

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1939

By: Sterling

COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Turnpike Authority; amending 69 O.S. 2021, Section 1705, which relates to powers and duties of the Oklahoma Turnpike Authority; modifying locations of construction and operation of certain turnpikes; requiring submission of certain report; requiring certain collaboration; requiring certain authorizations terminate after five years under certain conditions; removing certain requirement for automatic tollgates; removing certain bond requirement; requiring compensation for certain damaged property; requiring Authority adopt certain rules and adhere to existing laws; requiring the holding of certain meetings; requiring certain meeting compliance; detailing certain notice and public engagement requirements; authorizing additional public meetings if needed; amending 69 O.S. 2021, Section 1718, which relates to the judicial determination of validity of bonds; and providing an effective date.

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

SECTION 1. AMENDATORY 69 O.S. 2021, Section 1705, is amended to read as follows:

Section 1705. The Oklahoma Turnpike Authority is hereby authorized and empowered:

1 (a) To adopt bylaws for the regulation of its affairs and
2 conduct of its business.

3 (b) To adopt an official seal and alter the same at pleasure.

4 (c) To maintain an office at such place or places within the
5 state as it may designate.

6 (d) To sue and be sued in contract, reverse condemnation,
7 equity, mandamus and similar actions in its own name, plead and be
8 impleaded; provided, that any and all actions at law or in equity
9 against the Authority shall be brought in the county in which the
10 principal office of the Authority shall be located, or in the county
11 of the residence of the plaintiff, or the county where the cause of
12 action arose. All privileges granted to the Authority and duties
13 enjoined upon the Authority by the provisions of Sections 1701
14 through 1734 of this title may be enforced in a court of competent
15 jurisdiction in an action in mandamus.

16 (e) To construct, maintain, repair and operate turnpike
17 projects and highways, with their access and connecting roads, at
18 such locations and on such routes as it shall determine to be
19 feasible and economically sound; provided, that until specifically
20 authorized by the Legislature, the Authority shall be authorized to
21 construct and operate toll turnpikes only at the following
22 locations:

23 (1) The Turner Turnpike between Oklahoma City and Tulsa.
24

1 (2) The Southwestern (H.E. Bailey) Turnpike between Oklahoma
2 City and Wichita Falls, Texas.

3 (3) The Northeastern (Will Rogers) Turnpike between Tulsa and
4 Joplin, Missouri.

5 (4) The Eastern (Indian Nation) Turnpike between Tulsa
6 Henryetta and Paris, Texas, including all or any part thereof
7 ~~between McAlester and the Red River south of Hugo.~~

8 (5) The Cimarron Turnpike between Tulsa and Interstate Highway
9 35 north of Perry, including a connection to Stillwater.

10 (6) The Muskogee Turnpike between Broken Arrow and Interstate
11 Highway 40 west of Webbers Falls.

12 ~~(7) All or any part of an extension of the Muskogee Turnpike,~~
13 ~~beginning at a point on Interstate Highway 40 near the present south~~
14 ~~terminus of the Muskogee Turnpike, and extending in a southeasterly~~
15 ~~direction on an alignment near Stigler, Poteau and Heavener to the~~
16 ~~vicinity of the Arkansas State Line to furnish access to Hot~~
17 ~~Springs, Texarkana, Shreveport and New Orleans.~~

18 ~~(8) A tollgate on the Turner Turnpike in the vicinity of~~
19 ~~Luther, Oklahoma, and in the vicinity of the intersection of State~~
20 ~~Highway 33 and Turner Turnpike in Creek County, Oklahoma, or in the~~
21 ~~vicinity of the intersection of State Highway 33 and Turner Turnpike~~
22 ~~or U.S. Highway 66 in Creek County, Oklahoma, from any monies~~
23 ~~available to the Authority.~~

1 ~~(9) Add on the Will Rogers Turnpike a northbound automatic~~
2 ~~tollgate onto State Highway 28 and a southbound on-ramp from State~~
3 ~~Highway 28.~~

