

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE JOINT
RESOLUTION 44

By: Sacchieri

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 33 of Article V and Sections 6B, 8, 9, 9A, 9B, 9C, 9D, 10, 10A, 10B, 25, 26, 27, 27A, 27B, and 35 of Article X of the Oklahoma Constitution, which relate to property taxes and the issuance of debt; requiring approval of at least two-thirds of registered voters voting in an election to form taxing jurisdictions to levy tax, increase a tax, and issue debt; adding a new Section 44 to Article X of the Oklahoma Constitution; requiring approval of at least two-thirds of registered voters voting in an election to levy tax, extend tax, increase tax, and issue debt; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
2ND SESSION OF THE 60TH 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 33 of Article V of the Oklahoma Constitution to read as follows:

1 Section 33. A. All bills for raising revenue shall originate
2 in the House of Representatives. The Senate may propose amendments
3 to revenue bills.

4 B. No revenue bill shall be passed during the five last days of
5 the session.

6 C. Any revenue bill originating in the House of Representatives
7 shall not become effective until it has been referred to the people
8 of the state at the next general election held throughout the state
9 and shall become effective and be in force when it has been approved
10 by ~~a majority~~ at least two-thirds (2/3) of the votes cast on the
11 measure at such election and not otherwise, except as otherwise
12 provided in subsection D of this section.

13 D. Any revenue bill originating in the House of Representatives
14 may become law without being submitted to a vote of the people of
15 the state if such bill receives the approval of three-fourths (3/4)
16 of the membership of the House of Representatives and three-fourths
17 (3/4) of the membership of the Senate and is submitted to the
18 Governor for appropriate action. Any such revenue bill shall not be
19 subject to the emergency measure provision authorized in Section 58
20 of this Article and shall not become effective and be in force until
21 ninety days after it has been approved by the Legislature, and acted
22 on by the Governor.

23 SECTION 2. The Secretary of State shall refer to the people for
24 their approval or rejection, as and in the manner provided by law,

1 the following proposed amendment to Sections 6B, 8, 9, 9A, 9B, 9C,
2 9D, 10, 10A, 10B, 25, 26, 27, 27A, 27B, and 35 of Article X of the
3 Oklahoma Constitution to read as follows:

4 Section 6B. A. For the purpose of inducing any manufacturing
5 concern to locate or expand manufacturing facilities within any
6 county of this state, a qualifying manufacturing concern shall be
7 exempt from the levy of any ad valorem taxes upon new, expanded or
8 acquired manufacturing facilities for a period of five (5) years.

9 B. For purposes of this section, a "qualifying manufacturing
10 concern" means a concern that:

11 1. Is not engaged in business in this state or does not have
12 property subject to ad valorem tax in this state and constructs a
13 manufacturing facility in this state or acquires an existing
14 facility that has been unoccupied for a period of twelve (12) months
15 prior to acquisition; or

16 2. Is engaged in business in this state or has property subject
17 to ad valorem tax in this state and constructs a manufacturing
18 facility in this state at a different location from present
19 facilities and continues to operate all of its facilities or
20 acquires an existing facility that has been unoccupied for a period
21 of twelve (12) months prior to acquisition and continues to operate
22 all of its facilities.

23 C. The exemption allowed by this section shall apply to
24 expansions of existing facilities. Provided, however that any
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1 exemption shall be limited to the increase in ad valorem taxes
2 directly attributable to the expansion.

3 D. The Legislature shall define the term "manufacturing
4 facility" for purposes of the ad valorem tax exemption provided by
5 this section in order to promote full employment of labor resources
6 within the state; provided, however, that a manufacturing facility
7 that qualifies for the ad valorem tax exemption provided by this
8 section, pursuant to the definition of "manufacturing facility" then
9 applicable, shall be eligible for the exemption without regard to
10 subsequent changes in the definition of the term "manufacturing
11 facility".

12 E. The Legislature shall enact laws to carry out the provisions
13 of this section and to provide for the reimbursement to common
14 schools, county governments, cities and towns, emergency medical
15 services districts, vocational-technical schools, junior colleges,
16 county health departments and libraries for revenues lost to such
17 entities as a result of the exemption provided by this section.

18 F. The assessed valuation of property exempt from taxation by
19 virtue of this section shall be added to the assessed valuation of
20 taxable property in computing the limit on indebtedness of political
21 subdivisions contained in Section 26 of this article.

22 G. Pursuant to an affirmative vote of ~~a majority~~ at least two-
23 thirds (2/3) of the eligible voters of the county at an election for
24 such purpose which may be called by the county commissioners of each

1 county, after the expiration of the period prescribed by this
2 section for the exemption, a county may retain not to exceed twenty-
3 five percent (25%) of the increased ad valorem taxes derived from
4 the levy imposed by the county upon the taxable value of property
5 previously exempt pursuant to this section. The revenue retained by
6 the county pursuant to this subsection may be used by the county as
7 an economic development incentive to attract additional investment
8 which will result in additional employment in the county. Only ad
9 valorem tax revenue derived from ten (10) mills of the total ad
10 valorem tax levy imposed by the county may be used for this purpose.
11 The ad valorem tax revenue derived from the levy imposed by any
12 other taxing jurisdiction shall be apportioned as otherwise required
13 by law. The provisions of this subsection shall be applicable to
14 qualified manufacturing concerns exempt prior to the adoption of the
15 amendment contained in this subsection and which become taxable,
16 either by expiration of the exemption period or for other reasons,
17 on or after the date as of which the provisions of this subsection
18 become law and to qualified manufacturing concerns which are exempt
19 for the first time on or after the date of the adoption of the
20 amendment contained in this subsection and which subsequently become
21 taxable.

22 Section 8. A. Except as otherwise provided in Article X of
23 this Constitution, beginning January 1, 1997, all property which may
24 be taxed ad valorem shall be assessed for taxation as follows:

1 1. Tangible personal property shall not be assessed for
2 taxation at less than ten percent (10%) nor more than fifteen
3 percent (15%) of its fair cash value, estimated at the price it
4 would bring at a fair voluntary sale;

5 2. Real property shall not be assessed for ad valorem taxation
6 at a value less than eleven percent (11%) nor greater than thirteen
7 and one-half percent (13.5%) of its fair cash value for the highest
8 and best use for which such property was actually used, or was
9 previously classified for use, during the calendar year next
10 preceding the first day of January on which the assessment is made.
11 The transfer of property without a change in its use classification
12 shall not require a reassessment based exclusively upon the sale
13 value of such property. In connection with the foregoing, the
14 Legislature shall be empowered to enact laws defining
15 classifications of use for the purpose of applying standards to
16 facilitate uniform assessment procedures in this state; and

17 3. All other property which is assessed by the State Board of
18 Equalization shall be assessed for ad valorem taxation at the
19 percentage of its fair cash value, estimated at the price it would
20 bring at a fair voluntary sale, at which it was assessed on January
21 1, 1996.

