

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2857 _____
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

Adopted: _____

Amendment submitted by: Kevin Wallace

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

FLOOR SUBSTITUTE
FOR

HOUSE BILL NO. 2857

By: Wallace of the House

and

Green of the Senate

FLOOR SUBSTITUTE

An Act relating to municipal franchise agreements;
providing consideration as implied contract under
certain conditions; providing for the collection,
holding, and accounting of certain fees under certain
conditions; providing for codification; and declaring
an emergency.

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 151.2 of Title 17, unless there
is created a duplication in numbering, reads as follows:

A. The terms and conditions of an expired or otherwise
terminated municipal franchise granted pursuant to Section 5(a) or
5(b) of Article 18 of the Oklahoma Constitution shall continue in
effect as an implied contract between the municipality and the
franchise holder for a reasonable time.

1 B. Franchise fees under an expired or otherwise terminated
2 municipal franchise shall continue to be paid by the former
3 franchise holder to the municipality during the term of an implied
4 contract, but shall be held by the municipality in a separate
5 account until the term of the implied contract has expired.

6 C. If a civil action is filed challenging the implied contract
7 in subsection A of this section, all franchise fees shall be held by
8 the municipality in a separate account until all challenges are
9 finally resolved by dismissal with prejudice to refileing or un-
10 appealed final judgment.

11 SECTION 2. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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16 59-1-7716 JM 02/23/23

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