

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 749

By: Woods

4
5
6 AS INTRODUCED

7 An Act relating to school district bond elections and
8 technology center school district bond elections;
9 amending 70 O.S. 2021, Sections 14-108 and 15-103,
10 which relate to the School Code of 1971; making
11 certain real property owners qualified electors for
12 certain elections; updating statutory language; and
13 providing an effective date.

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

15 SECTION 1. AMENDATORY 70 O.S. 2021, Section 14-108, is
16 amended to read as follows:

17 Section 14-108. A. The State Board of Career and Technology
18 Education shall prescribe criteria and procedures for the
19 establishment and governance of technology center school districts,
20 as provided by Section 9B, Article X, Oklahoma Constitution, and
21 such districts so established shall be operated in accordance with
22 rules of the State Board of Career and Technology Education, except
23 as otherwise provided in this title.

24 B. A technology center school district shall be a body
25 corporate and shall possess the usual powers of a corporation for

1 public purposes. Its official name shall be designated by the State
2 Board of Career and Technology Education, in which name it may sue
3 and be sued, and be capable of contracting and being contracted
4 with, and holding real and personal estate.

5 C. The governing board of a technology center school district
6 shall be a board of education consisting of not less than five (5)
7 nor more than seven (7) members. Except as otherwise provided for
8 in subsection D of this section, all members of the board of
9 education shall be elected in a manner prescribed by the State Board
10 of Career and Technology Education. The State Board shall
11 promulgate rules prescribing the manner in which the elections
12 required by this subsection are held.

13 D. In a technology center school district that serves seventy
14 or more public school districts, the territory of the school
15 district shall be divided into district zones by the State Board of
16 Career and Technology Education. Between August 1 and December 31
17 of the year following the submission by the United States Department
18 of Commerce to the President of the United States of the official
19 Federal Decennial Census, the Board shall reapportion the territory
20 of the technology center school district into district zones. All
21 boundaries of district zones shall follow clearly visible,
22 definable, and observable physical boundaries which are based upon
23 criteria established and recognized by the Bureau of the Census of
24 the United States Department of Commerce for purposes of defining

1 census blocks for its decennial census and shall follow, as much as
2 possible, precinct boundaries. District zones shall be compact,
3 contiguous and shall be as equal in population as practical with not
4 more than a five-percent variance between the most populous and
5 least populous district zones. The board of education of a
6 technology center school district shall consist of one member
7 elected from each of the district zones of the school district
8 created pursuant to this subsection. The electors of each district
9 zone shall elect a person, who is a resident of the district zone,
10 to represent the district zone on the school board. If during the
11 term of office to which a person was elected, that member ceases to
12 be a resident of the district zone for which the person was elected,
13 the office shall become vacant and the vacancy shall be filled as
14 provided in Section 13A-110 of Title 26 of the Oklahoma Statutes.
15 The State Board of Career and Technology Education shall promulgate
16 rules prescribing the manner in which the elections required by this
17 subsection are held.

18 E. The board of education of a technology center school
19 district shall have the same powers and duties that boards of
20 education of independent school districts have. It may require
21 nonresident students to pay reasonable tuition fees, which may be
22 paid for a student by the independent or elementary school district
23 in which the student resides.

1 F. An election to vote on the question of making a levy of not
2 to exceed five (5) mills on the dollar valuation of the taxable
3 property in a technology center school district under the provisions
4 of subsection A, Section 9B, Article X, Oklahoma Constitution, shall
5 be called by the board of education and conducted by the county
6 election board of such district in the same manner that elections
7 for emergency levies in school districts under the provisions of
8 Section 9(d), Article X, Oklahoma Constitution, are called and
9 conducted. When such levy is approved by a majority of the electors
10 of the technology center school district voting on the question at
11 such election, the levy shall be made each fiscal year thereafter
12 until repealed by a majority of the electors of the district voting
13 on the question at an election called for such purpose. An election
14 to vote on the question of making a local incentive levy of not to
15 exceed five (5) mills on the dollar valuation of the taxable
16 property in a technology center school district under the provisions
17 of subsection B of Section 9B of Article X of the Oklahoma
18 Constitution, may be called by the board of education; and elections
19 on a levy for a building fund for an area school district under the
20 provisions of Section 10, Article X, Oklahoma Constitution, shall be
21 called by the board of education of such district and conducted by
22 the county election board in the same manner that elections for
23 similar levies are called and conducted in independent school
24 districts. Provided, qualified electors voting on elections

1 provided pursuant to this paragraph shall include persons who own
2 real property located within a technology center school district.