22 B. Beginning January 1, 1997, the percentage at which real or
23 tangible personal property is assessed within a county shall not be
24 increased except upon approval by ~~a majority~~ at least two-thirds

1 (2/3) of the registered voters of the county, voting at an election
2 called for that purpose by a majority of the county commissioners,
3 or upon a petition initiated by not less than ten percent (10%) of
4 the registered voters of the county based on the total number of
5 votes cast at the last general election for the county office
6 receiving the highest number of votes at the election. In no event
7 shall the percentage be increased by more than one percentage point
8 per year or increase in excess of the limitations set forth in
9 paragraphs 1 and 2 of subsection A of this section. The percentage
10 at which real or tangible personal property is assessed within a
11 county may be decreased, within the limitations set forth in
12 paragraphs 1 and 2 of subsection A of this section, without approval
13 of the voters of the county.

14 C. Any officer or other person authorized to assess values or
15 subjects for taxation, who shall commit any wilful error in the
16 performance of the duties of the office, shall be deemed guilty of
17 malfeasance, and upon conviction thereof shall forfeit the office
18 and be otherwise punished as may be provided by law.

19 Section 9. (a) Except as herein otherwise provided, the total
20 taxes for all purposes on an ad valorem basis shall not exceed, in
21 any taxable year, fifteen (15) mills on the dollar, no less than
22 five (5) mills of which is hereby apportioned for school district
23 purposes, the remainder to be apportioned between county, city, town
24 and school district, by the County Excise Board, until such time as

1 a regular apportionment thereof is otherwise provided for by the
2 Legislature.

3 No ad valorem tax shall be levied for State purposes, nor shall
4 any part of the proceeds of any ad valorem tax levy upon any kind of
5 property in this State be used for State purposes.

6 (b) A tax of four (4) mills on the dollar valuation of all
7 taxable property in the county shall be levied annually in each
8 county of the State for school purposes and, until otherwise
9 provided by law, the proceeds thereof shall be apportioned to the
10 school districts of the county by the County Treasurer on the basis
11 of the legal average daily attendance for the preceding school year
12 as certified by the State Board of Education. Provided that in case
13 a school district lies in more than one county, such district shall
14 be deemed a school district of the county having the greater part of
15 the area comprising such district, unless otherwise provided by law,
16 and shall be entitled to participate in the proceeds of such tax on
17 the same basis as districts lying wholly within such county but
18 revenue from such tax on the assessed valuation of the district in
19 other counties shall, when collected, be transmitted to the County
20 Treasurer of such county having the greater part of the area
21 comprising the district, unless otherwise provided by law, and be
22 apportioned as hereinbefore provided for the proceeds of such tax on
23 the assessed valuation of such county. Not to exceed seventy-five
24 per centum (75%) of the amount received by a school district from

1 the proceeds of such county levy in any year shall be required to
2 finance the State guaranteed program of such district.

3 (c) Upon certification of a need therefor by the board of
4 education of any school district an additional tax of not to exceed
5 fifteen (15) mills on the dollar valuation of all taxable property
6 in the district shall be levied for the benefit of the schools of
7 such district.

8 (d) In addition to the levies hereinbefore authorized, any
9 school district may make an emergency levy for the benefit of the
10 schools of such district, in an amount not to exceed five (5) mills
11 on the dollar valuation of the taxable property in such district
12 when approved by ~~a majority~~ at least two-thirds (2/3) of the
13 electors of the district voting on the question at an election
14 called for such purpose. This emergency levy shall provide only
15 sufficient additional revenue to meet the needs of the district each
16 fiscal year as determined by the board of such district and must be
17 approved by ~~a majority~~ at least two-thirds (2/3) of the electors
18 voting on said question at such an election for each fiscal year.

19 (d-1) In addition to the levies hereinbefore authorized, any
20 school district may make a local support levy for the benefit of the
21 schools of such district, in an amount not to exceed ten (10) mills
22 on the dollar valuation of the taxable property in such district,
23 when approved by ~~a majority~~ at least two-thirds (2/3) of the ad
24 valorem taxpaying voters voting on said question at an election for

1 each fiscal year called for such purposes. This local support levy
2 shall provide only sufficient additional revenue to meet the needs
3 of the district for each such fiscal year as determined by the board
4 of such district; provided, an elector desiring to vote upon such
5 local support levy must present an ad valorem tax receipt for the
6 year immediately preceding before being issued a ballot, or sign a
7 sworn affidavit certifying the fact of such payment.

8 (d-2) A school district may upon approval by ~~a majority~~ at
9 least two-thirds (2/3) of the electors of the district voting on the
10 question make the ad valorem levy for emergency levy and local
11 support levy under (d) and (d-1) of this section permanent. If the
12 question is approved, the levies, in the amount approved as required
13 by this section, shall be made each fiscal year thereafter until
14 such time as a majority of the electors of the district voting on
15 the question rescind the making of the levy permanent. An election
16 on such question shall be held at such time as a petition is signed
17 by ten percent (10%) of the school district electors or a
18 recommendation by the board of education of the school district is
19 made asking that the levies be made each fiscal year.

20 (e) The amount of revenue from school district ad valorem taxes
21 levied under (a) and (c) of this Section which any school district
22 may be required to use to finance its State guaranteed program shall
23 not be in excess of its share, based upon its relative taxpaying
24 ability as may be defined by law, of an amount equivalent to the net

1 proceeds from a fifteen (15) mill tax levy on the aggregate net
2 assessed valuation of the State; but until such relative taxpaying
3 ability is defined by the Legislature, the amount of revenue from
4 such taxes which any school district may be required to use to
5 finance its State guaranteed program shall not be in excess of the
6 net proceeds from an ad valorem tax levy of fifteen (15) mills on
7 the dollar net assessed valuation of the district. No part of the
8 proceeds from any ad valorem levy for emergency levy and local
9 support levy under (d) and (d-1) of this Section shall be required
10 to finance the State guaranteed program of such district.

11 Nothing in the amendments to the Constitution incorporated
12 herein shall be construed to amend, alter or supersede the present
13 application of Article XII-A, Sections 1 and 2 of the Oklahoma
14 Constitution.

15 Section 9A. For the purpose of maintaining or aiding in
16 maintaining a department of health within any county of the State,
17 an additional levy not to exceed two and one-half mills on the
18 dollar of the assessed valuation of the county may be levied
19 annually, when such levy is approved by ~~a majority~~ at least two-
20 thirds (2/3) of the qualified ad valorem tax paying voters of the
21 county, voting on the question at an election called for such
22 purpose by the Board of County Commissioners, or by initiative
23 petition by voters of a county. A maximum levy of two and one-half
24 mills may be made for such purpose after such approval until

1 repealed by a majority of the qualified ad valorem tax paying voters
2 of the county, voting on the question at an election called for such
3 purpose by the Board of County Commissioners, or by initiative
4 petition by voters of a county. Such department of health may be
5 maintained jointly or in conjunction with one or more counties,
6 cities, towns or school districts, or any combination thereof, and
7 shall be maintained as now or hereafter provided by law. Nothing
8 herein shall prohibit other levies or the use of other public funds
9 for such department of health.

