

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT  
4 RESOLUTION 1092

By: McBride and Echols

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 Constitution of the State of  
11 Oklahoma; modifying reference; providing ballot  
12 title; and directing filing.

13 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
14 2ND SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

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

19 Section 26. (a) Except as ~~herein~~ otherwise provided by this  
20 section, no county, city, town, township, school district, or other  
21 political corporation, or subdivision of the state, shall be allowed  
22 to become indebted, in any manner, or for any purpose, to an amount  
23 exceeding, in any year, the income and revenue provided for such  
24 year without the assent of three-fifths of the voters thereof,

1 voting at an election, to be held for that purpose, nor, in cases  
2 requiring such assent, shall any indebtedness be allowed to be  
3 incurred to an amount, including existing indebtedness, in the  
4 aggregate exceeding five percent (5%) of the valuation of the  
5 taxable property therein, to be ascertained from the last assessment  
6 for state and county purposes previous to the incurring of such  
7 indebtedness: Provided, that if a school district has an absolute  
8 need therefor, such district may, with the assent of three-fifths of  
9 the voters thereof voting at an election to be held for that  
10 purpose, incur indebtedness to an amount, including existing  
11 indebtedness, in the aggregate exceeding five percent (5%) but not  
12 exceeding ten percent (10%) 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 BALLLOT TITLE  
14 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

15 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

16 This measure amends the Oklahoma Constitution. It amends Section  
17 26 of Article 10. It changes a reference.

18 SHALL THE PROPOSAL BE APPROVED?

19 FOR THE PROPOSAL - YES \_\_\_\_\_

20 AGAINST THE PROPOSAL - NO \_\_\_\_\_

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

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