4 ~~(10) A turnpike (Chickasaw Turnpike) or any part or parts~~
5 ~~thereof beginning in the vicinity of Duncan extending east to the~~
6 ~~vicinity of the City of Davis, and extending in a northeasterly~~
7 ~~direction, by way of to the vicinity of the City of Ada, to a~~
8 ~~connection in the vicinity of Henryetta or in the vicinity of the~~
9 ~~intersection of State Highway 48 and Interstate 40; and a turnpike~~
10 ~~or any part or parts thereof from the vicinity of Snyder extending~~
11 ~~north to the vicinity of Woodward.~~

12 ~~(11) A turnpike or any part or parts thereof beginning at a~~
13 ~~point in the vicinity of Ponca City, or at a point on the Kansas-~~
14 ~~Oklahoma state boundary line east of the Arkansas River and west of~~
15 ~~the point where Oklahoma State Highway No. 18 intersects said state~~
16 ~~boundary line, and extending in a southeasterly direction to a~~
17 ~~connection with the Tulsa Urban Expressway System in the general~~
18 ~~area of the Port of Catoosa.~~

19 ~~(12) All or any part of an Oklahoma City toll expressway system~~
20 ~~connecting the residential, industrial and State Capitol Complex in~~
21 ~~the north part of Oklahoma City with the residential, industrial and~~
22 ~~Will Rogers World Airport Complex in the south and southwest parts~~
23 ~~of Oklahoma City.~~

1 ~~(13) A turnpike (The Industrial Parkway) or any part or parts~~
2 ~~thereof beginning at a point on the Oklahoma-Kansas state boundary~~
3 ~~line between the point where U.S. Highway 66 intersects the boundary~~
4 ~~line and the northeast corner of Oklahoma and ending by means of a~~
5 ~~connection or connections with Shreveport, Louisiana, and Houston,~~
6 ~~Texas, in southeastern Oklahoma and at no point to exceed thirty~~
7 ~~(30) miles west of the Missouri or Arkansas border.~~

8 ~~(14) A turnpike or any part or parts thereof beginning in the~~
9 ~~vicinity of Velma or County Line to a point intersecting with~~
10 ~~Interstate 35 in the area south of Davis.~~

11 ~~(15) A turnpike or any part or parts thereof beginning in the~~
12 ~~vicinity of Watonga and extending south and/or east to the vicinity~~
13 ~~of north and/or west Oklahoma City.~~

14 ~~(16) A tollgate on the Will Rogers Turnpike near the~~
15 ~~intersection of State Highway 137 and the Will Rogers Turnpike,~~
16 ~~located south of Quapaw.~~

17 ~~(17) A tollgate on the Muskogee Turnpike in the vicinity of~~
18 ~~Porter, Oklahoma, a tollgate on the Will Rogers Turnpike in the~~
19 ~~vicinity of Adair, Oklahoma, a tollgate on the Turner Turnpike in~~
20 ~~the vicinity of Luther, Oklahoma, and a tollgate on the H.E. Bailey~~
21 ~~Turnpike at Elgin, Oklahoma, from any monies available to the~~
22 ~~Authority.~~

23 ~~(18) A tollgate on the Turner Turnpike in the vicinity of~~
24 ~~Wellston, Oklahoma, from any monies available to the Authority.~~

1 ~~(19) A tollgate on the Muskogee Turnpike in the vicinity of~~
2 ~~Brushy Mountain, Oklahoma, and in the vicinity of Elm Grove,~~
3 ~~Oklahoma, from any monies available to the Authority.~~

4 ~~(20)~~ (8) All or any part of an Oklahoma City Outer Loop
5 expressway system beginning in the vicinity of I-35 and the Turner
6 Turnpike and extending west into Canadian County and then south to
7 I-40; and then south and east to I-35 in the vicinity of Moore and
8 Norman; and then extending east and north to I-40 east of Tinker
9 Field; and then extending north to the Turner Turnpike to complete
10 the Outer Loop.

11 ~~(21)~~ (9) All or any part of the Tulsa south bypass expressway
12 system (Creek Turnpike) beginning in the vicinity of the Turner
13 Turnpike near Sapulpa and extending south and east to U.S. 75 in the
14 vicinity of 96th Street to 121st Street; and then east across the
15 Arkansas River to a connection with the Mingo Valley Expressway; and
16 then south and/or east to a point on the Tulsa-Wagoner County Line
17 near 131st street south in the city of Broken Arrow.