10 Section 9B. A. Technology center school districts for
11 technology center schools may be established and a levy of not to
12 exceed five (5) mills on the dollar valuation of the taxable
13 property in any technology center school district so established may
14 be made annually, for the district, when the levy is approved by a
15 ~~majority~~ at least two-thirds (2/3) of the electors of the technology
16 center school district, voting on the question at an election called
17 for that purpose. The levy shall be in addition to all other levies
18 authorized by this Constitution, and when approved, shall be made
19 each fiscal year thereafter until repealed by a majority of the
20 electors of the technology center school district, voting on the
21 question at an election called for that purpose.

22 B. Any technology center school district so established shall
23 be considered as a school district for the purposes of Sections 10
24 and 26 of this Article. The administrative control and direction of
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1 the technology center school district shall be vested in a school
2 board which shall be constituted and empowered as provided for by
3 law for school boards of independent school districts.

4 C. Provisions of other subsections of this section
5 notwithstanding, in any case where a college technology center
6 school district recognized pursuant to Section 4423 of Title 70 of
7 the Oklahoma Statutes and established by vote of the people after
8 December 31, 1968, overlaps and includes territory which is included
9 within the district of a technology center school established as
10 prescribed by the State Board of Career and Technology Education
11 pursuant to Section 14-108 of Title 70 of the Oklahoma Statutes,
12 except as otherwise provided in this section, only the levies made
13 by the college technology center school district shall be applied to
14 the overlap territory. Incentive levies may be applied to the
15 overlap area by either the college technology center school district
16 or technology center school district and revenues from the overlap
17 area collected pursuant to any incentive levy so made shall be
18 apportioned one-half (1/2) to the college technology center school
19 district making the levy and one-half (1/2) to the overlapped
20 technology center school district. Only one district shall make an
21 incentive levy in the overlap territory during any given time
22 period. In any case where a college technology center school
23 district recognized pursuant to Section 4420 or 4420.1 of Title 70
24 of the Oklahoma Statutes overlaps and includes territory which is

1 included within the district of a technology center school
2 established as prescribed by the State Board of Career and
3 Technology Education pursuant to Section 14-108 of Title 70 of the
4 Oklahoma Statutes, said overlap territory shall be subject to all
5 levies of both kinds of districts that are approved by ~~a majority~~ at
6 least two-thirds (2/3) of the electors.

7 D. Provisions of other subsections of this section
8 notwithstanding, in any case where a college technology center
9 school district recognized pursuant to Section 4423 of Title 70 of
10 the Oklahoma Statutes and established by vote of the people after
11 December 31, 1968, but before July 1, 2012, overlaps and includes
12 territory which is included within the district of a technology
13 center school established as prescribed by the State Board of Career
14 and Technology Education pursuant to Section 14-108 of Title 70 of
15 the Oklahoma Statutes, except as otherwise provided in this section,
16 the building fund levy made pursuant to Section 10 of this Article
17 may be applied to the overlap area by either the college technology
18 center school district or technology center school district and
19 revenues from the overlap area collected pursuant to any building
20 fund levy so made shall be apportioned one-half (1/2) to the college
21 technology center school district making the levy and one-half (1/2)
22 to the overlapped technology center school district. Only one
23 district shall make a building fund levy in the overlap territory
24 during any given time period.

1 E. In addition to any other levies authorized by this section,
2 a technology center school district may make a local incentive levy
3 for the benefit of the technology center school district in an
4 amount not to exceed five (5) mills on the dollar valuation of the
5 taxable property in the technology center school district when
6 approved by ~~a majority~~ at least two-thirds (2/3) of those registered
7 voters of the technology center school district voting on the
8 question at an election called for that purpose. Except as
9 otherwise provided, this levy, when approved, shall be made each
10 fiscal year thereafter until repealed by a majority of the electors
11 of the technology center school district voting on the question at
12 an election called for that purpose. A technology center school
13 district which has previously failed to approve a local incentive
14 levy at two consecutive elections held between January 1, 1994, and
15 May 31, 1994, may make a local incentive levy for the benefit of the
16 technology center school district only if approved by ~~a majority~~ at
17 least two-thirds (2/3) of the registered voters of the technology
18 center school district voting on the question at an election for
19 each fiscal year. If ~~a majority~~ at least two-thirds (2/3) of voters
20 approve the local incentive levy for three (3) consecutive years,
21 the levy approved on the third year shall be made each fiscal year
22 thereafter until repealed by a majority of the electors of the
23 technology center school district voting on the question at an
24 election called for that purpose.

1 F. Upon the establishment of technology center school
2 districts, the districts are authorized to become indebted separate
3 and apart from the indebtedness of any school district included in
4 the technology center school district up to five percent (5%) of the
5 net valuation of taxable property within the technology center
6 school district for capital improvements, including purchasing sites
7 and constructing, purchasing, improving, and equipping real property
8 and buildings when the indebtedness is approved by ~~a majority~~ at
9 least two-thirds (2/3) of the electors of the technology center
10 school district voting on the question in an election called for
11 that purpose.

12 G. Until otherwise provided for by law, technology center
13 school districts and the government of technology center school
14 districts shall be established in accordance with criteria and
15 procedures prescribed by the State Board of Career and Technology
16 Education.

17 H. The Legislature may alter, amend, delete, or add to the
18 provisions of this section by law.

19 Section 9C. (a) The board of county commissioners, or boards
20 if more than one county is involved, may call a special election to
21 determine whether or not an ambulance service district shall be
22 formed. An election shall also be called by the board or boards
23 involved upon petition signed by not less than ten percent (10%) of
24 the registered voters of the area affected. Said area may embrace a

1 county, a part thereof, or more than one county or parts thereof,
2 and in the event the area covers only a part or parts of one or more
3 counties, the area must follow school district boundary lines. All
4 registered voters in such area shall be entitled to vote, as to
5 whether or not such district shall be formed, and at the same time
6 and in the same question authorize a tax levy not to exceed three
7 (3) mills for the purpose of providing funds for the purpose of
8 support, organization, operation and maintenance of district
9 ambulance services, known as emergency medical service districts and
10 hereinafter referred to as "districts." If the formation of the
11 district and the mill levy is approved by ~~a majority~~ at least two-
12 thirds (2/3) of the votes cast, a special annual recurring ad
13 valorem tax levy of not more than three (3) mills on the dollar of
14 the assessed valuation of all taxable property in the district shall
15 be levied. The number of mills shall be set forth in the election
16 proclamation, and may be increased in a later election, not to
17 exceed a total levy of three (3) mills. This special levy shall be
18 in addition to all other levies and when authorized shall be made
19 each fiscal year thereafter.

