

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 ENGROSSED SENATE
5 BILL NO. 361

By: Dahm and Pittman of the
Senate

6 and

7 Echols of the House

8
9
10 An Act relating to eminent domain; amending 27 O.S.
11 2011, Section 1, which relates to state lands subject
12 to the power of eminent domain; modifying authorized
13 purposes; amending 27 O.S. 2011, Section 3, which
14 relates to compensation for certain appraisers;
15 removing specific dollar amount; amending 27 O.S.
16 2011, Section 7.10, which relates to responsibility
17 of certain common carrier pipeline for certain
18 expenses; modifying applicability and eliminating
19 inclusion of telegraph lines; repealing 27 O.S. 2011,
20 Sections 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9
21 and 7.11, which relate to regulation and power of
22 eminent domain for coal slurry pipeline; and
23 providing an effective date.

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

20 SECTION 1. AMENDATORY 27 O.S. 2011, Section 1, is
21 amended to read as follows:

22 Section 1. The lands set apart for the use and benefit of the
23 State of Oklahoma for public schools, for public buildings and
24 educational institutions, either by congressional enactment or

1 executive reservation, are hereby declared to be subject to the
2 right of eminent domain in behalf of any public enterprises now
3 authorized by law to condemn private property for ~~mills,~~ sewers,
4 railroads, side tracks, station grounds and other municipal or
5 corporate public uses, and all of the laws of this state with
6 reference to the taking of private property for public use are
7 hereby made applicable to the said lands.

8 SECTION 2. AMENDATORY 27 O.S. 2011, Section 3, is
9 amended to read as follows:

10 Section 3. The said appraisers shall receive ~~as their~~
11 ~~compensation for their services the sum of Four Dollars (\$4.00)~~
12 ~~each, per day,~~ for the time actually engaged in making such
13 appraisement, to be verified by them under their oath, and which
14 shall be paid, in addition to the award, by the company or
15 corporation requiring their services.

16 SECTION 3. AMENDATORY 27 O.S. 2011, Section 7.10, is
17 amended to read as follows:

18 Section 7.10. ~~Provided that in~~ In the event ~~such a~~ a common
19 carrier ~~pipeline,~~ in the exercise of the power of eminent domain, or
20 any other power granted hereunder, makes necessary the relocation,
21 raising, lowering, rerouting, or changing the grade of, or altering
22 the construction of any electric transmission, ~~telegraph~~ or
23 telephone lines, railroads, or properties and facilities, or
24 pipeline, all such relocation, raising, lowering, rerouting,

1 changing of grade or alteration of construction shall be
2 accomplished at the sole expense of such common carrier pipeline.
3 The term "sole expense" shall mean the actual cost of such
4 relocation, raising, lowering, rerouting, or change in grade or
5 alteration of construction in providing comparable replacement
6 without enhancement of such facilities, after deducting therefrom
7 the net salvage value derived from the old facility.

8 SECTION 4. REPEALER 27 O.S. 2011, Sections 7.1, 7.2,
9 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9 and 7.11, are hereby repealed.

10 SECTION 5. This act shall become effective November 1, 2015.

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12 COMMITTEE REPORT BY: COMMITTEE ON UTILITIES, dated 04/07/2015 - DO
13 PASS, As Coauthored.
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