

An Act

ENROLLED SENATE
BILL NO. 838

By: Weaver, Leewright, Haste,
Dossett (J.A.), Hicks,
Montgomery, Dossett (J.J.),
Rader, Bullard and Garvin
of the Senate

and

Nollan, Hilbert,
Rosecrants, Waldron,
Provenzano, Sims, Bush and
Lawson of the House

An Act relating to cities and towns; creating the Oklahoma Public Safety Protection District Act; permitting municipalities to initiate creation of a public safety protection district; directing a resolution be submitted to the registered voters of each municipality; conferring powers; describing territory of the public safety protection district; providing for management and budgetary oversight; declaring a public safety protection district to be a political subdivision; requiring municipality to pay for election in proportions determined by county; providing for notice of election; stating question to be worded on the ballot; describing eligible voters; providing for conduct of election subject to general election laws; requiring majority of votes cast to establish district; directing filing of ordinance or resolution; 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 and describing process therefor; defining term; providing for codification; and providing an effective date.

SUBJECT: Public safety protection districts

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

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

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

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

The governing body of a municipality may initiate the creation of a public safety protection district by the adoption of a resolution calling for the question to be placed before the registered voters of the municipality of whether to organize a public safety protection district. The resolution shall be submitted to the registered voters of the municipality at the next general election. When a district is organized, it shall have the powers conferred by this act.

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

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

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

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

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

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

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

B. The election to determine whether a district shall be established, and the notice thereof, shall be conducted in the same manner as other municipal questions which are submitted to the electorate of the municipality. The notice shall require the registered voters of the municipality to cast ballots which contain the words: "Public Safety Protection District - Yes" and "Public Safety Protection District - No" or words equivalent thereto. All residents of the municipality who are qualified electors shall be qualified to vote on the proposition. The public safety protection district election shall be conducted in accordance with the general election laws of the state, and the regular election officials shall be in charge at the usual polling place of each regular precinct, or part of a precinct, which shall include lands within the boundaries of the municipality.

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

If the certified election results show that a sixty percent (60%) majority of all the votes cast are "Public Safety Protection District - Yes", the governing body of the municipality shall, by adoption of an ordinance or resolution or both an ordinance and resolution, declare the public safety protection district established. Any ordinances or resolutions establishing a public

safety protection district shall be filed in the office of the county clerk in the county.

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

A. There shall be levied an annual assessment no greater than five (5) mills on the dollar of assessed value of the types of property in the district as provided in paragraphs 1, 2 and 3 of subsection A of Section 2803 of Title 68 of the Oklahoma Statutes, the proceeds of which shall be used for the operation and maintenance of the public safety protection district including expenses related to any of the following, or combination of the following purposes:

1. Purchasing and maintaining public safety equipment;
2. Purchasing and maintaining public safety vehicles;
3. Payment of salaries and benefits of the municipal employees who provide law enforcement or fire protection public safety services or both law enforcement and fire protection public safety services within the district;
4. Payment of salaries and benefits of the municipal employees who provide emergency medical services; or
5. Payment for emergency medical services provided by the municipality.

Such proceeds may also be used for payment of any costs related to fire and police operations. Such assessment shall only be levied on the types of property located in the district as provided in paragraphs 1, 2 and 3 of subsection A of Section 2803 of Title 68 of the Oklahoma Statutes.

B. The annual assessment provided in subsection A of this section shall not apply to real property zoned for agricultural or industrial land use, livestock employed in support of the family, implements of husbandry as defined by Section 1-125 of Title 47 of the Oklahoma Statutes, personal property owned by agricultural

business entities and public service corporations as defined by Section 2808 of Title 68 of the Oklahoma Statutes.

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

Every assessment levied under the authority of this act shall be a lien against the tract of land on which it has been levied, until paid, and the lien shall be coequal with the lien of ad valorem and other taxes including special assessments, and prior and superior to all other liens, and the assessment shall draw interest and shall be collected in the same manner as ad valorem taxes.

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

The county assessor shall compute and enter in respective columns of the tax rolls the respective sums in dollars and cents to be paid on each piece of property therein enumerated. The county clerk shall certify to the county treasurer in the county where the district or any part thereof is located the amount of assessment in each fund levied upon each tract. The county treasurer shall enter the amount of each in separate columns of the tax list of the county. The assessments shall be collected by the county treasurer at the same time and in the same manner as all other taxes are collected in this state. Costs associated with the collection of the assessments incurred by the county treasurer shall be paid from the proceeds of the district. If any assessment becomes delinquent, it shall draw interest as a penalty after delinquency at the rate of eighteen percent (18%) per annum. All assessments and penalties collected or received by the county treasurer pursuant to this act shall be paid to the municipal treasurers for the benefit of the public safety protection district.

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

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

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

As used in this act, "public safety protection" means any of, or combinations of, the following operations:

1. Law enforcement;
2. Fire public safety protections; or
3. Emergency medical services provided by the municipality.

SECTION 11. This act shall become effective November 1, 2021.

Passed the Senate the 10th day of March, 2021.

Presiding Officer of the Senate

Passed the House of Representatives the 20th day of April, 2021.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____