

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL NO. 1258

By: Lerblance of the Senate

and

Nations of the House

COMMITTEE SUBSTITUTE

[ municipalities and local services - political  
entities - Oklahoma Constitution - codification -  
emergency ]

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 37-235 of Title 11, unless there is created a duplication in numbering, reads as follows:

A. No agency, instrumentality, department, corporation, public trust, political subdivision or other entity of this state that provides water, sewer, gas or solid waste services shall enter into any agreement, borrow money or accept any grant that, by statute, contract or otherwise, violates any provision of the Oklahoma Constitution.

B. Prior to entering into any obligation or agreement with the United States of America for any loan, grant, contract or program that creates, by statute, contract or otherwise, any right, privilege or obligation in contravention of the Oklahoma Constitution, any entity of the state shall provide sixty (60) days' written notice of the entity's proposed action to each political subdivision that has jurisdiction over any territory in which the entity operates and to each state regulatory body having

jurisdiction over the activity. Any entity entitled to notice shall have standing to bring an action at any time for the purpose of determining whether the proposed action violates the Oklahoma Constitution.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1324.36 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. No agency, instrumentality, department, corporation, public trust, political subdivision or other entity of this state that provides water, sewer, gas or solid waste services shall enter into any agreement, borrow money or accept any grant that, by statute, contract or otherwise, violates any provision of the Oklahoma Constitution.

B. Prior to entering into any obligation or agreement with the United States of America for any loan, grant, contract or program that creates, by statute, contract or otherwise, any right, privilege or obligation in contravention of the Oklahoma Constitution, any entity of the state shall provide sixty (60) days' written notice of the entity's proposed action to each political subdivision that has jurisdiction over any territory in which the entity operates and to each state regulatory body having jurisdiction over the activity. Any entity entitled to notice shall have standing to bring an action at any time for the purpose of determining whether the proposed action violates the Oklahoma Constitution.

SECTION 3. 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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