

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE JOINT
4 RESOLUTION 55

By: Rader

5
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State
8 to refer to the people for their approval or
9 rejection a proposed amendment to Section 26 of
10 Article X of the Oklahoma Constitution; increasing
11 limit on amount of indebtedness of a school district
under specified circumstances; specifying uses for
increased amount; excluding increased amount from
certain determination; providing ballot title; and
directing filing.

12
13 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
14 2ND SESSION OF THE 56TH OKLAHOMA LEGISLATURE:

15 SECTION 1. The Secretary of State shall refer to the people for
16 their approval or rejection, as and in the manner provided by law,
17 the following proposed amendment to Section 26 of Article X of the
18 Oklahoma Constitution to read as follows:

19 Section 26. (a) Except as herein otherwise provided, no
20 county, city, town, township, school district, or other political
21 corporation, or subdivision of the state, shall be allowed to become
22 indebted, in any manner, or for any purpose, to an amount exceeding,
23 in any year, the income and revenue provided for such year without
24 the assent of three-fifths of the voters thereof, voting at an

1 election, to be held for that purpose, nor, in cases requiring such
2 assent, shall any indebtedness be allowed to be incurred to an
3 amount, including existing indebtedness, in the aggregate exceeding
4 five percent (5%) of the valuation of the taxable property therein,
5 to be ascertained from the last assessment for state and county
6 purposes previous to the incurring of such indebtedness: Provided,
7 that if a school district has an absolute need therefor, such
8 district may, with the assent of three-fifths of the voters thereof
9 voting at an election to be held for that purpose, incur
10 indebtedness to an amount, including existing indebtedness, in the
11 aggregate exceeding five percent (5%) but not exceeding ~~ten percent~~
12 ~~(10%)~~ fifteen percent (15%) of the valuation of the taxable property
13 therein, to be ascertained from the last assessment for state and
14 county purposes previous to the incurring of such indebtedness⁷. Up
15 to ten percent (10%) of the total indebtedness may be used for the
16 purpose of acquiring or improving school sites, constructing,
17 repairing, remodeling or equipping buildings, or acquiring school
18 furniture, fixtures or equipment and up to five percent (5%) of the
19 total indebtedness may be used for operational expenses; and such
20 assent to such indebtedness shall be deemed to be a sufficient
21 showing of such absolute need, unless otherwise provided by law.
22 The five percent (5%), or portion thereof, of the total indebtedness
23 for operational expenses shall be excluded from the determination of
24 chargeable valuations for calculating State Aid to a school

1 district. Provided further, that if a city or town has an absolute
2 need therefor, such city or town may, with the assent of three-
3 fifths of the voters thereof voting at an election to be held for
4 that purpose, incur indebtedness to an amount, including existing
5 indebtedness, in the aggregate exceeding five percent (5%) but not
6 exceeding ten percent (10%) of the valuation of the taxable property
7 therein, to be ascertained from the last assessment for state and
8 county purposes previous to the incurring of such indebtedness, and
9 such assent to such indebtedness shall be deemed to be a sufficient
10 showing of such absolute need unless otherwise provided by law.
11 Provided, further, that any county, city, town, school district, or
12 other political corporation, or subdivision of the state, incurring
13 any indebtedness requiring the assent of the voters as aforesaid,
14 shall, before or at the time of doing so, provide for the collection
15 of an annual tax sufficient to pay the interest on such indebtedness
16 as it falls due, and also to constitute a sinking fund for the
17 payment of the principal thereof within twenty-five (25) years from
18 the time of contracting the same, and provided further that nothing
19 in this section shall prevent, under such conditions and limitations
20 as shall be prescribed by law, any school district from contracting
21 with:

22 (1) certificated personnel for periods extending one (1) year
23 beyond the current fiscal year; or
24

1 (2) a school superintendent for periods extending more than one
2 (1) year, but not to exceed three (3) years beyond the current
3 fiscal year.

4 (b) If a county approves an exemption of household goods of the
5 heads of families and livestock employed in support of the family
6 from ad valorem taxation pursuant to the provisions of subsection
7 (b) of Section 6 of this article, the percentage limitations on
8 indebtedness as specified in subsection (a) of this section for
9 political subdivisions or political corporations located in any such
10 county shall be adjusted by multiplying the percentage levels
11 specified in subsection (a) of this section by the millage
12 adjustment factor as specified in subsection (b) of Section 8A of
13 this article.

14 ~~(c) If approved by the people, the amendment to this section~~
15 ~~shall become effective January 1, 1993.~~

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

19 BALLOT TITLE

20 Legislative Referendum No. _____ State Question No. _____

21 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

22 This measure amends Section 26 of Article 10 of the State
23 Constitution. Under current law, a school district may hold a
24 special vote to borrow up to 10% of the value of taxable

property in the district for purposes of acquiring or improving school sites, fixtures or equipment. This measure would increase the limit to 15%. The increased amount could only be spent on operational expenses. The increased amount would not be used to calculate State Aid to a school district. The measure also deletes some obsolete language.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

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