

SENATE FLOOR VERSION

February 29, 2024

SENATE BILL NO. 1618

By: Garvin of the Senate

and

Boles of the House

An Act relating to parking; creating the Municipal Parking Benefit District Act; providing short title; defining terms; allowing municipalities to create parking benefit districts; providing process for approval of parking benefit districts; enabling municipalities to create advisory committee for certain district; outlining membership requirements and procedures of certain advisory committee; enabling municipalities to create certain special fund; providing for the termination of certain districts; clarifying cumulative 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 32-118 of Title 11, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Municipal Parking Benefit District Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 32-119 of Title 11, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Governing body" shall mean the city council, city commission, or board of trustees of an incorporated city or town;

2. "Mail" shall mean first-class mail;

3. "Municipality" shall mean any incorporated city or town; and

4. "Parking benefit district" shall mean a defined geographic area in which a majority of the revenue generated from on-street parking facilities within the district is used to finance improvements within such district.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 32-120 of Title 11, unless there is created a duplication in numbering, reads as follows:

The governing body of any municipality in this state may create one or more parking benefit districts for the purpose of permitting advisory committees, provided for in Section 5 of this act, to provide recommendations to and bring issues to the attention of the municipality regarding the maintenance of the municipality's parking meter program within such districts.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 32-121 of Title 11, unless there is created a duplication in numbering, reads as follows:

A. The creation of a parking benefit district shall be preceded by notice and a public hearing. Such notice shall:

1 1. Contain the time, date, and place of the meeting where the
2 governing body shall hold a hearing on the creation of such
3 district;

4 2. Describe the proposed boundaries of such district; and

5 3. State the proposed term of authorization for such district.

6 B. Not less than ten (10) days nor more than thirty (30) days
7 before the day of the hearing, the municipal clerk or designee
8 shall:

9 1. Mail the notice of the hearing on the proposed parking
10 benefit district to the owners of the tracts or parcels of land to
11 be included in the district at each owner's last-known address;

12 2. Publish the date, time, and place of the hearing in a
13 newspaper of general circulation in the municipality; and

14 3. Publish the date, time, and place of the hearing on a
15 website if the municipal governing body maintains an Internet
16 website.

17 Failure of an owner to receive such notice shall not invalidate
18 any of the proceedings authorized in this act.

19 C. At the hearing of the governing body on the creation of such
20 district, any interested resident of the municipality, or business
21 owner or resident of the proposed parking benefit district, may file
22 a written protest or objection questioning the propriety and
23 advisability of establishing the parking benefit district.

24 D. At the hearing, the governing body may:

- 1 1. Correct any mistake or irregularity in any proceeding
- 2 relating to the parking benefit district;
- 3 2. Remove any tract or parcel of land, the inclusion of which
- 4 has been protested by the owner, from such district;
- 5 3. Add any tract or parcel of land adjacent to the proposed
- 6 boundaries of such district upon request of the owner;
- 7 4. Revise the proposed term of authorization for such district;
- 8 and
- 9 5. Approve or reject the establishment of such district.

10 E. Approval of the establishment of a parking benefit district
11 shall include the effective start date of the district and describe
12 the term of authorization for such district, and may include any
13 other terms and conditions not inconsistent with the laws of this
14 state.

15 SECTION 5. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 32-122 of Title 11, unless there
17 is created a duplication in numbering, reads as follows:

18 A. For each parking benefit district established, an advisory
19 committee may be formed by resolution or ordinance to provide input
20 and make recommendations to the municipality on issues relating to
21 the maintenance of the parking meter program in the parking benefit
22 district including, but not limited to, potential projects to be
23 funded with revenue generated from the parking benefit district and
24 the timing and order of such projects. Regardless of the

1 establishment of an advisory committee, all aspects of a
2 municipality's parking meter program shall be under the supervision
3 and control of the governing body of such municipality.

4 B. If an advisory committee is established, it shall consist of
5 not less than three and not more than seven people serving without
6 compensation, to be appointed jointly by a majority of the members
7 of the governing body of the municipality. The term of office of
8 each of the members of the committee shall be fixed by the governing
9 body; however, all members of the committee shall serve staggered
10 terms. Immediately after their appointment, the members of the
11 committee shall meet and organize by electing one of their members
12 as chair, and such other offices as the committee may deem
13 necessary. The committee shall elect the chair and any other
14 officers annually. Vacancies on the committee occurring otherwise
15 than by expiration of term of office shall be filled by the
16 presiding officer of the governing body of the municipality only for
17 the unexpired term of the member whose vacancy is being filled. All
18 members of the committee shall either reside or own a business in
19 the area of the parking benefit district. A majority of the members
20 of the committee shall be business owners. Should a member of the
21 committee no longer reside or own a business in the parking benefit
22 district, that member's position shall become vacant. No member of
23 the committee shall be an employee of the municipality.

1 C. Notwithstanding the composition of an advisory committee,
2 the municipality may include as nonvoting members of the committee
3 such municipal officials or employees as the municipality desires.

4 D. An advisory committee shall meet at the call of the
5 committee chair, provided that the committee shall meet at least
6 once a year during the duration of the parking benefit district.

7 SECTION 6. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 32-123 of Title 11, unless there
9 is created a duplication in numbering, reads as follows:

10 A. Starting on the effective date of a parking benefit
11 district, the governing body of a municipality may hold in a special
12 fund all revenue received by the municipality from the parking meter
13 program within such district.

14 B. Such funds may be used to pay the cost of any improvements
15 or repairs necessary for the maintenance of the parking meter
16 program within such district.

17 SECTION 7. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 32-124 of Title 11, unless there
19 is created a duplication in numbering, reads as follows:

20 A. The governing body of any municipality may modify or
21 terminate any parking benefit districts within its jurisdiction,
22 with or without cause, by resolution or ordinance after providing
23 notice and a public hearing on the subject in the same manner as
24 required for the creation of such districts in this act.

1 B. In the event a parking benefit district is terminated, any
2 fees and revenues generated from the use of parking meters in the
3 district being held for the maintenance of the parking meter program
4 within the district that have not been expended shall be released to
5 the municipality and no longer obligated to the terminated district.

6 SECTION 8. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 32-125 of Title 11, unless there
8 is created a duplication in numbering, reads as follows:

9 The authority granted by this act is cumulative to municipal
10 powers and does not limit the authority of a municipality to
11 maintain or manage a parking meter program.

12 SECTION 9. This act shall become effective November 1, 2024.

13 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
14 February 29, 2024 - DO PASS
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