

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2994

By: Newell

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5
6 AS INTRODUCED

7 An Act relating to cities and towns; providing for
8 exclusion of certain real property from street
9 improvement districts; authorizing inclusion of
10 certain real property in street improvement districts
11 under certain circumstances; prescribing procedures;
12 imposing duties upon municipal clerk; requiring
13 notice regarding assessments; providing for
14 proportionate sharing of costs; providing for
15 codification; and providing an effective date.

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 36-227 of Title 11, unless there
19 is created a duplication in numbering, reads as follows:

20 A. Except as otherwise provided in subsection B of this
21 section,

- 22 1. Property zoned residential, or
- 23 2. Property more than five (5) acres in size and assessed as
24 agricultural land by the county assessor for ad valorem tax
purposes,

1 shall not be included in any landowners' petition for a street
2 improvement district pursuant to Section 36-202 of Title 11 of the
3 Oklahoma Statutes or any municipal governing body action pursuant to
4 Section 36-203 of Title 11 of the Oklahoma Statutes.

5 B. The property exempt from street improvement districts in
6 subsection A of this section may be included in a street improvement
7 district only if:

8 1. All of the landowners owning such property to be included in
9 the proposed street improvement district agree to the assessment
10 from the cost of such improvement district; or

11 2. The landowners owning such property in the proposed street
12 improvement district that agree to the assessment from the proposed
13 street improvement district also agree to be liable and assessed for
14 the portion of the costs of the proposed street improvement district
15 for landowners owning property in the improvement district that do
16 not consent to the assessment.

17 C. The municipal clerk shall obtain a signed, notarized
18 statement from landowners to be included in the proposed street
19 improvement district, authorizing or declining such assessment. If
20 any landowners decline such assessment, the municipal clerk must
21 also obtain a signed and notarized statement from consenting
22 landowners notifying them they will be assessed and liable for the
23 improvements benefitting their land and the land of those declining
24 the assessment for creation of the street improvement district. The

1 costs of the nonconsenting landowners shall be divided
2 proportionately among the consenting landowners.

3 SECTION 2. This act shall become effective November 1, 2012.

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