

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 2096

By: Menz and Waldron of the
House

6 and

7 Murdock of the Senate

8
9 COMMITTEE SUBSTITUTE

10 An Act relating to wildlife habitat development;
11 amending 29 O.S. 2021, Section 3-312, which relates
12 to a program to promote wildlife habitat development
13 on private lands; exempting land in the program from
14 eminent domain; allowing the Department of Wildlife
15 Conservation to establish certain program; requiring
16 projects to be completed at landowner's expense;
17 exempting land in the program from eminent domain;
18 allowing for landowners to cancel contract; requiring
19 landowner to reimburse Department upon cancellation;
20 allowing the Department to charge certain fee for
21 participation; providing for promulgation of rules;
22 providing for codification; and providing an
23 effective date.

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

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

Section 3-312. A. In order to encourage wildlife habitat
conservation on private lands, the Department of Wildlife
Conservation shall establish a program for wildlife habitat

1 maintenance, enhancement, development, preservation, restoration,
2 and management on private lands. To implement the program, the
3 Department shall enter into multiyear contracts for approved
4 projects on privately owned lands detailing the landowners'
5 responsibilities.

6 B. The Department shall promulgate rules pursuant to the
7 Administrative Procedures Act to implement the program. Such rules
8 may provide for incentives to participate in the program.

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

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

17 a. except as otherwise provided by this subsection, owes
18 no duty of care to keep the premises safe for entry or
19 use by others for any recreational purposes, or to
20 give any warning of a dangerous condition, use,
21 structure, or activity on such premises to persons
22 entering for such purposes, or

23
24

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

4 (1) extend any assurance that the premises are safe
5 for any purpose,

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

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

11 2. Nothing in this section limits in any way any liability
12 which otherwise exists for:

13 a. willful or malicious failure to guard or warn against
14 a dangerous condition, use, structure, or activity, or

15 b. injury suffered in any case where the owner of land
16 charges the person or persons who enter or go on the
17 land for the recreational use thereof.

18 E. Lands entered into the program are exempt from eminent
19 domain during the term of the contract and for an additional five-
20 year period following the completion of work.

21 SECTION 2. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 3-312A of Title 29, unless there
23 is created a duplication in numbering, reads as follows:

1 A. The Department of Wildlife Conservation may establish a
2 program for technical assistance for private lands that authorizes
3 the Department to enter landowners into five-year contracts for
4 approved habitat assistance projects.

5 B. Any project associated with this program shall be completed
6 at the landowner's expense.

7 C. Lands entered into the program shall be exempt from eminent
8 domain during the period a landowner is actively engaging in the
9 terms of the contract.

10 D. Any enrolled landowner may cancel any contract entered into
11 pursuant to this section at any time but shall not remain eligible
12 for the protections pursuant to subsection C of this section. Any
13 landowner who cancels a contract pursuant to this subsection shall
14 repay all funds provided by the Department during the duration of
15 the contract prior to cancellation used for habitat improvement
16 work.

17 E. The Department may charge a fee for landowners participating
18 in this program.

19 F. The Department shall promulgate all rules necessary to
20 implement the provisions of this section.

21 SECTION 3. This act shall become effective November 1, 2025.

22

23 60-1-2012 MR 4/10/2025 4:26:51 PM

24