

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3520

By: Marti

6 AS INTRODUCED

7 An Act relating to utilities; providing definitions;  
8 directing utility companies to complete required  
9 relocation within three hundred sixty-five days of  
10 receipt of Notice to Relocate; clarifying when time  
11 period begins; establishing utility company's  
12 liability for liquidated damages; clarifying  
13 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.

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

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

18 in the Oklahoma Statutes as Section 180.21 of Title 17, unless there  
19 is created a duplication in numbering, reads as follows:

20 For purposes of this act:

21 1. "Notice to relocate" means written notice issued by a public  
22 entity to a utility identifying facilities requiring relocation and  
23 providing final approved construction plans and proof of funding  
24 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.

14        60-2-15589        MJ        01/13/26