

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE JOINT
4 RESOLUTION 1089

By: Coody

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7 AS INTRODUCED

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 Oklahoma
11 Constitution by adding a new Section 26A to Article
12 X; allowing school districts to incur indebtedness in
13 certain amount upon the assent of the voters; stating
14 purpose of indebtedness; deeming voter assent a
15 sufficient showing of need; making indebtedness in
16 addition to other limitations; requiring school
17 districts to provide for an annual tax to pay
18 interest and constitute a sinking fund; limiting time
19 for collection of tax; providing for adjustment in
20 the calculation of percentage limitations for school
21 districts in certain counties; providing ballot
22 title; and directing filing.

23 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
24 2ND SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

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

1 Section 26A. A. A school district that has an absolute need
2 therefor may, with the assent of three-fifths (3/5) of the voters of
3 the school district voting at an election to be held for that
4 purpose, incur indebtedness to an amount in the aggregate not
5 exceeding two percent (2%) of the valuation of the taxable property
6 in the school district for the purpose of acquiring, constructing or
7 improving facilities to be used for the benefit of the school
8 district to provide shelter from dangerous weather conditions or to
9 provide security to the student and employees of the school district
10 related to personal safety or both purposes. The valuation of
11 taxable property shall be ascertained from the last assessment for
12 state and county purposes previous to the incurring of the
13 indebtedness. The assent of the voters to the indebtedness shall be
14 deemed to be a sufficient showing of the absolute need, unless
15 otherwise provided by law.

16 B. The indebtedness authorized by this section shall be in
17 addition to the limitations on indebtedness imposed on a school
18 district by Section 26 of Article X of the Oklahoma Constitution.

19 C. Any school district incurring any indebtedness requiring the
20 assent of the voters as provided for in this section shall, before
21 or at the time of doing so, provide for the collection of an annual
22 tax sufficient to pay the interest on the indebtedness as it falls
23 due, and also to constitute a sinking fund for the payment of the
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1 principal of the indebtedness within twenty-five (25) years from the
2 time of contracting the same.

3 D. If a county approves an exemption of household goods of the
4 heads of families and livestock employed in support of the family
5 from ad valorem taxation pursuant to the provisions of subsection B
6 of Section 6 of Article X of the Oklahoma Constitution, the
7 percentage limitations on indebtedness as specified in subsection A
8 of this section for school districts in any such county shall be
9 adjusted by multiplying the percentage levels specified in
10 subsection A of this section by the millage adjustment factor as
11 specified in subsection (b) of Section 8A of Article X of the
12 Oklahoma Constitution.

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

16 BALLOT TITLE

17 Legislative Referendum No. _____ State Question No. _____

18 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

19 This measure amends the State Constitution. It amends Article
20 10. It adds a new Section 26A. It allows school districts to
21 incur debt. It sets a limit on the debt. The limit is based on
22 property values. Voters would have to approve the debt. The
23 debt is in addition to other limitations on debt in the
24 Constitution. An annual tax would be collected to pay the debt.

1 The tax would be placed in sinking fund. The debt must be paid
2 off within 25 years. The amount of debt will be adjusted if the
3 school district is in certain counties.

4 SHALL THE PROPOSAL BE APPROVED?

5 FOR THE PROPOSAL - YES _____

6 AGAINST THE PROPOSAL - NO _____

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

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