

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3520

By: Marti

AS INTRODUCED

An Act relating to utilities; providing definitions; directing utility companies to complete required relocation within three hundred sixty-five days of receipt of Notice to Relocate; clarifying when time period begins; establishing utility company's liability for liquidated damages; clarifying liquidated damages; providing list of entities that may enforce requirements; directing for enforcement action to be brought in district court; providing list of reasons for extension; stipulating that extension must be approved in writing and may not exceed ninety days; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 180.21 of Title 17, unless there is created a duplication in numbering, reads as follows:

For purposes of this act:

1. "Notice to relocate" means written notice issued by a public entity to a utility identifying facilities requiring relocation and providing final approved construction plans and proof of funding availability;

1 2. "Public infrastructure project" means any street, road,
2 bridge, drainage, water, sewer, broadband, transit, or public
3 improvement project funded in whole or in part by:

4 a. a municipality or county,

5 b. the State of Oklahoma, or

6 c. federal funds administered by a public entity;

7 3. "Relocation" means the removal, movement, adjustment, or
8 replacement of utility facilities required to accommodate a publicly
9 funded infrastructure project; and

10 4. "Utility" means any public utility, electric cooperative,
11 telephone company, cable provider, broadband provider, pipeline
12 company, or other entity owning or operating utility facilities
13 within public rights-of-way.

14 SECTION 2. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 180.22 of Title 17, unless there
16 is created a duplication in numbering, reads as follows:

17 A. Upon receipt of a Notice to Relocate, a utility shall
18 complete all required relocation within ninety (90) calendar days.

19 B. The ninety-day period begins on the later of:

20 1. The date the utility receives final approved construction
21 plans; or

22 2. The date funds necessary for relocation are contractually
23 available.

1 SECTION 3. NEW LAW

A new section of law to be codified

2 in the Oklahoma Statutes as Section 180.23 of Title 17, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Beginning on the ninety-first day, a utility that has not
5 completed required relocation shall be liable for liquidated damages
6 in the amount of Five Thousand Dollars (\$5,000.00) per day, per
7 project, until relocation is completed.

8 B. Liquidated damages under this section:

- 9 1. Represent a reasonable estimate of public delay costs;
10 2. Are not a penalty; and
11 3. May be recovered by the public entity funding the project.

12 C. Liquidated damages may be withheld from any relocation
13 reimbursement or invoiced directly to the utility.

14 SECTION 4. NEW LAW

A new section of law to be codified

15 in the Oklahoma Statutes as Section 180.24 of Title 17, unless there
16 is created a duplication in numbering, reads as follows:

17 A. This act may be enforced by:

- 18 1. Any municipality or county;
19 2. The Department of Transportation; or
20 3. Any other public entity funding the project.

21 B. Enforcement actions may be brought in district court, and
22 prevailing public entities shall be entitled to:

- 23 1. Liquidated damages;
24 2. Injunctive relief; and

1 3. Recovery of attorney fees and court costs.

2 SECTION 5. NEW LAW A new section of law to be codified
3 in the Oklahoma Statutes as Section 180.25 of Title 17, unless there
4 is created a duplication in numbering, reads as follows:

5 A. A utility may request a written extension only for:

6 1. Natural disaster or act of nature;

7 2. Federal permitting delays outside the utility's control;

8 3. Material shortages certified by suppliers; or

9 4. Extraordinary safety hazards.

10 B. Extensions must be approved in writing by the public entity
11 and may not exceed ninety (90) days per occurrence.

12 SECTION 6. This act shall become effective November 1, 2026.

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