

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1374

By: Watson

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; directing a
12 resolution be submitted to the registered voters of
13 the municipality; conferring powers; describing
14 territory of the public safety protection district;
15 providing for management and budgetary oversight;
16 declaring a public safety protection district to be a
17 political subdivision; requiring municipality to pay
18 for election in proportions determined by county;
19 providing for notice of election; stating question to
20 be worded on the ballot; describing eligible voters;
21 providing for conduct of election subject to general
22 election laws; requiring majority of votes cast to
23 establish district; directing filing of ordinance or
24 resolution; 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 exemptions;
 providing for a lien against property if assessment
 is unpaid; stating priority of lien; directing
 specified accounting procedures by certain county
 officers; directing certain costs be paid from the
 proceeds of the district; requiring interest to be
 charged on delinquent assessment; permitting
 dissolution of a public safety protection district
 and describing process therefor; defining term;
 providing for codification; and providing an
 effective date.

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

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

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

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

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

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

22 A. A public safety protection district shall include all
23 territory located within the municipality.
24

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

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

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

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

13 A. The costs of an election to establish a district shall be
14 paid by the municipality in the proportions determined by the county
15 election board conducting the special election.

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

1 district election shall be conducted in accordance with the general
2 election laws of the state, and the regular election officials shall
3 be in charge at the usual polling place of each regular precinct, or
4 part of a precinct, which shall include lands within the boundaries
5 of the municipality.

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

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

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

19 A. There shall be levied an annual assessment no greater than
20 five (5) mills on the dollar of assessed value of the types of
21 property in the district as provided in paragraphs 1, 2 and 3 of
22 subsection A of Section 2803 of Title 68 of the Oklahoma Statutes,
23 the proceeds of which shall be used for the operation and
24 maintenance of the public safety protection district, including

1 expenses related to purchasing and maintaining public safety
2 equipment and payment of salaries and benefits of the city employees
3 who provide law enforcement or fire protection public safety
4 services or both law enforcement and fire protection services within
5 the district, and costs assessed for housing prisoners of the
6 municipality in the county jail. Such proceeds may also be used for
7 payment of any costs related to fire and police operations and jail
8 operations, including, but not limited to, related litigation costs.
9 Such assessment shall only be levied on the types of property
10 located in the district as provided in paragraphs 1, 2 and 3 of
11 subsection A of Section 2803 of Title 68 of the Oklahoma Statutes.

12 B. The annual assessment provided in subsection A of this
13 section shall not apply to real property zoned for agricultural or
14 industrial land use and personal property owned by for-profit
15 business entities.

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

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

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

3 SECTION 8. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 29-158 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. The county
9 clerk shall certify to the county treasurer in the county where the
10 district or any part thereof is located the amount of assessment in
11 each fund levied upon each tract. The county treasurer shall enter
12 the amount of each in separate columns of the tax list of the
13 county. The assessments shall be collected by the county treasurer
14 at the same time and in the same manner as all other taxes are
15 collected in this state. Costs associated with the collection of
16 the assessments incurred by the county treasurer shall be paid from
17 the proceeds of the district. If any assessment becomes delinquent,
18 it shall draw interest as a penalty after delinquency at the rate of
19 eighteen percent (18%) per annum. All assessments and penalties
20 collected or received by the county treasurer pursuant to the
21 Oklahoma Public Safety Protection District Act shall be paid to the
22 municipal treasurers in their proportionate amounts for the benefit
23 of the public safety protection district.

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

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

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

10 As used in the Oklahoma Public Safety Protection District Act,
11 "public safety protection" means the operations of law enforcement
12 or fire public safety protections or both law enforcement and fire
13 public safety protections in and for the municipality. Such
14 operations shall also include the housing of prisoners of the
15 municipality in the county jail, and emergency medical services
16 provided by the municipal fire department.

17 SECTION 11. This act shall become effective November 1, 2017.

18
19 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
20 03/02/2017 - DO PASS, As Amended.
21
22
23
24