

1 STATE OF OKLAHOMA

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

3 SENATE JOINT
4 RESOLUTION 75

By: Holt

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 the Oklahoma
10 Constitution by adding a new Section 26A to Article
11 X; prohibiting city, town or township from becoming
indebted or contractually obligated without certain
approval; providing that provisions cumulative to
other provisions; providing ballot title; and
directing filing.

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14 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
15 2ND 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 Article X of the Oklahoma
19 Constitution by adding a new Section 26A to read as follows:

20 Section 26A. A. No city, town, or township of the State of
21 Oklahoma shall be allowed to become indebted or contractually
22 obligated, in any manner, or for any purpose, unless such
23 indebtedness or obligation is expressly approved by:
24

1 1. The affirmative vote of a majority of the elected members of
2 the governing body of the city, town, or township; or

3 2. The endorsement of an officer of the city, town, or township
4 to whom the governing body of the city, town, or township has, by
5 the affirmative vote of a majority of its elected members, delegated
6 the power to approve such an indebtedness or obligation on behalf of
7 the city, town, or township; or

8 3. The assent of a majority of the voters thereof voting at an
9 election to be held for the purpose of approving such indebtedness
10 or obligation.

11 B. This section is intended to be cumulative of and in addition
12 to Section 26 of this article in regard to the indebtedness of
13 cities, towns and townships. Nothing herein is intended to nullify
14 the limitations imposed on cities, towns, and townships by Section
15 26 of this article in relation to indebtedness that exceeds, in any
16 year, the income and revenue provided for such year.

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

20 BALLOT TITLE

21 Legislative Referendum No. _____ State Question No. _____

22 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

23 This measure amends the State Constitution. It amends Article

24 10. It adds a new Section 26A. This section would not let a

1 city, town or township become indebted except under certain
2 conditions. It would also not let a city, town or township
3 become obligated under a contract except under one of three
4 conditions. The conditions are listed. The first condition is
5 if the governing body approves the action by a vote of more than
6 half the members. The second condition is if an officer to whom
7 this power has been delegated issues a verified endorsement.
8 The third condition is if more than half of the voters voting at
9 an election approves the action. This section would be in
10 addition to the provisions of Section 26 of Article 10. This
11 section would not change the limitations in Section 26 applying
12 to indebtedness that exceeds, in any year, the income and
13 revenue provided for such year.

14 SHALL THE PROPOSAL BE APPROVED?

15 FOR THE PROPOSAL - YES _____

16 AGAINST THE PROPOSAL - NO _____

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

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