

An Act

ENROLLED SENATE
BILL NO. 400

By: Paxton of the Senate

and

Lepak of the House

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

SUBJECT: Street and road construction projects

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

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

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

B. The board of county commissioners may construct, improve, repair, or maintain any of the streets of a municipality having a population of less than five thousand (5,000) persons subject to agreement between the governing bodies of the county and the municipality without regard to whether the municipality has passed a

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

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

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

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

Passed the Senate the 7th day of May, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2019.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____