

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;
providing certain powers and duties of county
commissioners; prohibiting certain actions; providing
certain constraints; authorizing certain actions;
requiring the district attorney to provide certain
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 one hundred thousand (100,000) 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 administrative rules, regulations, policies, and procedures
necessary or proper to carry out the administrative duties,
responsibilities, and functions of the county which are not

1 otherwise specifically prohibited by any rule or law of this state;
2 any county with a population under one hundred thousand (100,000)
3 may choose to follow the provisions of this act upon unanimous
4 approval of the board of county commissioners;

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

9 3. Adopt, amend, repeal, and enforce rules, regulations,
10 policies, and resolutions necessary to establish, discharge, and
11 enforce the administrative, operational, fiscal, and public safety
12 duties and responsibilities of county government as determined by
13 the board of county commissioners not specifically prohibited by any
14 rule or law of this state; counties shall not be permitted to adopt
15 zoning codes beyond any current authority to do so;

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

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

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

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

21 C. In order for a county to authorize a home rule form of
22 government, the provisions of Section 8.1 et seq. of Title 19 of the
23 Oklahoma Statutes shall be the exclusive method for such
24

1 authorization. No provisions of this section shall authorize a
2 county to create a home rule form of government for the county.

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

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

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

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

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

58-2-10625 MJ 02/17/22