

1 ENGROSSED HOUSE  
2 BILL NO. 2806

By: Roberts (Sean) of the House

3 and

4 David of the Senate  
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7 An Act relating to tax elections by political  
8 subdivisions; providing for applicability of  
9 statutory requirements related to authorized election  
10 dates; prescribing certain election dates for  
11 questions related to imposition of tax levies;  
12 authorizing special election date based upon petition  
13 process; prescribing requirements for petition;  
14 providing for conspicuous statement related to  
15 special election costs; imposing duty on county  
16 election board with respect to cost estimate;  
17 prohibiting use of public money or resources for  
18 purposes of petition process; providing for  
19 codification; and providing an effective date.

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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 13-113 of Title 26, unless there  
is created a duplication in numbering, reads as follows:

A. The provisions of this section shall govern the timing of  
any election conducted by a county, a city, town, common school  
district or career-technology district pursuant to which the voters  
of the applicable taxing jurisdiction are eligible to vote on any  
question the result of which is the imposition of an ad valorem tax

1 levy pursuant to the provisions of Section 26 of Article X of the  
2 Oklahoma Constitution, the imposition of a sales tax by a county  
3 authorized pursuant to Section 1370 of Title 68 of the Oklahoma  
4 Statutes, the imposition of any tax authorized to be levied by a  
5 municipality pursuant to the provisions of Section 2701 et seq. of  
6 Title 68 of the Oklahoma Statutes or the imposition of any tax levy  
7 by a political subdivision of the state not otherwise described by  
8 this subsection.

9 B. Except as otherwise provided by subsection C of this  
10 section, elections for the purposes described by subsection A of  
11 this section may only be held on a date of a General Election, a  
12 Primary Election or, with respect to a common school district, a  
13 school board election.

14 C. If at least ten percent (10%) of the registered voters who  
15 voted at the last election conducted by the local taxing  
16 jurisdiction described by subsection A of this section prior to the  
17 date as of which a petition described by this subsection is first  
18 circulated sign a petition requesting that an election date other  
19 than one of the authorized dates prescribed by subsection B of this  
20 section be set for a question, the question regarding the imposition  
21 of a tax levy described by subsection A of this section may be  
22 submitted at a date set pursuant to the terms of such petition.

23 D. Any petition circulated as provided by subsection C of this  
24 section shall contain the following wording in a font which is at

1 least 15 points larger than the font used for the body of the  
2 petition and which shall be in bold or italic typeface or both and  
3 which shall appear at the top of each page of the petition:

4 THE COST OF THE ELECTION FOR THE QUESTION TO BE SUBMITTED TO  
5 THE VOTERS OF THE (INSERT NAME OF APPLICABLE POLITICAL  
6 SUBDIVISION) WITHOUT A SPECIAL ELECTION DATE IS ESTIMATED BY  
7 THE COUNTY ELECTION BOARD TO BE \_\_\_\_\_ DOLLARS (\$).

8 THE COST OF THE ELECTION FOR THE QUESTION TO BE SUBMITTED TO  
9 THE VOTERS OF THE (INSERT NAME OF APPLICABLE POLITICAL  
10 SUBDIVISION) USING A SPECIAL ELECTION DATE IS ESTIMATED BY THE  
11 COUNTY ELECTION BOARD TO BE \_\_\_\_\_ DOLLARS (\$).

12 E. The county election board of each county shall provide the  
13 estimated cost information required by subsection D of this section  
14 on the petition so that the petition can be completed prior to the  
15 first date upon which it is circulated.

16 F. If a petition to authorize a special election date pursuant  
17 to subsection C of this section is circulated, no public money,  
18 including the use of any time by an employee of a political  
19 subdivision during regular working hours or during any period of  
20 time during which the employee is subject to the authority of the  
21 political subdivision or any agent or other employee of such  
22 political subdivision may be expended to prepare, review, circulate,  
23 promote or otherwise assist with the petition process.

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