

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1535

By: Ballenger

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5
6 AS INTRODUCED

7 An Act relating to roads, bridges and ferries;
8 providing for certain amount of fines or penalties to
9 be deposited into certain county highway fund;
10 requiring apportionment of certain monies; amending
11 69 O.S. 2001, Section 1503, which relates to the
12 county highway fund; providing for deposit of certain
13 monies into fund; providing for apportionment of
14 funds; authorizing use for certain purposes;
15 providing for codification; providing an effective
16 date; and declaring an emergency.

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

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

21 One-half (1/2) of the total amount of any fine, excluding costs
22 and additional penalties, imposed for a violation of any statute
23 governing size, weight and load requirements established in Section
24 14-101 et seq. of Title 47 of the Oklahoma Statutes shall be
deposited in the county highway fund created, pursuant to the

1 provisions of Section 1503 of Title 69 of the Oklahoma Statutes, and
2 apportioned to the county in which the violation occurred.

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

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

16 ~~(b)~~ B. When state or federal funds are available for assistance
17 in constructing county roads or bridges, the board of county
18 commissioners of any county may place on deposit with the commission
19 such funds from the county highway fund, special highway funds and
20 proceeds of county bond issues as may be necessary to obtain such
21 state or federal funds, and the commission shall have authority to
22 accept such county funds and bond monies and to use the same for the
23 construction of county roads or bridges in the county depositing the
24 funds, pursuant to contract agreement with the board of county

1 commissioners of such county; provided, that the proceeds of any
2 county bond issue so deposited with the commission may be used by
3 the commission only for the designated purposes for which the bonds
4 were issued.

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

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

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

23 SECTION 4. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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