

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HJR1092**

By: McBride of the House and Sykes of the Senate

Title: Oklahoma Constitution; school bond issues for secure facilities; indebtedness; ballot title; filing.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment.

Respectfully submitted,

HJR1092 CCR (A)  
**HOUSE CONFEREES**

Armes, Don



Billy, Lisa J.



Brown, Mike

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Christian, Mike



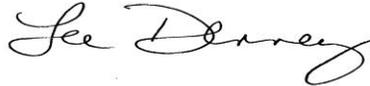
Coody, Ann



Cox, Doug



Denney, Lee



Dorman, Joe

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Hoskin, Chuck

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Kern, Sally



Martin, Scott



McCullough, Mark



McDaniel, Jeannie

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McNiel, Skye

---

McPeak, Jerry

---

Morrisette, Richard

---

Nelson, Jason



Newell, Tom

---

Osborn, Leslie



Ownbey, Pat



Proctor, Eric

---

Ritze, Mike

---

Roberts, Sean

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Sanders, Mike

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Schwartz, Colby



Sears, Earl



Sherrer, Ben

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Watson, Weldon



Wesselhoft, Paul



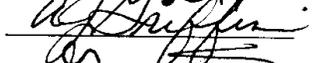
HJR1092 CCR A

**SENATE CONFEREES**

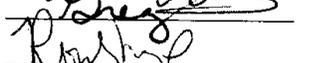
Sykes



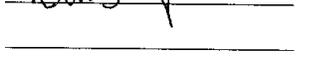
Griffin



Treat



Sharp



Sparks

\_\_\_\_\_

Ivester

\_\_\_\_\_

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

ENGROSSED SENATE AMENDMENT  
TO  
ENGROSSED HOUSE  
JOINT  
RESOLUTION NO. 1092

By: McBride, Echols, Turner and Wesselhoft of the  
House

and

Sykes of the Senate

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 26 of Article X of the Constitution of the State of Oklahoma; authorizing school districts to issue bonds for secure facilities; prescribing procedures for voter approval; prescribing method for determination of sinking fund millage rate; providing indebtedness incurred pursuant to specific provisions included within indebtedness limitation; providing exception; prescribing maximum maturity of obligations; prohibiting submission of question pursuant to specified provision more than one time; setting time limit for submission of question; providing ballot title; and directing filing.

AUTHOR: Add the following Senate Coauthor: Sharp

AMENDMENT NO. 1. Page 1, strike the title to read

"[ proposed amendment - school districts to issue bonds for secure facilities -  
ballot title - filing ]"

1 Passed the Senate the 23rd day of April, 2014.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_, 2014.

6  
7 \_\_\_\_\_  
8 Presiding Officer of the House  
9 of Representatives

1 ENGROSSED HOUSE  
JOINT  
2 RESOLUTION NO. 1092

3 By: McBride, Echols, Turner and Wesselhoft  
of the House

4 and

5 Sykes of the Senate

6  
7  
8  
9 A Joint Resolution directing the Secretary of State to refer to the people for their  
10 approval or rejection a proposed amendment to Section 26 of Article X of the  
11 Constitution of the State of Oklahoma; authorizing school districts to issue  
12 bonds for secure facilities; prescribing procedures for voter approval;  
13 prescribing method for determination of sinking fund millage rate; providing  
14 indebtedness incurred pursuant to specific provisions included within  
15 indebtedness limitation; providing exception; prescribing maximum maturity of  
16 obligations; prohibiting submission of question pursuant to specified provision  
17 more than one time; setting time limit for submission of question; providing  
18 ballot title; and directing filing.

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20  
21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND  
SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

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

Section 26. (a) Except as herein otherwise provided, no county, city, town, township, school  
district, or other political corporation, or subdivision of the state, shall be allowed to become indebted,  
in any manner, or for any purpose, to an amount exceeding, in any year, the income and revenue

1 provided for such year without the assent of three-fifths of the voters thereof, voting at an election, to  
2 be held for that purpose, nor, in cases requiring such assent, shall any indebtedness be allowed to be  
3 incurred to an amount, including existing indebtedness, in the aggregate exceeding five percent (5%)  
4 of the valuation of the taxable property therein, to be ascertained from the last assessment for state and  
5 county purposes previous to the incurring of such indebtedness: Provided, that if a school district has  
6 an absolute need therefor, such district may, with the assent of three-fifths of the voters thereof voting  
7 at an election to be held for that purpose, incur indebtedness to an amount, including existing  
8 indebtedness, in the aggregate exceeding five percent (5%) but not exceeding ten percent (10%) of the  
9 valuation of the taxable property therein, to be ascertained from the last assessment for state and  
10 county purposes previous to the incurring of such indebtedness, for the purpose of acquiring or  
11 improving school sites, constructing, repairing, remodeling or equipping buildings, or acquiring school  
12 furniture, fixtures or equipment; and such assent to such indebtedness shall be deemed to be a  
13 sufficient showing of such absolute need, unless otherwise provided by law. Provided further, that if a  
14 city or town has an absolute need therefor, such city or town may, with the assent of three-fifths of the  
15 voters thereof voting at an election to be held for that purpose, incur indebtedness to an amount,  
16 including existing indebtedness, in the aggregate exceeding five percent (5%) but not exceeding ten  
17 percent (10%) of the valuation of the taxable property therein, to be ascertained from the last  
18 assessment for state and county purposes previous to the incurring of such indebtedness, and such  
19 assent to such indebtedness shall be deemed to be a sufficient showing of such absolute need unless  
20 otherwise provided by law. Provided, further, that any county, city, town, school district, or other  
21 political corporation, or subdivision of the state, incurring any indebtedness requiring the assent of the  
22 voters as aforesaid, shall, before or at the time of doing so, provide for the collection of an annual tax  
23 sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund  
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1 for the payment of the principal thereof within twenty-five (25) years from the time of contracting the  
2 same, and provided further that nothing in this section shall prevent, under such conditions and  
3 limitations as shall be prescribed by law, any school district from contracting with:

