

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 3860

By: Burns

6 AS INTRODUCED

7 An Act relating to roads and bridges; creating the
8 County Road Enhancement and Development Fund;
9 establishing fund characteristics; providing
10 distribution structure for funds; requiring funds be
11 used for certain purposes; providing certain annual
12 deadlines for certain actions, calculations,
13 publications, requests, and distributions; limiting
14 distribution requests; limiting distributions under
15 certain conditions; requiring proportional reduction
16 of requests under certain conditions; authorizing the
17 adoption of rules; authorizing the promulgation of
18 rules; providing for codification; providing an
19 effective date; and declaring an emergency.

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

20 A. There is hereby created in the State Treasury a revolving
21 fund to be known as the "County Road Enhancement and Development
22 Fund". The fund shall be a continuing fund, not subject to fiscal
23 year limitations, and shall consist of all appropriations and
24 transfers made to the fund by the Legislature. All monies accruing

1 to the credit of said fund are hereby appropriated and shall be
2 distributed, budgeted and expended as provided in this section.

3 B. Funds from the County Road Enhancement and Development Fund
4 shall be distributed to the various counties as provided in
5 subsection D of this section. The funds shall be used for the sole
6 purposes of construction, maintenance and reconstruction of county
7 roads and bridges on the county highway system.

8 C. 1. No later than August 30 of each year the statewide board
9 created pursuant to subsection H of Section 687.1 of Title 69 of the
10 Oklahoma Statutes shall calculate and publish estimations of the
11 maintenance budget for each county, the number of county road miles
12 for each county, and the maintenance budget per road mile for each
13 county.

14 2. No later than September 15 of each year each county may
15 request a distribution from the County Road Enhancement and
16 Development Fund. Such request for distribution shall not exceed
17 the difference between Four Thousand Dollars (\$4,000.00) and the
18 maintenance budget per road mile for the county then multiplied by
19 the number of county road miles for the county, as published
20 pursuant to the provisions of paragraph 1 of this subsection.

21 3. No later than September 30 of each year the Oklahoma
22 Department of Transportation shall begin making distributions to the
23 various counties, amounts as calculated pursuant to subsection D of
24 this section. Such distributions shall be made in monthly

1 allocations through the remainder of the state fiscal year. Such
2 distributions shall be held by each county treasurer in a county
3 revolving fund separate from all other county monies, until expended
4 or encumbered.

5 D. Annually the Oklahoma Department of Transportation shall
6 utilize the unencumbered balance of the County Road Enhancement and
7 Development Fund balance estimated to be available for such state
8 fiscal year, to fulfill distribution requests made pursuant to
9 paragraph 2 of subsection C of this section; provided however, that:

10 1. No distribution to a county shall occur that would result in
11 the county having a maintenance budget per road mile greater than
12 Four Thousand Dollars (\$4,000.00) per road mile; and

13 2. In the event that in a given year the available balance of
14 the County Road Enhancement and Development Fund is not sufficient
15 to fulfill the total amount of requests for distributions made
16 pursuant to the provisions of paragraph 2 of subsection C of this
17 section, all requests shall be reduced proportionally based on the
18 basis of each county's request compared to the total amount of
19 requests made in that year.

20 E. The statewide board created pursuant to subsection H of
21 Section 687.1 of Title 69 of the Oklahoma Statutes shall develop and
22 adopt rules as are necessary to implement the provisions of
23 paragraphs 1 and 2 of subsection C of this section.

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1 F. The Oklahoma Department of Transportation shall promulgate
2 such rules as are necessary to implement the provisions of this
3 section.

4 SECTION 2. This act shall become effective July 1, 2020.

5 SECTION 3. It being immediately necessary for the preservation
6 of the public peace, health or safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

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