

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

SENATE BILL 345

By: Holt

AS INTRODUCED

An Act relating to cities and towns; creating the Oklahoma Public Safety Protection District Act; permitting municipalities to adopt separate joint resolutions to initiate creation of a public safety protection district and to authorize an annual assessment; prohibiting resolutions to be combined in same question; authorizing a resolution to be submitted to the registered voters of the municipality; conferring powers and providing exception thereto; 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; providing for manner in which election is funded; providing for notice of election; mandating wording of ballots; describing eligible voters; providing for conduct of election subject to general election laws; requiring majority of votes cast to establish district or authorize assessment; directing filing of ordinances; providing for timing of election; establishing responsibility for election cost 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; 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 discontinuation of annual assessment and describing process therefor; 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 A. The governing body of a municipality within a county may
11 adopt joint resolutions calling for a vote to:

12 1. Initiate the creation of a public safety protection
13 district; and

14 2. Authorize the levy of an annual assessment based on the
15 assessed value of the property in the district, the proceeds of
16 which shall be used solely for support of a district initiated
17 pursuant to subparagraph 1 of this subsection.

18 No joint resolution shall combine the question of creation of a
19 district and authorization for the levy of an assessment in the same
20 question, but such separate resolutions may be submitted at the
21 election.

22 B. Any joint resolution submitted to the registered voters of
23 the municipality as provided in this section and in Section 6 of
24 this act may be submitted at the next general election, or a special

1 election may be held pursuant to the provisions of Section 3-101 of
2 Title 26 of the Oklahoma Statutes. When a district is organized
3 pursuant to paragraph 1 of subsection A of this section, it shall
4 have the powers conferred by the Oklahoma Public Safety Protection
5 District Act; provided, the power to levy and collect an annual
6 assessment shall require approval of the voters of a question
7 submitted pursuant to paragraph 2 of subsection A of this section.

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

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

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

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

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

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

1 A. The municipality initiating the creation of the public
2 safety protection district may pay the cost of the elections
3 authorized in Section 2 of this act or the cost may be paid as
4 provided in Section 6 of this act.

5 B. The elections authorized in Section 2 of this act, and the
6 notice thereof, shall be conducted in the same manner as other
7 municipal questions are submitted to the electorate of the
8 municipality. The notice for an election to create a public safety
9 district shall require the registered voters of the municipality to
10 cast ballots which contain the words: "Public Safety Protection
11 District - Yes" and "Public Safety Protection District - No" or
12 words equivalent thereto. The notice for an election to authorize
13 the levy of an assessment shall require the registered voters of the
14 municipality to cast ballots which contain the words: "Annual
15 Assessment to fund Public Safety Protection District - Yes" and
16 "Annual Assessment to fund Public Safety Protection District - No"
17 or words equivalent thereto and shall specify the proposed number of
18 mills on the dollar of assessed value of property in the district.

19 C. All residents of the municipality who are qualified electors
20 shall be qualified to vote on the propositions. The elections shall
21 be conducted in accordance with the general election laws of the
22 state, and the regular election officials shall be in charge at the
23 usual polling place of each regular precinct, or part of a precinct,
24 which shall include lands within the boundaries of the municipality.

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

4 If the certified election results show that a majority of all
5 the votes cast for the creation of a public safety protection
6 district are "Public Safety Protection District - Yes", the
7 governing body of the municipality shall, by adoption of an
8 ordinance and/or resolution, declare the public safety protection
9 district established. If the certified election results show that a
10 majority of all the votes cast for the levy of an assessment are
11 "Annual Assessment to fund Public Safety Protection District - Yes",
12 the governing body of the municipality shall, by adoption of an
13 ordinance and/or resolution, be authorized to levy the assessment.

14 Such ordinances shall be filed in the office of the county clerk
15 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. The regular election in the district shall be held at the
20 same time as the General Election in this state or on the second
21 Tuesday in November in those years that a General Election is not
22 held.

23 B. In those years that a General Election is not held the
24 entire cost of the election shall be paid by the district. When the

1 election is held at the same time as the General Election, the
2 district shall pay only for the cost directly attributable to
3 district election.

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

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

11 If approved by the voters pursuant to the provisions of this
12 act, there shall be levied an annual assessment of the approved
13 number of mills on the dollar of assessed value of the property in
14 the district, the proceeds of which shall be used solely for the
15 operation and maintenance of the public safety protection district,
16 including expenses related to purchasing and maintaining public
17 safety equipment and payment of salaries and benefits of the city
18 employees who provide law enforcement and/or fire protection public
19 safety services within the district, and municipal expenses related
20 to housing prisoners.

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

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

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

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

1 municipal treasurers in their proportionate amounts for the benefit
2 of the public safety protection district.

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

6 A public safety protection district may be dissolved, or an
7 annual assessment for the public safety protection district may be
8 discontinued, by a majority vote of the registered voters voting at
9 an election called for that purpose by the governing body of the
10 municipality; provided, such questions shall be separated on the
11 ballot.

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

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