

**COMMITTEE AMENDMENT**

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3176 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Stan May

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

PROPOSED COMMITTEE  
SUBSTITUTE  
FOR  
HOUSE BILL NO. 3176

By: West (Kevin)

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to counties and county officers;  
amending 19 O.S. 2011, Section 863.13A, which relates  
to fines and penalties; expanding list of regulations  
for which fines and penalties may be established and  
enforced; modifying fines and penalties for repeat  
violations; eliminating court appearance requirement;  
specifying types of effective delivery of citation;  
and providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 2011, Section 863.13A, is  
amended to read as follows:

Section 863.13A A. A board of county commissioners may provide  
for enforcement of its regulations and establish fines, penalties or  
other remedies for any offense in violation of its regulations,  
which shall be recoverable together with costs of suit.

1 B. 1. In addition to other powers and duties prescribed by  
2 law, a board of county commissioners shall have the power to  
3 establish and enforce fines and penalties for violation of its  
4 zoning, subdivision, storm water ~~and,~~ floodplain, health,  
5 inspection, property maintenance and building regulations, including  
6 the issuance of citations by designated county personnel for  
7 violations of its zoning, subdivision, storm water ~~and,~~ floodplain,  
8 health, inspection, property maintenance and building regulations.

9 ~~A board of county commissioners may additionally establish that any~~  
10 ~~person who fails to correct a violation for which a citation has~~  
11 ~~been issued within the period permitted for its correction may be~~  
12 ~~assessed a fine or penalty for each ensuing day during which such~~  
13 ~~failure or violation continues.~~

14 2. In issuing a citation pursuant to this subsection, the  
15 county employee shall proceed as follows:

- 16 a. the employee shall prepare a written citation ~~to~~  
17 ~~appear in court,~~ containing the name and address of  
18 the cited person and the violation/offense charged,  
19 ~~and stating when the person shall appear in district~~  
20 ~~court. The time to appear specified in the citation~~  
21 ~~shall be at least five (5) days after the issuance of~~  
22 ~~the citation, and~~  
23 b. one copy of the citation ~~to appear~~ shall be delivered  
24 to the person cited, and ~~such person shall sign a~~

1 duplicate written citation ~~which~~ shall be retained by  
2 the county employee, ~~and~~

3 ~~e. as soon as practicable, one copy of the citation shall~~  
4 ~~be filed with the district court specified therein and~~  
5 ~~one copy delivered to the prosecuting attorney.~~ The  
6 delivery may be delivered personally, or by certified  
7 mail, registered mail to the address on file with the  
8 county assessor's office or the last known address, or  
9 posted in a conspicuous place in or about the property  
10 where the violation occurred.

11 3. If a person fails to ~~appear in district court at~~ pay by the  
12 designated time, a warrant for arrest shall be issued.

13 4. Violations and penalties shall be deemed misdemeanor  
14 offenses, punishable by a fine of up to Five Hundred Dollars  
15 (\$500.00). Repeated violations on the cited property may result in  
16 an increase of the fine up to One Thousand Dollars (\$1,000.00) per  
17 violation. Jurisdiction is hereby conferred upon the district court  
18 within the county.

19 5. Fines and penalties collected pursuant to this subsection  
20 shall be deposited in the appropriate county fund.

21 6. Issuance of citations and/or payment of fines or penalties  
22 shall in no way preclude other remedies or appropriate action or  
23 proceedings to prevent or remove a violation.  
24

SECTION 2. This act shall become effective November 1, 2020.

57-2-11100 AMM 02/17/20