

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1627 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Trey Caldwell

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 FLOOR SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 1627

6 By: Caldwell (Trey)

7 FLOOR SUBSTITUTE

8 An Act relating to property; creating the Safe
9 Neighborhoods Act; providing rules for certain
10 property owner or triple net leaseholder claims
11 against a city, town or county; requiring
12 compensation for certain property damage; listing
13 certain compensable damages; providing for certain
14 compensation in lieu of claims for monetary damages;
15 providing time period for acceptance or rejection of
16 claims; providing procedural rules following the
17 acceptance or rejection of claims; limiting the
18 number of claims per year; permitting voluntary
19 settlements; providing exceptions; providing for
20 codification; and providing an effective date.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 299A of Title 60, unless there
24 is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Safe
Neighborhoods Act".

B. As used in this act:

1 1. "Affected city, town, or county" means a city, town, or
2 county to which a property owner is submitting a claim provided
3 under this section;

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 exposed for sale in the
8 open market, with reasonable time allowed in which to find a
9 purchaser, buying with knowledge of all the uses and purposes to
10 which it is adapted and for which it is capable; and

11 4. "Just compensation" for purposes of an action of diminution
12 in value means the sum of money that is equal to the reduction in
13 fair market value of the property resulting from the adoption of the
14 policy, pattern or practice or maintenance of public nuisance.

15 C. Notwithstanding any other law, a property owner or triple
16 net leaseholder may submit a claim for compensation in an amount
17 determined pursuant to subsection D of this section if either of the
18 following occurs:

19 1. The city, town, or county in which the real property is
20 located adopts and follows a policy, pattern or practice of
21 declining to enforce existing laws, ordinances, or other legislation
22 prohibiting illegal public camping, obstructing public
23 thoroughfares, loitering, panhandling, public urination or
24 defecation, public consumption of alcoholic beverages, possession or

1 use of illegal substances or shoplifting, or if the city, town or
2 county in which the real property is located maintains a public
3 nuisance, and the property owner incurs documented expenses to
4 mitigate the effects of such policy, pattern, practice or public
5 nuisance on the property owner's real property; or

6 2. The city, town or county in which the real property is
7 located adopts and follows a policy, pattern or practice of
8 declining to enforce existing laws, ordinances or other legislation
9 prohibiting illegal public camping, obstructing public
10 thoroughfares, loitering, panhandling, public urination or
11 defecation, public consumption of alcoholic beverages, possession or
12 use of illegal substances or shoplifting, or if the city, town, or
13 county in which the real property is located maintains a public
14 nuisance, and the fair market value of the owner's private real
15 property is reduced by this policy, pattern, practice, or public
16 nuisance.

17 D. The amount of compensation to which the property owner is
18 entitled shall be, at the owner's election, equal to:

19 1. The documented expenses incurred by the property owner that
20 were reasonably necessary to mitigate the effects of the policy,
21 pattern, practice or public nuisance on the property owner's real
22 property; or
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1 2. The reduction in fair market value of the property resulting
2 from the state or local government's policy, pattern, practice, or
3 public nuisance.

4 E. The compensation allowed under this section:

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

6 2. May not exceed the amount the property owner paid for the
7 prior tax year in primary property taxes for the tax year to the
8 affected city, town, or county. If the total amount of compensation
9 determined pursuant to subsection D of this section is more than the
10 amount the property owner paid for the prior tax year in primary
11 property taxes to the affected city, town, or county for the tax
12 year and the claim is accepted, the affected city, town, or county
13 shall pay the property owner an amount equal to the amount the
14 property owner paid for the prior tax year in primary property tax
15 to the affected city, town, or county. The property owner must
16 submit a claim for the remaining portion of the compensation in the
17 following and successive tax years, as needed.

18 F. Within thirty (30)

19 days after a property owner submits a written claim for compensation
20 to the affected city, town, or county in a specific amount for
21 reimbursement for mitigation expenses or just compensation, the
22 affected city, town, or county shall accept or reject the claim. If
23 the affected city, town, or county:

1 1. Accepts the claim, the affected city, town, or county shall
2 pay the amount requested to the property owner; or

3 2. Rejects the claim or does not respond to the claim within
4 the thirty-day period, the property owner may file a cause of action
5 in the trial court of the county in which the real property is
6 located to challenge the rejection of the claim. The questions of
7 whether the property owner is entitled to the compensation and
8 whether the amount of the claim is reasonable are judicial
9 questions. In a cause of action filed pursuant to this paragraph:

10 a. the city, town, or county shall bear the burden of
11 demonstrating that its actions are lawful or that the
12 amount of the claim is unreasonable,

13 b. the property owner is not liable to the city, town, or
14 county for attorney fees or costs, and

15 c. a prevailing property owner shall be awarded
16 reasonable attorney fees and costs.

17 G. The property owner shall not be required to submit any claim
18 besides that prescribed in subsection C of this section as a
19 prerequisite to demanding or receiving reimbursement for mitigation
20 expenses or just compensation pursuant to this section.

21 H. A property owner may submit a claim under this section once
22 per tax year.

23 I. If the policy, pattern, practice or public nuisance remains
24 in place after the property owner submits a claim pursuant to this

1 section, the property owner is entitled to additional compensation
2 under this section in a subsequent tax year, unless the affected
3 city, town, or county and the property owner enter into a knowing
4 and voluntary settlement, or the affected city, town, or county ends
5 the policy, pattern or practice or abates the public nuisance.

6 J. The remedy established by this section is in addition to any
7 other remedy that is provided by the laws and constitution of this
8 state or the United States and is not intended to modify or replace
9 any other remedy.

10 K. Nothing in this section prohibits the property owner from
11 entering into a knowing and voluntary settlement with the affected
12 city, town, or county for an amount less than the property owner
13 requested in the claim submitted pursuant to subsection F of this
14 section.

15 L. This section shall not apply to:

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

21 2. Acts of executive clemency; and

22 3. Acts or omissions mandated by federal law.

23 SECTION 2. This act shall become effective November 1, 2025.

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