

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 3642

By: Dempsey

AS INTRODUCED

An Act relating to cities and towns; amending 11 O.S. 2021, Section 2-104, which relates to municipal incorporation; modifying requirements for urban annexed areas to be within corporate limit of municipality; and providing an effective date.

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

SECTION 1. AMENDATORY 11 O.S. 2021, Section 2-104, is amended to read as follows:

Section 2-104. A. Except as otherwise provided by subsections B and C of this section, no territory within five (5) miles of the corporate limits of a municipality having a population of more than two hundred thousand (200,000), and no territory within three (3) miles of the corporate limits of any municipality having a population less than two hundred thousand (200,000), according to the latest ~~federal census~~ Federal Decennial Census, shall be included in the survey and plat provided in Section 2-103 of this title or incorporated as a new municipality.

1 B. Territory within five (5) miles of the corporate limits of a  
2 municipality having a population of more than two hundred thousand  
3 (200,000) may incorporate as a new municipality if it can be proved  
4 to the board of county commissioners by documentation that the  
5 territory has historically been identified as a community of people  
6 residing in compact form. Such territory shall be included in the  
7 survey and plat provided in Section 2-103 of this title or  
8 incorporated as a new municipality.

9 C. Territory within three (3) miles of the corporate limits of  
10 a municipality having a population of less than two hundred thousand  
11 (200,000) may incorporate as a new municipality if it can be proved  
12 to the board of county commissioners by documentation that the  
13 territory has historically been identified as a community of people  
14 residing in compact form. Such territory shall be included in the  
15 survey and plat provided in Section 2-103 of this title or  
16 incorporated as a new municipality.

17 D. Upon application of any person or municipality affected, the  
18 district court in the county where such territory is located may  
19 afford appropriate relief for any violation of this section. Where  
20 ~~Urban~~ urban areas annexed by a municipality ~~which~~ are completely  
21 nonadjacent to the corporate limits of the municipality ~~are~~ or the  
22 annexed territory of a municipality is otherwise nonadjacent or not  
23 contiguous to the corporate limits other than through a connecting  
24 strip, such nonadjacent or noncontiguous lands, along with any

1 connecting strip(s), shall not be considered as within the corporate  
2 limits of that municipality for the purposes of this section.

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