

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HJR1026 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Anthony Moore

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

PROPOSED COMMITTEE SUBSTITUTE
FOR
HOUSE JOINT
RESOLUTION NO. 1026

By: Moore

PROPOSED COMMITTEE SUBSTITUTE

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 26 of Article X of the Constitution of the State of Oklahoma; modifying provisions related to debt incurred by school districts; modifying debt limit based upon taxable valuation; deleting obsolete date reference; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
1ST SESSION OF THE 58TH 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 Section 26 of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 26. (a) Except as herein otherwise provided, no county, city, town, township, school district, or other political corporation, or subdivision of the state, shall be allowed to become

1 indebted, in any manner, or for any purpose, to an amount exceeding,
2 in any year, the income and revenue provided for such year without
3 the assent of three-fifths of the voters thereof, voting at an
4 election, to be held for that purpose, nor, in cases requiring such
5 assent, shall any indebtedness be allowed to be incurred to an
6 amount, including existing indebtedness, in the aggregate exceeding
7 ~~five percent (5%)~~ seventy-five percent (75%) of the valuation of the
8 taxable property therein, to be ascertained from the last assessment
9 for state and county purposes previous to the incurring of such
10 indebtedness: ~~Provided, that if a school district has an absolute~~
11 ~~need therefor, such district may, with the assent of three-fifths of~~
12 ~~the voters thereof voting at an election to be held for that~~
13 ~~purpose, incur indebtedness to an amount, including existing~~
14 ~~indebtedness, in the aggregate exceeding five percent (5%) but not~~
15 ~~exceeding ten percent (10%) of the valuation of the taxable property~~
16 ~~therein, to be ascertained from the last assessment for state and~~
17 ~~county purposes previous to the incurring of such indebtedness, for~~
18 ~~the purpose of acquiring or improving school sites, constructing,~~
19 ~~repairing, remodeling or equipping buildings, or acquiring school~~
20 ~~furniture, fixtures or equipment; and such assent to such~~
21 ~~indebtedness shall be deemed to be a sufficient showing of such~~
22 ~~absolute need, unless otherwise provided by law. Provided further,~~
23 that if a city or town has an absolute need therefor, such city or
24 town may, with the assent of three-fifths of the voters thereof

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

20 (1) certificated personnel for periods extending one (1) year
21 beyond the current fiscal year; or

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

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

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

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

16 BALLOT TITLE

17 Legislative Referendum No. _____ State Question No. _____

18 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

19 This measure amends the Oklahoma Constitution. It amends
20 Section 26 of Article 10. This section limits the principal
21 amount of debt that can be incurred by the political
22 subdivisions of the state which includes counties, cities, towns
23 and school districts. This measure would modify the debt limit
24 for school districts. If approved, the limit on school district

1 debt would be based on seventy-five percent (75%) of the taxable
2 valuation of property. The principal amount of school district
3 debt could not exceed seventy-five percent (75%) of the school
4 district taxable value for property tax purposes. The measure
5 also removes an obsolete date reference.

6 SHALL THE PROPOSAL BE APPROVED?

7 FOR THE PROPOSAL — YES _____

8 AGAINST THE PROPOSAL — NO _____

9 SECTION 3. The Chief Clerk of the House of Representatives,
10 immediately after the passage of this resolution, shall prepare and
11 file one copy thereof, including the Ballot Title set forth in
12 SECTION 2 hereof, with the Secretary of State and one copy with the
13 Attorney General.

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15 58-1-7498 MAH 02/11/21
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