

1 **SENATE FLOOR VERSION**

2 February 28, 2012

3 SENATE BILL NO. 1031

By: Ballenger of the Senate

4 and

5 Grau of the House

6  
7  
8 An Act relating to municipal streets; amending 11  
9 O.S. 2011, Section 36-113, which relates to county  
10 improvements of municipal streets; removing exclusion  
of certain county expenditures for certain tax  
purposes; and declaring an emergency.

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

14 SECTION 1. AMENDATORY 11 O.S. 2011, Section 36-113, is  
15 amended to read as follows:

16 Section 36-113. A. The Department of Transportation may, or  
17 the board of county commissioners of any county or federally  
18 recognized tribal government shall, by agreement with the governing  
19 body of a municipality having a population less than five thousand  
20 (5,000), construct, improve, repair or maintain any of the streets  
21 of the municipality.

22 B. The board of county commissioners may construct, improve,  
23 repair, or maintain any of the streets of a municipality having a  
24 population of less than five thousand (5,000) persons subject to

1 agreement between the governing bodies of the county and the  
2 municipality without regard to whether the municipality has passed a  
3 sales tax with proceeds earmarked to construct, improve, repair or  
4 maintain any of the streets or roadways of such municipality.

5 C. The board of county commissioners may construct, improve,  
6 repair or maintain any of the streets of a municipality having a  
7 population of greater than five thousand (5,000) persons but less  
8 than fifteen thousand (15,000) persons if the municipality has  
9 passed a sales tax with the proceeds earmarked to construct,  
10 improve, repair or maintain any of the streets or roadways of such  
11 municipality.

12 D. The board of county commissioners may construct, improve,  
13 repair, or maintain any of the streets of a municipality if the  
14 county has a population in excess of five hundred thousand (500,000)  
15 persons according to the most recent Federal Decennial Census. The  
16 agreements entered into pursuant to the provisions of this  
17 subsection may be performed without regard to whether the  
18 municipality has passed a sales tax with proceeds earmarked to  
19 construct, improve, repair or maintain any of the streets or  
20 roadways of such municipality.

21 ~~E. If a county constructs, improves, repairs or maintains any~~  
22 ~~municipal street or road pursuant to the provisions of this section,~~  
23 ~~such municipal road mileage shall not be included in the computation~~

24

1 ~~of mileage for purposes of any state tax revenues apportioned to the~~  
2 ~~county.~~

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

7 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 2-28-12 - DO PASS,  
8 As Coauthored.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24