# SUBCOMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1240 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**

Amendment submitted by: Weldon Watson

Adopted: _____

_____
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

PROPOSED SUBCOMMITTEE
SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1240 By: Mazzei of the Senate

and

Watson of the House

PROPOSED SUBCOMMITTEE SUBSTITUTE

An Act relating to cities and towns; creating the Oklahoma Public Safety Protection District Act; permitting municipalities to initiate creation of a public safety protection district; directing a resolution be submitted to the registered voters of the municipality; conferring powers; describing territory of the public safety protection district; providing for management and budgetary oversight; declaring a public safety protection district to be a political subdivision; allowing municipality to fund the election; providing for notice of election; stating question to be worded on the ballot; describing eligible voters; providing for conduct of election subject to general election laws; requiring majority of votes cast to establish district; directing filing of ordinance; providing for timing of election; establishing election cost to be paid by district under specified circumstances; providing for supply of ballots; providing for levy of annual assessment on certain property based on assessed value and specifying purpose thereof; specifying types of property to be assessed; providing for a lien against property if assessment is unpaid; stating priority of lien; directing specified accounting procedures by certain county officers; requiring interest to be charged on delinquent assessment; permitting dissolution of a public safety protection district and describing process therefor;

providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-151 of Title 11, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Public Safety Protection District Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-152 of Title 11, unless there is created a duplication in numbering, reads as follows:

The governing body of a municipality within the county may initiate the creation of a public safety protection district by the adoption of a joint resolution calling for the question to be placed before the registered voters of the municipality of whether to organize a public safety protection district. The joint resolution shall be submitted to the registered voters of the municipality at the next general election, or a special election may be held pursuant to the provisions of Section 3-101 of Title 26 of the Oklahoma Statutes. When a district is organized, it shall have the powers conferred by the Oklahoma Public Safety Protection District Act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-153 of Title 11, unless there is created a duplication in numbering, reads as follows:

A. A public safety protection district shall include all territory located within the municipality.

B. Management of the public safety protection district, as well as management of any employee hired from district funds, shall be vested within the existing administration of the municipal government that created the district.

C. Budgetary oversight shall be vested within the existing legislative body of the municipal government that created the district.

D. A public safety protection district created pursuant to this act shall be deemed a political subdivision of this state.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-154 of Title 11, unless there is created a duplication in numbering, reads as follows:

A. The municipality initiating the creation of the public safety protection district may pay the cost of the election to determine whether a district should be established.

B. The election to determine whether a district shall be established, and the notice thereof, shall be conducted in the same manner as other municipal questions are submitted to the electorate of the municipality. The notice shall require the registered voters

of the municipality to cast ballots which contain the words: "Public Safety Protection District - Yes" and "Public Safety Protection District - No" or words equivalent thereto. All residents of the municipality who are qualified electors shall be qualified to vote on the proposition. The public safety protection district election shall be conducted in accordance with the general election laws of the state, and the regular election officials shall be in charge at the usual polling place of each regular precinct, or part of a precinct, which shall include lands within the boundaries of the municipality.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-155 of Title 11, unless there is created a duplication in numbering, reads as follows:

If the certified election results show that a majority of all the votes cast are "Public Safety Protection District - Yes", the governing body of the municipality shall, by adoption of an ordinance and/or resolution, declare the public safety protection district established. The ordinance shall be filed in the office of the county clerk in the county.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-156 of Title 11, unless there is created a duplication in numbering, reads as follows:

A. The regular election in the district shall be held at the same time as the General Election in this state or on the second

Tuesday in November in those years that a General Election is not held.

B. In those years that a General Election is not held the entire cost of the election shall be paid by the district. When the election is held at the same time as the General Election, the district shall pay only for the cost directly attributable to the district election.

C. All polling places of precincts, all or any part of which include areas within the boundaries of the district, shall be supplied ballots for the purpose of permitting electors of the district to vote.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-157 of Title 11, unless there is created a duplication in numbering, reads as follows:

There shall be levied an annual assessment no greater than five (5) mills on the dollar of assessed value of the types of property in the district as provided in paragraphs 1, 2 and 3 of subsection A of Section 2803 of Title 68 of the Oklahoma Statutes, the proceeds of which shall be used solely for the operation and maintenance of the public safety protection district, including expenses related to purchasing and maintaining public safety equipment and payment of salaries and benefits of the city employees who provide law enforcement and/or fire protection public safety services within the district, and municipal expenses related to housing prisoners. Such

assessment shall only be levied on the types of property located in the district as provided in paragraphs 1, 2 and 3 of subsection A of Section 2803 of Title 68 of the Oklahoma Statutes.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-158 of Title 11, unless there is created a duplication in numbering, reads as follows:

All assessments levied under the authority of the Oklahoma Public Safety Protection District Act shall be a lien against the tract of land on which they have been levied, until paid, and the lien shall be coequal with the lien of ad valorem and other taxes, including special assessments, and prior and superior to all other liens and the assessment shall draw interest and shall be collected in the same manner as ad valorem taxes.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-159 of Title 11, unless there is created a duplication in numbering, reads as follows:

The county assessor shall compute and enter in respective columns of the tax rolls the respective sums in dollars and cents to be paid on each piece of property therein enumerated. The county clerk shall certify to the county treasurer in the county where the district or any part thereof is located the amount of assessment in each fund levied upon each tract. The county treasurer shall enter the amount of each in separate columns of the tax list of the county. The assessments shall be collected by the county treasurer

at the same time and in the same manner as all other taxes are collected in this state. If any assessment becomes delinquent, it shall draw interest as a penalty after delinquency at the rate of eighteen percent (18%) per annum. All assessments and penalties collected or received by the county treasurer pursuant to the Oklahoma Public Safety Protection District Act shall be paid to the municipal treasurers in their proportionate amounts for the benefit of the public safety protection district.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 29-160 of Title 11, unless there is created a duplication in numbering, reads as follows:

A public safety protection district may be dissolved by a majority vote of the registered voters voting at an election called for that purpose by the governing body of the municipality.

SECTION 11. This act shall become effective November 1, 2016.

55-2-9519 AMM 03/23/16