

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE JOINT
4 RESOLUTION 34

By: Fields

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 Oklahoma Constitution; relating to
11 indebtedness of certain political corporations;
12 increasing certain limit; deleting obsolete language;
13 providing ballot title; and directing filing.

14 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
15 1ST SESSION OF THE 53RD 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 Oklahoma Constitution 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 of the voters thereof, voting at an

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

1 (10%) of the valuation of the taxable property therein, to be
2 ascertained from the last assessment for state and county purposes
3 previous to the incurring of such indebtedness, and such assent to
4 such indebtedness shall be deemed to be a sufficient showing of such
5 absolute need unless otherwise provided by law. Provided, further,
6 that any county, city, town, school district, or other political
7 corporation, or subdivision of the state, incurring any indebtedness
8 requiring the assent of the voters as aforesaid, shall, before or at
9 the time of doing so, provide for the collection of an annual tax
10 sufficient to pay the interest on such indebtedness as it falls due,
11 and also to constitute a sinking fund for the payment of the
12 principal thereof within twenty-five (25) years from the time of
13 contracting the same, and provided further that nothing in this
14 section shall prevent, under such conditions and limitations as
15 shall be prescribed by law, any school district from contracting
16 with:

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

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

22 (b) If a county approves an exemption of household goods of the
23 heads of families and livestock employed in support of the family
24 from ad valorem taxation pursuant to the provisions of subsection

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

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

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

13 BALLOT TITLE

14 Legislative Referendum No. _____ State Question No. _____

15 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

16 This measure amends Section 26 of Article 10 of the State
17 Constitution. Under current law a school district may hold a
18 special vote to borrow up to 10% of the value of taxable
19 property in the district. This measure would increase the 10%
20 limit to 15%. The measure also deletes some obsolete language.

21 SHALL THE PROPOSAL BE APPROVED?

22 FOR THE PROPOSAL - YES _____

23 AGAINST THE PROPOSAL - NO _____

24

1 SECTION 3. The President Pro Tempore of the Senate shall,
2 immediately after the passage of this resolution, prepare and file
3 one copy thereof, including the Ballot Title set forth in SECTION 2
4 hereof, with the Secretary of State and one copy with the Attorney
5 General.

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