

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 SENATE BILL NO. 1240

By: Mazzei

6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to cities and towns; creating the  
9 Oklahoma Public Safety Protection District Act;  
10 permitting municipalities to initiate creation of a  
11 public safety protection district by specified means;  
12 directing a resolution be submitted to the registered  
13 voters of the municipality; conferring powers;  
14 describing territory of the public safety protection  
15 district; providing for management and budgetary  
16 oversight; providing for status of district; allowing  
17 municipality to fund the election; providing for  
18 notice of election; stating question to be worded on  
19 the ballot; describing eligible voters; providing for  
20 conduct of election subject to general election laws;  
21 requiring majority of votes cast to establish  
22 district; directing filing of ordinance; providing  
23 for timing of election; establishing portion of  
24 election cost to be paid by district under specified  
circumstances; providing for supply of ballots;  
providing for levy of annual assessment based on  
assessed value and specifying purpose thereof;  
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 thereto; providing for codification; and  
providing an effective date.

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

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

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

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

9 The governing body of a municipality within the county may  
10 initiate the creation of a public safety protection district by the  
11 adoption of a joint resolution calling for the question of whether  
12 to organize a public safety protection district. The joint  
13 resolution shall be submitted to the registered voters of the  
14 municipality at the next general election, or a special election may  
15 be held. When a district is organized, it shall have the powers  
16 conferred by the Oklahoma Public Safety Protection District Act.

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

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

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

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

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

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

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

14 B. The election to determine whether a district shall be  
15 established, and the notice thereof, shall be conducted in the same  
16 manner as other municipal questions are submitted to the electorate  
17 of the municipality. The notice shall require the registered voters  
18 of the municipality to cast ballots which contain the words: "Public  
19 Safety Protection District - Yes" and "Public Safety Protection  
20 District - No" or words equivalent thereto. All residents of the  
21 municipality who are qualified electors shall be qualified to vote  
22 on the proposition. The public safety protection district elections  
23 shall be conducted in accordance with the general election laws of  
24 the state, and the regular election officials shall be in charge at

1 the usual polling place of each regular precinct, or part of a  
2 precinct, which shall include lands within the boundaries of the  
3 municipality.

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

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

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

16 A. The regular election in the district shall be held at the  
17 same time as the General Election in this state or on the second  
18 Tuesday in November in those years that a General Election is not  
19 held.

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

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

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

8 There shall be levied an annual assessment no greater than five  
9 (5) mills on the dollar of assessed value of the property in the  
10 district, the proceeds of which shall be used solely for the  
11 operation and maintenance of the public safety protection district,  
12 including expenses related to purchasing and maintaining public  
13 safety equipment and payment of salaries and benefits of the city  
14 employees who provide law enforcement and/or fire protection public  
15 safety services within the district, and municipal expenses related  
16 to housing prisoners.

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

20 All assessments levied under the authority of the Oklahoma  
21 Public Safety Protection District Act shall be a lien against the  
22 tract of land on which they have been levied, until paid, and the  
23 lien shall be coequal with the lien of ad valorem and other taxes,  
24 including special assessments, and prior and superior to all other

1 liens and the assessment shall draw interest and shall be collected  
2 in the same manner as ad valorem taxes.

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

6 The county assessor shall compute and enter in respective  
7 columns of the tax rolls the respective sums in dollars and cents to  
8 be paid on each piece of property therein enumerated, and the clerk  
9 shall certify to the county treasurer in the county where the  
10 district is located the amount of assessment in each fund levied  
11 upon each tract by the board, and the county treasurer shall enter  
12 the amount of each in separate columns of the tax list of the  
13 county, and the assessments shall be collected by the county  
14 treasurer at the same time and in the same manner as all other taxes  
15 are collected in this state. If any assessment becomes delinquent,  
16 it shall draw interest as a penalty after delinquency at the rate of  
17 eighteen percent (18%) per annum. All assessments and penalties  
18 collected or received by the county treasurer pursuant to the  
19 Oklahoma Public Safety Protection District Act shall be paid to the  
20 municipal treasurers in their proportionate amounts for the benefit  
21 of the public safety protection district.

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

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

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

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