

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 2003

By: Dorman

4
5 AS INTRODUCED

6 An Act relating to roads, bridges and ferries;
7 requiring utility companies bear certain utility line
8 expenses; defining term; requiring certain
9 determination be made; providing criteria for
10 determination; requiring production of determination
11 letter; requiring utility companies bear certain
12 utility line expenses; defining term; providing for
13 codification; and providing an effective date.

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 1736 of Title 69, unless there
17 is created a duplication in numbering, reads as follows:

18 A. For qualified economic development utility line projects
19 requiring locating utility lines under a turnpike within the limits
20 of municipalities in this state the Oklahoma Turnpike Authority
21 shall bear the entire cost of locating the utility lines under the
22 turnpike. As used in this section, "qualified economic development
23 utility line project" means a project that is issued a determination
24 letter from the Oklahoma Department of Commerce that finds a
positive net benefit rate. The utility line project shall be

1 required to obtain a determination letter from the Oklahoma
2 Department of Commerce that the business activity allowed by the
3 utility line project will result in a positive net benefit rate, to
4 be computed by the Department of Commerce using a methodology which
5 provides for the analysis of estimated direct state benefits,
6 estimated indirect state benefits, estimated direct state costs and
7 estimated indirect state costs. The Oklahoma Department of Commerce
8 shall use such information as it determines to be relevant for the
9 analysis required by this section including, but not limited to, the
10 type of business activity which the utility line project will allow
11 entities to engage, amount of capital investment, type of assets
12 acquired or utilized by the business entity, economic effect of the
13 utility line project within the relevant geographic region and such
14 other factors as the Department determines to be relevant. The
15 Oklahoma Department of Commerce shall use information regarding the
16 utility line project in conjunction with relevant information
17 regarding other business activity in a geographically relevant area
18 surrounding the utility line project in order to perform the
19 computation of the net benefit rate. If the result of the analysis
20 is a positive net benefit rate, the project shall be issued a
21 determination letter by the Oklahoma Department of Commerce to that
22 effect and the Oklahoma Turnpike Authority shall bear the cost of
23 locating the utility lines of the project under turnpikes. The
24 Oklahoma Department of Commerce shall transmit a determination

1 letter to the authorized representative of the utility line project
2 and shall also transmit a copy of the determination letter to the
3 Oklahoma Turnpike Authority, regardless of whether the result is a
4 positive or negative net benefit rate.

5 B. For qualified education utility line projects requiring
6 locating utility lines under a turnpike the Oklahoma Turnpike
7 Authority shall bear the entire cost of locating the utility lines
8 under the turnpike. As used in this section, "qualified education
9 utility line project" means a project that is funded in whole or in
10 part by a general obligation bond issued by a school district after
11 the vote approval required by Section 26 of Article X of the
12 Oklahoma Constitution.

13 SECTION 2. This act shall become effective November 1, 2011.

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15 53-1-5103 CJB 01/16/11

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