

An Act

ENROLLED HOUSE
BILL NO. 2079

By: McCall of the House

and

Quinn and Burns of the
Senate

An Act relating to transportation; establishing the Rural Economic Transportation Reliability and Optimization Fund; describing type and contents of fund; requiring monies appropriated to the fund shall not decrease, supplant or replace certain state transportation funding; requiring State Board of Equalization to make certain examination and investigation; requiring Board issue certain report and finding at certain meeting; detailing events if certain finding is made; stating purpose of the fund; defining term; requiring certain confirmation of the relationship in increased traffic volume with economic development; providing for utilization of fund proceeds; providing for codification; and providing an effective date.

SUBJECT: Transportation

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1913 of Title 69, unless there is created a duplication in numbering, reads as follows:

There is hereby established a fund within the State Treasury to be known as the "Rural Economic Transportation Reliability and Optimization Fund" to be administered by the Oklahoma Department of Transportation. The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of any general revenues as may be directly appropriated or otherwise provided by law.

Any monies appropriated to the Rural Economic Transportation Reliability and Optimization Fund shall not result in a decrease in historic and traditional total state transportation funding levels or be used to supplant or replace existing state funds used for transportation purposes.

In order to ensure that the funds from the Rural Economic Transportation Reliability and Optimization Fund are used to enhance and not supplant state funding for the Department of Transportation, the State Board of Equalization shall examine and investigate the funding levels as described. At the meeting of the State Board of Equalization held within five (5) days after the monthly apportionment in February of each year, the State Board of Equalization shall issue a finding and report which shall state whether expenditures from the Rural Economic Transportation Reliability and Optimization Fund were used to enhance or supplant state funding for the Department of Transportation. If the State Board of Equalization finds that state funding for the Department of Transportation was supplanted by funds from the Rural Economic Transportation Reliability and Optimization Fund, the Board shall specify the amount by which such funding was supplanted. In this event, the Legislature shall not make any appropriations for the ensuing fiscal year until an appropriation in that amount is made to replenish state funding for the Department of Transportation.

All monies accruing to the credit of the Rural Economic Transportation Reliability and Optimization Fund are hereby appropriated and shall be used to assist the Department in the equitable prioritization of construction, repair and maintenance of state highways in rural areas where robust economic development has resulted in traffic safety and circulation difficulties attributed to significant and unanticipated increases in traffic volumes and as fully recorded and documented by the Department. "Robust economic development", as used in this act, shall mean those conditions of the highways of this state in counties with a population of less than fifty thousand (50,000) where traffic volumes have increased to become so impaired or hazardous as to constitute a threat to the safety of persons or property traveling over or upon such highways.

When such traffic conditions as described may arise in rural areas, the Department of Transportation shall engage the Oklahoma Department of Commerce, the Oklahoma Tax Commission or other agencies or entities of the state, as necessary, to confirm the relationship of traffic conditions to robust economic development. Once said relationship is confirmed and documented, the Department

of Transportation may utilize any proceeds from the Rural Economic Transportation Reliability and Optimization Fund in an amount not to exceed fifty percent (50%) of the total project costs to incentivize and leverage the acceleration and prioritization of improvement projects existing in or to be incorporated into the Department's Eight-Year Construction Work Plan.

SECTION 2. This act shall become effective November 1, 2021.

Passed the House of Representatives the 11th day of March, 2021.

Presiding Officer of the House
of Representatives

Passed the Senate the 14th day of April, 2021.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____