

SHORT TITLE: Schools; requiring redrawing of certain district boundaries. Emergency.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1280

By: Gustafson

AS INTRODUCED

An Act relating to schools; authorizing certain independent districts to petition State Board of Education for redrawing of boundaries in certain circumstances; requiring Board to rule within certain time; requiring Board to redraw boundaries in certain circumstances; stating effective date of certain order; stating law applicable to division of certain liabilities and properties; prohibiting certain annexations or consolidations; requiring Board to adopt certain rules; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5-103.2 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. No later than December 1 of any school year in which the amount of assessed valuation per pupil of an elementary district is more than one hundred twenty-five percent (125%) of the amount of assessed valuation per pupil of an independent district that provides transportation for all or part of the elementary district, the independent district may petition the State Board of Education to redraw the boundary between the elementary district and the

independent district so as to bring the assessed valuation per pupil in the elementary district to an amount not less than one hundred twenty percent (120%) and not more than one hundred thirty percent (130%) of the assessed valuation per pupil in the independent district.

B. The assessed valuation per pupil shall be calculated by dividing the total assessed valuation of the district as determined by the county assessor pursuant to Sections 2867 and 2868 of Title 68 of the Oklahoma Statutes by the average daily membership of the district for the preceding school year as determined by the State Department of Education.

C. The Board shall consider the petition and determine whether the assessed valuation per pupil of the elementary district exceeds one hundred twenty-five percent (125%) of the assessed valuation per pupil of the petitioning district. If so, the Board within sixty (60) days from the date the petition is filed with the Board shall redraw the boundaries to bring the assessed valuation per pupil in the elementary district to an amount not less than one hundred twenty percent (120%) and not more than one hundred thirty percent (130%) of the assessed valuation per pupil in the independent district. Boundary changes ordered by the Board shall be effective on the following July 1.

D. The assumption of bonded indebtedness and the division of property and debts between the independent and elementary districts shall be governed by Sections 7-103 and 7-104 of Title 70 of the Oklahoma Statutes.

E. No part of the elementary district may be annexed or consolidated to a district other than the petitioning independent district while a petition for boundary changes is pending with the State Board of Education. No part of the area of the independent district that is added to the independent district by the redrawing of the boundaries may be annexed to or consolidated with another

district before the expiration of five (5) years from the date of the Board's order changing the boundary lines unless the annexation is mandatory pursuant to Section 1210.541 of Title 70 of the Oklahoma Statutes or all of the independent district is annexed to or consolidated with another district.

F. The Board shall adopt rules governing procedures necessary to implement the provisions of this section.

SECTION 2. 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.

46-2-1919

SB