

1 STATE OF OKLAHOMA

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

3 SUBCOMMITTEE RECOMMENDATION
4 FOR

5 HOUSE BILL NO. 2872

6 By: Staires

7 SUBCOMMITTEE RECOMMENDATION

8 An Act relating to the Oklahoma Turnpike Authority;
9 requiring Authority to take certain actions prior to
10 proposals for new turnpike or turnpike modification;
11 requiring certain notice; requiring inclusion of
12 certain information in required notice; requiring
13 substantial compliance with provisions; providing
14 standing for affected persons or entities to file
15 action for certain relief; authorizing award of court
16 costs and attorney fees under certain circumstances;
17 requiring promulgation of rules; providing for
18 codification; and providing an effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1708.1 of Title 69, unless there
22 is created a duplication in numbering, reads as follows:

23 A. Prior to the proposal of any new turnpike or modification to
24 an existing turnpike, the Oklahoma Turnpike Authority shall:

1. Give notice to all affected property owners pursuant to
Section 2004 of Title 12 of the Oklahoma Statutes;

1 2. For at least thirty (30) days after publication and notice
2 of the intended turnpike action, afford a comment period for all
3 interested persons to submit data, views, or arguments in writing.
4 The Authority shall consider fully all written submissions regarding
5 the proposed turnpike;

6 3. Within thirty (30) days of the close of the public comment
7 period, schedule a hearing on any proposed turnpike or modification
8 of an existing turnpike. At such hearing, persons may present oral
9 argument, data, and views on the proposed turnpike to the Authority;

10 4. Consider the effect its intended action may have on the
11 various types of property owners, businesses, and governmental
12 entities. Except where such modification or variance is prohibited
13 by statutory or constitutional constraints, if the Authority finds
14 that its actions may adversely affect any such entity, the Authority
15 may modify its proposal. For business entities, the Authority shall
16 include a description of the probable quantitative and qualitative
17 impact of the proposed turnpike, economic or otherwise, and use
18 quantifiable data to the extent possible, considering both short-
19 term and long-term consequences;

20 5. Consider the effect its intended action may have on the
21 various types of consumer groups. If the Authority finds that its
22 actions may adversely affect such groups, the Authority may modify
23 its proposal to exclude the activity that may potentially cause such
24 adverse effects; and

1 6. When the Authority provides notice pursuant to paragraph 1
2 of this subsection, provide one electronic copy of the complete map
3 of the proposed turnpike to the Governor, the President Pro Tempore
4 of the Senate, and the Speaker of the House of Representatives.

5 B. The notice required by paragraph 1 of subsection A of this
6 section shall include, but not be limited to:

7 1. In simple language, a brief summary of the turnpike and a
8 map of the turnpike;

9 2. The proposed action being taken;

10 3. The circumstances which created the need for the turnpike;

11 4. The specific legal authority, including statutory citations,
12 authorizing the proposed turnpike;

13 5. The intended effect of the turnpike;

14 6. If the Authority determines that the turnpike affects
15 business entities, a request that such entities provide the
16 Authority, within the comment period, in dollar amounts if possible,
17 the increase in direct costs such as fees, and indirect costs such
18 as reporting, recordkeeping, equipment, construction, labor,
19 professional services, revenue loss, or other costs expected to be
20 incurred by a particular entity due to compliance with the proposed
21 turnpike;

22 7. The time when, the place where, and the manner in which
23 interested persons may present their views on any proposed action
24 pursuant to paragraph 3 of subsection A of this section; and

1 8. Where copies of the proposed turnpike may be obtained for
2 review by the public. The Authority may charge persons for the
3 actual cost of mailing a copy of the proposed turnpike to such
4 persons.

5 C. All action taken by the Authority shall be in substantial
6 compliance with the requirements of this section. Any violation of
7 the provisions of this section shall render the action taken null
8 and void. Any affected person or entity shall have standing to
9 bring a civil action for declarative or injunctive relief, or both,
10 for any violation of this section. If such action is successful,
11 the affected person or entity shall be entitled to court costs and
12 reasonable attorney fees. If the Authority successfully defends a
13 civil action and the court finds that the action was frivolous, the
14 Authority shall be entitled to reasonable attorney fees.

15 D. The Authority shall promulgate rules to implement the
16 provisions of this section.

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

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