

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 724

By: Stewart

AS INTRODUCED

An Act relating to roads and bridges; amending 69 O.S. 2021, Section 1209, which relates to right-of-way access; authorizing certain county employees to remove certain structures under certain circumstances; exempting certain entities from liability; updating statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY 69 O.S. 2021, Section 1209, is amended to read as follows:

Section 1209. The Commission, its officers, agents, servants, and employees shall have authority to physically remove any ~~such~~ sign, post, thing or structure, gasoline pump, driveway canopy, fence, signpost and building described in Section 1208 of this title; and if the owner of any such driveway canopy, gasoline pump, or building, thing or structure fails to remove the same within a reasonable time after written demand for the removal thereof has been made upon him by registered mail or personal service, the Commission, its officers, agents, servants, and employees may physically tear down and remove such building, canopy, or pump, and

1 for such purpose may enter upon private property to the extent  
2 necessary to accomplish the removal. Neither the state nor the  
3 Commission or its agents, servants, officers and employees shall be  
4 liable for any damage caused or sustained by reason of the abatement  
5 and removal of any such nuisance. Neither the state nor the county,  
6 county officers, or employees shall be liable for any damage caused  
7 or sustained by reason of the abatement and removal of any such  
8 nuisance from county roads and bridges, pursuant to Section 2 of  
9 Article XVI of the Oklahoma Constitution and 43 U.S.C. Section 1095.

10 SECTION 2. This act shall become effective November 1, 2023.

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