

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 1182

By: Rader of the Senate

and

Bush of the House

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;
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 1. In the conduct of county business, adopt, amend, repeal, and
2 enforce administrative policies and procedures necessary or proper
3 to carry out the administrative duties, responsibilities, and
4 functions of the county; any county with a population under one
5 hundred thousand (100,000) may choose to follow the provisions of
6 this act upon unanimous approval of the board of county
7 commissioners;

8 2. Adopt, amend, repeal, and enforce policies and procedures
9 necessary to establish, discharge, and enforce the administrative,
10 operational, and fiscal duties and responsibilities of county
11 government as determined by the board of county commissioners;
12 counties may enforce existing codes but shall not be permitted to
13 adopt zoning codes beyond any current authority to do so;

14 3. Adopt, amend, repeal, and enforce policies and procedures,
15 which create or authorize programs and services in the elected
16 offices and divisions of county government recommended to the board
17 of county commissioners to be the responsibilities of county
18 government and in the best interest, safety, and welfare of the
19 citizens of the county, exclusive of matters related to public
20 health;

21 4. Adopt, amend, or repeal actions which can create and manage
22 boards, authorities, commissions, committees, or trusts deemed
23 necessary to carry out the duties and responsibilities of county
24 government; and

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

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

16 C. A county may enter such contracts, agreements, memoranda of
17 understanding, or execute such other documents including but not
18 limited to applications, in order to give full effect and
19 enforcement of any policy, procedure, or program adopted pursuant to
20 the authority of this section.

21 D. No provision of this section shall authorize a county to
22 adopt rules, policies, or regulations which would exempt or attempt
23 to exempt the county from being in compliance with any and all
24 rules, regulations, statutes, and policies of financial accounting,

1 financial controls, recordkeeping, and auditing which is required
2 under the authority of the State Auditor and Inspector.

3 E. The grant of authority under this section shall not extend
4 to matters affecting municipalities, nor shall a rule, regulation,
5 policy, or code adopted pursuant to this section apply within an
6 incorporated municipal area unless adopted by the municipal
7 governing authority by ordinance or inter-local agreement.

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

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