18 ~~(22)~~ (10) A new turnpike (Creek Turnpike) or any part thereof
19 from near the west gate of the Will Rogers Turnpike south to the
20 west end of south Tulsa Turnpike at the Tulsa-Wagoner County Line.

21 ~~(23)~~ (11) A new turnpike (Cherokee Turnpike) or any parts
22 thereof from the vicinity of the connection between State Highway 33
23 and U.S. 69 easterly to the Arkansas State Line.

1 ~~(24) A four-lane extension of the Muskogee Turnpike from~~
2 ~~Interstate Highway 40 west of Webbers Falls to the Poteau vicinity.~~

3 ~~(25) A new turnpike or any part or parts thereof beginning at a~~
4 ~~point in the vicinity of northwest Tulsa, and extending in a~~
5 ~~northwesterly direction, by means of a connection or connections~~
6 ~~with the cities of Pawhuska and Newkirk, to a point intersecting in~~
7 ~~the vicinity of US Highway No. 77 and the Kansas State Line.~~

8 ~~(26) A full access interchange on the Indian Nation Turnpike~~
9 ~~south of Interstate 40, in the vicinity of Henryetta, Oklahoma, and~~
10 ~~in the vicinity of the proposed theme park, museum or an industrial~~
11 ~~facility which qualifies for the Oklahoma Quality Jobs Program Act,~~
12 ~~from any monies available to the Authority.~~

13 ~~(27) A new turnpike beginning at a point directly west of the~~
14 ~~Arkansas line and four-laning Highway 70 from that point to the~~
15 ~~farthest western reach of Highway 70 creating a southern route~~
16 ~~through Oklahoma.~~

17 ~~(28)~~ (12) A new turnpike and bridge or any parts thereof from a
18 point in the vicinity of the city of Mustang southerly across the
19 South Canadian River to the H.E. Bailey Turnpike in the vicinity of
20 the city of Tuttle; and then easterly across the South Canadian
21 River to a point in the vicinity of the city of Norman.

22 ~~(29) A new turnpike or any parts thereof beginning at a point~~
23 ~~in the vicinity of the city of Altus and extending in a~~
24

1 ~~northwesterly direction to a point in the vicinity of the city of~~
2 ~~Sayre.~~

3 ~~(30) A new turnpike or any parts thereof beginning at a point~~
4 ~~in the vicinity of the city of Enid and extending in a westerly~~
5 ~~direction to a point in the vicinity of the city of Woodward.~~

6 ~~(31) An on- and off-ramp or any parts thereof at Fletcher,~~
7 ~~Oklahoma, in the vicinity of the Interstate 44 and State Highway 277~~
8 ~~intersection. Any existing on- or off-ramp or any parts thereof in~~
9 ~~the vicinity of Fletcher, Oklahoma, shall not be removed and shall~~
10 ~~be maintained pursuant to Section 1701 et seq. of this title.~~

11 ~~(32) A new bridge crossing the Arkansas River between South~~
12 ~~Delaware Avenue and Memorial Drive in Tulsa County. This project~~
13 ~~shall commence upon a determination by the Oklahoma Transportation~~
14 ~~Authority that such bridge shall be self-sufficient at some point~~
15 ~~over a thirty-year time period from the toll charges associated with~~
16 ~~the bridge project.~~

17 ~~(33) An exit ramp or any parts thereof from the eastbound lane~~
18 ~~of the Turner Turnpike at 96th Street in Tulsa.~~

19 ~~(34) An on- and off-ramp or any parts thereof on the Cimarron~~
20 ~~Turnpike in the vicinity of the northside of the Glencoe, Oklahoma,~~
21 ~~municipal limits.~~

22 ~~(35)~~ (13) A new turnpike (Gilcrease Turnpike) or any parts
23 thereof beginning at Interstate 44 at or near its intersection with
24 49th West Avenue, past State Highway 64/412, turning northeasterly,

1 crossing 41st West Avenue, and continuing eastward to the L.L.
2 Tisdale Expressway in Tulsa, Oklahoma.

