

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1136

By: Osburn

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5
6 AS INTRODUCED

7 An Act relating to counties and county officers;
8 amending 19 O.S. 2011, Section 868.11a, which relates
9 to county fines and penalties; specifying certain
citation may be delivered in person or by certified
mail; and providing an effective date.

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

13 SECTION 1. AMENDATORY 19 O.S. 2011, Section 868.11a, is
14 amended to read as follows:

15 Section 868.11a A. A board of county commissioners may provide
16 for enforcement of its regulations and establish fines, penalties or
17 other remedies for any offense in violation of its regulations,
18 which shall be recoverable together with costs of suit.

19 B. 1. In addition to other powers and duties prescribed by
20 law, a board of county commissioners shall have the power to
21 establish and enforce fines and penalties for violation of its
22 zoning, subdivision, storm water and floodplain regulations,
23 including the issuance of citations by designated county personnel
24 for violations of its zoning, subdivision, storm water and

1 floodplain regulations. A board of county commissioners may
2 additionally establish that any person who fails to correct a
3 violation for which a citation has been issued within the period
4 permitted for its correction may be assessed a fine or penalty for
5 each ensuing day during which such failure or violation continues.

6 2. In issuing a citation pursuant to this subsection, the
7 county employee shall proceed as follows:

8 a. the employee shall prepare a written citation to
9 appear in court, containing the name and address of
10 the cited person and the violation/offense charged,
11 and stating when the person shall appear in district
12 court. The time to appear specified in the citation
13 shall be at least five (5) days after the issuance of
14 the citation,

15 b. one copy of the citation to appear shall be delivered,
16 in person or by certified mail, to the person cited,
17 and such person shall sign a duplicate written
18 citation which shall be retained by the county
19 employee, and

20 c. as soon as practicable, one copy of the citation shall
21 be filed with the district court specified therein and
22 one copy delivered to the prosecuting attorney.

23 3. If a person fails to appear in district court at the
24 designated time, a warrant for arrest shall be issued.

1 4. Violations and penalties shall be deemed misdemeanor
2 offenses, punishable by a fine of up to Five Hundred Dollars
3 (\$500.00). Jurisdiction is hereby conferred upon the district court
4 within the county.

5 5. Fines and penalties collected pursuant to this subsection
6 shall be deposited in the appropriate county fund.

7 6. Issuance of citations and/or payment of fines or penalties
8 shall in no way preclude other remedies or appropriate action or
9 proceedings to prevent or remove a violation.

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

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12 57-1-5172 AMM 01/05/19

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