

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE BILL NO. 1056

By: Benson of the House

and

Shedrick of the Senate

AS INTRODUCED

An Act relating to schools; amending Section 9B of Article X of the Oklahoma Constitution, which relates to area school districts; clarifying the nature of certain levies for area school districts; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 9B of Article X of the Oklahoma Constitution, is amended to read as follows:

Section 9B. A. Area school districts for vocational and technical schools may be established and a levy of not to exceed five (5) mills on the dollar valuation of the taxable property in any area school district so established may be made annually, for the district, when the levy is approved by a majority of the electors of the area school district, voting on the question at an election called for that purpose. The levy shall be in addition to all other levies authorized by this Constitution, and when approved, shall be made each fiscal year thereafter until repealed by a majority of the electors of the area school district, voting on the

question at an election called for that purpose. Any area school district so established shall be considered as a school district for the purposes of Sections 10 and 26 of this Article. The administrative control and direction of the area school district shall be vested in a school board which shall be constituted and empowered as provided for by law for school boards of independent school districts. Provisions of other subsections of this section notwithstanding, in any case where a college area vocational-technical school district recognized pursuant to Section 4423 of Title 70 of the Oklahoma Statutes and established by vote of the people after December 31, 1968, overlaps and includes territory which is included within the district of an area vocational-technical school established as prescribed by the State Board of Vocational and Technical Education pursuant to Section 14-108 of Title 70 of the Oklahoma Statutes, only the levies made by the college area vocational-technical school district shall be applied to said overlap territory, and revenues from the overlap area collected pursuant to any incentive levy so made shall be apportioned one-half to the college area vocational-technical school district making the levy and one-half to the overlapped area vocational-technical school district. In any case where a college area vocational-technical school district recognized pursuant to Section 4420.1 of Title 70 of the Oklahoma Statutes overlaps and includes territory which is included within the district of an area vocational-technical school established as prescribed by the State Board of Vocational and Technical Education pursuant to Section 14-108 of Title 70 of the Oklahoma Statutes, said overlap territory shall be subject to all levies of both kinds of districts that are approved by a majority of the electors.

B. In addition to any other levies authorized by this section, an area school district may make a local incentive levy for the benefit of the area school district in an amount not to exceed five

(5) mills on the dollar valuation of the taxable property in the area school district when approved by a majority of those registered voters of the area school district voting on the question at an election called for that purpose. ~~Any funds generated pursuant to the provisions of this subsection shall not be charged against state appropriated funds~~ This levy, when approved, shall be made each fiscal year thereafter until repealed by a majority of the electors of the area school district voting on the question at an election called for that purpose.

C. Upon the establishment of area school districts, such districts are authorized to become indebted separate and apart from the indebtedness of any school district included in the area school district up to five percent (5%) of the net valuation of taxable property within the area school district for capital improvements, including purchasing sites and constructing, purchasing, improving, and equipping real property and buildings when the indebtedness is approved by a majority of the electors of the area school district voting on the question in an election called for that purpose.

D. Until otherwise provided for by law, area school districts and the government thereof shall be established in accordance with criteria and procedures prescribed by the State Board of Vocational and Technical Education.

E. The Legislature may alter, amend, delete, or add to the provisions of this section by law.

SECTION 2. This act shall become effective July 1, 1993.

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

