

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 969

By: Standridge

AS INTRODUCED

An Act relating to turnpikes; amending 69 O.S. 2021, Section 1707, which relates to the acquisition of lands; requiring the Oklahoma Turnpike Authority to compensate certain property owners for certain damages; requiring the Oklahoma Turnpike Authority to acquire certain properties upon the request of property owners; providing process for acquisition of certain properties; defining term; updating statutory language; and declaring an emergency.

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

SECTION 1. AMENDATORY 69 O.S. 2021, Section 1707, is amended to read as follows:

Section 1707. A. The Oklahoma Turnpike Authority is hereby authorized and empowered to acquire, by purchase or condemnation, land or such interest therein as in its discretion may be necessary for the purpose of establishing, constructing, maintaining, and operating turnpike projects or relocation thereof, and facilities necessary and incident thereto, or necessary in the restoration of public or private property damaged or destroyed, including borrow areas, detours, channel changes, concession areas, public or private

1 access roads, and deposits of rock, gravel, sand, and other road
2 building material for use in turnpike construction and maintenance,
3 upon such terms and at such price as may be considered by it to be
4 reasonable and can be agreed upon between the Authority and the
5 owner thereof, and to take title thereto in the name of the
6 Authority; provided, that such right and title shall be limited to
7 the surface rights only and shall not include oil or other mineral
8 rights.

9 B. Groundwater rights may be severed from surface rights, upon
10 the written request of the owner of land to be acquired; however, an
11 owner of groundwater rights shall not have a right of access to the
12 Authority's acquired surface rights. No person may construct,
13 maintain, or operate any water well, drilling equipment, or lines on
14 or under the surface acquired by the Authority without express
15 written approval of the Authority.

16 C. A property owner with property abutting a turnpike project
17 shall be compensated for damage to the property caused by the
18 turnpike project, whether directly or indirectly. Compensation
19 shall be made in the form of correction of the damage, monetary
20 compensation for the devaluation of the property, or, at the request
21 of the property owner, acquisition of the property for the fair
22 market value of the property prior to the damage plus all costs of
23 relocation incurred by the property owner.

1 D. 1. The Authority shall be required to acquire, at the
2 request of a property owner whose property abuts a turnpike project,
3 the real property abutting any right-of-way property acquired for a
4 turnpike project, up to and including one thousand (1,000) feet from
5 the boundary of the right-of-way acquired for the project.

6 2. At the time the Authority commences the process of any
7 right-of-way acquisition for all or a portion of a turnpike project,
8 whether by way of voluntary purchase or condemnation, the Authority
9 shall provide written notice, via certified and first-class mail, of
10 the intended right-of-way acquisition to all owners of real property
11 abutting the right-of-way to be acquired for the project. The
12 written notice shall include a statement that the property owners
13 may request compensation for or acquisition of their real property
14 abutting the right-of-way acquired for the turnpike project, up to
15 and including one thousand (1,000) feet from the boundary of the
16 right-of-way acquired for the project. The notice shall include a
17 mailing address to which owners may submit a written request for
18 compensation for or acquisition of abutting property.

19 3. Any property owner requesting compensation for abutting
20 property shall make such request to the Authority in writing, via
21 certified and first-class mail, no later than twenty (20) days after
22 the receipt of the notice. Upon receipt of a valid request for
23 compensation for abutting real property, the Authority shall proceed
24 to make a good-faith offer of compensation, and further, shall

1 negotiate in good faith with the abutting property owner to reach an
2 agreement for compensation. If the parties fail to agree upon the
3 amount of such compensation within one hundred eighty (180) days of
4 the date on which the property owner made such request, the
5 Authority shall, within ninety (90) days, commence an action in the
6 district court where the real property is located for a
7 determination and award to the property owner of such compensation.
8 Either party to the action shall be entitled to a trial by jury. If
9 the award of compensation in any such action exceeds the Authority's
10 last best offer to the property owner by ten percent (10%) or more,
11 the property owner shall be entitled to reasonable attorney fees,
12 appraisal fees, and expert witness fees incurred in the action.

13 4. Any property owner requesting acquisition of abutting
14 property shall make such request to the Authority in writing, via
15 certified and first-class mail, no later than twenty (20) days after
16 the date of receipt of the notice. Upon receipt of a valid request
17 for acquisition of abutting real property, the Authority shall
18 proceed with the acquisition in the same manner and on the same
19 legal terms and conditions as the acquisition of a right-of-way for
20 the turnpike project.

21 E. As used in this section, "damage" means a negative impact to
22 the access, air, light, view, enjoyment, or monetary value of a
23 property.

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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