interested persons may present their views on any proposed action
18 pursuant to paragraph 3 of subsection A of this section; and
- 19 8. Where copies of the proposed turnpike may be obtained for
20 review by the public. The Authority may charge persons for the
21 actual cost of mailing a copy of the proposed turnpike to such
22 persons.
- 23 C. All action taken by the Authority shall be in substantial
24 compliance with the requirements of this section. Any violation of

1 the provisions of this section shall render the action taken null
2 and void. Any affected person or entity shall have standing to
3 bring a civil action for declarative or injunctive relief, or both,
4 for any violation of this section. If such action is successful,
5 the affected person or entity shall be entitled to court costs and
6 reasonable attorney fees. If the Authority successfully defends a
7 civil action and the court finds that the action was frivolous, the
8 Authority shall be entitled to reasonable attorney fees.

9 D. The Authority shall promulgate rules to implement the
10 provisions of this section.

11 SECTION 2. This act shall become effective November 1, 2025.

12 COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION
13 February 10, 2025 - DO PASS AS AMENDED
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