

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 1141

 By: Fetgatter

7 AS INTRODUCED

8 An Act relating to environment and natural resources;
9 allowing a county or municipality to create a
10 landfill utilization district; requiring a vote of
11 the people; providing election procedure; describing
12 district limits; levying an annual fee; requiring the
 annual fee to be used for certain operations;
13 prohibiting certain fees for use; defining term;
14 providing for codification; and providing an
15 effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 2-10-2001 of Title 27A, unless
19 there is created a duplication in numbering, reads as follows:

20 A. The governing body of a county or municipality which owns a
21 landfill may initiate the creation of a landfill utilization
22 district by the adoption of a resolution calling for the question of
23 whether to organize a landfill utilization district to be placed
24 before the registered voters of the county or municipality. The
 resolution shall be submitted to registered voters of the county or

1 municipality at a special or general election. The costs of an
2 election to establish a hazard mitigation assessment district shall
3 be paid by the county as determined by the county election board
4 conducting the countywide special or general election.

5 B. The election to determine whether a district shall be
6 established, and the notice thereof, shall be conducted in the same
7 manner as other county or municipal questions. The notice shall
8 require the registered voters of the county to cast ballots which
9 contain the words:

10 1. "Landfill Utilization District - Yes"; and

11 2. "Landfill Utilization District - No",

12 or words equivalent thereto. All residents of the county or
13 municipality who are qualified electors shall be qualified to vote
14 on the proposition. The election shall be conducted in accordance
15 with the general or special election laws of the state, and the
16 regular election officials shall be in charge at the usual polling
17 place of each regular precinct, or part of a precinct, which shall
18 include lands within the boundaries of the county or municipality.

19 C. A landfill utilization district shall include all
20 territories located within the county or municipality.

21 D. There shall be levied an annual fee no greater than the
22 total of the immediately preceding annual operating expenses of any
23 county- or municipal-owned landfills located within the district

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1 when divided and equally levied on each property within the
2 district.

3 E. The proceeds of the annual fee shall be used for the general
4 operations of any county- or municipal-owned landfill within the
5 district and for the utilization of the landfill by the residents of
6 the district. The county or municipality shall not charge a fee for
7 use to a resident of the district.

8 F. As used in this section, "landfill" shall mean any site or
9 facility at which solid waste is disposed and issued a permit for
10 solid or hazardous waste disposal by the Department of Environmental
11 Quality pursuant to the Solid Waste Management Act.

12 SECTION 2. This act shall become effective November 1, 2021.

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14 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,
15 dated 02/22/2021 - DO PASS.

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