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

5 (2) a school superintendent for periods extending more than one (1) year, but not to exceed three

6 (3) years beyond the current fiscal year.

7 (b) If a county approves an exemption of household goods of the heads of families and livestock  
8 employed in support of the family from ad valorem taxation pursuant to the provisions of subsection  
9 (b) of Section 6 of this article, the percentage limitations on indebtedness as specified in subsection (a)  
10 of this section for political subdivisions or political corporations located in any such county shall be  
11 adjusted by multiplying the percentage levels specified in subsection (a) of this section by the millage  
12 adjustment factor as specified in subsection (b) of Section 8A of this article.

13 (c) ~~If approved by the people, the amendment to this section shall become effective January 1,~~  
14 ~~1993~~ (1) Effective January 1, 2015, a school district may submit to the voters of such district a  
15 question for approval of the issuance of obligations the proceeds from sale of which shall be used to  
16 acquire, construct, improve and maintain such facilities as may be required to provide secure areas  
17 within, below or near schools for personal safety. If the issuance of the obligations is approved by  
18 three-fifths (3/5) of the voters casting votes in such election, the district shall establish a sinking fund  
19 to make payment of principal, interest, reserve amounts and other costs associated with the issuance of  
20 such obligations. Such sinking fund millage rate shall be in addition to any other sinking fund millage  
21 levied by such district. The maximum maturity of any obligation issued pursuant to this subsection  
22 shall not exceed twenty-five (25) years. No school district may submit a question to the voters of the  
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1 district pursuant to the provisions of this subsection more than one time and such question may not be  
2 submitted by any school district later than November 4, 2019.

3 (2) The principal amount of any indebtedness incurred pursuant to the provisions of this  
4 subsection shall be included within the limitation on total indebtedness authorized by the provisions of  
5 this section; however, if the voters of a school district approve an issuance of obligations pursuant to  
6 the provisions of this subsection and at the time as of which such issuance is approved the school  
7 district indebtedness is equal to or greater than ten percent (10%) of its net assessed valuation, or if at  
8 the time such issuance is approved the school district indebtedness is less than ten percent (10%) of its  
9 net assessed valuation, but the issuance of the additional obligations would cause the school district to  
10 be indebted in excess of ten percent (10%) of its net assessed valuation, the obligations authorized by  
11 this subsection may be issued, but the school district shall not thereafter authorize any other  
12 indebtedness until the total principal amount of indebtedness of the district, including any indebtedness  
13 incurred pursuant to the provisions of this subsection, has been reduced and the school district may  
14 thereafter only incur indebtedness subject to the limitations otherwise imposed pursuant to the  
15 provisions of this section which shall not exceed ten percent (10%) of the net assessed valuation of the  
16 school district.

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

19 BALLOT TITLE

20 Legislative Referendum No. \_\_\_\_

State Question No. \_\_\_\_

21 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

22 This measure amends the Oklahoma Constitution. It amends Section 26 of Article 10. School  
23 districts could issue bonds or other obligations to pay for personal safety facilities. The bonds  
24

1 would have to be approved by three-fifths (3/5) of the voters of the school district. The amount  
2 of debt for these bonds would be counted in the total debt that a school district is allowed to  
3 incur; however, if a school district voted to approve these bonds, even if the bonds would be in  
4 excess of the maximum amount of debt, the district could still issue these bonds. Once these  
5 bonds were issued, the school district would have to reduce its total debt below ten percent  
6 (10%) of its net assessed value in order to issue any additional debt. The bonds would have to be  
7 repaid within twenty-five (25) years. The annual sinking fund millage rate would be determined  
8 each year in order to repay the principal, interest and other costs for the bonds. A school district  
9 would only be allowed to vote on this type of bond issue one time. A school district would have  
10 to approve this type of bond issue not later than November 4, 2019.

11 SHALL THE PROPOSAL BE APPROVED?

12 FOR THE PROPOSAL — YES \_\_\_\_\_

13 AGAINST THE PROPOSAL — NO \_\_\_\_\_

14 SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of  
15 this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION  
16 2 hereof, with the Secretary of State and one copy with the Attorney General.

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Passed the House of Representatives the 13th day of March, 2014.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Presiding Officer of the Senate