

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1535

By: Ballenger of the Senate

and

(Shoemaker) of the House

8 COMMITTEE SUBSTITUTE

9 [roads, bridges and ferries - fines or penalties -
10 county highway fund - codification - effective date -
emergency]

11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 14-122 of Title 47, unless there
15 is created a duplication in numbering, reads as follows:

16 One-half (1/2) of the total amount of any fine, excluding costs
17 and additional penalties, imposed for a violation of any statute
18 governing size, weight and load requirements established in Section
19 14-101 et seq. of Title 47 of the Oklahoma Statutes shall be
20 deposited in the county highway fund created pursuant to the
21 provisions of Section 1503 of Title 69 of the Oklahoma Statutes and
22 apportioned to the county in which the violation occurred.

23 SECTION 2. AMENDATORY 69 O.S. 2001, Section 1503, is
24 amended to read as follows:

1 Section 1503. ~~(a)~~ A. All monies raised for use on the county
2 highways in each county, or apportioned to each county for road
3 purposes, from any source, including all funds and monies derived by
4 law, levy, taxation, or apportionment shall, unless otherwise
5 provided by law, be placed in the county treasury in a fund to be
6 known as the county highway fund, to be expended on order of the
7 board of county commissioners on county highways as defined herein,
8 or on state highways within their respective counties including the
9 lighting thereof, if, in the judgment of the board of county
10 commissioners, such expenditure would be just and equitable and for
11 the best interest of the county.

12 ~~(b)~~ B. When state or federal funds are available for assistance
13 in constructing county roads or bridges, the board of county
14 commissioners of any county may place on deposit with the commission
15 such funds from the county highway fund, special highway funds and
16 proceeds of county bond issues as may be necessary to obtain such
17 state or federal funds, and the commission shall have authority to
18 accept such county funds and bond monies and to use the same for the
19 construction of county roads or bridges in the county depositing the
20 funds, pursuant to contract agreement with the board of county
21 commissioners of such county; provided, that the proceeds of any
22 county bond issue so deposited with the commission may be used by
23 the commission only for the designated purposes for which the bonds
24 were issued.

1 ~~(e)~~ C. All monies remaining in a county highway fund created by
2 ~~69 O.S.1961, Section 44(e)~~ in this section, and all other assets
3 thereof, and all taxes, revenue and other funds payable to or
4 required to be deposited in such fund under the provisions of other
5 laws, when this Code becomes effective, shall be transferred to, be
6 deposited in and be a part of the county highway fund created by
7 this section in the same county; and the latter fund shall be liable
8 for the payment of all outstanding obligations existing against the
9 former fund.

10 D. One-half (1/2) of the total amount of any fine resulting
11 from a citation issued by a county size and weights deputy,
12 excluding costs and additional penalties, imposed for a violation of
13 any statute governing size, weight and load requirements established
14 in Section 14-101 et seq. of Title 47 of the Oklahoma Statutes shall
15 be deposited in the county highway fund created in this section and
16 shall be apportioned to the county in which the violation occurred.
17 Such monies shall be available for use by a county for any
18 authorized purpose relating to construction or maintenance of any
19 county road or bridge.

20 SECTION 3. This act shall become effective July 1, 2008.

21 SECTION 4. It being immediately necessary for the preservation
22 of the public peace, health and safety, an emergency is hereby
23 declared to exist, by reason whereof this act shall take effect and
24 be in full force from and after its passage and approval.

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