

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE JOINT
4 RESOLUTION 1026

By: Moore

5
6 AS INTRODUCED

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8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection a proposed amendment to Section 26 of
11 Article X of the Constitution of the State of
12 Oklahoma; modifying provisions related to debt
13 incurred by school districts; providing debt incurred
14 by school districts not subject to limit based upon
15 taxable valuation; deleting obsolete date reference;
16 providing ballot title; and directing filing.

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19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
20 1ST SESSION OF THE 58TH OKLAHOMA LEGISLATURE:

21 SECTION 1. The Secretary of State shall refer to the people for
22 their approval or rejection, as and in the manner provided by law,
23 the following proposed amendment to Section 26 of Article X of the
24 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
indebted, in any manner, or for any purpose, to an amount exceeding,
in any year, the income and revenue provided for such year without

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

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

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

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

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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 remove the debt limit
24 for school districts. If approved, there would not be a limit

1 on school district debt based on the taxable valuation of
2 property. The measure also removes an obsolete date reference.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL - YES _____

5 AGAINST THE PROPOSAL - NO _____

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

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12 58-1-6770 MAH 01/15/21
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