

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

HOUSE BILL 1289

By: Lepak

AS INTRODUCED

An Act relating to municipalities; amending 11 O.S. 2011, Section 36-113, as last amended by Section 1, Chapter 23, O.S.L. 2017 (11 O.S. Supp. 2018, Section 36-113), which relates to the construction, improvement, repair and maintenance of municipal streets; and providing an effective date.

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

SECTION 1. AMENDATORY 11 O.S. 2011, Section 36-113, as last amended by Section 1, Chapter 23, O.S.L. 2017 (11 O.S. Supp. 2018, Section 36-113), is amended to read as follows:

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

B. The board of county commissioners may construct, improve, repair, or maintain any of the streets of a municipality having a

1 population of less than five thousand (5,000) persons subject to  
2 agreement between the governing bodies of the county and the  
3 municipality without regard to whether the municipality has passed a  
4 sales tax with proceeds earmarked to construct, improve, repair or  
5 maintain any of the streets or roadways of such municipality.

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

13 D. The board of county commissioners may construct, improve,  
14 repair, or maintain any of the streets of a municipality if the  
15 county has a population in excess of one hundred fifty thousand  
16 (150,000) persons according to the most recent Federal Decennial  
17 Census. The agreements entered into pursuant to the provisions of  
18 this subsection may be performed without regard to whether the  
19 municipality has passed a sales tax with proceeds earmarked to  
20 construct, improve, repair or maintain any of the streets or  
21 roadways of such municipality.

22 SECTION 2. This act shall become effective November 1, 2019.  
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