

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 1178

By: Perryman

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5
6 AS INTRODUCED

7 An Act relating to cities and towns; amending 11 O.S.
8 2011, Section 10-107, which relates to city council
9 authority to act through city manager; providing
10 penalty for violations related to prohibitions
11 against city council acting through city manager;
12 authorizing certain officials to bring certain
13 removal actions; prohibiting use of municipal funds
14 for certain purpose; and providing an effective date.

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

16 SECTION 1. AMENDATORY 11 O.S. 2011, Section 10-107, is
17 amended to read as follows:

18 Section 10-107. A. Except for the purposes of inquiry, the
19 council and its members shall deal with the administrative service
20 of the city solely through the city manager. The council and its
21 members may not:

22 1. Direct or request the city manager or other authority to
23 appoint or remove officers or employees;

24 2. Participate in any manner in the appointment or removal of
officers and employees of the city, except as provided by law; or

1 3. Give orders on ordinary administrative matters to any
2 subordinate of the city manager either publicly or privately.

3 B. Any member of a city council who violates the provisions of
4 this section may be removed from office by an order of the district
5 court in which the situs of the municipality is located as
6 authorized by Section 8-107 of this title upon a finding by the
7 court that the member in violation acted with gross negligence or in
8 bad faith or with malice. The removal action may be brought by
9 another member of the city council or the city manager. Municipal
10 funds shall not be used to prosecute or defend such violations.

11 SECTION 2. This act shall become effective November 1, 2019.

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13 57-1-5643 AMM 12/28/18
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