

1 ENGROSSED HOUSE
2 BILL NO. 1374

By: Watson of the House

3 and

4 Holt of the Senate
5
6

7 An Act relating to cities and towns; creating the
8 Oklahoma Public Safety Protection District Act;
9 permitting municipalities to initiate creation of a
10 public safety protection district; directing a
11 resolution be submitted to the registered voters of
12 the municipality; conferring powers; describing
13 territory of the public safety protection district;
14 providing for management and budgetary oversight;
15 declaring a public safety protection district to be a
16 political subdivision; requiring municipality to pay
17 for election in proportions determined by county;
18 providing for notice of election; stating question to
19 be worded on the ballot; describing eligible voters;
20 providing for conduct of election subject to general
21 election laws; requiring majority of votes cast to
22 establish district; directing filing of ordinance or
23 resolution; providing for levy of annual assessment
24 on certain property based on assessed value and
specifying purpose thereof; specifying types of
property to be assessed; providing exemptions;
providing for a lien against property if assessment
is unpaid; stating priority of lien; directing
specified accounting procedures by certain county
officers; directing certain costs be paid from the
proceeds of the district; requiring interest to be
charged on delinquent assessment; permitting
dissolution of a public safety protection district
and describing process therefor; defining term;
providing for codification; and providing an
effective date.

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

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

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

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

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

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

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

23 B. Management of the public safety protection district, as well
24 as management of any employee hired from district funds, shall be

1 vested within the existing administration of the municipal
2 government that created the district.

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

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

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

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

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

1 be in charge at the usual polling place of each regular precinct, or
2 part of a precinct, which shall include lands within the boundaries
3 of the municipality.

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

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

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

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

1 who provide law enforcement or fire protection public safety
2 services or both law enforcement and fire protection services within
3 the district, and costs assessed for housing prisoners of the
4 municipality in the county jail. Such proceeds may also be used for
5 payment of any costs related to fire and police operations and jail
6 operations. Such assessment shall only be levied on the types of
7 property located in the district as provided in paragraphs 1, 2 and
8 3 of subsection A of Section 2803 of Title 68 of the Oklahoma
9 Statutes.

10 B. The annual assessment provided in subsection A of this
11 section shall not apply to real property zoned for agricultural or
12 industrial land use, livestock employed in support of the family and
13 personal property owned by for-profit business entities.

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

17 Every assessment levied under the authority of the Oklahoma
18 Public Safety Protection District Act shall be a lien against the
19 tract of land on which it has been levied, until paid, and the lien
20 shall be coequal with the lien of ad valorem and other taxes,
21 including special assessments, and prior and superior to all other
22 liens, and the assessment shall draw interest and shall be collected
23 in the same manner as ad valorem taxes.

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

4 The county assessor shall compute and enter in respective
5 columns of the tax rolls the respective sums in dollars and cents to
6 be paid on each piece of property therein enumerated. The county
7 clerk shall certify to the county treasurer in the county where the
8 district or any part thereof is located the amount of assessment in
9 each fund levied upon each tract. The county treasurer shall enter
10 the amount of each in separate columns of the tax list of the
11 county. The assessments shall be collected by the county treasurer
12 at the same time and in the same manner as all other taxes are
13 collected in this state. Costs associated with the collection of
14 the assessments incurred by the county treasurer shall be paid from
15 the proceeds of the district. If any assessment becomes delinquent,
16 it shall draw interest as a penalty after delinquency at the rate of
17 eighteen percent (18%) per annum. All assessments and penalties
18 collected or received by the county treasurer pursuant to the
19 Oklahoma Public Safety Protection District Act shall be paid to the
20 municipal treasurers in their proportionate amounts for the benefit
21 of the public safety protection district.

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

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

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

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

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

15 Passed the House of Representatives the 22nd day of March, 2017.

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18 Presiding Officer of the House
of Representatives

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20 Passed the Senate the ___ day of _____, 2017.

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22 Presiding Officer of the Senate

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