

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2263

By: Sterling, **Fugate**, and **Menz**

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to the Oklahoma Turnpike Authority;
10 amending 69 O.S. 2021, Section 1703, which relates to
11 the creation of the Oklahoma Turnpike Authority;
12 modifying membership of the Authority; modifying term
13 length; modifying actions regarding removal of
14 appointive members; requiring full membership to
15 perform duties; prohibiting members from
16 participating in certain votes; and providing an
17 effective date.

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

19 SECTION 1. AMENDATORY 69 O.S. 2021, Section 1703, is
20 amended to read as follows:

21 Section 1703. A. There is hereby created a body corporate and
22 politic to be known as the "Oklahoma Turnpike Authority" and by that
23 name the Authority may sue and be sued, and plead and be impleaded.
24 The Authority is hereby constituted an instrumentality of the state,
 and the exercise by the Authority of the powers conferred by this
 act in the construction, operation, and maintenance of turnpike

1 projects shall be deemed and held to be an essential governmental
2 function of the state with all the attributes thereof. Provided,
3 however, the Turnpike Authority is authorized to carry and shall
4 carry liability insurance to the same extent and in the same manner
5 as the Transportation Commission, and in addition thereto it shall
6 be subject to the workers' compensation laws of the state the same
7 as a private construction project.

8 B. The Oklahoma Turnpike Authority shall consist of the
9 Governor, who shall be a member ex officio, ~~and six (6) members to~~
10 ~~be appointed by the Governor, by and with the consent of the~~ two (2)
11 members to be appointed by the Governor, two (2) members to be
12 appointed by the Speaker of the Oklahoma House of Representatives,
13 and two (2) members to be appointed by the President Pro Tempore of
14 the Oklahoma State Senate. The appointive members shall be
15 residents of the state, and shall have been qualified electors
16 therein for a period of at least one (1) year next preceding their
17 appointment. One appointive member shall be appointed from each of
18 six districts of the state, such districts to include the area as
19 follows:

20 District 1. Oklahoma, Canadian, Cleveland, McClain and Garvin
21 Counties.

22 District 2. Washington, Nowata, Craig, Ottawa, Rogers, Mayes,
23 Delaware, Wagoner, Cherokee, Adair, Okmulgee, Osage, Muskogee,
24 Sequoyah, McIntosh and Haskell Counties.

1 District 3. Coal, Logan, Payne, Lincoln, Creek, Okfuskee,
2 Pottawatomie, Seminole, Hughes and Pontotoc Counties.

3 District 4. Kay, Pawnee, Garfield, Noble, Tulsa, Woods,
4 Woodward, Major, Alfalfa and Grant Counties.

5 District 5. Cimarron, Grady, Texas, Beaver, Harper, Ellis,
6 Roger Mills, Dewey, Custer, Caddo, Washita, Beckham, Harmon,
7 Stephens, Jefferson, Greer, Kiowa, Jackson, Tillman, Comanche,
8 Cotton, Kingfisher and Blaine Counties.

9 District 6. Carter, Love, Murray, Johnston, Marshall, Atoka,
10 Bryan, Pittsburg, Latimer, Le Flore, Pushmataha, Choctaw and
11 McCurtain Counties.

12 ~~The members of the Authority appointed shall continue in office~~
13 ~~for terms expiring as follows: District 1, July 1, 1968; District~~
14 ~~2, July 1, 1971; District 3, July 1, 1972; District 4, July 1, 1973;~~
15 ~~District 5, July 1, 1974; District 6, July 1, 1975. Provided, that~~
16 ~~appointive~~ The Governor shall appoint the members from Districts 1
17 and 2. The Speaker of the Oklahoma House of Representatives shall
18 appoint the members from Districts 3 and 4. The President Pro
19 Tempore of the Oklahoma State Senate shall appoint the members from
20 Districts 5 and 6. Appointive members serving on the Oklahoma
21 ~~Turnpike Authority created by 69 O.S. 1961, Section 653, when this~~
22 ~~act becomes~~ on the effective date of this act shall continue to
23 serve as members of the Oklahoma Turnpike Authority created by this
24 ~~section,~~ for the remainder of the original terms for which they were

1 appointed, unless sooner removed by the ~~Governor~~ appointing
2 authority for their District. ~~The successor of~~ Thereafter, each
3 appointive member shall be appointed in the manner set forth by this
4 Section for a term of ~~eight (8)~~ six (6) years, except that any
5 person appointed to fill a vacancy shall be appointed to serve only
6 for the unexpired term, and a member of the Authority shall be
7 eligible for reappointment. Each appointed member of the Authority
8 before entering upon the duties of office shall take an oath as
9 provided by Section 1 of Article XV of the Constitution of the State
10 of Oklahoma. Any appointive member of the Authority may be removed
11 ~~by the Governor~~ at any time with ~~or without~~ cause by the appointing
12 authority.

13 C. The Authority shall elect one of the appointed members as
14 chairperson and another as vice-chairperson, and shall also elect a
15 Secretary and Treasurer. A majority of the members of the Authority
16 shall constitute a quorum and the vote of a majority of the members
17 shall be necessary for any action taken by the Authority. ~~No~~ A
18 vacancy in the membership of the Authority shall impair the right of
19 a quorum to exercise all the rights and perform all the duties of
20 the Authority.

21 D. Appointed members of the Authority shall be prohibited from
22 voting on any issue in which the member has a direct financial
23 interest.

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1 ~~D.~~ E. Before the issuance of any turnpike revenue bonds under
2 the provisions of this act, each appointed member of the Authority
3 shall execute a surety bond in the penal sum of Twenty-five Thousand
4 Dollars (\$25,000.00) and the secretary and treasurer shall execute a
5 surety bond in the penal sum of One Hundred Thousand Dollars
6 (\$100,000.00), each such surety bond to be conditioned upon the
7 faithful performance of the duties of the office, to be executed by
8 a surety company authorized to transact business in the State of
9 Oklahoma as surety and to be approved by the Governor and filed in
10 the office of the Secretary of State.

11 ~~E.~~ F. The members of the Authority shall not be entitled to
12 compensation for their services, but each member shall be reimbursed
13 for actual expenses necessarily incurred in the performance of the
14 duties of such member. All expenses incurred in carrying out the
15 provisions of this act shall be payable solely from funds provided
16 under the authority of this act and no liability or obligation shall
17 be incurred by the Authority hereunder beyond the extent to which
18 monies shall have been provided under the authority of this act.

19 ~~F.~~ G. Whenever the terms "Oklahoma Transportation Authority",
20 "Transportation Authority" or "Authority", when used in reference to
21 the Oklahoma Turnpike Authority, appear in the Oklahoma Statutes,
22 such terms shall mean the Oklahoma Turnpike Authority.
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1 SECTION 2. This act shall become effective November 1, 2023.

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3 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/15/2023 -
4 DO PASS, As Amended and Coauthored.
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