

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE JOINT  
4 RESOLUTION 1066

By: Buck

5  
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State  
8 to refer to the people for their approval or  
9 rejection a proposed amendment to Section 26 of  
10 Article X of the Constitution of the State of  
11 Oklahoma; modifying the minimum number of voters  
12 needed to approve a bond election; providing ballot  
13 title; and directing filing.

14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
15 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

16 SECTION 1. The Secretary of State shall refer to the people for  
17 their approval or rejection, as and in the manner provided by law,  
18 the following proposed amendment to Section 26 of Article X of the  
19 Constitution of the State of Oklahoma to read as follows:

20 Section 26. (a) Except as herein otherwise provided, no  
21 county, city, town, township, school district, or other political  
22 corporation, or subdivision of the state, shall be allowed to become  
23 indebted, in any manner, or for any purpose, to an amount exceeding,  
24 in any year, the income and revenue provided for such year without  
the assent of ~~three-fifths~~ fifty percent (50%) or more of the

1 registered voters thereof, voting at an election, to be held for  
2 that purpose, nor, in cases requiring such assent, shall any  
3 indebtedness be allowed to be incurred to an amount, including  
4 existing indebtedness, in the aggregate exceeding five percent (5%)  
5 of the valuation of the taxable property therein, to be ascertained  
6 from the last assessment for state and county purposes previous to  
7 the incurring of such indebtedness: Provided, that if a school  
8 district has an absolute need therefor, such district may, with the  
9 assent of ~~three-fifths~~ fifty percent (50%) or more of the registered  
10 voters thereof voting at an election to be held for that purpose,  
11 incur indebtedness to an amount, including existing indebtedness, in  
12 the aggregate exceeding five percent (5%) but not exceeding ten  
13 percent (10%) of the valuation of the taxable property therein, to  
14 be ascertained from the last assessment for state and county  
15 purposes previous to the incurring of such indebtedness, for the  
16 purpose of acquiring or improving school sites, constructing,  
17 repairing, remodeling or equipping buildings, or acquiring school  
18 furniture, fixtures or equipment; and such assent to such  
19 indebtedness shall be deemed to be a sufficient showing of such  
20 absolute need, unless otherwise provided by law. Provided further,  
21 that if a city or town has an absolute need therefor, such city or  
22 town may, with the assent of ~~three-fifths~~ fifty percent (50%) or  
23 more of the registered voters thereof voting at an election to be  
24 held for that purpose, incur indebtedness to an amount, including

1 existing indebtedness, in the aggregate exceeding five percent (5%)  
2 but not exceeding ten percent (10%) of the valuation of the taxable  
3 property therein, to be ascertained from the last assessment for  
4 state and county purposes previous to the incurring of such  
5 indebtedness, and such assent to such indebtedness shall be deemed  
6 to be a sufficient showing of such absolute need unless otherwise  
7 provided by law. Provided, further, that any county, city, town,  
8 school district, or other political corporation, or subdivision of  
9 the state, incurring any indebtedness requiring the assent of the  
10 voters as aforesaid, shall, before or at the time of doing so,  
11 provide for the collection of an annual tax sufficient to pay the  
12 interest on such indebtedness as it falls due, and also to  
13 constitute a sinking fund for the payment of the principal thereof  
14 within twenty-five (25) years from the time of contracting the same,  
15 and provided further that nothing in this section shall prevent,  
16 under such conditions and limitations as shall be prescribed by law,  
17 any school district from contracting with:

18 (1) certificated personnel for periods extending one (1) year  
19 beyond the current fiscal year; or

20 (2) a school superintendent for periods extending more than one  
21 (1) year, but not to exceed three (3) years beyond the current  
22 fiscal year.

23 (b) If a county approves an exemption of household goods of the  
24 heads of families and livestock employed in support of the family

1 from ad valorem taxation pursuant to the provisions of subsection  
2 (b) of Section 6 of this article, the percentage limitations on  
3 indebtedness as specified in subsection (a) of this section for  
4 political subdivisions or political corporations located in any such  
5 county shall be adjusted by multiplying the percentage levels  
6 specified in subsection (a) of this section by the millage  
7 adjustment factor as specified in subsection (b) of Section 8A of  
8 this article.

9 (c) If approved by the people, the amendment to this section  
10 shall become effective January 1, 1993.

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

14 BALLOT TITLE

15 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

16 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

17 This measure amends the Oklahoma Constitution. It amends  
18 Section 26 of Article 10. This section requires general  
19 obligation bonds to be approved by a three-fifths majority vote  
20 of the voters of a county, city, town or school district. This  
21 measure would require bonds to be approved by fifty percent  
22 (50%) or more of the registered voters of a county, city, town  
23 or school district. This would apply to elections held by a  
24 county, a city, a town or a school district. If less than fifty

1 percent (50%) of the registered voters vote not to approve the  
2 bonds, the bonds would not be approved.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL - YES \_\_\_\_\_

5 AGAINST THE PROPOSAL - NO \_\_\_\_\_

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

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12 52-2-8440 KB 12/29/09  
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