

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3985

By: Caldwell (Trey)

4

5 AS INTRODUCED

6 An Act relating to property; creating the Oklahoma
7 Safe Neighborhoods Act of 2026; defining terms;
8 providing rules for certain property owner or triple
9 net leaseholder claims; requiring compensation for
10 certain property damage; listing certain compensable
11 damages; providing for compensation in lieu of claims
12 for monetary damages; providing for how compensation
13 should be determined; determining limits for
compensation amounts; providing time period for
acceptance or rejection of claims; providing
procedural rules following the acceptance or
rejection of claims; limiting the number of claims
per year; permitting voluntary settlements; providing
exceptions; 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 1110 of Title 60, unless there
19 is created a duplication in numbering, reads as follows:

20 This act shall be known and may be cited as the "Oklahoma Safe
21 Neighborhoods Act of 2026".

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 1111 of Title 60, unless there
24 is created a duplication in numbering, reads as follows:

1 A. As used in this act:

2 1. "Affected government" means a city, town, or county to which

3 a property owner is submitting a claim provided under this act;

4 2. "Property owner" means the holder of fee title to real

5 property;

6 3. "Fair market value" means the most likely price estimated in

7 terms of money which the land would bring if sold in the open

8 market, with reasonable time allowed in which to find a purchaser,

9 buying with knowledge of all the uses and purposes to which the land

10 is adapted and for which the land is capable; and

11 4. "Just compensation" means for purposes of an action of

12 diminution in value, the sum of money that is equal to the reduction

13 in fair market value of the property resulting from the adoption of

14 the policy, pattern, or practice or maintenance of public nuisance.

15 SECTION 3. NEW LAW A new section of law to be codified

16 in the Oklahoma Statutes as Section 1112 of Title 60, unless there

17 is created a duplication in numbering, reads as follows:

18 A. Notwithstanding any other law, a property owner or triple

19 net leaseholder located in a municipality with a population in

20 excess of one hundred thirty thousand (130,000) people, as

21 determined by the most recent Federal Decennial Census, may submit a

22 claim for compensation in an amount determined pursuant to

23 subsection B of this section if an affected government in which the

24 real property is located adopts and follows a policy, pattern, or

1 practice of declining to enforce existing laws, ordinances, or other
2 legislation prohibiting illegal public camping, obstructing public
3 thoroughfares, loitering, panhandling, public urination or
4 defecation, public consumption of alcoholic beverages, possession or
5 use of illegal substances, or shoplifting, or if the affected
6 government in which the real property is located maintains a public
7 nuisance, and either of the following occurs:

8 1. The property owner incurs documented expenses to mitigate
9 the effects of such policy, pattern, practice, or public nuisance on
10 the property owner's real property; or

11 2. The fair market value of the owner's private real property
12 is reduced by such policy, pattern, practice, or public nuisance.

13 B. The amount of compensation to which the property owner is
14 entitled shall be, at the owner's election, equal to either:

15 1. The documented expenses incurred by the property owner that
16 were reasonably necessary to mitigate the effects of the policy,
17 pattern, practice, or public nuisance on the property owner's real
18 property; or

19 2. The reduction in fair market value of the property resulting
20 from the government policy, pattern, practice, or public nuisance.

21 C. The compensation allowed under this section:

22 1. Is in lieu of any claim for monetary damages; and

23 2. May not exceed the amount the property owner paid in the
24 prior tax year in primary property taxes to the affected government.

1 If the total amount of compensation determined pursuant to
2 subsection B of this section is more than the amount the property
3 owner paid in the prior tax year in primary property taxes to the
4 affected government and the claim is accepted, the affected
5 government shall pay the full amount of the primary property tax
6 back to the primary owner. The property owner may submit a claim
7 for the remaining portion of the compensation in the following and
8 successive tax years, until the full amount is repaid. No interest
9 shall accrue on the unpaid amount.

10 SECTION 4. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 1113 of Title 60, unless there
12 is created a duplication in numbering, reads as follows:

13 A. Within thirty (30) days after a property owner submits a
14 written claim for compensation to the affected government in a
15 specific amount for reimbursement for mitigation expenses or just
16 compensation, the affected government shall accept or reject the
17 claim.

18 1. If the affected government accepts the claim, it shall pay
19 the amount requested to the property owner.

20 2. If the affected government rejects the claim or does not
21 respond to the claim within thirty (30) days, the property owner may
22 file a cause of action in the district court of the county in which
23 the real property is located to challenge the rejection of the
24 claim. The questions of whether the property owner is entitled to

1 the compensation and whether the amount of the claim is reasonable
2 are judicial questions.

3 B. In a cause of action filed pursuant to paragraph 2 of
4 subsection A of this section:

5 1. The affected government shall bear the burden of
6 demonstrating that its actions are lawful or that the amount of the
7 claim is unreasonable;

8 2. The property owner is not liable to the affected government
9 for attorney fees or costs; and

10 3. A prevailing property owner shall be awarded reasonable
11 attorney fees and costs.

12 C. No claim other than those expressly prescribed by this act
13 shall require submission as a prerequisite to demanding or receiving
14 reimbursement for mitigation expenses or just compensation pursuant
15 to this section.

16 D. A property owner may submit a claim under this section once
17 per tax year.

18 E. If the policy, pattern, practice, or public nuisance remains
19 in place after the property owner submits a claim pursuant to this
20 section, and there is demonstrable additional damage to the
21 property, the property owner is entitled to additional compensation
22 under this section in a subsequent tax year, unless the affected
23 government and the property owner enter into a knowing and voluntary

1 settlement, or the affected government ends the policy, pattern, or
2 practice or abates the public nuisance.

3 F. The remedy established by this section is in addition to any
4 other remedy that is provided by the laws and Constitution of
5 Oklahoma or the United States and is not intended to modify or
6 replace any other remedy.

7 G. Nothing in this section prohibits the property owner from
8 entering into a knowing and voluntary settlement with the affected
9 government for an amount less than the property owner requested in
10 the claim submitted pursuant to this act.

11 SECTION 5. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 1114 of Title 60, unless there
13 is created a duplication in numbering, reads as follows:

14 A. This section shall not apply to:

15 1. Decisions by city, town, or county authorities to exercise
16 prosecutorial discretion not to prosecute alleged offenders if such
17 discretion is exercised on a case-by-case basis and the
18 justifications for each decision are published on a monthly basis by
19 the city, town, or county;

20 2. Acts of executive clemency; or

21 3. Acts or omissions mandated by federal law.

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

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