

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 400

By: Paxton of the Senate

and

Lepak of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to cities and towns; amending 11 O.S.
12 2011, Section 36-113, as last amended by Section 1,
13 Chapter 23, O.S.L. 2017 (11 O.S. Supp. 2018, Section
14 36-113), which relates to streets and roads;
15 modifying population requirement for the
16 authorization of certain construction projects; and
17 providing an effective date.

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

19 SECTION 1. AMENDATORY 11 O.S. 2011, Section 36-113, as
20 last amended by Section 1, Chapter 23, O.S.L. 2017 (11 O.S. Supp.
21 2018, Section 36-113), is amended to read as follows:

22 Section 36-113. A. The Department of Transportation may, or
23 the board of county commissioners of any county or federally
24 recognized tribal government shall, by agreement with the governing
body of a municipality having a population less than five thousand

1 (5,000) persons, construct, improve, repair or maintain any of the
2 streets of the municipality.

3 B. The board of county commissioners may construct, improve,
4 repair, or maintain any of the streets of a municipality having a
5 population of less than five thousand (5,000) persons subject to
6 agreement between the governing bodies of the county and the
7 municipality without regard to whether the municipality has passed a
8 sales tax with proceeds earmarked to construct, improve, repair or
9 maintain any of the streets or roadways of such municipality.

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

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

1 with proceeds earmarked to construct, improve, repair or maintain
2 any of the streets or roadways of such municipality.

3 SECTION 2. This act shall become effective November 1, 2019.
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5 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,
6 dated 04/15/2019 - DO PASS, As Amended.
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