

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 471

By: Coffee

AS INTRODUCED

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 3, which relates to powers of counties; clarifying language; and providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 2001, Section 3, is amended to read as follows:

Section 3. The powers of a county as a body politic and corporate shall be exercised by its board of county commissioners.

It is hereby declared to be contrary to law, and against public policy, for any individual county commissioner, or commissioners, when not acting as a board, to enter into any contract, or to attempt to enter into any contract, as to any of the following matters:

~~(a)~~ 1. Any purchase of equipment, machinery, supplies or materials of any kind for any county or any commissioner's district, or districts, thereof;

~~(b)~~ 2. Any contract or agreement relating to or for the leasing or rental of any equipment, machinery, supplies or materials for any county or any commissioner's district, or districts, thereof; or

~~(c)~~ 3. To do or transact any business relating to such county, or any commissioner's district, or districts thereof, or to make any contract or agreement of any kind relating to the business of such county, or any commissioner's district, or districts thereof;

~~And none~~ None of such acts or attempted contracts as above set forth, done or attempted to be done, by an individual county commissioner or commissioners, when not acting as a board, shall ever be subject to ratification by the board of county commissioners, but shall be illegal, unlawful and wholly void.

Provided that nothing herein shall be construed as prohibiting or preventing the chairman of the board of county commissioners from performing such duty or duties as he may be required by law to perform as ~~chairman~~ chair of such board, but only after the board, by a majority vote thereof, shall have authorized and directed such performance by said ~~chairman~~ chair.

SECTION 2. This act shall become effective November 1, 2005.

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