

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 970

By: Jett

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5
6 AS INTRODUCED

7 An Act relating to turnpikes; prohibiting turnpike
8 projects, routes, and extensions under certain
9 circumstances; requiring certain election be held in
10 certain areas; allowing authorization under certain
11 approval; providing time that certain approval exists
12 for construction purposes; stating how certain
elections shall be conducted relating to certain
13 projects; requiring proof of certain ownership of
14 real property; providing for codification; and
15 providing an effective date.

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 1705.7 of Title 69, unless there
19 is created a duplication in numbering, reads as follows:

20 A. No turnpike project or route, nor any extension of an
21 existing turnpike, shall be authorized unless the Legislature shall
22 receive prior to such authorization, results of a special election
23 from among property owners whose land is situated within a one-mile
24 radius of the proposed turnpike route.

25 B. The question at the special election shall be whether a
26 majority of such affected landowners are in favor of or against the

1 proposed turnpike route. Such special election is to be organized
2 and conducted by the county election board in each county where the
3 property of each landowner affected is located. Authorization shall
4 be allowed only if the majority of landowners along the proposed
5 turnpike route vote in the affirmative. If more than four (4) years
6 elapse from the time that a vote takes place prior to a project's or
7 a route's legislative authorization, the prior vote shall be
8 presumptively considered to have lapsed and a new special election
9 in line with the above criteria must be held prior to any
10 legislative authorization for the construction of any such turnpike
11 or turnpike extension.

12 C. For purposes of counting votes in such special election, in
13 instances where fee simple title of an affected parcel of land is
14 held in co-tenancy or in joint tenancy, any one of the owners may
15 vote, but, in order for such vote to be given effect, it shall be
16 necessary for the representative(s) of such landowner to present to
17 the county election board proxies or other reliable form of proof as
18 shall be developed by the State Election Board and made available
19 through all county election boards for use by all prospectively
20 eligible voters.

21 D. Acceptable proofs shall include recorded deeds and other
22 instruments of conveyance, recorded memoranda of trusts, final
23 probate and divorce decrees, affidavits of surviving joint tenants,
24 and affidavits of heirship. Where fee simple title is held by a

1 married couple, either one of the two persons comprising such
2 married couple shall be empowered to exercise the right to vote
3 relative to the affected parcel of land. Any conveyances recorded
4 in the land records subsequent to the first official publication of
5 notice of such vote that would have the effect of severing ownership
6 so as to create two or more separate tracts from a theretofore
7 single parcel of land and which further preserve ownership of such
8 new parcels in the same person or affiliate of such same person
9 shall not increase the number of votes which may be exercised by any
10 such landowner.

11 SECTION 2. This act shall become effective November 1, 2023.

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