

An Act

ENROLLED SENATE
BILL NO. 361

By: Dahm and Pittman of the
Senate

and

Denney of the House

An Act relating to eminent domain; amending 27 O.S. 2011, Section 1, which relates to state lands subject to the power of eminent domain; modifying authorized purposes; amending 27 O.S. 2011, Section 3, which relates to compensation for certain appraisers; removing specific dollar amount; amending 27 O.S. 2011, Section 7.10, which relates to responsibility of certain common carrier pipeline for certain expenses; modifying applicability and eliminating inclusion of telegraph lines; and repealing 27 O.S. 2011, Sections 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9 and 7.11, which relate to regulation and power of eminent domain for coal slurry pipeline.

SUBJECT: Eminent domain purposes

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

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

Section 1. The lands set apart for the use and benefit of the State of Oklahoma for public schools, for public buildings and educational institutions, either by congressional enactment or executive reservation, are hereby declared to be subject to the right of eminent domain in behalf of any public enterprises now authorized by law to condemn private property for ~~mills~~, sewers, railroads, side tracks, station grounds and other municipal or

corporate public uses, and all of the laws of this state with reference to the taking of private property for public use are hereby made applicable to the said lands.

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

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

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

Section 7.10. ~~Provided that in~~ In the event ~~such a~~ common carrier ~~pipeline,~~ in the exercise of the power of eminent domain, or any other power granted hereunder, makes necessary the relocation, raising, lowering, rerouting, or changing the grade of, or altering the construction of any electric transmission, ~~telegraph~~ or telephone lines, railroads, or properties and facilities, or pipeline, all such relocation, raising, lowering, rerouting, changing of grade or alteration of construction shall be accomplished at the sole expense of such common carrier ~~pipeline~~. The term "sole expense" shall mean the actual cost of such relocation, raising, lowering, rerouting, or change in grade or alteration of construction in providing comparable replacement without enhancement of such facilities, after deducting therefrom the net salvage value derived from the old facility.

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

Passed the Senate the 3rd day of March, 2015.

Presiding Officer of the Senate

Passed the House of Representatives the 13th day of April, 2016.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____