

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1289 \_\_\_\_\_  
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: Mark Lepak \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1289

By: Lepak

7  
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to municipalities; amending 11 O.S.  
10 2011, Section 36-113, as last amended by Section 1,  
11 Chapter 23, O.S.L. 2017 (11 O.S. Supp. 2018, Section  
12 36-113), which relates to the construction,  
13 improvement, repair and maintenance of municipal  
14 streets; modifying population requirement for the  
15 authorization of certain construction projects; and  
16 providing an effective date.

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

18 SECTION 1. AMENDATORY 11 O.S. 2011, Section 36-113, as  
19 last amended by Section 1, Chapter 23, O.S.L. 2017 (11 O.S. Supp.  
20 2018, Section 36-113), is amended to read as follows:

21 Section 36-113. A. The Department of Transportation may, or  
22 the board of county commissioners of any county or federally  
23 recognized tribal government shall, by agreement with the governing  
24 body of a municipality having a population of less than five  
thousand (5,000) persons, construct, improve, repair or maintain any  
of the streets of the municipality.

1 B. The board of county commissioners may construct, improve,  
2 repair, or maintain any of the streets of a municipality having a  
3 population of less than five thousand (5,000) persons subject to  
4 agreement between the governing bodies of the county and the  
5 municipality without regard to whether the municipality has passed a  
6 sales tax with proceeds earmarked to construct, improve, repair or  
7 maintain any of the streets or roadways of such municipality.

8 C. The board of county commissioners may construct, improve,  
9 repair or maintain any of the streets of a municipality having a  
10 population of ~~greater than~~ five thousand (5,000) persons ~~but less~~  
11 ~~than fifteen thousand (15,000) persons~~ or greater if the  
12 municipality has passed a sales tax with the proceeds earmarked to  
13 construct, improve, repair or maintain any of the streets or  
14 roadways of such municipality, provided that the county has a  
15 population of less than one hundred fifty thousand (150,000)  
16 persons.

17 D. The Notwithstanding any provision of this section, the board  
18 of county commissioners may construct, improve, repair, or maintain  
19 any of the streets of a municipality if the county has a population  
20 in excess of one hundred fifty thousand (150,000) persons according  
21 to the most recent Federal Decennial Census. The agreements entered  
22 into pursuant to the provisions of this subsection may be performed  
23 without regard to whether the municipality has passed a sales tax  
24

1 with proceeds earmarked to construct, improve, repair or maintain  
2 any of the streets or roadways of such municipality.

3 SECTION 2. This act shall become effective November 1, 2019.

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