

An Act

ENROLLED HOUSE
BILL NO. 3045

By: Talley of the House

and

Kidd of the Senate

An Act relating to counties; amending 19 O.S. 2021, Section 421.2, which relates to the sale, trade, and disposition of county equipment; clarifying the applicability of a prohibition on when the board of county commissioners can deem property as surplus; and providing an effective date.

SUBJECT: Counties

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

SECTION 1. AMENDATORY 19 O.S. 2021, Section 421.2, is amended to read as follows:

Section 421.2 A. A unanimous vote of the board of county commissioners may transfer any machinery, equipment or vehicle belonging to the county, which is deemed by the board to be surplus, to a political subdivision of the state which is in need of such machinery, equipment or vehicle. Upon such transfer, the subject property shall be removed from the inventory of the county.

B. Except as otherwise provided in this section, the board of county commissioners shall not deem any property to be surplus during the period when the elections of any two county commissioners occur at the same time. This prohibition shall only apply to the property in use by and/or recorded on the inventory of the district of the county commissioner(s), the elections of which are set for the same date and not the remaining county officers. The prohibition of declaring county property or material surplus shall:

1. Begin thirty (30) days before the filing period for the elections of any two or more county commissioners in a county; and

2. End the day after two or more county commissioners are sworn in as such.

C. If two or more incumbents draw no opponents or if two or more incumbent county commissioners both win reelection, either at the primary, special, or general election, the prohibition of declaring county property or material surplus until the swearing in of county officials shall be removed and the county may dispose of surplus property as provided in subsection A of this section.

D. When the political subdivision receiving such property declares same to be surplus, the governing body shall give written notice to the county of its intent to transfer such property back to the county. The board of county commissioners shall have up to fifteen (15) days from the date of receipt of such notice to either accept or reject the property. The political subdivision shall transfer such property back to the county only if the board of county commissioners agrees to accept the property or the board fails to respond within the fifteen-day time period.

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

Passed the House of Representatives the 22nd day of March, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 20th day of April, 2022.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____