

1 **SENATE FLOOR VERSION**

2 April 11, 2023

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 2263

6 By: Sterling, Fugate, Menz and  
7 Rosecrants of the House

8 and

9 Rogers of the Senate

10 An Act relating to the Oklahoma Turnpike Authority;  
11 amending 69 O.S. 2021, Section 1703, which relates to  
12 the creation of the Oklahoma Turnpike Authority;  
13 modifying membership of the Authority; modifying term  
14 length; modifying actions regarding removal of  
15 appointive members; 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  
projects shall be deemed and held to be an essential governmental  
function of the state with all the attributes thereof. Provided,

1 however, the Turnpike Authority is authorized to carry and shall  
2 carry liability insurance to the same extent and in the same manner  
3 as the Transportation Commission, and in addition thereto it shall  
4 be subject to the workers' compensation laws of the state the same  
5 as a private construction project.

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

18 District 1. Oklahoma, Canadian, Cleveland, McClain and Garvin  
19 Counties.

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

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

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

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

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

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

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

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

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

22 ~~D.~~ E. Before the issuance of any turnpike revenue bonds under  
23 the provisions of this act, each appointed member of the Authority  
24 shall execute a surety bond in the penal sum of Twenty-five Thousand

1 Dollars (\$25,000.00) and the secretary and treasurer shall execute a  
2 surety bond in the penal sum of One Hundred Thousand Dollars  
3 (\$100,000.00), each such surety bond to be conditioned upon the  
4 faithful performance of the duties of the office, to be executed by  
5 a surety company authorized to transact business in the State of  
6 Oklahoma as surety and to be approved by the Governor and filed in  
7 the office of the Secretary of State.

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

16 ~~F.~~ G. Whenever the terms "Oklahoma Transportation Authority",  
17 "Transportation Authority" or "Authority", when used in reference to  
18 the Oklahoma Turnpike Authority, appear in the Oklahoma Statutes,  
19 such terms shall mean the Oklahoma Turnpike Authority.

20 SECTION 2. This act shall become effective November 1, 2023.

21 COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION  
22 April 11, 2023 - DO PASS AS AMENDED  
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