

# An Act

ENROLLED SENATE  
BILL NO. 1031

By: Ballenger of the Senate

and

Grau of the House

An Act relating to municipal streets; amending 11 O.S. 2011, Section 36-113, which relates to county improvements of municipal streets; removing exclusion of certain county expenditures for certain tax purposes; and declaring an emergency.

SUBJECT: Municipal streets

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

SECTION 1. AMENDATORY 11 O.S. 2011, Section 36-113, is amended to read as follows:

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

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

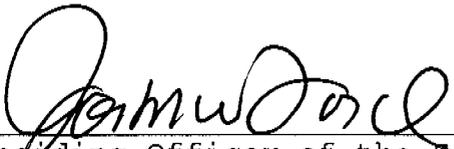
C. The board of county commissioners may construct, improve, repair or maintain any of the streets of a municipality having a population of greater than five thousand (5,000) persons but less than fifteen thousand (15,000) persons if the municipality has passed a sales tax with the proceeds earmarked to construct, improve, repair or maintain any of the streets or roadways of such municipality.

D. The board of county commissioners may construct, improve, repair, or maintain any of the streets of a municipality if the county has a population in excess of five hundred thousand (500,000) persons according to the most recent Federal Decennial Census. The agreements entered into pursuant to the provisions of this subsection may be performed without regard to whether the municipality has passed a sales tax with proceeds earmarked to construct, improve, repair or maintain any of the streets or roadways of such municipality.

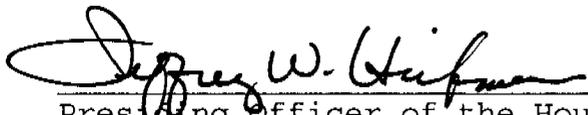
~~E. If a county constructs, improves, repairs or maintains any municipal street or road pursuant to the provisions of this section, such municipal road mileage shall not be included in the computation of mileage for purposes of any state tax revenues apportioned to the county.~~

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

Passed the Senate the 15th day of March, 2012.

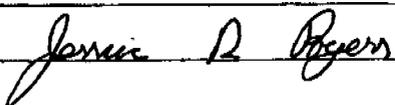
  
Presiding Officer of the Senate

Passed the House of Representatives the 17th day of April, 2012.

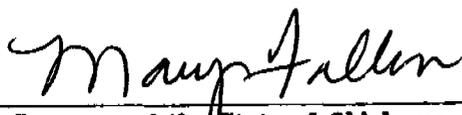
  
Presiding Officer of the House  
of Representatives

**OFFICE OF THE GOVERNOR**

Received by the Governor this 18<sup>th</sup>  
day of April, 20 12,  
at 11:53 o'clock A.M.

By: 

Approved by the Governor of the State of Oklahoma the 21<sup>th</sup> day of  
April, 20 12, at 3:03 o'clock P.M.

  
Governor of the State of Oklahoma

**OFFICE OF THE SECRETARY OF STATE**

Received by the Secretary of State this  
24<sup>th</sup> day of April, 20 12,  
at 4:06 o'clock P M.

By: 