

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE JOINT  
4 RESOLUTION 7

By: Standridge

5  
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State  
8 to refer to the people for their approval or  
9 rejection a proposed amendment to Section 26 of  
10 Article X of the Oklahoma Constitution; modifying  
11 basis for determining valuation of property for a  
12 school district for purposes of applying limit to  
13 total indebtedness; updating statutory language;  
14 deleting obsolete language; providing ballot title;  
15 and directing filing.

16 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
17 1ST SESSION OF THE 57TH OKLAHOMA LEGISLATURE:

18 SECTION 1. The Secretary of State shall refer to the people for  
19 their approval or rejection, as and in the manner provided by law,  
20 the following proposed amendment to Section 26 of Article X of the  
21 Oklahoma Constitution to read as follows:

22 Section 26. (a) Except as herein otherwise provided, no  
23 county, city, town, township, school district, or other political  
24 corporation, or subdivision of the state, shall be allowed to become  
25 indebted, in any manner, or for any purpose, to an amount exceeding,  
26 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 be allowed to be incurred to an  
4 amount, including existing indebtedness, in the aggregate exceeding  
5 five percent (5%) of the valuation of the taxable property therein,  
6 to be ascertained from the last assessment for state and county  
7 purposes previous to the incurring of such indebtedness: Provided,  
8 that if a school district has an absolute need therefor, such  
9 district may, with the assent of three-fifths of the voters thereof  
10 voting at an election to be held for that purpose, incur  
11 indebtedness to an amount, including existing indebtedness, in the  
12 aggregate exceeding five percent (5%) but not exceeding ten percent  
13 (10%) of the valuation of the taxable property and the valuation of  
14 any state property which is otherwise nontaxable therein, to be  
15 ascertained from the last assessment for state and county purposes  
16 previous to the incurring of such indebtedness if the assessment  
17 included the value of any state property which is otherwise  
18 nontaxable, for the purpose of acquiring or improving school sites,  
19 constructing, repairing, remodeling or equipping buildings, or  
20 acquiring school furniture, fixtures or equipment; and such assent  
21 to such indebtedness shall be deemed to be a sufficient showing of  
22 such absolute need, unless otherwise provided by law. Provided  
23 further, that if a city or town has an absolute need therefor, such  
24 city or town may, with the assent of three-fifths of the voters

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

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

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

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)~~ 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 BALLLOT TITLE  
17 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

18 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

19 This measure amends Section 26 of Article 10 of the Oklahoma  
20 Constitution. That section dictates a limit on the amount of  
21 bonds which can be issued by various public entities. The limit  
22 is based on a percentage of the value of all taxable property.  
23 This would change the way the value is determined for a school  
24 district. The value would include state property that is not

1 taxable. The property would not be taxed but its value would be  
2 included in the total value of a district for purposes of  
3 issuing bonds. Some obsolete language is also removed.

4 SHALL THE PROPOSAL BE APPROVED?

5 FOR THE PROPOSAL - YES \_\_\_\_\_

6 AGAINST THE PROPOSAL - NO \_\_\_\_\_

7 SECTION 3. The President Pro Tempore of the Senate shall,  
8 immediately after the passage of this resolution, prepare and file  
9 one copy thereof, including the Ballot Title set forth in SECTION 2  
10 hereof, with the Secretary of State and one copy with the Attorney  
11 General.

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