

ENROLLED SENATE  
BILL NO. 39

BY: WRIGHT of the SENATE

and

GATES of the HOUSE

AN ACT RELATING TO CITIES AND TOWNS; ALLOWING  
PROPERTY OWNERS IN CERTAIN TERRITORY TO PETITION  
CERTAIN MUNICIPALITY FOR ANNEXATION; PROVIDING  
PROCEDURE FOR ANNEXATION; AUTHORIZING  
MUNICIPALITY TO BRING ACTION IN DISTRICT COURT;  
PROVIDING FOR CODIFICATION; AND PROVIDING AN  
EFFECTIVE DATE.

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

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 21-114 of Title 11, unless there  
is created a duplication in numbering, reads as follows:

A. The majority of the owners of a subdivision or property  
owners located in unincorporated territory which is enclosed by the  
boundaries of a municipality may petition for annexation in writing  
to another municipality if:

1. The width of the boundary is less than two hundred (200)  
feet; and

2. The property is contiguous to the other municipality except  
for the boundary.

B. The governing body of the other municipality may grant the  
petition after notifying the enclosing municipality in writing at  
least thirty (30) days prior to adoption of the annexation  
ordinance. The boundary of the enclosing municipality shall recede  
to the extent of the annexation. The enclosing municipality at any  
time may reestablish its boundary within unincorporated territory  
enclosed by it on the effective date of this act. The enclosing  
municipality may bring an action in district court to invalidate the  
annexation. If the district court finds that the conditions for  
annexation exist and that the enclosing municipality has not  
demonstrated a substantial governmental interest in the use of the  
property, it shall uphold the annexation.

SECTION 2. This act shall become effective September 1, 1991.

Passed the Senate the 5th day of March, 1991.

President of the Senate

Passed the House of Representatives the 4th day of April, 1991.

Speaker of the House of  
Representatives