

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2096

By: Menz

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5
6 AS INTRODUCED

7 An Act relating to wildlife habitat development;
8 amending 29 O.S. 2021, Section 3-312, which relates
9 to a program to promote wildlife habitat development
10 on private lands; providing that land in the program
11 is exempt from eminent domain; and providing an
12 effective date.

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

14 SECTION 1. AMENDATORY 29 O.S. 2021, Section 3-312, is
15 amended to read as follows:

16 Section 3-312. A. In order to encourage wildlife habitat
17 conservation on private lands, the Department of Wildlife
18 Conservation shall establish a program for wildlife habitat
19 maintenance, enhancement, development, preservation, restoration,
20 and management on private lands. To implement the program, the
21 Department shall enter into multiyear contracts for approved
22 projects on privately owned lands detailing the landowners'
23 responsibilities.

1 B. The Department shall promulgate rules pursuant to the
2 Administrative Procedures Act to implement the program. Such rules
3 may provide for incentives to participate in the program.

4 C. Nothing in this section or in the contract executed pursuant
5 to subsection A of this section shall be interpreted or construed to
6 constitute a financial or general obligation of the state. No state
7 revenue shall be used to guarantee or pay for any damages to
8 property or injury to persons as a result of the provisions of this
9 section or the contract.

10 D. 1. Any landowner contracting with the Department pursuant
11 to the provisions of this section:

12 a. except as otherwise provided by this subsection, owes
13 no duty of care to keep the premises safe for entry or
14 use by others for any recreational purposes, or to
15 give any warning of a dangerous condition, use,
16 structure, or activity on such premises to persons
17 entering for such purposes, or

18 b. who either directly or indirectly invites or permits
19 without charge any person to use such property for
20 recreational purposes, does not thereby:

21 (1) extend any assurance that the premises are safe
22 for any purpose,

23 (2) confer upon such person the legal status of an
24 invitee or licensee, or

1 (3) assume responsibility for or incur liability for
2 any injury to person or property caused by an act
3 or omission of such persons.

4 2. Nothing in this section limits in any way any liability
5 which otherwise exists for:

- 6 a. willful or malicious failure to guard or warn against
7 a dangerous condition, use, structure or activity, or
- 8 b. injury suffered in any case where the owner of land
9 charges the person or persons who enter or go on the
10 land for the recreational use thereof.

11 E. Lands entered into the program are exempt from eminent
12 domain.

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

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