20 Each district which is herein authorized, or established, shall
21 have a board of trustees composed of not less than five members.
22 Such trustees shall be chosen jointly by the board or boards of
23 county commissioners, provided that such membership shall be
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1 composed of not less than one individual from each county or part
2 thereof which is included in said district.

3 Original members of the board of trustees shall hold office, as
4 follows: At the first meeting of said board, board members shall
5 draw lots to determine each trustee's original length of term in
6 office. The number of lots to be provided shall be equal to the
7 number of original members of the board, and lots shall be numbered
8 sequentially from one through five, with lots in excess of the fifth
9 lot being also numbered sequentially from one through five until all
10 lots are numbered. Each original member or members added by an
11 expansion area of the board shall hold office for the number of
12 years indicated on his or her lot. Each year, as necessary, the
13 board or boards of county commissioners shall appoint successors to
14 such members of the board of trustees whose terms have expired, and
15 such subsequent appointments shall be for terms of five (5) years.

16 Such board of trustees shall have the power and duty to
17 promulgate and adopt such rules, procedures and contract provisions
18 necessary to carry out the purposes and objectives of these
19 provisions, and shall individually post such bond as required by the
20 county commissioners, which shall not be less than Ten Thousand
21 Dollars (\$10,000.00).

22 The district board of trustees shall have the additional powers
23 to hire a manager and appropriate personnel, contract, organize,
24 maintain or otherwise operate the emergency medical services within
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1 said district and such additional powers as may be authorized by the
2 Legislature.

3 (b) Any district board of trustees may issue bonds, if approved
4 by ~~a majority~~ at least two-thirds (2/3) vote at a special election
5 for such purpose. All registered voters within the designated
6 district shall have the right to vote in said election. Such bonds
7 shall be issued for the purpose of acquiring emergency vehicles and
8 other equipment and maintaining and housing the same.

9 (c) The bonds authorized above shall not bear interest at a
10 greater rate than that authorized by statute for the issuance of
11 city municipal bonds. Such bonds shall be sold only at public sale
12 after twenty (20) days' advertisement in a newspaper for publication
13 of legal notices with circulation in the district. Any district may
14 refund its bonds as is now provided by law for refunding municipal
15 bonds.

16 (d) Any district board of trustees, upon issuing bonds as
17 authorized in subsection (b) of this section, shall levy a special
18 annual ad valorem tax upon the property within the district, payable
19 annually, in a total amount not to exceed three (3) mills on the
20 dollar, on the real and personal taxable property in such district,
21 for the payment of principal and interest on outstanding bonds,
22 until same are paid. However, the trustees may, from time to time,
23 suspend the collection of such annual levy when not required for the
24 payment of the bonds. In no event shall the real and personal

1 taxable property in any city or town be subject to a special tax in
2 excess of three (3) mills for the payment of bonds issued hereunder.

3 (e) There may also be pledged to the payment of principal and
4 interest of the bonds herein authorized to be issued: (1) any net
5 proceeds from operation of the district that the board of trustees
6 of the district shall deem not necessary to the future operation and
7 maintenance of said emergency medical service; or (2) any monies
8 available from other funds of the district not otherwise obligated.

9 (f) Bonds shall be issued for designated sums with serial
10 numbers thereon and maturing annually after three (3) years from
11 date of issue. All bonds and interest thereon shall be paid upon
12 maturity and no bonds shall be issued for a period longer than
13 thirty (30) years. Any district board of trustees may in its
14 discretion schedule the payment of principal over the thirty-year
15 period so that when interest is added there will be approximately
16 level annual payments of principal and interest.

17 (g) In the event the mill levy as set forth in the original
18 election proclamation is less than three (3) mills, the board of
19 trustees may request the county commissioners to call a subsequent
20 election to consider increasing the mill levy; provided, however,
21 the total levy authorized by subsection (a) hereof shall not exceed
22 three (3) mills.

23 (h) The board of trustees of any district shall have
24 jurisdiction over the sale or refunding of any bonds issued by the

1 district and shall be responsible for the economical expenditure of
2 the funds derived from the bonds.

3 (i) Such districts shall be empowered to charge fees for
4 services, and accept gifts, funds or grants from sources other than
5 the mill levy, which shall be used and accounted for in a like
6 manner. Persons served outside the district shall be charged an
7 amount equal to the actual costs for the service, not taking into
8 account any income the district receives from millage or sources
9 within the district. The board of trustees shall have legal
10 authority to bring suits necessary to collect accounts owed and to
11 sue and defend as necessary for the protection of the board. The
12 State Auditor and Inspector shall conduct an annual audit of the
13 operations of such districts.

14 (j) Any emergency medical service district may expand to
15 include other counties or parts thereof, provided that an election
16 is called by the county commissioners whose county or counties, or
17 parts thereof, are to be added to in the established district; and
18 provided further, that the county commissioners in the original
19 district concur in the calling of said election. The proposed
20 expansion area shall only be added to the original district if
21 approved separately by ~~a majority~~ at least two-thirds (2/3) vote, by
22 the voters in both the original district and in the expansion area,
23 at an election called for that purpose. The county in which the
24 expansion area is located shall have not less than one member on the

1 board of trustees. Appropriate millage or other approved method of
2 financial support shall be levied in the expansion area, when said
3 area is added to the original district which millage shall be levied
4 at the rate used to cover operational costs and outstanding bonded
5 indebtedness as provided in Section 9C, (d) and (e), Article X.

6 (k) Any county or parts thereof may withdraw from a district
7 provided that an election is called by the county commissioners of
8 the county whose county or parts thereof is to be withdrawn from the
9 district. The county or parts thereof shall be withdrawn from the
10 district if approved by a majority vote of the voters in the county
11 at an election called for such purpose. If the county commissioners
12 are presented a petition signed by not less than twenty percent
13 (20%) of all registered voters in the county, the county
14 commissioners shall call an election. The petition for an election
15 for a county or parts thereof to withdraw from a district and the
16 ballot shall provide for the payment of any debt for operational
17 costs and outstanding bonded indebtedness in proportional shares,
18 for which the county or parts thereof would be responsible as a
19 result of the membership of the county or parts thereof in the
20 district.

21 (l) Any district may be dissolved, or the millage levy ~~changed~~
22 reduced, by a majority vote of the registered voters voting at an
23 election called for that purpose by the county commissioners of each
24 county or part thereof included within the district. The millage

1 may be increased by at least two-thirds (2/3) vote of the registered
2 voters voting at an election called for that purpose by the county
3 commissioners of each county or part thereof included within the
4 district; provided that such an election shall not be called unless
5 either three-fifths (3/5) of the trustees of such district request
6 the county commissioners to call such an election, or the respective
7 county commissioners are presented a petition signed by not less
8 than twenty percent (20%) of all registered voters in the district.

