

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE BILL NO. 1525

By: Maddox (Jim)

AS INTRODUCED

An Act directing the Secretary of State to refer to the people for their approval or rejection a proposed Act relating to prisons and reformatories; providing for the establishment and maintenance of a correctional institution by the Department of Corrections; stating purpose; stating capacity; providing for location; declaring certain inmates to be ineligible for earned credits; establishing additional sales tax and stating purposes therefor; establishing additional use tax and stating purposes therefor; providing for codification; providing a ballot title; directing filing; and ordering a special election.

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

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided for by law, Sections 2 through 4 of this act.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 509.6 of Title 57, unless there is created a duplication in numbering, reads as follows:

A. The Department of Corrections shall establish and maintain an institution to house inmates whose projected term of incarceration is more than ten (10) years. The institution shall have a capacity to house two hundred (200) maximum security inmates and six hundred (600) medium security inmates. The institution shall be located on a site west of State Highway 277.

B. Any inmate convicted of a crime after the effective date of this act, who is incarcerated in the institution established by subsection A of this section, shall not be eligible for earned credits for the first ten (10) years of such incarceration.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1354.7 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. In addition to the tax levied by Sections 1354, 1354.2 and 1354.3 of Title 68 of the Oklahoma Statutes, there is hereby levied upon all sales, not otherwise exempted by the Oklahoma Sales Tax Code, an excise tax of seventy-seven one-thousandths of one percent (.077%) of the gross receipts or gross proceeds of each sale of an item that is subject to the tax levied by Sections 1354, 1354.2 and 1354.3 of Title 68 of the Oklahoma Statutes. The proceeds from the tax levied by this subsection shall be expended only for the construction of the correctional institution provided for in Section 2 of this act. The tax levied by this subsection shall be levied for two (2) years.

B. In addition to the tax levied by Sections 1354, 1354.2 and 1354.3 of Title 68 of the Oklahoma Statutes, there is hereby levied upon all sales, not otherwise exempted by the Oklahoma Sales Tax Code, an excise tax of forty-four one-thousandths of one percent (.044%) of the gross receipts or gross proceeds of each sale of an

item that is subject to the tax levied by Sections 1354, 1354.2 and 1354.3 of Title 68 of the Oklahoma Statutes. The proceeds from the tax levied by this subsection shall be expended only for the operating expenses of the correctional institution provided for in Section 2 of this act. The tax levied by this subsection shall be levied beginning two (2) years after the effective date of this act.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1402.1 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. In addition to the tax levied by Section 1402 of Title 68 of the Oklahoma Statutes, there is hereby levied and there shall be paid by every person storing, using, or otherwise consuming within this state, tangible personal property purchased or brought into this state, an excise tax of seventy-seven one-thousandths of one percent (.077%) on each item that is subject to the tax levied by Section 1402 of Title 68 of the Oklahoma Statutes. The proceeds from the tax levied by this section shall be expended only for the construction of the correctional institution provided for in Section 2 of this act. The tax levied by this subsection shall be levied for two (2) years.

B. In addition to the tax levied by Section 1402 of Title 68 of the Oklahoma Statutes, there is hereby levied and there shall be paid by every person storing, using, or otherwise consuming within this state, tangible personal property purchased or brought into this state, an excise tax of forty-four one-thousandths of one percent (.044%) on each item that is subject to the tax levied by Section 1402 of Title 68 of the Oklahoma Statutes. The proceeds from the tax levied by this section shall be expended only for the operating expenses of the correctional institution provided for in Section 2 of this act. The tax levied by this subsection shall be levied beginning two (2) years after the effective date of this act.

SECTION 5. The Ballot Title for the proposed act shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure enacts a new law that would create a new prison. The prison would house 800 inmates. Of the total inmates, 600 would be medium security inmates and 200 would be maximum security inmates. Inmates placed in this prison would not get extra credit for time served if they were convicted after this act passes. This measure levies an extra sales tax to pay for the prison. The sales tax would be .077 percent for two years. The sales tax would be .044 percent after two years. This is in addition to current sales tax.

SHALL THIS ACT BE APPROVED BY THE PEOPLE?

 / YES, FOR THE ACT

 / NO, AGAINST THE ACT

SECTION 6. The Chief Clerk of the House of Representatives, immediately after the passage of this act, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 5 hereof, with the Secretary of State and one copy with the Attorney General.

SECTION 7. A special election is hereby ordered to be held throughout the State of Oklahoma on a date to be set by the Governor, at which time the proposed statutes, as set forth in Sections 2 through 4 of this act, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

44-1-5990

SD