

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 1022

By: Olsen

AS INTRODUCED

An Act relating to municipal roads; amending 11 O.S. 2021, Section 36-113, which relates to construction, improvement, repair, and maintenance of municipal roads; modifying when board of county commissioners may construct, improve, repair, or maintain roadways; and providing an effective date.

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

SECTION 1. AMENDATORY 11 O.S. 2021, 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

1 agreement between the governing bodies of the county and the
2 municipality without regard to whether the municipality has passed a
3 sales tax with proceeds earmarked to construct, improve, repair or
4 maintain any of the streets or roadways of such municipality;
5 provided, that the municipality has budgeted revenues of the
6 municipality to construct, improve, repair, or maintain any of the
7 streets or roadways of such municipality; provided, the county has a
8 population of less than one hundred fifty thousand (150,000)
9 persons.

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.~~ C. 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, 2023.

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