

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HJR1051 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: David Derby \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 PROPOSED COMMITTEE SUBSTITUTE  
4 FOR  
5 HOUSE JOINT  
6 RESOLUTION NO. 1051

By: Derby

7  
8 PROPOSED COMMITTEE SUBSTITUTE

9 A Joint Resolution directing the Secretary of State  
10 to refer to the people for their approval or  
11 rejection a proposed amendment to Section 9 of  
12 Article X of the Constitution of the State of  
13 Oklahoma; authorizing additional millage for cities  
14 and towns; requiring majority voter approval;  
15 specifying maximum additional millage; providing for  
16 revenues to be used for the general fund; providing  
17 ballot title; and directing filing.

18 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
19 2ND SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

20 SECTION 1. The Secretary of State shall refer to the people for  
21 their approval or rejection, as and in the manner provided by law,  
22 the following proposed amendment to Section 9 of Article X of the  
23 Constitution of the State of Oklahoma to read as follows:

24 Section 9. (a) (1) Except as herein otherwise provided, the  
total taxes for all purposes on an ad valorem basis shall not  
exceed, in any taxable year, fifteen (15) mills on the dollar, no

1 less than five (5) mills of which is hereby apportioned for school  
2 district purposes, the remainder to be apportioned between county,  
3 city, town and school district, by the County Excise Board, until  
4 such time as a regular apportionment thereof is otherwise provided  
5 for by the Legislature.

6 (2) In addition to any other millage authorized by the  
7 provisions of the Oklahoma Constitution, a city or town may, with  
8 the approval of a majority of the voters of the municipality, levy a  
9 millage for the general fund not to exceed four (4) mills.

10 No ad valorem tax shall be levied for State purposes, nor shall  
11 any part of the proceeds of any ad valorem tax levy upon any kind of  
12 property in this State be used for State purposes.

13 (b) A tax of four (4) mills on the dollar valuation of all  
14 taxable property in the county shall be levied annually in each  
15 county of the State for school purposes and, until otherwise  
16 provided by law, the proceeds thereof shall be apportioned to the  
17 school districts of the county by the County Treasurer on the basis  
18 of the legal average daily attendance for the preceding school year  
19 as certified by the State Board of Education. Provided that in case  
20 a school district lies in more than one county, such district shall  
21 be deemed a school district of the county having the greater part of  
22 the area comprising such district, unless otherwise provided by law,  
23 and shall be entitled to participate in the proceeds of such tax on  
24 the same basis as districts lying wholly within such county but

1 revenue from such tax on the assessed valuation of the district in  
2 other counties shall, when collected, be transmitted to the County  
3 Treasurer of such county having the greater part of the area  
4 comprising the district, unless otherwise provided by law, and be  
5 apportioned as hereinbefore provided for the proceeds of such tax on  
6 the assessed valuation of such county. Not to exceed seventy-five  
7 per centum (75%) of the amount received by a school district from  
8 the proceeds of such county levy in any year shall be required to  
9 finance the State guaranteed program of such district.

10 (c) Upon certification of a need therefor by the board of  
11 education of any school district an additional tax of not to exceed  
12 fifteen (15) mills on the dollar valuation of all taxable property  
13 in the district shall be levied for the benefit of the schools of  
14 such district.

15 (d) In addition to the levies hereinbefore authorized, any  
16 school district may make an emergency levy for the benefit of the  
17 schools of such district, in an amount not to exceed five (5) mills  
18 on the dollar valuation of the taxable property in such district  
19 when approved by a majority of the electors of the district voting  
20 on the question at an election called for such purpose. This  
21 emergency levy shall provide only sufficient additional revenue to  
22 meet the needs of the district each fiscal year as determined by the  
23 board of such district and must be approved by a majority of the

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1 electors voting on said question at such an election for each fiscal  
2 year.

3 (d-1) In addition to the levies hereinbefore authorized, any  
4 school district may make a local support levy for the benefit of the  
5 schools of such district, in an amount not to exceed ten (10) mills  
6 on the dollar valuation of the taxable property in such district,  
7 when approved by a majority of the ad valorem taxpaying voters  
8 voting on said question at an election for each fiscal year called  
9 for such purposes. This local support levy shall provide only  
10 sufficient additional revenue to meet the needs of the district for  
11 each such fiscal year as determined by the board of such district;  
12 provided, an elector desiring to vote upon such local support levy  
13 must present an ad valorem tax receipt for the year immediately  
14 preceding before being issued a ballot, or sign a sworn affidavit  
15 certifying the fact of such payment.

16 (d-2) A school district may upon approval by a majority of the  
17 electors of the district voting on the question make the ad valorem  
18 levy for emergency levy and local support levy under (d) and (d-1)  
19 of this section permanent. If the question is approved, the levies,  
20 in the amount approved as required by this section, shall be made  
21 each fiscal year thereafter until such time as a majority of the  
22 electors of the district voting on the question rescind the making  
23 of the levy permanent. An election on such question shall be held  
24 at such time as a petition is signed by ten percent (10%) of the

1 school district electors or a recommendation by the board of  
2 education of the school district is made asking that the levies be  
3 made each fiscal year.

4 (e) The amount of revenue from school district ad valorem taxes  
5 levied under (a) and (c) of this Section which any school district  
6 may be required to use to finance its State guaranteed program shall  
7 not be in excess of its share, based upon its relative taxpaying  
8 ability as may be defined by law, of an amount equivalent to the net  
9 proceeds from a fifteen (15) mill tax levy on the aggregate net  
10 assessed valuation of the State; but until such relative taxpaying  
11 ability is defined by the Legislature, the amount of revenue from  
12 such taxes which any school district may be required to use to  
13 finance its State guaranteed program shall not be in excess of the  
14 net proceeds from an ad valorem tax levy of fifteen (15) mills on  
15 the dollar net assessed valuation of the district. No part of the  
16 proceeds from any ad valorem levy for emergency levy and local  
17 support levy under (d) and (d-1) of this Section shall be required  
18 to finance the State guaranteed program of such district.

19 Nothing in the amendments to the Constitution incorporated  
20 herein shall be construed to amend, alter or supersede the present  
21 application of Article XII-A, Sections 1 and 2 of the Oklahoma  
22 Constitution.

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

4 BALLOT TITLE

5 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure amends the Oklahoma Constitution. It amends  
8 Section 9 of Article 10. The measure would authorize cities or  
9 towns to levy an additional millage. The maximum additional  
10 millage could not exceed four (4) mills. The millage would  
11 require approval by a majority of the voters of the city or  
12 town. A mill is equal to One Dollar (\$1.00) in tax for each One  
13 Thousand Dollars (\$1,000.00) of taxable value. The revenue from  
14 this millage would be placed into the general fund of the city  
15 or town.

16 SHALL THE PROPOSAL BE APPROVED?

17 FOR THE PROPOSAL - YES \_\_\_\_\_

18 AGAINST THE PROPOSAL - NO \_\_\_\_\_

19 SECTION 3. The Chief Clerk of the House of Representatives,  
20 immediately after the passage of this resolution, shall prepare and  
21 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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4 55-2-9130 MAH 02/19/16

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