

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

HOUSE BILL 1516

By: Cockroft

AS INTRODUCED

An Act relating to counties and county officers;
amending 19 O.S. 2011, Section 421.2, as amended by
Section 2, Chapter 144, O.S.L. 2012 (19 O.S. Supp.
2016, Section 421.2), which relates to transfer of
surplus machinery, equipment or vehicles; modifying
the prohibition of declaring county property surplus
to be during the election of county commissioners;
and providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 2011, Section 421.2, as
amended by Section 2, Chapter 144, O.S.L. 2012 (19 O.S. Supp. 2016,
Section 421.2), is amended to read as follows:

Section 421.2 A. A unanimous vote of the board of county
commissioners may transfer any machinery, equipment or vehicle
belonging to the county, which is deemed by the board to be surplus,
to a political subdivision of the state which is in need of such
machinery, equipment or vehicle. Upon such transfer, the subject
property shall be removed from the inventory of the county.

1 B. Except as otherwise provided in this section, the board of
2 county commissioners ~~may~~ shall not deem any property to be surplus
3 during the period ~~of time beginning~~ the elections of any two county
4 commissioners occur at the same time. The prohibition of declaring
5 county property or material surplus shall:

6 1. Begin thirty (30) days before the filing period for ~~any~~
7 ~~election~~ the elections of a any two or more county ~~commissioner and~~
8 ~~ending~~ commissioners in a county; and

9 2. End the day after a two or more county ~~commissioner is~~
10 commissioners are sworn in as such.

11 C. If the ~~incumbent draws~~ two or more incumbents draw no
12 ~~opponent~~ opponents or if the two or more incumbent county
13 ~~commissioner wins~~ commissioners both win reelection, either at the
14 primary, special, or general election, the prohibition of declaring
15 county property or material surplus until the swearing in of county
16 officials shall be removed and the county may dispose of surplus
17 property as provided in subsection A of this section.

18 D. When the political subdivision receiving such property
19 declares same to be surplus, the governing body shall give written
20 notice to the county of its intent to transfer such property back to
21 the county. The board of county commissioners shall have up to
22 fifteen (15) days from the date of receipt of such notice to either
23 accept or reject the property. The political subdivision shall
24 transfer such property back to the county only if the board of

1 county commissioners agrees to accept the property or the board
2 fails to respond within the fifteen-day time period.

3 SECTION 2. This act shall become effective November 1, 2017.
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