

1 STATE OF OKLAHOMA

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

3 SENATE BILL 400

By: Paxton

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5
6 AS INTRODUCED

7 An Act relating to cities and towns; amending 11 O.S.
8 2011, Section 36-113, as last amended by Section 1,
9 Chapter 23, O.S.L. 2017 (11 O.S. Supp. 2018, Section
10 36-113), which relates to streets and roads;
11 modifying population requirement for the
12 authorization of certain construction projects; and
13 providing an effective date.

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

15 SECTION 1. AMENDATORY 11 O.S. 2011, Section 36-113, as
16 last amended by Section 1, Chapter 23, O.S.L. 2017 (11 O.S. Supp.
17 2018, Section 36-113), is amended to read as follows:

18 Section 36-113. A. The Department of Transportation may, or
19 the board of county commissioners of any county or federally
20 recognized tribal government shall, by agreement with the governing
21 body of a municipality having a population less than five thousand
22 (5,000) persons, construct, improve, repair or maintain any of the
streets of the municipality.

23 B. The board of county commissioners may construct, improve,
24 repair, or maintain any of the streets of a municipality having a

1 population of less than five thousand (5,000) persons subject to
2 agreement between the governing bodies of the county and the
3 municipality without regard to whether the municipality has passed a
4 sales tax with proceeds earmarked to construct, improve, repair or
5 maintain any of the streets or roadways of such municipality.

6 C. The board of county commissioners may construct, improve,
7 repair or maintain any of the streets of a municipality having a
8 population of ~~greater than five thousand (5,000) persons but less~~
9 ~~than fifteen thousand (15,000) persons~~ five thousand (5,000) persons
10 and greater if the municipality has passed a sales tax with the
11 proceeds earmarked to construct, improve, repair or maintain any of
12 the streets or roadways of such municipality provided that the
13 county has a population of less than one hundred fifty thousand
14 (150,000) persons.

15 D. The Notwithstanding any provision of this section, the board
16 of county commissioners may construct, improve, repair, or maintain
17 any of the streets of a municipality if the county has a population
18 in excess of one hundred fifty thousand (150,000) persons according
19 to the most recent Federal Decennial Census. The agreements entered
20 into pursuant to the provisions of this subsection may be performed
21 without regard to whether the municipality has passed a sales tax
22 with proceeds earmarked to construct, improve, repair or maintain
23 any of the streets or roadways of such municipality.

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

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