

1 **SENATE FLOOR VERSION**

2 April 7, 2021

3 ENGROSSED HOUSE  
4 BILL NO. 2079

By: McCall of the House

5 and

6 Quinn of the Senate

7  
8 An Act relating to transportation; establishing the  
9 Rural Economic Transportation Reliability and  
10 Optimization Fund; describing type and contents of  
11 fund; requiring monies appropriated to the fund shall  
12 not decrease, supplant or replace certain state  
13 transportation funding; requiring State Board of  
14 Equalization to make certain examination and  
15 investigation; requiring Board issue certain report  
16 and finding at certain meeting; detailing events if  
17 certain finding is made; stating purpose of the fund;  
18 defining term; requiring certain confirmation of the  
19 relationship in increased traffic volume with  
20 economic development; providing for utilization of  
21 fund proceeds; providing for codification; and  
22 providing an effective date.

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

24 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

1 Transportation. The fund shall be a continuing fund, not subject to  
2 fiscal year limitations, and shall consist of any general revenues  
3 as may be directly appropriated or otherwise provided by law.

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

9 In order to ensure that the funds from the Rural Economic  
10 Transportation Reliability and Optimization Fund are used to enhance  
11 and not supplant state funding for the Department of Transportation,  
12 the State Board of Equalization shall examine and investigate the  
13 funding levels as described. At the meeting of the State Board of  
14 Equalization held within five (5) days after the monthly  
15 apportionment in February of each year, the State Board of  
16 Equalization shall issue a finding and report which shall state  
17 whether expenditures from the Rural Economic Transportation  
18 Reliability and Optimization Fund were used to enhance or supplant  
19 state funding for the Department of Transportation. If the State  
20 Board of Equalization finds that state funding for the Department of  
21 Transportation was supplanted by funds from the Rural Economic  
22 Transportation Reliability and Optimization Fund, the Board shall  
23 specify the amount by which such funding was supplanted. In this  
24 event, the Legislature shall not make any appropriations for the

1 ensuing fiscal year until an appropriation in that amount is made to  
2 replenish state funding for the Department of Transportation.

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

16 When such traffic conditions as described may arise in rural  
17 areas, the Department of Transportation shall engage the Oklahoma  
18 Department of Commerce, the Oklahoma Tax Commission or other  
19 agencies or entities of the state, as necessary, to confirm the  
20 relationship of traffic conditions to robust economic development.  
21 Once said relationship is confirmed and documented, the Department  
22 of Transportation may utilize any proceeds from the Rural Economic  
23 Transportation Reliability and Optimization Fund in an amount not to  
24 exceed fifty percent (50%) of the total project costs to incentivize

1 and leverage the acceleration and prioritization of improvement  
2 projects existing in or to be incorporated into the Department's  
3 Eight-Year Construction Work Plan.

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

5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
6 April 7, 2021 - DO PASS  
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