

qOklahoma Intercollegiate Legislature  
2nd Session of the 56th Legislature (2025)

Senate Bill No. OSU-002

By: Caves (OSU)

AS INTRODUCED

An act related to eminent domain; providing a short title; amending 27 O.S. § 16; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "Broadening Eminent Domain Compensation" Act of 2025.

Section 2. AMENDING 27 O.S. § 16 is amended to read as follows:

A. In every case wherein private property is taken or damaged for public use, the person whose property is taken or damaged shall be entitled to just compensation.

B. "Just compensation", as used in subsection A of this section, shall mean the value of the property taken, and in addition, any injury to any part of the property not taken. Any special and direct benefits to the part of the property not taken may be offset only against any injury to the property not taken. If only a part of a tract is taken, just compensation shall be ascertained by determining the difference between the fair market value of the whole tract immediately before the taking and the fair market value of that portion left remaining immediately after the taking. In addition, compensation shall include any demonstrable economic losses directly resulting from the taking, including loss of revenue, relocation expenses, and other direct costs incurred. The loss of revenue shall be determined by comparing the income produced by the property immediately prior to the taking with the income produced immediately thereafter, as evidenced by historical financial records—such as tax returns, income statements, or other verifiable documentation—and shall be subject to review by an independent appraiser or designated authority, with any disputed determination being submitted to a jury for final adjudication. Any special and direct benefits accruing to the property not taken may be offset only against the corresponding injury, loss, or cost.

Section 3. This act shall become effective ninety (90) days after its passage and approval.