

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1669

By: Roach

COMMITTEE SUBSTITUTE

An Act relating to public finance; amending Section 4, Chapter 193, O.S.L. 1996, as last amended by Section 2, Chapter 369, O.S.L. 1999, Section 6, Chapter 193, O.S.L. 1996, as last amended by Section 3, Chapter 369, O.S.L. 1999 and Section 7, Chapter 193, O.S.L. 1996, as amended by Section 1, Chapter 236, O.S.L. 1997 (62 O.S. Supp. 2000, Sections 2004, 2006 and 2007), which relate to the Rural Economic Action Plan; modifying provisions related to use of funds by certain entities; modifying requirements related to certain accounts; authorizing use of funds for certain purposes within certain urban areas; authorizing use of funds based upon certain population estimates; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 4, Chapter 193, O.S.L. 1996, as last amended by Section 2, Chapter 369, O.S.L. 1999 (62 O.S. Supp. 2000, Section 2004), is amended to read as follows:

Section 2004. The monies appropriated to the Rural Economic Action Plan Fund shall be subject to all of the requirements of Sections 2006 through 2013 of this title. There shall be deposited into each of the accounts provided by Section 2006 of this title the sum of ~~one-tenth (1/10)~~ one-eleventh (1/11) of the amount appropriated to the Rural Economic Action Plan Fund ~~with the exception of one account which shall be divided equally into two subaccounts. One of the two subaccounts shall be available to one and only one of the entities described by subsection B of Section 2007 of this title for distribution to cities or towns within the respective jurisdiction of the entity if the population of such city~~

~~or town does not exceed seven thousand (7,000) persons according to the latest Federal Decennial Census or for the benefit of an unincorporated area. However, funds may also be expended for cities or towns with a population below seven thousand (7,000) persons based upon the current population estimate according to the U.S. Census Bureau. Funds may be expended for those cities and towns until the next Federal Decennial Census subsequent to the passage of this act.~~

SECTION 2. AMENDATORY Section 6, Chapter 193, O.S.L. 1996, as last amended by Section 3, Chapter 369, O.S.L. 1999 (62 O.S. Supp. 2000, Section 2006), is amended to read as follows:

Section 2006. A. There is hereby established a fund within the State Treasury to be known as the Rural Economic Action Plan Fund. The fund shall be a continuing fund not subject to fiscal year limitations. Within the Rural Economic Action Plan Fund there shall be established ~~ten~~ eleven (11) separate accounts into which shall be deposited such funds as may be provided by law.

B. ~~One of nine accounts shall be available to each~~ Each entity described in subsection A and subsection B of Section 2007 of this title shall have its own account.

C. ~~One account shall be divided equally into two subaccounts. One of the two subaccounts shall be available to each of the entities described by subsection B of Section 2007 of this title for distribution to cities or towns within the respective jurisdiction of the entity if the population of such city or town does not exceed seven thousand (7,000) persons according to the latest Federal Decennial Census or for the benefit of an unincorporated area. However, funds may also be expended for cities or towns with a population below seven thousand (7,000) persons based upon the current population estimate according to the U.S. Census Bureau. Funds may be expended for those cities and towns until the next Federal Decennial Census subsequent to the passage of this act.~~

~~D.~~ No funds deposited into one account or subaccount shall be transferred to any other account. No entity may access any more than one account per fiscal year and the total expenditure from any one account for each fiscal year may not exceed the amount of funds available to each account as may be provided by law.

SECTION 3. AMENDATORY Section 7, Chapter 193, O.S.L. 1996, as amended by Section 1, Chapter 236, O.S.L. 1997 (62 O.S. Supp. 2000, Section 2007), is amended to read as follows:

Section 2007. A. A voluntary association of Oklahoma local governmental jurisdictions or another legal entity, including a public trust or a nonprofit corporation or other entity which performs functions for the benefit of or which exists for the primary benefit of Oklahoma local governmental jurisdictions and which is not described in subsection B of this section, shall be eligible to obtain funding for rural economic development projects as authorized by subsection B of Section 2006 of this title.

B. A voluntary association of Oklahoma local governmental jurisdictions containing at least one municipality with a population in excess of three hundred fifty thousand (350,000) persons according to the latest Federal Decennial Census, shall be eligible to obtain funding as authorized by subsection ~~C~~ B of Section 2006 of this title. An entity described by this subsection may expend funds available to the entity from the account created in Section 2006 of this title for:

1. Promoting full employment in areas of high unemployment within the boundaries of any municipality within its jurisdiction;

2. Providing programs designed to assist persons with low incomes residing in areas of any municipality within its jurisdiction; or

3. The preservation and construction of critical infrastructure within the boundary of any municipality within its jurisdiction.

C. The entities described in subsection A ~~or B~~ of this section and which are eligible for any funds authorized by Section 2006 of this title shall be prohibited from making expenditures on behalf of or from making payment directly to any city or town with a population in excess of seven thousand (7,000) persons using any funds deposited to the Rural Economic Action Plan Fund created by Section 2006 of this title. For purposes of this subsection, funds may also be expended for cities or towns with a population below seven thousand (7,000) persons based upon the current population estimate according to the U.S. Census Bureau. Funds may be expended for those cities and towns until the next Federal Decennial Census results become final.

D. An organization described in subsection A or B of this section shall be authorized to make payment of funds obtained pursuant to Section 2006 of this title directly to a county if the funds are used for the benefit of an unincorporated area located within the county to which payment is made. After the county has provided a request to an organization described in subsection A or B of this section for funds to benefit an unincorporated area of the county, together with a statement that the county has conducted a review of the needs of unincorporated areas located within the county and that the funding requested is consistent with the evaluation of priorities for funds by the county, the funds requested may be paid to the county. Any funds paid to a county pursuant to the provisions of this subsection shall be expended by the county exclusively for the purpose identified in the request.

E. No county to which funds are paid pursuant to the provisions of subsection D of this section shall be liable to any person or other legal entity for damages arising out of any condition, act, omission or other cause alleged to have arisen as a result of a project upon which funds expended pursuant to the authority of subsection D of this section were paid to the county.

SECTION 4. This act shall become effective July 1, 2001.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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