3 G. Annual estimates of needs of technology center school
4 districts shall be made and approved in the same manner that those
5 of independent school districts are made and approved. Provided,
6 that the State Board of Career and Technology Education shall
7 prescribe a list of appropriation accounts by which the funds of
8 technology center school districts shall be budgeted, accounted for
9 and expended. Any such estimate of needs may include an estimate of
10 federal funds as probable income from sources other than ad valorem
11 tax of the district and other than any excise or other tax assessed
12 by legislative enactment and distributed in lieu of ad valorem
13 taxes. If a technology center school district lies in more than one
14 county, the district's estimate of needs shall be filed with and
15 approved by the county excise board of the county designated by the
16 school district board of education.

17 H. Territory may be annexed to or detached from a technology
18 center school district, in accordance with rules prescribed by the
19 State Board of Career and Technology Education. If the State Board
20 of Career and Technology Education requires the submission of a
21 petition in order for an election to be called for the purpose of
22 annexation or deannexation of territory to a technology center
23 school district, such petition shall not be required to bear a
24 number of technology center school district electors' signatures

1 which exceed fifty percent (50%) of the number of technology center
2 school district electors who voted in the last school board election
3 in the territory proposed to be annexed or deannexed. Provided, the
4 period of time from which the petition is initiated to its time of
5 filing with the State Board shall not exceed ninety (90) days.

6 I. Schools of technology center school districts shall be
7 subject to classification, inspection, and accreditation by the
8 State Board of Education.

9 J. The technology center school board of education may
10 designate a county treasurer to serve as treasurer of the school
11 district or may appoint an independent treasurer.

12 K. Within four (4) years after the creation of a technology
13 center school district, such school district may, at its discretion,
14 permit a teacher to transfer any or all accrued benefits upon
15 employment including credit for years of service in the previous
16 school district by the technology center school district, if the
17 teacher at the time of hiring is employed as a teacher by an
18 independent or elementary school district which is all or partly
19 within the boundaries of the technology center school district or is
20 employed as a teacher in a skills center within the boundaries of
21 the school district.

22 L. The board of education of a technology center school
23 district may convey surplus personal property without consideration
24 to :

1 1. A school district that is within the boundary of the
2 technology center school district;

3 2. A public school offering secondary level education which was
4 created and is operated by ~~the State of Oklahoma~~ this state and that
5 is within the boundary of the technology center school district;

6 3. A technology center school district; or

7 4. The Oklahoma Department of Career and Technology Education
8 for the support or delivery of department initiatives.

9 M. The board of education of a technology center school
10 district may, without prior approval of the State Board of Career
11 and Technology Education, approve all plans and specifications for
12 technology center school buildings, additions, and major
13 modifications to school buildings that are designed to provide for
14 the offering of vocational-technical education programs and services
15 when the cost of the building project is to be paid with local
16 levies or state bond monies or both local levies and state bond
17 monies.

18 SECTION 2. AMENDATORY 70 O.S. 2021, Section 15-103, is
19 amended to read as follows:

20 Section 15-103. On the question of issuance of said bonds, no
21 person shall be qualified to vote unless he or she be in all
22 respects a school district elector of such district or unless a
23 person owns real property located within the school district. In
24 case three-fifths (3/5) of the voters thereof voting at such

1 election shall vote affirmatively for the issuance of said bonds,
2 then the said board of education shall issue the same and not
3 otherwise. The amount of the bonds so voted upon and issued shall
4 not cause the school district to become indebted in an amount,
5 including existing indebtedness, in the aggregate exceeding five
6 percent (5%) of the valuation of the taxable property therein, to be
7 ascertained from the last assessment for state and county purposes
8 previous to the incurring of such indebtedness; but if the school
9 district has an absolute need therefor, such district may, with the
10 assent of three-fifths (3/5) of the voters thereof, voting at such
11 election, incur indebtedness to an amount, including existing
12 indebtedness, in the aggregate exceeding five percent (5%) but not
13 exceeding ten percent (10%) of the valuation of the taxable property
14 therein, to be ascertained from the last assessment for state and
15 county purposes previous to the incurring of such indebtedness, for
16 the purpose of acquiring or improving school sites, constructing,
17 repairing, remodeling or equipping buildings or acquiring school
18 furniture, fixtures or equipment or more than one or all of such
19 purposes; and such assent to such indebtedness shall be deemed to be
20 a sufficient showing of such absolute need. Section 26, Article X,
21 of the Oklahoma Constitution, as amended on April 5, 1955, shall
22 hereafter be in full force and effect. Provided, that any bond
23 election that shall have heretofore been called or held in
24 accordance with the provisions of Section 26, Article X, of the

1 Oklahoma Constitution, as amended on April 5, 1955, is hereby
2 validated if the bonds so authorized at such election have not yet
3 been sold and delivered.

4 SECTION 3. This act shall become effective November 1, 2023.

5
6 59-1-550 QD 1/18/2023 5:13:19 PM
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25