3 Prior to the completion of the design of a new route of an
4 authorized turnpike project, the Authority shall submit to the
5 Governor and the Legislature, the independent approval of the
6 Oklahoma Transportation Commission as set forth in Section 1701 of
7 this title. The Authority shall collaborate with elected officials
8 of cities and counties where the new route will be located.

9 Legislative authorization for any new turnpike project location
10 enacted after November 1, 2025, shall terminate on the fifth
11 anniversary of its enactment unless the Authority has, in an open
12 and public meeting held in compliance with the Oklahoma Open Meeting
13 Act, approved a contract to commence project design.

14 All access roads, interchanges, or lead roads connecting such
15 turnpikes with existing highways must be built by funds furnished by
16 the Authority.

17 The minimum and maximum wages for the construction of the roads,
18 highways and projects provided for in Sections 1701 through 1734 of
19 this title shall be in accordance with the schedules of wages used
20 or adopted by the Commission in construction of state highways.

21 The Authority is hereby authorized to enter into contracts or
22 agreements with agencies and instrumentalities of other states or
23 the national government for construction, maintenance and operation
24 of interstate turnpikes or highways.

1 ~~The Authority is hereby required to construct and install~~
2 ~~automatic tollgates on the Will Rogers Turnpike at State Highway No.~~
3 ~~28 near Adair.~~

4 (f) To issue turnpike revenue bonds of the Authority, payable
5 solely from revenues, including the revenues accruing to the trust
6 fund created by Sections 1701 through 1734 of this title, for the
7 purpose of paying all or any part of the cost of any one or more
8 turnpike projects. ~~Provided that any bonds issued for the~~
9 ~~construction of the proposed turnpike referred to in subparagraphs~~
10 ~~(10), (20), (21) and (22) of paragraph (c) of this section shall be~~
11 ~~issued as one issue for all four of the proposed turnpikes and shall~~
12 ~~be financed, constructed and operated under one bond indenture.~~

13 (g) To fix and revise from time to time tolls for the use of
14 any turnpike projects.

15 Any common carrier having authority at the time of opening any
16 turnpike project to operate upon a highway approximately paralleling
17 the turnpike project shall be granted without further showing
18 authority to operate over the turnpike project to all municipalities
19 which such carrier is serving at the time the turnpike project is
20 opened to traffic. But nothing herein shall be construed as
21 granting any new operation rights to any common carriers.

22 (h) To acquire, hold, and dispose of real and personal property
23 in the exercise of its powers and the performance of its duties.

1 (i) To acquire in the name of the Authority by purchase or
2 otherwise on such terms and conditions and in such manner as it may
3 deem proper, or by exercise of the right of condemnation in manner
4 hereinafter provided, such public or private lands, including public
5 parks, playgrounds, or reservations, or parts thereof or rights
6 therein, rights-of-way, property, rights, easements, and interests,
7 as it may deem necessary for carrying out the provisions of Sections
8 1701 through 1734 of this title; provided, that all public or
9 private property damaged in carrying out the powers granted by
10 Sections 1701 through 1734 of this title shall be restored or
11 repaired and placed in its original condition as nearly as
12 practicable, and the owner thereof shall be compensated in
13 accordance with Sections 1706, 1707, and 1708 of this title.

14 (j) To designate, except as is provided for herein, the
15 location, and establish, limit and control such points of ingress to
16 and egress from each turnpike project as may be necessary or
17 desirable in the judgment of the Authority to insure the proper
18 operation and maintenance of such project, and to prohibit entrance
19 to such project from any point or points not so designated.

20 (k) To make and enter into all contracts and agreements
21 necessary or incidental to the performance of its duties and the
22 execution of its powers, and to employ consulting engineers,
23 attorneys, accountants, construction and financial experts,
24 superintendents, managers, and such other employees and agents as

1 may be necessary in its judgment, and to fix their compensation;
2 provided, that all such expenses shall be payable solely from the
3 proceeds of turnpike revenue bonds issued under the provisions of
4 Sections 1701 through 1734 of this title or from revenues; provided,
5 further, no attorney employed by the Authority, nor any member of
6 any law firm of which the attorney may be connected, shall ever be
7 paid any fee or compensation for any special or extraordinary
8 services.

