

ENGROSSED HOUSE
JOINT
RESOLUTION NO. 1029

By: Leist and Roberts of the
House

and

Shurden of the Senate

(amendment to the Oklahoma Constitution - new Section 23b
- contracts - political subdivisions - ballot title -
filing)

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
1ST SESSION OF THE 46TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for
their approval or rejection, as and in the manner provided by law,
the following proposed amendment to Article X of the Constitution of
the State of Oklahoma by adding a new Section 23b to read as
follows:

Section 23b. A. The state is hereby authorized to enter into
contracts with counties, municipalities, or other legal public
entities for the incarceration of state prisoners. The term of such
a contract shall not exceed fifteen (15) years. The rate of payment
by the state for this service shall be equal to the cost to the
state to house an inmate in a comparable state institution or the
comparable costs of private prison contracting, whichever is less.
In calculating this rate, the state shall consider the savings in
capital costs not incurred for building such a state facility.

B. Any county, municipality or other legal public entity that builds a new jail or provides for capital improvements to an existing jail to enter into a contract authorized by subsection A of this subsection may provide for financing of the project by any means authorized by the provisions of this Constitution or state law.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It would add a new section to the Constitution. It would add a section to Article 10. Article 10 deals with public indebtedness. The amendment would allow the state to enter into contracts. The contracts would be with counties, cities and other public entities. The contracts would be for housing state inmates. The term of such a contract could be for as long as fifteen years. The amendment also provides that a county or city wanting to do this could build a jail or add to an existing jail. The county or city could pay for the jail by any method allowed by the Constitution or state law.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

 / YES, FOR THE AMENDMENT

 / NO, AGAINST THE AMENDMENT

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma no later than July 31, 1997, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of this resolution, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

Passed the House of Representatives the 24th day of February, 1997.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1997.

President of the Senate