

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2990 _____
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: Carol Bush

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 2990

By: Bush

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to counties and county officers;
authorizing counties to adopt, amend, repeal and
enforce rules, regulations, policies, procedures, and
codes; authorizing punishment for violation;
authorizing expenditure of federal funds; imposing
restrictions related to certain business activity;
providing for applicability of home rule provisions;
authorizing execution of certain documents; providing
for effect of rules, policies or regulations with
respect to State Auditor and Inspector; requiring
district attorney to provide certain legal services;
limiting grant of authority; providing for
codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 339.9 of Title 19, unless there
is created a duplication in numbering, reads as follows:

A. The board of county commissioners in counties with a
population of fifty thousand (50,000) or more as determined by the
latest Federal Decennial Census shall have the power to:

1. In the conduct of county business, adopt, amend, repeal, and
enforce rules, regulations, policies, procedures, and codes

1 necessary or proper to carry out the duties, responsibilities, and
2 functions of the county which are not otherwise specifically
3 prohibited by any rule or law of this state;

4 2. Prescribe punishment for the enforcement of a violation of
5 an existing and/or adopted public safety and/or public nuisance
6 rule, code, or regulation adopted pursuant to this subsection and
7 which shall not exceed the maximum limitations for misdemeanors;

8 3. Adopt, amend, repeal, and enforce rules, regulations,
9 policies, resolutions, and codes necessary to establish, discharge,
10 and enforce the administrative, operational, fiscal, and public
11 safety duties and responsibilities of county government as
12 determined by the board of county commissioners not specifically
13 prohibited by any rule or law of this state;

14 4. Adopt, amend, repeal, and enforce rules, regulations,
15 policies, and codes which create and/or authorize to create programs
16 and services in the elected offices and divisions of county
17 government recommended to the board of county commissioners to be
18 the responsibilities of county government and in the best interest,
19 safety, and welfare of the citizens of the county, exclusive of
20 matters related to public health, and not specifically prohibited by
21 any rule or law of this state;

22 5. Create or authorize to be created or presented to the voters
23 of the county the establishment of assessment districts, economic
24 development initiatives, sales and/or property tax incentive zones

1 and capital improvement projects and initiatives not specifically
2 prohibited by any rule or law of this state;

3 6. Adopt, amend, or repeal actions which can create and manage
4 boards, authorities, commissions, committees, or trusts deemed
5 necessary to carry out the duties and responsibilities of county
6 government not specifically prohibited by any rule or law of this
7 state; and

8 7. Expend federal funds made available to the county of the
9 state according to the permissible uses of the applicable federal
10 legislation or guidance issued by any federal agency thereof
11 regardless of any lack of specific state statutory authorization to
12 perform the duties or functions for which the federal government has
13 provided the funds. The expenditure of the funds in accordance with
14 the federal legislation or guidance issued by any federal agency
15 thereof shall be at the discretion of the board of county
16 commissioners of the county.

17 B. No provisions of this section shall authorize a county to
18 adopt or enact any action which regulates the business activity of
19 any legal entity which is subject to the regulatory jurisdiction of
20 any state agency, board, commission, department, or other entity of
21 state government, including, but not limited to, the Oklahoma
22 Corporation Commission.

23 C. In order for a county to authorize a home rule form of
24 government, the provisions of Section 8.1 et seq. of Title 19 of the

1 Oklahoma Statutes shall be the exclusive method for such
2 authorization. No provisions of this section shall authorize a
3 county to create a home rule form of government for the county.

4 D. A county may enter such contracts, agreements, memoranda of
5 understanding, or execute such other documents, including, but not
6 limited to, applications, in order to give full effect and
7 enforcement of any rule, regulation, policy, program, or code
8 adopted pursuant to the authority of this section.

9 E. No provision of this section shall authorize a county to
10 adopt rules, policies, or regulations which would exempt or attempt
11 to exempt the county from being in compliance with any and all
12 rules, regulations, statutes, and policies of financial accounting,
13 financial controls, recordkeeping, and auditing which is required
14 under the authority of the State Auditor and Inspector.

15 F. It shall be the responsibility of the district attorney for
16 the county to provide any and all legal services necessary in the
17 preparation of any policy, procedure, rule, code, or regulation
18 which the board of county commissioners wants to consider adopting.

19 G. The grant of authority under this section shall not extend
20 to matters affecting municipalities nor shall a rule, regulation,
21 policy, or code adopted pursuant to this section apply within an
22 incorporated municipal area unless adopted by the municipal
23 governing authority by ordinance or interlocal agreement.

SECTION 2. This act shall become effective November 1, 2022.

58-2-10426 MJ 02/10/22