

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2806

By: Roberts (Sean) of the House

and

David of the Senate

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9 COMMITTEE SUBSTITUTE

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

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24 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:

1 A. The provisions of this section shall govern the timing of
2 any election conducted by a county, a city, town, common school
3 district or career-technology district pursuant to which the voters
4 of the applicable taxing jurisdiction are eligible to vote on any
5 question the result of which is the imposition of an ad valorem tax
6 levy pursuant to the provisions of Section 26 of Article X of the
7 Oklahoma Constitution, the imposition of a sales tax by a county
8 authorized pursuant to Section 1370 of Title 68 of the Oklahoma
9 Statutes, the imposition of any tax authorized to be levied by a
10 municipality pursuant to the provisions of Section 2701 et seq. of
11 Title 68 of the Oklahoma Statutes or the imposition of any tax levy
12 by a political subdivision of the state not otherwise described by
13 this subsection.

14 B. Except as otherwise provided by subsection C of this
15 section, elections for the purposes described by subsection A of
16 this section may only be held on a date of a General Election, a
17 Primary Election or, with respect to a common school district, a
18 school board election.

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

5 D. Any petition circulated as provided by subsection C of this
6 section shall contain the following wording in a font which is at
7 least 15 points larger than the font used for the body of the
8 petition and which shall be in bold or italic typeface or both and
9 which shall appear at the top of each page of the petition:

10 THE COST OF THE ELECTION FOR THE QUESTION TO BE SUBMITTED TO
11 THE VOTERS OF THE (INSERT NAME OF APPLICABLE POLITICAL
12 SUBDIVISION) WITHOUT A SPECIAL ELECTION DATE IS ESTIMATED BY
13 THE COUNTY ELECTION BOARD TO BE _____ DOLLARS (\$).

14 THE COST OF THE ELECTION FOR THE QUESTION TO BE SUBMITTED TO
15 THE VOTERS OF THE (INSERT NAME OF APPLICABLE POLITICAL
16 SUBDIVISION) USING A SPECIAL ELECTION DATE IS ESTIMATED BY THE
17 COUNTY ELECTION BOARD TO BE _____ DOLLARS (\$).

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

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

7 SECTION 2. This act shall become effective November 1, 2012.

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9 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/29/2012 - DO PASS,
10 As Amended and Coauthored.

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