

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT
4 RESOLUTION 1069

By: Reynolds

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6 AS INTRODUCED

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8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection a proposed amendment to the Constitution of
11 the State of Oklahoma by adding a new Section 25A to
12 Article X; prohibiting certain obligations based upon
13 method of repayment; requiring provisions of Section
14 25 of Article X as exclusive method for incurring of
15 obligations by state governmental entities; providing
16 exception for bonds repaid using certain fees or
17 charges for repayment; providing ballot title; and
18 directing filing.

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20 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
21 2ND SESSION OF THE 53RD OKLAHOMA LEGISLATURE:

22 SECTION 1. The Secretary of State shall refer to the people for
23 their approval or rejection, as and in the manner provided by law,
24 the following proposed amendment to the Constitution of the State of
25 Oklahoma by adding a new Section 25A to Article X thereof, to read
26 as follows:

27 Section 25A. A. Except as otherwise provided by this section,
28 the provisions of Section 25 of Article X of the Oklahoma
29 Constitution shall be the exclusive method by which any obligation

1 is incurred by the State of Oklahoma, its agencies, authorities,
2 boards, commissions, departments, instrumentalities, or other
3 entities of state government if the obligation requires an
4 appropriation of monies from the Legislature for a period in excess
5 of one (1) fiscal year or if the enabling legislation authorizing
6 the obligation contains a statement of intent that the obligation
7 will be repaid pursuant to appropriations made by the Legislature or
8 if the obligation depends for its repayment, in whole or in part,
9 upon the apportionment, dedication, diversion or other use of tax
10 revenue and such tax revenues have not been approved by a vote of
11 the people pursuant to Section 25 of Article X of the Oklahoma
12 Constitution.

13 B. The provisions of this section shall not be applicable to
14 obligations incurred by an agency, authority, board, commission,
15 department, instrumentality or other entity of state government if
16 the obligations are to be repaid from a fee or other charge
17 collected by the state governmental entity resulting from the use
18 of, admission or access to, or other beneficial use of a specific
19 asset or assets, whether consisting of real property, personal
20 property or a combination of both, by individuals or other private
21 entities and such fee or other charge is paid to the state
22 governmental entity directly by such individuals or other private
23 entities.

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1 C. The provisions of this section shall only be applicable to
2 obligations incurred on or after January 1, 2013, and shall not be
3 applicable to any obligation issued prior to January 1, 2013.

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

7 BALLOT TITLE

8 Legislative Referendum No. _____ State Question No. _____

9 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

10 This measure amends the Oklahoma Constitution. It would add
11 a new Section 25A to Article 10. The measure would prohibit
12 the State of Oklahoma from using certain types of debt. The
13 State of Oklahoma can now issue bonds that are repaid with
14 tax dollars. This measure would require that only those
15 types of bonds could be used to incur debt. This type of
16 debt must be approved by a vote of the people. The state
17 would not be able to incur debt if the debt was going to be
18 repaid by using annual appropriations. The state would not
19 be able to incur debt if the debt was going to require tax
20 revenues unless this had been approved at a statewide vote.
21 This measure would still allow the use of revenue bonds.
22 This type of bond is repaid from fees or other charges in
23 order to use a specific government asset. This measure
24 would apply to any debt created on or after January 1, 2013.

1 SHALL THE PROPOSAL BE APPROVED?

2 FOR THE PROPOSAL - YES _____

3 AGAINST THE PROPOSAL - NO _____

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

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