

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 753

By: Deevers

6 COMMITTEE SUBSTITUTE

7 An Act relating to invasive woody species; creating
8 the Oklahoma Invasive Woody Species Stewardship for
9 State-Leased Lands Act; providing short title;
10 defining terms; requiring lessees of state-owned land
11 to follow certain guidelines for invasive woody
12 species control; specifying conditions for leases;
13 allowing for lease rates to be amended; authorizing
14 the Commissioners of the Land Office to perform
15 inspections; providing for violations; prohibiting
16 additional state resources to be used outside the
17 scope of this act; allowing the Commissioners of the
18 Land Office to accept contests of findings; providing
19 for promulgation of rules; 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 3-9-100 of Title 27A, unless
24 there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma
Invasive Woody Species Stewardship for State-Leased Lands Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 3-9-101 of Title 27A, unless
there is created a duplication in numbering, reads as follows:

1 A. As used in this act:

2 1. "Invasive woody species" means a native or non-native tree
3 or shrub species that threatens and causes harm to the environment,
4 water resources, or economy. Invasive woody species include, but
5 are not limited to, *Juniperus virginiana* (Eastern Redcedar),
6 *Juniperus scopulorum* (Rocky Mountain juniper), *Juniperus monosperma*
7 (oneseed juniper), and *Tamarix ramosissima* (salt cedar); and

8 2. "Lessee" means any individual, organization, or entity
9 leasing state-owned land.

10 B. Upon origination of a new lease or renewal of a lease on
11 state-owned property after the effective date of this act, a lessee
12 shall be required to:

13 1. Remove no less than eighty-five percent (85%) of invasive
14 woody species on the leased property, as follows:

15 a. twenty-five percent (25%) by the end of the first
16 year,

17 b. forty-five percent (45%) by the end of the second
18 year,

19 c. sixty-five percent (65%) by the end of the third year,
20 and

21 d. eight-five percent (85%) by the end of the fourth
22 year.

23 Provided, however, if the lessee renews for a subsequent lease
24 for the property, the lessee shall remove no less than ninety-five

1 percent (95%) by the end of the first year of his or her renewed
2 lease;

3 2. Submit a management plan to the Oklahoma Conservation
4 Commission and the Commissioners of the Land Office outlining the
5 strategy the lessee intends to employ for the removal and ongoing
6 maintenance of invasive woody species on the property within ninety
7 (90) days of the origination date of the lease; and

8 3. Maintain the minimum removal requirement of invasive woody
9 species pursuant to paragraph 1 of this subsection throughout the
10 duration of the lease.

11 C. Lease rates shall be reduced to offset the documented costs
12 incurred by the requirements of this act. The reduction shall be
13 agreed upon between the lessee and the state upon approval and
14 review of anticipated costs prior to the origination of the lease.
15 A lessee may receive a credit against the lease imposed on the costs
16 incurred by the requirements of this act.

17 D. The Commissioners of the Land Office in coordination with
18 the Oklahoma Conservation Commission shall:

19 1. Provide the lessee with a description of the property with a
20 determination of growth by invasive woody species prior to
21 origination of the lease to assist with removal pursuant to
22 paragraph 1 of subsection B of this section;

23 2. Conduct annual inspections of leased lands to ensure
24 compliance with the management plan submitted by the lessee pursuant

1 to paragraph 2 of subsection B of this section. The lessee shall
2 make the leased property available for inspection upon notice from
3 the Commissioners of the Land Office; and

4 3. Provide an appraisal for all improvements associated with
5 the management plan pursuant to the provisions of Section 1062 of
6 Title 64 of the Oklahoma Statutes. The appraisers as a part of
7 their appraisal shall determine the fair market rental value of the
8 land. For purposes of this section, "fair market rental value" is
9 the annual price in cash a willing but not obligated lessee would
10 pay, and a willing but not obligated lease holder would charge, for
11 the same or similar lands for the highest and best legal use of the
12 property, agricultural or commercial.

13 a. In determining the fair market rental value, the
14 appraisers shall consider the following:

- 15 (1) present land use,
 - 16 (2) acres of land in cultivation, pasture, timber,
17 and nonproductive,
 - 18 (3) soil types and productivity,
 - 19 (4) availability of water,
 - 20 (5) improvements made pursuant to this act,
 - 21 (6) cash rental price of comparable agricultural
22 land, and
- 23
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1 (7) effective cash return on the lease holder's share
2 of crop rent from comparable agricultural land
3 for the five-year period preceding the appraisal.

4 b. The appraisers shall reconcile the variables to arrive
5 at their estimation of fair market rental value of the
6 land; provided, that they shall give weighted
7 preference to comparable cash rentals charged on other
8 lands of the same or similar quality in the area.

9 Appraisals conducted pursuant to this paragraph shall not exceed
10 those rates associated with the Conservation Stewardship Program
11 implemented by the United States Natural Resources Conservation
12 Service.

13 E. 1. Upon a first violation of this section, the
14 Commissioners of the Land Office shall provide a written notice to
15 the lessee specifying the violations and providing the lessee ninety
16 (90) days after notice to correct the violation.

17 2. If the lessee fails to comply with the contents of the
18 written notice pursuant to paragraph 1 of this subsection, the
19 Commissioners of the Land Office shall:

- 20 a. terminate the lease agreement,
- 21 b. evict the lessee from the property, and
- 22 c. require the lessee to pay restitution for any costs
23 incurred by the state due to the lessee's failure to
24 comply with the provisions of this act.

1 3. If any such costs associated with subparagraph c of
2 paragraph 2 of subsection E of this section are not paid within
3 ninety (90) days after being assessed by the state, the
4 Commissioners of the Land Office shall bring suit in district court
5 to recover any assessed payments.

6 F. The Commissioners of the Land Office shall allow the lessee
7 to contest the findings of the notice upon written notice by the
8 lessee to the Commissioners of Land Office within (30) days of
9 receiving the notice of violation.

10 G. For lessees who lose property by bid during auction, the new
11 lessee shall reimburse the previous lessee for all remaining credit
12 assessed during the initial term of the lease for removal of
13 invasive woody species during the previous lease term.

14 H. No additional state resources shall be allocated for
15 invasive woody species management on leased lands beyond those
16 provided through routine inspections and administrative functions
17 pursuant to this act.

18 I. The Commissioners of the Land Office shall promulgate any
19 rules necessary to implement the provisions of this act.

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

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