

1 STATE OF OKLAHOMA

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

3 SENATE BILL 350

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 the apportionment
13 of funds; authorizing use for certain purpose;
14 providing for codification; providing an effective
15 date; and declaring an emergency.

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

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

20 One-half (1/2) of the total amount of any funds going to the
21 court fund as a result of a citation issued by a county size and
22 weights deputy, excluding costs and additional penalties, imposed
23 for a violation of any statute governing size, weight and load
24 requirements established in Section 14-101 et seq. of Title 47 of
the Oklahoma Statutes shall be deposited in the county highway fund
created pursuant to the provisions of Section 1503 of Title 69 of

1 the Oklahoma Statutes and apportioned to the county in which the
2 violation occurred. Such monies shall be available for use by a
3 county for any authorized purpose relating to construction or
4 maintenance of any county road 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 apportioned to each county for road
9 purposes, from any source, including all funds and monies derived by
10 law, levy, taxation, or apportionment 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)~~ in this section, and all other assets
9 thereof, and all taxes, revenue and other funds payable to or
10 required to be deposited in such fund under the provisions of other
11 laws, when this Code becomes effective, shall be transferred to, be
12 deposited in and be a part of the county highway fund created by
13 this section in the same county; and the latter fund shall be liable
14 for the payment of all outstanding obligations existing against the
15 former fund.

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

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

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

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