9 (m) In the event a district is dissolved, any mill levy used to
10 support, organize, operate and maintain the emergency medical
11 service district shall cease, provided that such mill levy shall not
12 cease until all outstanding emergency medical service bonds of that
13 district are retired and all other debts incurred by the emergency
14 medical service district have been satisfied.

15 (n) All elections called under the provisions hereof shall be
16 conducted by the county election board or boards of each county or
17 counties involved, upon receipt of an election proclamation, issued
18 by a majority of the board or boards of county commissioners in the
19 area affected. In the event more than one county is involved, said
20 proclamation must be a joint proclamation from a majority of the
21 board of county commissioners of each county involved. Said
22 proclamation shall be published in one issue of a newspaper of
23 general circulation in each county involved in the area affected at
24 least ten (10) days prior to said election, and said proclamation

1 shall set forth the purpose of the election, and the date thereof.

2 The county election board or boards shall certify the results of an
3 election to the board or boards issuing such proclamation.

4 (o) The board of any district shall have capacity to sue and be
5 sued. Provided, however, the board shall enjoy immunity from civil
6 suit for actions or omissions arising from the operation of the
7 district, so long as, and to the same extent as, municipalities and
8 counties within the state enjoy such immunity.

9 (p) In lieu of proceeding to establish a district as outlined
10 hereinabove through the county commissioners, the governing body of
11 any incorporated city or town may proceed to form a district, join
12 an existing district or join with other incorporated cities or towns
13 in forming a district. In such case, said governing body shall be
14 considered as being substituted as to the powers and duties of said
15 county commissioners as set forth hereinabove; provided, further,
16 said city or town shall be considered as being substituted as to the
17 powers and duties of a district formed, as set forth hereinabove.
18 All rights, duties, privileges and obligations of the residents and
19 voters in such city or town shall be the same as those outlined for
20 the district as set forth above.

21 Section 9D. A. The board of county commissioners of any county
22 may call a special election to determine whether or not the board
23 shall provide solid waste management services for the county. An
24 election shall also be called by the board upon petition signed by

1 not less than ten percent (10%) of the registered voters of the
2 county. All registered voters in such county shall be entitled to
3 vote, as to whether or not such services shall be provided, and at
4 the same time and in the same question authorize a tax levy of not
5 to exceed three (3) mills for the purpose of providing funds for the
6 purpose of support, organization, operation and maintenance of such
7 services. If the provision of the services and the mill levy is
8 approved by ~~a majority~~ at least two-thirds (2/3) of the votes cast,
9 a special annual recurring ad valorem tax levy of not more than
10 three (3) mills on the dollar of the assessed valuation of all
11 taxable property in the county shall be levied. The number of mills
12 shall be set forth in the election proclamation, and may be
13 increased in a later election, not to exceed a total levy of three
14 (3) mills. This special levy shall be in addition to all other
15 levies and when authorized shall be made each fiscal year
16 thereafter.

17 B. Upon passage of the question, the board of county
18 commissioners shall provide solid waste management services for
19 county residents and businesses. The board may provide for one or
20 more disposal facilities and for solid waste collection services.
21 The board may purchase landfill sites, construct and operate
22 landfills and transfer stations and other solid waste disposal and
23 handling facilities. The board shall provide a solid waste disposal
24 and collection system for the county, using the funds available from

1 the millage levy and any service charges the board may assess. The
2 board may purchase, operate, and maintain vehicles for curbside or
3 roadside solid waste collection. In rural areas where curbside
4 collection services may not be economically feasible, the board may
5 construct and operate transfer stations for areawide collection and
6 transfer of solid waste to ultimate disposal sites.

7 C. The board of county commissioners of a county in which the
8 question has passed shall have the power and duty to promulgate and
9 adopt such rules, procedures and contract provisions necessary to
10 implement the purposes and objectives of this section. The board of
11 county commissioners shall have the additional powers to hire a
12 manager and appropriate personnel, contract, organize, maintain or
13 otherwise operate the solid waste management services within said
14 county and such additional powers as may be authorized by the
15 Legislature.

16 D. Two or more counties in which the question has passed may
17 enter into agreements with each other to provide solid waste
18 management services in all counties involved in the most economical
19 fashion, including agreements to provide collection and disposal
20 services for each other where areas in one county may be more
21 economically served by facilities located in another county.

22 E. In addition to other powers provided for pursuant to the
23 provisions of this section, the board of county commissioners of any
24 county in which the question has passed may issue bonds, if approved
25

1 by ~~a majority~~ at least two-thirds (2/3) vote at a special election
2 for such purpose. All registered voters within the county shall
3 have the right to vote in said election. Such bonds may be issued
4 for the purpose of:

- 5 1. acquiring vehicles, equipment and other necessary items;
- 6 2. purchasing landfill sites;
- 7 3. constructing landfills, transfer stations, or other
8 facilities for solid waste management, disposal, and recycling; and
- 9 4. operating and maintaining all of the above listed items.

10 Landfill sites, equipment and other items, no longer needed,
11 shall be disposed of as provided for by law for the sale of county-
12 owned property.

13 F. The bonds authorized, pursuant to the provisions of
14 subsection E of this section shall not bear interest at a greater
15 rate than that authorized by statute for the issuance of city
16 municipal bonds. Such bonds shall be sold only at public sale after
17 twenty (20) days' advertisement in a newspaper of general
18 circulation in the county. Any county may refund its bonds as is
19 now provided by law for refunding municipal bonds.

20 G. Any board of county commissioners, upon issuing bonds as
21 authorized in subsection E of this section, shall levy a special
22 annual ad valorem tax upon the property within the county, payable
23 annually, in a total amount not to exceed three (3) mills on the
24 dollar, on the real and personal taxable property in such county,

1 for the payment of principal and interest on outstanding bonds,
2 until same are paid. However, the board may suspend, from time to
3 time, the collection of such annual levy when not required for the
4 payment of the bonds.

5 H. There may also be pledged to the payment of principal and
6 interest of the bonds authorized to be issued:

7 1. any net proceeds from operation of the county solid waste
8 management services that the board of county commissioners shall
9 deem not necessary to the future operation, maintenance or closure
10 of said solid waste management services and facilities; or

11 2. any monies available from other funds of the county not
12 otherwise obligated.

13 I. Bonds shall be issued for designated sums with interest
14 payable semiannually and with the principal maturing annually
15 beginning not more than three (3) years from date of issue. All
16 bonds and interest thereon shall be paid upon maturity and no bonds
17 shall be issued for a period longer than thirty (30) years. Any
18 board of county commissioners may in its discretion schedule the
19 payment of principal over the period of maturity of the bond issue,
20 so that when interest is added there will be approximately level
21 annual payments of principal and interest.

