

1 **SENATE FLOOR VERSION**

2 April 13, 2022

3 ENGROSSED HOUSE
4 BILL NO. 3045

By: Talley of the House

5 and

6 Kidd of the Senate

7
8 An Act relating to counties; amending 19 O.S. 2021,
9 Section 421.2, which relates to the sale, trade, and
10 disposition of county equipment; clarifying the
11 applicability of a prohibition on when the board of
12 county commissioners can deem property as surplus;
13 and providing an effective date.

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

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

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

23 B. Except as otherwise provided in this section, the board of
24 county commissioners shall not deem any property to be surplus
during the period when the elections of any two county commissioners

1 occur at the same time. This prohibition shall only apply to the
2 property in use by and/or recorded on the inventory of the district
3 of the county commissioner(s), the elections of which are set for
4 the same date and not the remaining county officers. The

5 prohibition of declaring county property or material surplus shall:

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

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

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

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

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

COMMITTEE REPORT BY: COMMITTEE ON RULES
April 13, 2022 - DO PASS