

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT
4 RESOLUTION 1051

By: Derby

5
6 AS INTRODUCED

7
8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection a proposed amendment to the Constitution of
11 the State of Oklahoma by adding a new Section 100 to
12 Article X; providing for termination of certain
13 provisions of Article X of the Oklahoma Constitution;
14 providing for authority of Legislature to enact
15 legislation related to general and building fund
16 millage rates; excluding sinking fund millage rates
17 established pursuant to Section 26 of Article X of
18 the Oklahoma Constitution; excluding sinking fund
19 millage rates established pursuant to certain civil
20 judgments; providing ballot title; and directing
21 filing.

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

SECTION 1. The Secretary of State shall refer to the people for
their approval or rejection, as and in the manner provided by law,
the following proposed amendment to the Constitution of the State of
Oklahoma by adding a new Section 100 to Article X thereof, to read
as follows:

1 Section 100. A. The provisions of Article X of the Oklahoma
2 Constitution that authorize the imposition of ad valorem millage
3 rates, excluding sinking fund millage rates authorized pursuant to
4 Section 26 of Article X and excluding sinking fund millage rates
5 authorized as a result of a civil judgment entered against a
6 political subdivision of the state, shall cease to have the force
7 and effect of law on the July 1 date immediately ensuing the
8 effective date of legislation providing for a statutorily controlled
9 system of ad valorem taxation, including but not limited to
10 statutorily controlled ad valorem millage rates for general and
11 building funds of counties, common school districts, library
12 districts, career technology districts, cities, towns, hospitals,
13 emergency medical service districts, solid waste management
14 districts and any other entity authorized by any section of Article
15 X of the Oklahoma Constitution to levy an ad valorem tax.

16 B. The legislation authorized by subsection A of this section
17 shall contain a specific statement that it is enacted pursuant to
18 the authority of this section and shall provide for amendments,
19 repeals, new law, recodifications or such other provisions as may be
20 required to implement the provisions of subsection A of this
21 section.

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

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It would add a new Section 100 to Article X. Existing ad valorem millage rates would cease to be effective as law. The rates would cease to be effective on the July 1 date following certain action by the Legislature. The Legislature would be able to modify ad valorem millage rates for the political subdivisions of the state by statute. The political subdivisions include counties, cities, towns, common school districts, career technology districts, hospitals, emergency medical service districts, solid waste management districts and other local ad valorem taxing jurisdictions. The legislation could contain amendments, repeals, new law or other changes to the laws governing ad valorem taxation. These provisions would not effect sinking fund millage rates imposed to pay bond debt or sinking fund millage rates uses to pay civil judgments against local taxing jurisdictions.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and

1 file one copy thereof, including the Ballot Title set forth in
2 SECTION 2 hereof, with the Secretary of State and one copy with the
3 Attorney General.

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