22 J. In the event the mill levy as provided for in the original
23 election proclamation is less than three (3) mills, the board of
24 county commissioners may call a subsequent election to consider

1 increasing the mill levy; provided, however, the total levy
2 authorized by subsection A of this section shall not exceed three
3 (3) mills.

4 K. The board of county commissioners shall have jurisdiction
5 over the sale or refunding of any bonds issued by the county
6 pursuant to the provisions hereof, and shall be responsible for the
7 economical expenditure of the funds derived from the bonds.

8 L. The board of county commissioners shall be empowered to
9 charge fees for services, and accept gifts, funds or grants from
10 sources other than the mill levy, which shall be used and accounted
11 for in a like manner. Persons served outside the county shall be
12 charged an amount equal to the actual costs for providing the
13 service, not taking into account any income the county receives from
14 millage or sources within the county. The board shall have legal
15 authority to bring such suits necessary to collect accounts owed and
16 to sue and defend as necessary for the protection of the board. The
17 State Auditor and Inspector shall conduct an annual audit of the
18 solid waste management operations of such counties.

19 M. Any county may cease providing solid waste management
20 services, or cause the millage levy authorized by subsection G of
21 this section to be ~~changed~~ reduced, by a majority vote of the
22 registered voters voting at an election called for that purpose by
23 the board of county commissioners, or cause the millage levy to be
24 increased by at least two-thirds (2/3) vote of the registered voters

1 voting at an election called for that purpose by the board of county
2 commissioners. Such an election shall not be called unless either
3 two-thirds (2/3) of the board members vote to call such an election,
4 or the board is presented a petition signed by not less than twenty
5 percent (20%) of all registered voters in the county.

6 N. If a county ceases to provide solid waste management
7 services, any mill levy used to support, organize, operate and
8 maintain the services and facilities shall cease, provided that such
9 mill levy shall not cease until all outstanding solid waste
10 management services bonds of that county are retired, all other
11 debts incurred by the county in providing solid waste management
12 services have been satisfied, and all facilities have been properly
13 closed as provided for by law.

14 O. All elections called pursuant to the provisions of this
15 section shall be conducted by the county election board of each
16 county involved, upon receipt of an election proclamation, issued by
17 the board of county commissioners in the county affected. Said
18 proclamation shall be published in one issue of a newspaper of
19 general circulation in the county at least ten (10) days prior to
20 said election. The proclamation shall set forth the purpose of the
21 election, and the date thereof. The county election board shall
22 certify the results of the election to the board issuing the
23 proclamation.
24

1 Section 10. A. For the purpose of erecting public buildings in
2 counties or cities, or for the purpose of raising money for a
3 building fund for a school district which may be used for erecting,
4 remodeling or repairing school buildings, and for purchasing
5 furniture, the rates of taxation herein limited may be increased,
6 when the rate of such increase and the purpose for which it is
7 intended shall have been submitted to a vote of the people, and a
8 ~~majority~~ at least two-thirds (2/3) of the qualified voters of such
9 county, city, or school district, voting at such election, shall
10 vote therefor: Provided, that such increase shall not exceed five
11 (5) mills on the dollar of the assessed value of the taxable
12 property in such county, city, or school district.

13 B. A school district may upon approval by ~~a majority~~ at least
14 two-thirds (2/3) of the electors of the district voting on the
15 question make the ad valorem levy for a building fund under
16 subsection A of this section permanent. If the question is
17 approved, the levy in the amount approved as required by this
18 section, shall be made each fiscal year thereafter until such time
19 as a majority of the electors of the district voting on the question
20 rescind the making of the levy permanent. An election on such
21 question shall be held at such time as a petition is signed by ten
22 percent (10%) of the school district electors or a recommendation by
23 the board of education of the school district is made asking that
24 the levies be made each fiscal year.

1 Section 10A. To provide funds for the purpose of establishing
2 and maintaining or aiding in establishing and maintaining public
3 libraries and library services, a special annual recurring ad
4 valorem tax shall be levied when such levy is approved by ~~a majority~~
5 at least two-thirds (2/3) vote of the qualified electors of the
6 county voting on the question at an election called for that purpose
7 by the Board of County Commissioners, either upon its own initiative
8 or upon petition initiated by not less than ten percent (10%) of the
9 qualified electors of the county based on the total number of votes
10 cast at the last general election for the county office receiving
11 the highest number of votes at such an election.

12 Except as provided in this section, in a county having less than
13 one hundred fifty thousand (150,000) population, according to the
14 most recent Federal Decennial Census, the special annual recurring
15 ad valorem tax levy shall be not less than one (1) mill nor more
16 than four (4) mills on the dollar of the assessed valuation of all
17 taxable property in the county. In a county having more than one
18 hundred fifty thousand (150,000) population or in a multicounty
19 library system with a county having more than one hundred fifty
20 thousand (150,000) population, according to the most recent Federal
21 Decennial Census, the special annual recurring ad valorem tax levy
22 for each such county shall be not less than one (1) mill nor more
23 than six (6) mills on the dollar of the assessed valuation of all
24 taxable property in the county.

1 This special levy shall be in addition to all other levies and
2 when authorized shall be made each fiscal year thereafter until such
3 authority shall be cancelled by a majority vote of the qualified
4 electors of the county voting on the question at an election called
5 for that purpose by the Board of County Commissioners upon petition
6 initiated by not less than twenty percent (20%) of the qualified
7 electors of the county based on the total number of votes cast at
8 the last general election for the county office receiving the
9 highest number of votes at such an election.

10 The proceeds of such levy shall be used by the county for
11 creation, development, operation and maintenance of such public
12 libraries and library services as are authorized by the Legislature.
13 Nothing herein shall prohibit other levies for public libraries and
14 library services or the use of other public funds for such purposes.
15 All expenditures of the proceeds of such levies shall be made in
16 accordance with laws heretofore or hereafter enacted concerning such
17 libraries and library services. The provisions hereof shall be
18 self-executing.

19 Section 10B. For the purpose of operating and maintaining
20 municipal-owned hospitals in cities, the rates of taxation herein
21 limited may be increased, when the rate of such increase and the
22 purpose of which it is intended shall have been submitted to a vote
23 of the people, and ~~a majority~~ at least two-thirds (2/3) of the
24 qualified voters of such city, voting at such election, shall vote

1 therefor: Provided, that such increase shall not exceed five (5)
2 mills on the dollar of the assessed value of the taxable property in
3 such city.