9 (l) To receive and accept from any federal agency grants for or
10 in aid of the construction of any turnpike project, provided, the
11 acceptance of such grants will not reduce the amount of federal aid
12 for the construction, repair, or maintenance of farm-to-market roads
13 and other highways and bridges in this state; and to receive and
14 accept aid or contributions from any source of either money,
15 property, labor, or other things of value, to be held, used, and
16 applied only for the purposes for which such grants and
17 contributions may be made.

18 (m) To adopt such rules, and to do any and all things necessary
19 to comply with rules, regulations, or requirements of the Bureau of
20 Public Roads, Multistate Economic Development Regional Commission,
21 as defined in Sections 1151 through 1153, inclusive, of Title 74 of
22 the Oklahoma Statutes, Ozarka Region Commission or any other federal
23 agency administering any law enacted by the Congress of the United
24 States to aid or encourage the construction of highways.

(n) To do all things necessary or convenient to carry out the powers expressly granted in Sections 1701 through 1734 of this title. The design standards for all paving shall comply with the design standards of the American Association of State Highway and Transportation Officials as modified by the Oklahoma Department of Transportation. All contracts for construction work on turnpike projects shall be let to the lowest responsible bidder, or bidders, after notice by publication in a newspaper published in the county where the work is to be done in two consecutive weekly issues of the newspaper. In all cases where more than eight (8) miles of construction is let at the same time and is not an advertisement for a surface-treatment-only project, such advertisement shall provide for bids on sections of the turnpike not to exceed eight (8) miles. If the project advertised is a surface-treatment-only project of more than twenty (20) miles of road, the advertisement shall provide for bids on sections of the road no longer than twenty (20) miles, as well as bids on the project as a whole. Subject to the following restrictions and limitations, the Authority shall, when contracting for construction work, divide such work into paving projects, bridge projects, including underpasses and overpasses, and earthmoving or miscellaneous projects, according to the type of work to be done. Each project shall be let under a separate contract or contracts and no contract or project shall include more than one of such types of construction work. Each contract for construction work shall

1 contain a provision that ninety percent (90%) of all labor employed
2 on the project shall be residents of Oklahoma. However, contracts
3 for bridges may include earthwork and structures for the approaches
4 thereto.

5 (o) To adopt such rules, and to do any and all things necessary
6 to comply with all applicable federal and state laws and permits,
7 related to the design, construction, maintenance, and operation of
8 turnpike projects authorized herein.

9 (p) It shall be unlawful for any member, officer or employee of
10 the Authority to transact with the Authority, either directly or
11 indirectly, any business for profit of such member, officer, or
12 employee; and any person, firm, or corporation knowingly
13 participating therein shall be equally liable for violation of this
14 provision.

15 The term "business for profit" shall include, but not be limited
16 to, the acceptance or payment of any fee, commission, gift, or
17 consideration to such member, officer, or employee.

18 Violation of this provision shall constitute a felony punishable
19 by incarceration in the State Penitentiary for a term not to exceed
20 five (5) years or a fine of not less than Five Hundred Dollars
21 (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), or
22 both such imprisonment and fine.

23 ~~(p)~~ (q) In the event of a national emergency, the Authority,
24 subject to any vested rights or claims, may enter into contracts

1 with the federal government or any authorized agency thereof to
2 allow the federal government or agency thereof to use such turnpikes
3 partly or exclusively during the existence of such emergency,
4 provided, that the federal government agrees in such contract to
5 pay, during the term of such contract, an amount sufficient, when
6 added to any tolls collected, to meet all operating and maintenance
7 expenses, interest payments, and the minimum sinking fund and
8 reserve requirements of the trust agreement for the turnpike covered
9 by the contract.

10 ~~(q)~~ (r) All meetings of the Authority shall be open public
11 meetings, and all records shall be public records, except when
12 considering personnel or litigation.

