

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1240

By: Mazzei of the Senate

and

Watson of the House

8
9 COMMITTEE SUBSTITUTE

10 An Act relating to cities and towns; creating the
11 Oklahoma Public Safety Protection District Act;
12 permitting municipalities to initiate creation of a
13 public safety protection district; directing a
14 resolution be submitted to the registered voters of
15 the municipality; conferring powers; describing
16 territory of the public safety protection district;
17 providing for management and budgetary oversight;
18 declaring a public safety protection district to be a
19 political subdivision; allowing municipality to fund
20 the election; providing for notice of election;
21 stating question to be worded on the ballot;
22 describing eligible voters; providing for conduct of
23 election subject to general election laws; requiring
24 majority of votes cast to establish district;
 directing filing of ordinance; providing for timing
 of election; establishing election cost to be paid by
 district under specified circumstances; providing for
 supply of ballots; providing for levy of annual
 assessment 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

1 and describing process therefor; providing for
2 codification; and providing an effective date.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

13 The governing body of a municipality within the county may
14 initiate the creation of a public safety protection district by the
15 adoption of a joint resolution calling for the question to be placed
16 before the registered voters of the municipality of whether to
17 organize a public safety protection district. The joint resolution
18 shall be submitted to the registered voters of the municipality at
19 the next general election, or a special election may be held
20 pursuant to the provisions of Section 3-101 of Title 26 of the
21 Oklahoma Statutes. When a district is organized, it shall have the
22 powers conferred by the Oklahoma Public Safety Protection District
23 Act.

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

4 A. A public safety protection district shall include all
5 territory located within the municipality.

6 B. Management of the public safety protection district, as well
7 as management of any employee hired from district funds, shall be
8 vested within the existing administration of the municipal
9 government that created the district.

10 C. Budgetary oversight shall be vested within the existing
11 legislative body of the municipal government that created the
12 district.

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

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

18 A. The municipality initiating the creation of the public
19 safety protection district may pay the cost of the election to
20 determine whether a district should be established.

21 B. The election to determine whether a district shall be
22 established, and the notice thereof, shall be conducted in the same
23 manner as other municipal questions which are submitted to the
24 electorate of the municipality. The notice shall require the

1 registered voters of the municipality to cast ballots which contain
2 the words: "Public Safety Protection District - Yes" and "Public
3 Safety Protection District - No" or words equivalent thereto. All
4 residents of the municipality who are qualified electors shall be
5 qualified to vote on the proposition. The public safety protection
6 district election shall be conducted in accordance with the general
7 election laws of the state, and the regular election officials shall
8 be in charge at the usual polling place of each regular precinct, or
9 part of a precinct, which shall include lands within the boundaries
10 of the municipality.

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

14 If the certified election results show that a majority of all
15 the votes cast are "Public Safety Protection District - Yes", the
16 governing body of the municipality shall, by adoption of an
17 ordinance and/or resolution, declare the public safety protection
18 district established. The ordinance shall be filed in the office of
19 the county clerk in the county.

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

23 A. The regular election in the district shall be held at the
24 same time as the General Election in this state or on the second

1 Tuesday in November in those years that a General Election is not
2 held.

3 B. In those years that a General Election is not held the
4 entire cost of the election shall be paid by the district. When the
5 election is held at the same time as the General Election, the
6 district shall pay only for the cost directly attributable to the
7 district election.

8 C. All polling places of precincts, all or any part of which
9 include areas within the boundaries of the district, shall be
10 supplied ballots for the purpose of permitting electors of the
11 district to vote.

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

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

1 prisoners of the municipality. Such assessment shall only be levied
2 on the types of property located in the district as provided in
3 paragraphs 1, 2 and 3 of subsection A of Section 2803 of Title 68 of
4 the Oklahoma Statutes.

5 B. The annual assessment provided in subsection A of this
6 section shall not apply to real property or personal property used
7 for agriculture or industrial purposes.

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

11 All assessments levied under the authority of the Oklahoma
12 Public Safety Protection District Act shall be a lien against the
13 tract of land on which they have been levied, until paid, and the
14 lien shall be coequal with the lien of ad valorem and other taxes,
15 including special assessments, and prior and superior to all other
16 liens, and the assessment shall draw interest and shall be collected
17 in the same manner as ad valorem taxes.

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

21 The county assessor shall compute and enter in respective
22 columns of the tax rolls the respective sums in dollars and cents to
23 be paid on each piece of property therein enumerated. The county
24 clerk shall certify to the county treasurer in the county where the

1 district or any part thereof is located the amount of assessment in
2 each fund levied upon each tract. The county treasurer shall enter
3 the amount of each in separate columns of the tax list of the
4 county. The assessments shall be collected by the county treasurer
5 at the same time and in the same manner as all other taxes are
6 collected in this state. Cost associated with the collection of the
7 assessments incurred by the county treasurer shall be paid from the
8 proceeds of the district. If any assessment becomes delinquent, it
9 shall draw interest as a penalty after delinquency at the rate of
10 eighteen percent (18%) per annum. All assessments and penalties
11 collected or received by the county treasurer pursuant to the
12 Oklahoma Public Safety Protection District Act shall be paid to the
13 municipal treasurers in their proportionate amounts for the benefit
14 of the public safety protection district.

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

18 A public safety protection district may be dissolved by a
19 majority vote of the registered voters voting at an election called
20 for that purpose by the governing body of the municipality.

21 SECTION 11. This act shall become effective November 1, 2016.

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23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
24 04/07/2016 - DO PASS, As Amended.