4 Section 25. Except the debts specified in sections twenty-three
5 and twenty-four of this article, no debts shall be hereafter
6 contracted by or on behalf of this State, unless such debt shall be
7 authorized by law for some work or object, to be distinctly
8 specified therein; and such law shall impose and provide for the
9 collection of a direct annual tax to pay, and sufficient to pay, the
10 interest on such debt as it falls due, and also to pay and discharge
11 the principal of such debt within twenty-five years from the time of
12 the contracting thereof. No such law shall take effect until it
13 shall, at a general election, have been submitted to the people and
14 have received ~~a majority~~ approval of at least two-thirds (2/3) of
15 all the votes cast for and against it at such election. On the
16 final passage of such bill in either House of the Legislature, the
17 question shall be taken by yeas and nays, to be duly entered on the
18 journals thereof, and shall be: "Shall this bill pass, and ought
19 the same to receive the sanction of the people?"

20 Section 26. (a) Except as herein otherwise provided, no
21 county, city, town, township, school district, or other political
22 corporation, or subdivision of the state, shall be allowed to become
23 indebted, in any manner, or for any purpose, to an amount exceeding,
24 in any year, the income and revenue provided for such year without
25

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

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

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

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

23 (b) If a county approves an exemption of household goods of the
24 heads of families and livestock employed in support of the family

1 from ad valorem taxation pursuant to the provisions of subsection
2 (b) of Section 6 of this article, the percentage limitations on
3 indebtedness as specified in subsection (a) of this section for
4 political subdivisions or political corporations located in any such
5 county shall be adjusted by multiplying the percentage levels
6 specified in subsection (a) of this section by the millage
7 adjustment factor as specified in subsection (b) of Section 8A of
8 this article.

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

11 Section 27. Any incorporated city or town in this state may, by
12 ~~a majority~~ approval of at least two-thirds (2/3) of the voters of
13 such city or town, voting at an election to be held for that
14 purpose, be allowed to become indebted in a larger amount than that
15 specified in Section 26, for the purpose of purchasing or
16 constructing public utilities, or for repairing the same, to be
17 owned exclusively by such city or town, or for the purpose of
18 constructing, reconstructing, improving or repairing streets or
19 bridges. Provided, that any such city or town incurring any such
20 indebtedness requiring the assent of the voters as aforesaid, shall
21 have the power to provide for, and, before or at the time of
22 incurring such indebtedness, shall provide for the collection of an
23 annual tax in addition to the other taxes provided for by this
24 Constitution, sufficient to pay the interest on such indebtedness as

1 it falls due, and also to constitute a sinking fund for the payment
2 of the principal thereof within twenty-five years from the time of
3 contracting the same.

4 Section 27A. Any incorporated city or town in Oklahoma may
5 individually or jointly, after approval of the proposition by a
6 majority of the qualified electors voting in an election in each of
7 said cities and towns, contract and pledge revenues for a term of
8 years with other cities or towns, the State of Oklahoma, the United
9 States of America, or any other governmental subdivision or agency
10 of any of them, for the purpose of purchasing water, constructing,
11 acquiring, or operating water facilities, or purchasing or leasing
12 reservoir space. Any one or more incorporated cities and towns in
13 Oklahoma may after approval of the proposition by ~~a majority~~ at
14 least two-thirds (2/3) of the qualified electors voting in an
15 election in each of said cities and towns issue bonds payable over a
16 period not to exceed thirty (30) years and secured by revenues
17 derived from the sale of water for the joint construction,
18 acquisition, repair, extension or improvement of said water
19 facilities; and thereafter enact ordinances giving effect to the
20 provisions of this section. This section shall be independent and
21 shall not be limited by or limit other existing provisions of the
22 Constitution relating to municipal water or the financing thereof,
23 nor shall it be exclusive as to other agencies of the State of
24 Oklahoma authorized by law to incur indebtedness, Section 27 of

1 Article X of the Constitution which pertains to incurring of tax
2 secured indebtedness by cities and towns for public utilities is
3 hereby amended to permit joint ownership by cities and towns of
4 water facilities.

5 Section 27B. A. Any incorporated city or town may borrow money
6 or issue bonds, notes or other evidences of indebtedness, which debt
7 shall be payable from and secured by revenues over a term of years,
8 for the purpose of financing the purchase, construction, or
9 improvement of any public utility or combination of public utilities
10 which shall be owned exclusively by such city or town in the
11 following manner:

12 1. The governing body of a city or town shall submit the
13 question of financing the purchase or construction of a public
14 utility or combination of public utilities to the qualified voters
15 at an election if:

- 16 a. the public utility or combination of public utilities
17 has not been voted on by the voters of the city or
18 town at any time during a ten-year period preceding
19 the date of the election, or
20 b. the public utility or combination of public utilities
21 does not come within the terms of paragraph 3 of this
22 subsection;

23 2. If the question of financing the purchase or construction of
24 a public utility or combination of public utilities has been
25

1 approved by ~~a majority~~ at least two-thirds (2/3) vote of the
2 qualified voters voting on the question at an election, or if
3 improvements to a public utility or combination of public utilities
4 pursuant to paragraph 3 of this subsection are authorized, the
5 governing body of a city or town may borrow money or issue bonds,
6 notes or other evidences of indebtedness, which debt shall be
7 payable from and secured by revenues over a term of years, upon an
8 affirmative vote of at least three-fourths (3/4) of all the members
9 of such governing body;

10 3. Any additions, extensions, reconstruction, maintenance,
11 repairs or other improvement to any public utility or combination of
12 public utilities of a city or town may be financed by the city or
13 town if the original financing of the purchase or construction of
14 the public utility was approved by ~~a majority~~ at least two-thirds
15 (2/3) vote of the qualified voters voting on the question at an
16 election, or if the public utility or combination of public
17 utilities acquired by the city or town was financed originally by
18 bonds or other debt of a public trust of which the city or town is a
19 beneficiary, excluding an industrial trust. Any such bonds or other
20 debt originally issued by a public trust of which the city or town
21 is a beneficiary, excluding an industrial trust, may be refunded by
22 the governing body of the city or town in the manner provided in
23 paragraph 2 of this subsection.

1 B. Nothing in this section shall allow an indebtedness of the
2 city or town, other than revenues pledged from the utility involved.

3 C. The revenue indebtedness or contractual obligations of any
4 city or town incurred pursuant to this section shall be a limited
5 obligation payable from and secured by a lien and charge on revenues
6 or funds so pledged for their payment by the governing body of the
7 city or town, and shall not constitute an indebtedness of the city
8 or town for the purpose of any constitutional or statutory
9 limitation.

10 D. This section shall be independent and shall not be limited
11 by or limit other provisions of the Oklahoma Constitution or
12 statutes relating to financing public utilities or indebtedness of a
13 city or town, nor shall it be exclusive as to other agencies of this
14 state authorized by law to incur indebtedness. As used in this
15 section, the words "public utility" shall have the same meaning as
16 the words "public utilities" in Section 27 of Article X of the
17 Constitution.

