

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1932

By: Standridge

AS INTRODUCED

An Act relating to turnpikes; amending 69 O.S. 2021, Section 1703, as amended by Section 1, Chapter 295, O.S.L. 2023 (69 O.S. Supp. 2023, Section 1703), which relates to the Oklahoma Turnpike Authority; subjecting Authority to certain oversight; requiring submission of certain reports; creating the Turnpike Legislative Oversight Board; declaring scope and purpose; stating composition; setting terms and conditions for membership; establishing requirements for conduct of Board business; requiring certain reports; directing distribution of reports; authorizing suspension of certain officers under certain circumstances; establishing procedures for certain suspension or removal; providing for codification; and declaring an emergency.

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

SECTION 1. AMENDATORY 69 O.S. 2021, Section 1703, as amended by Section 1, Chapter 295, O.S.L. 2023 (69 O.S. Supp. 2023, Section 1703), is amended to read as follows:

Section 1703. A. There is hereby created a body corporate and politic to be known as the "Oklahoma Turnpike Authority" and by that name the Authority may sue and be sued, and plead and be impleaded. The Authority is hereby constituted an instrumentality of the state,

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

10 B. The Oklahoma Turnpike Authority shall consist of the
11 Governor, who shall be a member ex officio, two (2) members to be
12 appointed by the Governor, two (2) members to be appointed by the
13 Speaker of the Oklahoma House of Representatives, and two (2)
14 members to be appointed by the President Pro Tempore of the Oklahoma
15 State Senate. The appointive members shall be residents of the
16 state, and shall have been qualified electors therein for a period
17 of at least one (1) year next preceding their appointment. One
18 appointive member shall be appointed from each of six districts of
19 the state, such districts to include the area as 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 Governor shall appoint the members from Districts 1 and 2.
13 The Speaker of the Oklahoma House of Representatives shall appoint
14 the members from Districts 3 and 4. The President Pro Tempore of
15 the Oklahoma State Senate shall appoint the members from Districts 5
16 and 6. Appointive members serving on the Oklahoma Turnpike
17 Authority on the effective date of this act shall continue to serve
18 as members of the Oklahoma Turnpike Authority for the remainder of
19 the original terms for which they were appointed, unless sooner
20 removed by the appointing authority for their District. Thereafter,
21 each appointive member shall be appointed in the manner set forth by
22 this section for a term of six (6) years, except that any person
23 appointed to fill a vacancy shall be appointed to serve only for the
24 unexpired term, and a member of the Authority shall be eligible for

1 reappointment. Each appointed member of the Authority before
2 entering upon the duties of office shall take an oath as provided by
3 Section 1 of Article XV of the Constitution of the State of
4 Oklahoma. Any appointive member of the Authority may be removed at
5 any time with cause by the appointing authority.

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

14 D. Appointed members of the Authority shall be prohibited from
15 voting on any issue in which the member has a direct financial
16 interest.

17 E. Before the issuance of any turnpike revenue bonds under the
18 provisions of this act, each appointed member of the Authority shall
19 execute a surety bond in the penal sum of Twenty-five Thousand
20 Dollars (\$25,000.00) and the secretary and treasurer shall execute a
21 surety bond in the penal sum of One Hundred Thousand Dollars
22 (\$100,000.00), each such surety bond to be conditioned upon the
23 faithful performance of the duties of the office, to be executed by
24 a surety company authorized to transact business in the State of

1 Oklahoma as surety and to be approved by the Governor and filed in
2 the office of the Secretary of State.

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

11 G. Whenever the terms "Oklahoma Transportation Authority",
12 "Transportation Authority" or "Authority", when used in reference to
13 the Oklahoma Turnpike Authority, appear in the Oklahoma Statutes,
14 such terms shall mean the Oklahoma Turnpike Authority.

15 H. The conduct of the Oklahoma Turnpike Authority shall be
16 subject to and not exercised contrary to the provisions of Section 2
17 of this act.

18 I. The Oklahoma Turnpike Authority shall annually provide a
19 copy of its most recent annual report to the members of the Turnpike
20 Legislative Oversight Board, in addition to any information
21 requested pursuant to the provisions of Section 2 of this act.

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 1703.1 of Title 69, unless there
24 is created a duplication in numbering, reads as follows:

1 A. There is hereby created the Turnpike Legislative Oversight
2 Board for the purpose of overseeing the functions, activities,
3 policies, procedures, and expenditures performed by the Oklahoma
4 Turnpike Authority and any related issues the Board deems
5 appropriate. Members of the Board shall be appointed in January of
6 each year following a state general election for two-year terms, and
7 shall continue to serve until new members are appointed. Six
8 members of the Senate shall be appointed by the President Pro
9 Tempore of the Senate and six members of the House of
10 Representatives shall be appointed by the Speaker of the House of
11 Representatives. One member shall be required to be appointed from
12 each of the six districts of the state as provided for in subsection
13 B of Section 1703 of Title 69 of the Oklahoma Statutes.

14 B. The President Pro Tempore of the Senate and the Speaker of
15 the House of Representatives shall each designate one of their
16 appointees to serve as co-chairs of the Board. The Board shall meet
17 at least once annually. Additional meetings may be called as the
18 co-chairs deem necessary. Meetings of the Board shall be called by
19 the co-chairs. A majority of the appointed members shall constitute
20 a quorum for any meeting of the Board.

21 C. The Board may conduct hearings, studies, and any other
22 meetings necessary to fulfill the duties of the board. The Board
23 may compel the production of witnesses, experts, data, and any non-
24 privileged information from the Oklahoma Turnpike Authority as

1 necessary for the performance of the Board's oversight duties. The
2 Board shall produce an annual written report on the activities of
3 the Oklahoma Turnpike Authority including information regarding the
4 conduct and quality of the Oklahoma Turnpike Authority's management,
5 administration, and transparency. Such report shall be approved by
6 a majority of the members and distributed electronically to the
7 Governor, the President Pro Tempore of the Senate, the Speaker of
8 the House of Representatives, the members of the Oklahoma Turnpike
9 Authority, and the Executive Director of the Oklahoma Turnpike
10 Authority.

11 D. The Board may, through a majority vote of all members
12 present in person, temporarily suspend any non ex-officio member of
13 the board of directors or executive staff of the Oklahoma Turnpike
14 Authority for thirty (30) days for the purposes of an investigation.
15 Causes for suspension include but are not limited to:

- 16 1. Refusal to cooperate with the requests of the Board;
- 17 2. Mismanagement of Oklahoma Turnpike Authority funds;
- 18 3. Professional misconduct; or
- 19 4. Violation of any applicable administrative rule.

20 E. If the thirty (30) days have elapsed and no investigation
21 has been conducted, the suspended member of the board of directors
22 or executive staff shall be immediately reinstated.

23 F. After the thirty (30) days has elapsed and an investigation
24 has been conducted, the Board may vote to reinstate the suspended
25

1 member of the board of directors or executive staff, or, through a
2 two-thirds (2/3) vote of the board, with all members present, send
3 the question of retaining the services of the suspended member to
4 the Senate and the House of Representatives. If two-thirds (2/3) of
5 both houses of the Legislature vote to remove the suspended member,
6 the member is removed from his or her position, regardless of the
7 appointing officer.

8 SECTION 3. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

12
13 59-2-2431 MSBB 1/18/2024 12:02:16 PM
14
15
16
17
18
19
20
21
22
23
24
25