

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1293

By: Wright (John)

4
5 AS INTRODUCED

6 An Act relating to size and weights; providing for
7 certain amount of fines or penalties to be deposited
8 into certain county highway fund; requiring
9 apportionment of certain monies; amending 69 O.S.
10 2001, Section 1503, which relates to the county
11 highway fund; providing for deposit of certain monies
into fund; providing for apportionment to certain
counties; providing purpose for use of funds;
providing for codification; providing an effective
date; and declaring an emergency.

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

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

18 One-half (1/2) of the total amount of any fine resulting from a
19 citation issued by a county size and weights deputy, excluding costs
20 and additional penalties, imposed for a violation of any statute
21 governing size, weight and load requirements established in Sections
22 14-101 through 14-121 of Title 47 of the Oklahoma Statutes shall be
23 deposited in the county highway fund created pursuant to the
24 provisions of Section 1503 of Title 69 of the Oklahoma Statutes and

1 apporportioned to the county in which the violation occurred. Such
2 monies shall be available for use by a county for any authorized
3 purpose relating to construction or maintenance of any county road
4 or bridge.

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

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

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

1 construction of county roads or bridges in the county depositing the
2 funds, pursuant to contract agreement with the board of county
3 commissioners of such county; provided, that the proceeds of any
4 county bond issue so deposited with the commission may be used by
5 the commission only for the designated purposes for which the bonds
6 were issued.

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

15 D. One-half (1/2) of the total amount of any fine resulting
16 from a citation issued by a county size and weights deputy,
17 excluding costs and additional penalties, imposed for a violation of
18 any statute governing size, weight and load requirements established
19 in Sections 14-101 through 14-121 of Title 47 of the Oklahoma
20 Statutes shall be deposited in the county highway fund created in
21 this section and shall be apportioned to the county in which the
22 violation occurred. Such monies shall be available for use by a
23 county for any authorized purpose relating to construction or
24 maintenance of any county road or bridge.

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

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

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