

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL 350

By: Pruitt of the Senate

and

Peterson, Adair, Adkins,
Armes, Askins, Balkman,
Benge, Blackburn,
Blackwell, Bonny, Boren,
Braddock, Brannon, Calvey,
Carey, Cargill, Case,
Claunch, Coleman, Covey,
Cox, Dank, Davis,
Deutschendorf, Dewitt,
Dorman, Easley, Eddins,
Ellis, Ericson, Erwin,
Ferguson, Gilbert, Graves,
Greenwood, Hamilton,
Harrison, Hastings,
Hefner, Hiett, Hilliard,
Hutchison, Ingmire, Jones,
Kirby, Lamons, Langmacher,
Leist, Lerblance, Lindley,
Liotta, Maddux, McCarter,
McClain, McIntyre, Miller
(Doug), Miller (Ray),
Mitchell, Morgan (Danny),
Morgan (Fred), Nance,
Nations, Newport, O'Neal,
Paulk, Perry, Peters,
Pettigrew, Phillips,
Piatt, Plunk, Pope,
Reynolds, Rice, Roan,
Roberts, Roggow, Smaligo,
Smith (Dale), Smith
(Hopper), Smithson,
Staggs, Stanley, Steele,
Sullivan, Sweeden,
Taylor, Tibbs, Toure,
Trebilcock, Turner, Tyler,
Vaughn and Walker, Wells,
Wilson, Wilt, Winchester,
Worthen, Wright and Young
of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to roads, bridges and ferries;
designating a portion of the south loop of the Creek
Turnpike as "Liberty Parkway"; directing the Oklahoma
Transportation Authority to place suitable permanent
markers on certain turnpike; amending 68 O.S. 2001,
Section 1370.7, which relates to the creation of
transportation authorities; authorizing the financing

of a toll bridge utilizing certain revenue; requiring certain financing be described by resolution; requiring resolution to set certain percentages of certain debt; providing for noncodification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The south loop of the Creek Turnpike where it intersects with U.S. Highway 64 in Tulsa County, southeast to where it intersects with the Muskogee Turnpike in Wagoner County, shall be designated as "Liberty Parkway". The Oklahoma Transportation Authority shall place suitable permanent markers on the turnpike bearing such name.

SECTION 2. AMENDATORY 68 O.S. 2001, Section 1370.7, is amended to read as follows:

Section 1370.7 A. Any combination of cities, towns and counties, by resolution of their governing boards, may jointly create a transportation authority pursuant to the provisions of Section 176 of Title 60 of the Oklahoma Statutes for the purpose of planning, financing and constructing transportation-related projects located within the boundaries of such cities, towns or counties. An authority created pursuant to the provisions of this subsection shall have the powers granted pursuant to the provisions of Section 176 of Title 60 of the Oklahoma Statutes in addition to the powers granted pursuant to the provisions of this section. The combination of cities, towns and counties creating the authority shall be designated the beneficiary of the authority. The boundaries of the authority shall be coterminous with the boundaries of the cities, towns or counties creating the authority.

B. Any transportation authority created pursuant to the provisions of subsection A of this section may levy a sales tax of not to exceed two percent (2%) upon the gross proceeds or gross

receipts derived from all sales or services in the cities, towns and counties comprising the authority upon which a consumer's sales tax is levied by this state. Before a sales tax may be levied by the authority, the imposition of the tax shall first be approved by a majority of the registered voters within the boundaries of each of the cities, towns and counties comprising the authority voting thereon at a special election jointly called by the governing boards of the cities, towns and counties comprising the authority.

Provided, if a majority of the registered voters of an authority voting fail to approve such a tax, the governing boards of such cities, towns and counties shall not jointly call another special election for such purpose for at least six (6) months. Any sales tax approved by the registered voters of an authority shall be applicable only when the point of sale is within the boundaries or limits of the authority.

C. All items that are exempt from the state sales tax shall be exempt from any sales tax levied pursuant to the provisions of this section.

D. Any sales tax which may be levied pursuant to the provisions of this section shall be designated for the purposes of planning, financing and constructing transportation-related projects within the boundaries of the authority. The authority shall identify the purpose of the sales tax when it is presented to the voters pursuant to the provisions of this section. The proceeds of any sales tax levied by an authority shall be used only for the purposes for which the sales tax was designated.

E. The authority shall identify the duration of the tax when it is presented to the voters pursuant to the provisions of this section.

F. An authority created pursuant to the provisions of subsection A of this section may utilize the provisions of the Local Development Act, Section 850 et seq. of Title 62 of the Oklahoma

Statutes, as it relates to the financing of such transportation-related projects.

G. An authority created pursuant to the provisions of subsection A of this section shall be dissolved:

1. At such time as the planning, financing and constructing of the transportation-related project within the boundaries of the authority is completed; and

2. At such time as the revenue collected from any taxes levied by the authority is sufficient for payment of any and all expenses incurred by the authority in the planning, financing and constructing of a transportation-related project.

H. If the proceeds of any tax levied by an authority pursuant to this section are pledged for the purpose of retiring indebtedness incurred for the specific purpose for which the tax is imposed, the tax shall not be repealed until such time as the indebtedness is retired. In no event shall the life of the tax be extended beyond the duration approved by the voters of the authority.

I. If the revenue collected from any taxes levied by the authority exceeds the amount necessary for payment of any and all expenses incurred by the authority in the planning, financing and constructing of transportation-related projects, the excess funds shall be apportioned to the general funds of the cities, towns and counties comprising the authority in proportion to the population of each city, town and county.

J. A transportation authority created pursuant to this section may provide for the financing of a toll bridge utilizing any revenue measures available pursuant to subsections A through I of this section in combination with revenue derived from toll charges. Such combination financing shall be fully described in the resolution of the transportation authority which authorizes the construction of such toll bridge. The resolution shall set out minimum and maximum

percentages of the total debt which shall be retired utilizing
revenue received from toll charges.

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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