ENGROSSED SENATE
BILL NO. 1240 By: Mazzei of the Senate

and

Watson of the House

[cities and towns - Oklahoma Public Safety Protection District Act - resolution - municipality - election - eligible voters - annual assessment - lien - dissolution - codification - 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 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 elections 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 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 property in the district, 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.

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, and the clerk shall certify to the county treasurer in the county where the district is located the amount of assessment in each fund levied upon each tract by the board, and the county treasurer shall enter the amount of each in separate columns of the tax list of the

county, and 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.

Passed the Senate the 8th day of March, 2016.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2016.

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Presiding Officer of the House of Representatives