

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 1301

By: Lepak

4  
5  
6 AS INTRODUCED

7 An Act relating to municipalities; amending 11 O.S.  
8 2011, Section 36-113, as amended by Section 1,  
9 Chapter 129, O.S.L. 2012 (11 O.S. Supp. 2015, Section  
10 36-113), which relates to the construction,  
11 improvement, repair and maintenance of municipal  
12 streets; removing certain population cap; 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 amended by Section 1, Chapter 129, O.S.L. 2012 (11 O.S. Supp. 2015,  
17 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 of less than five  
22 thousand (5,000) persons, construct, improve, repair or maintain any  
23 of the streets of the municipality.

24 B. The board of county commissioners may construct, improve,  
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~~ if the municipality has  
10 passed a sales tax with the proceeds earmarked to construct,  
11 improve, repair or maintain any of the streets or roadways of such  
12 municipality.

13 D. The board of county commissioners may construct, improve,  
14 repair, or maintain any of the streets of a municipality if the  
15 county has a population in excess of five hundred thousand (500,000)  
16 persons according to the most recent Federal Decennial Census. The  
17 agreements entered into pursuant to the provisions of this  
18 subsection may be performed without regard to whether the  
19 municipality has passed a sales tax with proceeds earmarked to  
20 construct, improve, repair or maintain any of the streets or  
21 roadways of such municipality.

22 SECTION 2. This act shall become effective November 1, 2017.

23

24 56-1-5832 AMM 12/15/16