

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1763, Page 9, Line 2 ½,
as follows:

By inserting new SECTIONS 3 and 4 to read as per attached, by renumbering subsequent sections, and by amending the title to conform.

“SECTION 3. AMENDATORY 19 O.S. 2001, Section 8.2, is amended to read as follows:

Section 8.2 Any county in this state with a population of ~~less~~ more than five hundred fifty thousand (550,000), according to the latest Federal Decennial Census, ~~which contains a metropolitan area with a population of two hundred fifty thousand (250,000) or more, according to the latest Federal Decennial Census,~~ may adopt or amend a County Home Rule Charter for county government which specifies the structure of the operations of the government and enumerates those powers appropriate for said government and which are not inconsistent with the Oklahoma Constitution and laws of this state. Nothing contained herein shall be construed as an attempt to regulate the affairs of any county and any change to the governmental structure of any county under this act shall rest solely with the voters of said county.

SECTION 4. AMENDATORY 19 O.S. 2001, Section 8.3, is amended to read as follows:

Section 8.3 A. Upon a resolution approved by a majority of the ~~members of the board of county commissioners of the county~~ elected officials of the county or upon a petition signed by registered voters of the county equal in number to ten percent (10%) of the total number of votes cast

in the county for Governor at the immediately preceding gubernatorial election, ~~the members of the proposed~~ and filed with the board of county commissioners after verification of the signatures by the county clerk, a sixteen-person charter commission shall be established composed as follows:

B. The sixteen-person charter commission shall be designated as follows:

1. ~~Fifteen (15)~~ Six members shall be designated by the board of county commissioners. ~~Five~~ as follows: two members shall be designated by each county commissioner, at least ~~two~~ one of which shall be ~~residents~~ a resident of an unincorporated portion of the county, or ~~residents~~ a resident of a municipality other than the largest municipality located within said county. The members designated by each county commissioner must reside in that county commissioner's district;

2. Two members shall be designated by the county court clerk, at least one of which shall be a resident of an unincorporated portion of the county or a resident of a municipality other than the largest municipality located within the county;

3. Two members shall be designated by the county clerk, at least one of which shall be a resident of an unincorporated portion of the county or a resident of a municipality other than the largest municipality located within the county;

4. Two members shall be designated by the county treasurer, at least one of which shall be a resident of an unincorporated portion of the county or a resident of a municipality other than the largest municipality located within the county;

5. Two members shall be designated by the county assessor, at least one of which shall be a resident of an unincorporated portion of the county or a resident of a municipality other than the largest municipality located within the county; and

6. Two members shall be designated by the county sheriff, at least one of which shall be a resident of an unincorporated portion of the county or a resident of a municipality other than the largest municipality located within the county.

The members shall be designated and their names filed with the county election board within thirty (30) days from the date the resolution was adopted by the board of county commissioners or the date the petition was filed with the board.

~~Upon the designation of the members of the proposed charter commission as provided in this subsection, the county election board shall submit to the voters of the county at the next November general election not less than ninety (90) days thereafter, or at a special election called for such purpose, the question:~~

~~"Shall a charter commission, to be composed of the following members:~~

~~_____ be authorized to frame a proposed charter or amend an existing charter for the County of _____?~~

~~— YES~~

~~— NO"~~

Nothing in the County Home Rule Charter Act shall be construed to prevent any officer of any municipality located within the county from serving as a member of the charter commission.

~~B. If the proposition receives approval by a majority of the votes cast thereon, the chairman~~

C. The provisions and procedures of subsections A and B of this section shall apply when either the majority of the elected officials or ten percent (10%) of the total number of persons who voted in the county at the immediately preceding gubernatorial election by petition seek to amend any provision of an existing County Home Rule Charter.

D. Upon the designation of the members of the charter commission, the chair of the board of county commissioners of the county shall, within sixty (60) days, call an organizational meeting of said the charter commission. Such charter commission is hereby authorized to select a chairman chair and other officers as may be necessary, to adopt rules of procedure, and to draft a proposed County Home Rule Charter or amendments to an existing charter. Such charter commission shall

complete its work on a proposed charter or amendments to an existing charter and shall submit the same for filing to the county clerk and to the board of county commissioners within ~~six (6)~~ twelve (12) months from the time ~~said~~ the organizational meeting of such commission ~~was~~ is convened. Any proposed charter or amendments to an existing charter shall be published by the charter commission, through the office of the county clerk, in a newspaper of general circulation in the county on at least two occasions. At least seven (7) days shall elapse between the first and last day of publication. The first day of such publication shall be within forty-five (45) days from the date the charter commission submits its proposed charter or amendments to an existing charter. Copies of the proposed charter or amendments to the existing charter shall be made available for distribution to the qualified voters of the county at the place where meetings of the board of county commissioners of the county are usually held.

~~C.~~ E. Within ninety (90) days after the charter commission submits its proposed charter or amendments to an existing charter to the board of county commissioners of the county, the officer or agency responsible for certifying public questions shall submit to the voters of the county at the next regular countywide election or at a special election which may be called for said purpose by the board of county commissioners, the question:

"Shall the proposed charter (or amendments) for _____ County be adopted?

 YES

 NO"

Said charter or said amendments shall become effective if approved by a majority of the registered voters voting thereon, subject to provisions of the Oklahoma Constitution and laws of this state.

F. No charter or amendment adopted pursuant to the County Home Rule Charter Act thereto shall be construed as requiring any municipality to participate in any government structure established by any charter adopted pursuant to the County Home Rule Charter Act. Each

municipality within the county shall have the right, by majority vote of the registered voters voting in an election called to consider the issue, to decide whether to participate in the government structure created by such charter.”

Submitted by:

Senator Leftwich

Leftwich-JT-SB1763-FA
6/13/2015 2:43 AM