

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 980

By: Murdock

AS INTRODUCED

An Act relating to planning and zoning; requiring certain easements to be approved by certain governing bodies; clarifying terms of when certain easements are approved and disapproved; requiring additional approval of boards of county commissioners under certain circumstances; defining reasons for disapproval; providing for codification; and declaring an emergency.

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 863.3A of Title 19, unless there is created a duplication in numbering, reads as follows:

In order to minimize conflicts with land-use planning, each conservation easement shall be approved by the appropriate governing body. Such approving body shall first refer the proposed acquisition to and receive comments from the local planning commission with jurisdiction over such property, which shall, within sixty (60) days of the referral, provide such comments regarding the conformity of the proposed acquisition to comprehensive planning for the area. If such comments are not received within sixty days, the

1 proposed acquisition shall be deemed approved by the local planning  
2 commission. If the property is located partially or entirely within  
3 the boundaries or zoning jurisdiction of a municipality or county,  
4 approval of the governing body of such municipality or county shall  
5 be required. If such property is located entirely outside the  
6 boundaries and zoning jurisdiction of any municipality or county,  
7 approval of the board of county commissioners shall be required.  
8 Approval of a proposed acquisition may be denied upon a finding by  
9 the appropriate governing body that the acquisition is not in the  
10 public interest when the easement is inconsistent with:

11 1. A comprehensive plan for the area which had been officially  
12 adopted and was in force at the time of the conveyance; or

13 2. Any national, state, regional, or local program furthering  
14 conservation; or

15 3. Any known proposal by a governmental body for use of the  
16 land.

17 SECTION 2. It being immediately necessary for the preservation  
18 of the public peace, health or safety, an emergency is hereby  
19 declared to exist, by reason whereof this act shall take effect and  
20 be in full force from and after its passage and approval.

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