

ENROLLED SENATE  
BILL NO. 269

By: Crain of the Senate

and

Wright (John) and Tibbs of  
the House

An Act relating to counties and county officers;  
amending 19 O.S. 2001, Sections 682, as last amended  
by Section 2, Chapter 77, O.S.L. 2006 (19 O.S. Supp.  
2008, Section 682), and 863.5, which relate to duties  
of county officer and commission membership; deleting  
certain rate of interest; making language gender  
neutral; authorizing certain persons to designate  
certain alternate to certain commission; providing an  
effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 19 O.S. 2001, Section 682, as last  
amended by Section 2, Chapter 77, O.S.L. 2006 (19 O.S. Supp. 2008,  
Section 682), is amended to read as follows:

Section 682. It shall be the duty of each and every county  
officer, county board, county commission and all members and  
employees of either thereof, to deposit daily in the official  
depository designated in Section 681 of this title, all monies,  
checks, drafts, orders, vouchers, funds, rentals, penalties, costs,  
proceeds of sale of property, fees, fines, forfeitures and public  
charges of every kind received or collected by virtue or under color  
of office, except that each county officer, county board, and county  
commission is hereby authorized to keep in the office, from this  
deposit, no more than One Thousand Five Hundred Dollars (\$1,500.00)

to be used for their change needs. The amount so retained shall not be cumulative so that after each such deposit there shall not be on hand more than authorized by this section. A notation of the retention of this money shall be made in the proper accounting records. All checks, drafts, orders and vouchers so deposited shall be credited and cleared at par, and should payment be refused on any check, draft, order or voucher, should the same prove otherwise worthless, the amount thereof and any costs accruing thereon shall be a charge against the account theretofore credited with the same. Each county officer is hereby authorized to assess and collect a fee of Thirty-five Dollars (\$35.00) for each worthless check, draft, order or voucher. All monies when so received by the county treasurer, as such official depository, shall be deposited in interest-bearing accounts in financial institutions designated and qualified as county depositories as now provided by law and shall draw interest, subject to deduction of financial institution charges for maintaining, processing and collateralizing the account, ~~at a rate of not less than three percent (3%) per annum on average daily balances,~~ which interest shall be paid monthly; and, when collected, shall be credited to the respective funds and accounts so earning the same; provided, that all interest collected on monies deposited pursuant to the provisions hereof shall be paid into the county treasury monthly by the authority to whose financial institution account the same shall have accrued and shall be credited to the general or contingent fund of the county, except that in civil cases all interest earned on funds, other than court costs, deposited in court by litigants shall, when so ordered by the court upon deposit, be disposed of as the court orders. This provision shall only apply to such deposit in excess of One Thousand Dollars (\$1,000.00).

SECTION 2. AMENDATORY 19 O.S. 2001, Section 863.5, is amended to read as follows:

Section 863.5 The Metropolitan Area Planning Commission shall consist of eleven (11) members, selected as follows: six shall be appointed by the mayor and approved by the city council and three shall be appointed by the board. The mayor of the municipality or a person designated by the mayor as an alternate and the ~~chairman~~ chair of the board or ~~other member of the board~~ a person designated by the ~~chairman~~ chair of the board as an alternate shall be ex officio members of the Commission and shall be entitled to vote on all matters. Members selected by the mayor other than the alternate

of the mayor shall serve for terms of three (3) years, except that the respective terms of the first two members appointed shall be one (1) year, the next two members appointed two (2) years, and the next two members three (3) years. Members selected by the ~~chairman~~ chair of the board other than the alternate of the ~~chairman~~ chair, shall serve for terms of three (3) years, except that the respective term of the members first appointed shall be one, two, and three years. All members of the Commission shall serve as such without compensation, except the commissioners may receive a per diem as set by the local board and council not to exceed Twenty-five Dollars (\$25.00) for each meeting attended not to exceed One Hundred Dollars (\$100.00) per month, and the appointed members other than the alternates shall hold no other municipal or county office. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term by the official appointing the original holder of said membership.

A member of such Commission, other than an alternate, once qualified, can thereafter be removed during his or her term of office only for cause and after a hearing held before the governing body by which he or she was appointed.

SECTION 3. This act shall become effective July 1, 2009.

SECTION 4. 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.

Passed the Senate the 13th day of May, 2009.

---

Presiding Officer of the Senate

Passed the House of Representatives the 15th day of May, 2009.

---

Presiding Officer of the House  
of Representatives