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February 11, 2025

SENATE BILL NO. 352

By: Gollihare and Green of the
Senate

and

Pfeiffer of the House

An Act relating to eminent domain; amending 27 O.S. 2021, Section 7, which relates to eminent domain for light, heat, or power by electricity or gas; clarifying applicability of provisions to certain entities; prohibiting use of eminent domain for certain facilities; requiring authorization by Corporation Commission for exercise of eminent domain by certain entities for specified purpose; and declaring an emergency.

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

SECTION 1. AMENDATORY 27 O.S. 2021, Section 7, is amended to read as follows:

Section 7. A. Except as otherwise provided in this section, any person, firm, or corporation organized under the laws of this state, or authorized to do business in this state, to furnish light, heat, or power by electricity or natural gas, or any other person, association, or firm engaged in furnishing lights, heat, or power by electricity or natural gas shall have and exercise the right of

1 eminent domain in the same manner and by like proceedings as
2 provided for railroad corporations by laws of this state.

3 B. The power of eminent domain shall not be used for the siting
4 or building of wind ~~turbines~~ energy facilities, solar energy
5 facilities, battery storage facilities, or hydrogen gas facilities
6 on private property.

7 C. Prior to seeking to exercise the right of eminent domain for
8 an electric transmission facility rated greater than three hundred
9 (300) kilovolts, any person, firm, or corporation subject to the
10 requirements of subsection A of this section shall have obtained a
11 certificate of authority from the Corporation Commission.

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

16 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
17 February 11, 2025 - DO PASS
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