13 (s) The Authority's approval of any contract to undertake the
14 design of a new route of an authorized turnpike project shall take
15 place in an open and public meeting held in compliance with the
16 Oklahoma Open Meeting Act. Thereafter, the Authority shall comply
17 with the following notice and public engagement requirements:

18 (1) Within ninety (90) days, submit a report to the Governor,
19 the Legislature and to the elected officials of cities and counties
20 where any new route will be located, inclusive of conceptual project
21 maps and preliminary project details, and publish the report on the
22 Authority's official website.

23 (2) Within one hundred twenty (120) days, schedule and hold a
24 formal public meeting to provide a description of the new route,

1 preliminary project details including approximate location, scope of
2 work, and design elements.

3 (i) Notice of the public meeting shall be given electronically
4 by posting on the Authority's official website and by publication in
5 a newspaper of general circulation and published in the county where
6 the new route, or the major part of it, is to be located, such
7 notice by publication to be published in two consecutive weekly
8 issues of the newspaper, with the first publication thereof to be at
9 least thirty (30) days prior to the public meeting date. In
10 addition, the Authority shall use its best efforts to provide notice
11 to all known property owners within one (1) mile on each side of the
12 new route, considering the number and types of property interests of
13 such owners, by methods including, but not limited to, first class
14 mail and targeted advertisements which shall include the utilization
15 of certified mail to give notice to affected property owners.

16 (ii) The public meeting shall be held at a location convenient
17 and as near to the new route as practicable.

18 (iii) At the public meeting, any person may submit oral or
19 written statements and data about the new route. Reasonable limits
20 may be set upon the time allowed for oral statements.

21 (iv) The Authority shall collect public comment through an
22 online portal with links to the portal shared at the public meeting
23 and on the Authority's official website.
24

1 3. Within thirty (30) days of the public meeting, the Authority
2 shall provide a report to the Governor and Legislature summarizing
3 the oral and written statements and data received, including any
4 reports of economic impacts, support or opposition to a route made
5 by cities and counties where any new route will be located.

6 If the location of a new route changes based on the results of
7 the public meeting and engagement requirements set forth in this
8 paragraph, the Authority shall report such changes to the Governor,
9 the Legislature and to the elected officials of cities and counties
10 where the new route will be located. Additional public meetings,
11 conducted in accordance with this paragraph, may be scheduled at the
12 Authority's discretion.

13 SECTION 2. AMENDATORY 69 O.S. 2021, Section 1718, is
14 amended to read as follows:

15 Section 1718. The Oklahoma Turnpike Authority is authorized in
16 its discretion to file an application with the Supreme Court of
17 Oklahoma for the approval of any bonds to be issued hereunder, and
18 exclusive original jurisdiction is hereby conferred upon the Supreme
19 Court to hear and determine each such application. It shall be the
20 duty of the Court to give such applications precedence over the
21 other business of the Court and to consider and pass upon the
22 applications and any protests which may be filed thereto as speedily
23 as possible. Notice of the hearing on each application shall be
24 given by a notice published in a newspaper of general circulation in

1 the state that on a day named the Authority will ask the Court to
2 hear its application and approve the bonds. Such notice shall
3 inform all persons interested that they may file protests against
4 the issuance of the bonds and be present at the hearing and contest
5 the legality thereof. Such notice shall be published one time not
6 less than ten (10) days prior to the date named for the hearing and
7 the hearing may be adjourned from time to time in the discretion of
8 the Court. If the Court shall be satisfied that the bonds have been
9 properly authorized in accordance with this article and that when
10 issued, they will constitute valid obligations in accordance with
11 their terms, the Court shall render its written opinion approving
12 the bonds and shall fix the time within which a petition for
13 rehearing may be filed. The decision of the Court shall be a
14 judicial determination of the validity of the bonds, shall be
15 conclusive as to the Authority, its officers and agents, and
16 thereafter the bonds so approved and the revenues pledged to their
17 payment shall be incontestable in any court in the State of
18 Oklahoma.

19 SECTION 3. This act shall become effective November 1, 2025.
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21 60-1-13275 AO 03/06/25
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