18 E. Notwithstanding any provision to the contrary, the
19 provisions of this section shall not apply to the purchase of any
20 utility regulated by the Oklahoma Corporation Commission or to the
21 purchase of any facility or property of any such utility, unless the
22 purchase is made with the agreement and consent of the utility,
23 including its agreement and consent as to a specific price to be
24 paid in connection with the purchase.

1 Section 35. (a) Any incorporated town and any county may
2 issue, by and with the consent of ~~the majority~~ at least two-thirds
3 (2/3) of the registered voters of said municipality or county voting
4 on the question at an election held for the purpose, bonds in sums
5 provided by such ~~majority~~ voters at such election for economic
6 development or community development purposes, as may be defined by
7 law, within or near the said municipality or county holding the
8 election.

9 (b) Such bonds shall bear interest at a rate as set by law and
10 shall be sold in a manner prescribed by law.

11 (c) To provide for the payment of all such bonds outstanding,
12 principal, and interest as they mature, the municipality or county
13 may:

14 (1) levy a special tax, payable annually, in a total amount not
15 to exceed five (5) mills on the dollar, in addition to the legal
16 rate permitted, on the real and personal taxable property therein;
17 provided, however, that in no event shall the real and personal
18 taxable property in any city or town be subject to a special tax in
19 excess of five (5) mills for bonds issued hereunder;

20 (2) levy a special sales tax, payable as may be prescribed by
21 law, in a total amount not to exceed one cent (\$0.01) on the dollar,
22 in addition to the legal rate permitted, upon the sale of tangible
23 personal property and services, not otherwise exempted by law;
24
25

1 (3) apportion revenues pursuant to Section 6C of Article X of
2 the Constitution, in a manner prescribed by law; or

3 (4) implement any combination of paragraphs (1) through (3) of
4 this subsection.

5 Provided, however, that the source or sources of revenue and the
6 irrevocable pledge thereof shall be set forth in the ballot.

7 (d) Such bonds shall be issued under terms prescribed by law.

8 (e) (1) The governing body of the municipality or the county
9 commissioners of the county shall exercise jurisdiction over the
10 sale or exchange of any such bonds voted by the electors at an
11 election held for that purpose and shall expend economically the
12 funds so provided.

13 (2) In the expenditure and use of proceeds from the sale of
14 said bonds, the said governing body is hereby authorized and
15 directed to coordinate its industrial development plans and projects
16 insofar as practicable with similar plans and projects of local
17 industrial development agencies and the Oklahoma Industrial Finance
18 Authority, as set forth in Section 34 of Article X of the
19 Constitution, so as to supplement funds to be derived from these and
20 other sources, including federal aid available to economically
21 depressed areas, if any; and to the extent that federal requirements
22 shall require subordination of liens securing loans from the
23 Oklahoma Industrial Finance Authority or from other sources, as a
24

1 condition to the obtaining of such federal aid, the same is hereby
2 approved and authorized.

3 (f) The election on the issuance of such bonds shall be held at
4 such time as the governing body of the municipality may designate by
5 ordinance, or as the county commissioners of the county may
6 designate by order, which ordinance or order shall state the sum
7 total of issue, the dates of maturities thereof, and shall fix the
8 date of election so that it shall not occur earlier than thirty (30)
9 days after the passage of the said ordinance or the granting of said
10 order. All elections called pursuant to this section shall be
11 conducted by the appropriate county election board or boards
12 pursuant to the general election laws of the state. The said
13 election shall be held and conducted, the vote thereof canvassed,
14 and the result thereof declared under the law and in the manner now
15 or hereafter provided for municipal elections when the election is
16 held by a municipality, and in the manner now or hereafter provided
17 for county elections when the election is held by a county, so far
18 as the same may be applicable, except as herein otherwise provided.
19 Notice of the election shall be given by the mayor of the
20 municipality or by the county commissioners of the county by
21 advertisement weekly for at least four times in some newspaper
22 having a bona fide circulation in the said municipality or county,
23 with the last publication to be not less than ten (10) days prior to
24 the date of the said election. Only registered voters of the said

1 municipality or county shall have a right to vote at the said
2 election. The result of the said election shall be proclaimed by
3 the mayor of the municipality or by the county commissioners of the
4 county, and the result as proclaimed shall be conclusive, unless
5 attacked in the courts within thirty (30) days after the date of
6 such proclamation.

7 (g) The tax levies or revenue apportionment associated with
8 bonds issued pursuant to this section and the pledge thereof, may
9 not be revoked during the term of such bonds; provided, however, the
10 municipality or county may, from time to time, suspend the
11 collection of such levy or apportioned revenues when not required
12 for the payment of its bonds.

13 (h) The Legislature may provide by law for the creation of
14 regional economic development districts, comprised of two or more
15 municipalities or counties, or a combination of one or more
16 municipalities and counties, and may specify the terms and
17 conditions under which the bonds authorized in this section may be
18 issued by municipalities and counties located within such districts.
19 The provisions of paragraph (f) of this section shall not apply to
20 any bonds issued in accordance with this paragraph unless such
21 provisions are made expressly applicable by law.

22 SECTION 3. The Secretary of State shall refer to the people for
23 their approval or rejection, as and in the manner provided by law,
24

1 the following proposed amendment to the Oklahoma Constitution by
2 adding a new Section 44 to Article X to read as follows:

3 Section 44. Any proposal, measure, or state question of this
4 state or any political subdivision that authorizes the issuance of
5 debt, levies a tax, extends the levy of a tax, or increases the rate
6 of an existing tax shall require approval by at least two-thirds
7 (2/3) of the registered voters voting thereon. The Legislature
8 shall enact laws to effectuate the provisions of this section.

9 SECTION 4. The Ballot Title for the proposed Constitutional
10 amendment as set forth in SECTIONS 1, 2, and 3 of this resolution
11 shall be in the following form:

12 BALLOT TITLE

13 Legislative Referendum No. _____ State Question No. _____

14 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

15 This measure would amend several sections within Article 5 and
16 Article 10 of the Oklahoma Constitution and would modify the
17 voting threshold to be the approval of at least two-thirds of
18 registered voters voting in an election to form taxing
19 jurisdictions, levy a tax, increase a tax, and issue debt. The
20 measure also adds a new Section 44 to Article X of the Oklahoma
21 Constitution to require approval by at least two-thirds of the
22 registered voters voting in an election that authorizes the
23 state or any political subdivision to issue debt, levy a tax,
24

1 extend the levy of a tax, or increase the rate of an existing
2 tax.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL — YES _____

5 AGAINST THE PROPOSAL — NO _____

6 SECTION 5. The President Pro Tempore of the Senate shall,
7 immediately after the passage of this resolution, prepare and file
8 one copy thereof, including the Ballot Title set forth in SECTION 4
9 hereof, with the Secretary of State and one copy with the Attorney
10 General.

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