

1 STATE OF OKLAHOMA

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

3 SENATE JOINT  
4 RESOLUTION NO. 21

By: Bullard

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 15 of  
10 Article X of the Oklahoma Constitution; adding  
11 certain exemption; providing ballot title; and  
12 directing filing.

13 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
14 1ST SESSION OF THE 57TH OKLAHOMA LEGISLATURE:

15 SECTION 1. The Secretary of State shall refer to the people for  
16 their approval or rejection, as and in the manner provided by law,  
17 the following proposed amendment to Section 15 of Article X of the  
18 Oklahoma Constitution to read as follows:

19 Section 15. A. Except as provided by this section, the credit  
20 of the State shall not be given, pledged, or loaned to any  
21 individual, company, corporation, or association, municipality, or  
22 political subdivision of the State, nor shall the State become an  
23 owner or stockholder in, nor make donation by gift, subscription to  
24 stock, by tax, or otherwise, to any company, association, or  
corporation.

1 B. Pursuant to authority of and subject to requirements of law  
2 and according to professional norms established nationally in  
3 similar activities, the Oklahoma Center for the Advancement of  
4 Science and Technology or its successor may be authorized to use  
5 public funds not exceeding one percent (1%) of total state  
6 appropriations for the current fiscal year to promote economic  
7 development through grants or loans to individuals, companies,  
8 corporations or associations. Pursuant to authority of and subject  
9 to requirements of law and according to professional norms  
10 established nationally in similar activities, the Oklahoma Center  
11 for the Advancement of Science and Technology or its successor may  
12 be authorized to use public funds in order to promote economic  
13 development by purchase or ownership of stock or to make other  
14 investments in private enterprises and to receive income from such  
15 investments which are involved with research or patents from  
16 projects involving Oklahoma colleges or universities. The Oklahoma  
17 Center for the Advancement of Science and Technology or its  
18 successor may only use public funds for the purposes authorized in  
19 this subsection if a statute specifically authorizing such use is  
20 approved by an affirmative vote of at least two-thirds (2/3) of the  
21 members elected to the Senate and to the House of Representatives  
22 upon final passage of such measure in each of the respective houses  
23 and with the approval of the Governor.

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1 C. The Legislature shall only authorize use of public funds by  
2 the Oklahoma Center for the Advancement of Science and Technology or  
3 its successor as permitted by this section for promotion of economic  
4 development by creation of new employment, enhancement of existing  
5 employment or by the addition of economic value to goods, services  
6 or resources within the State authorized by subsection B herein.

7 D. The Legislature shall establish procedures to review and  
8 evaluate the extent to which the purposes of any statute authorizing  
9 use of public funds by the Oklahoma Center for the Advancement of  
10 Science and Technology are achieved.

11 E. Bonds issued by the board of education of any school  
12 district or public institutions of higher education may be  
13 guaranteed by the corpus of the permanent school fund, provided:

14 1. As to bonds issued by the board of education such bonds must  
15 be approved by election of the school district upon the question of  
16 issuing such bonds;

17 2. As to bonds issued by an institution within The Oklahoma  
18 State System of Higher Education such bonds are issued in accordance  
19 with all applicable provisions of law; and

20 3. Provisions shall be made by the Legislature to guarantee  
21 prompt reimbursement to the corpus of the permanent school fund for  
22 any payment from the fund on behalf of a school district or on  
23 behalf of an institution within The Oklahoma State System of Higher  
24 Education. The reimbursement shall include a reasonable rate of

1 interest. The provisions of this paragraph regarding use of the  
2 permanent school fund for guarantee of bonds issued by an  
3 institution within The Oklahoma State System of Higher Education  
4 shall not be self-executing and the Legislature shall provide by law  
5 the procedure pursuant to which such obligations may be guaranteed  
6 and the procedures for repayments, if any, required to be made to  
7 the permanent school fund.

8 F. Subject to requirements imposed by law, the governing boards  
9 of institutions within The Oklahoma State System of Higher Education  
10 and employees of those institutions may have an ownership interest  
11 in a technology, whether or not the technology is protected pursuant  
12 to federal or state law governing intellectual property, and may  
13 have an ownership interest in a business enterprise or private  
14 business entity, if the ownership interest is acquired as a result  
15 of research or development of a technology involving the authorized  
16 use of facilities, equipment, or services of such institutions.

17 G. The State Treasurer is authorized to use public funds to  
18 guarantee loans made by private or public lending institutions to  
19 small rural hospital applicants for the purpose of providing  
20 temporary financial relief.

21 H. The term and rate of interest on the loan shall be as  
22 established by the Legislature.

23 I. As used in this section, the term "small rural hospital"  
24 shall include hospitals with fewer than 100 beds located in a county

1 with a population of less than two hundred fifty thousand (250,000),  
2 as determined by the latest Federal Decennial Census.

3 J. The Legislature may enact laws to further implement the  
4 provisions of this section.

5 SECTION 2. The Ballot Title for the proposed Constitutional  
6 amendment as set forth in SECTION 1 of this resolution shall be in  
7 the following form:

8 BALLOT TITLE

9 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

10 THE GIST OF THE PROPOSAL IS AS FOLLOWS:

11 This measure amends Section 15 of Article 10 of the Constitution.  
12 This measure would provide another exemption to the prohibition on  
13 credit from the state being loaned to individuals and entities.  
14 This measure would allow public funds to be used to guarantee loans  
15 made to small rural hospitals. The loans would be made by private  
16 or public lending institutions. The measure defines "small rural  
17 hospital". The measure allows the Legislature to pass laws to  
18 further implement this section.

19 SHALL THE PROPOSAL BE APPROVED?  
20 FOR THE PROPOSAL - YES \_\_\_\_\_  
21 AGAINST THE PROPOSAL - NO \_\_\_\_\_

22 SECTION 3. The President Pro Tempore of the Senate shall,  
23 immediately after the passage of this resolution, prepare and file  
24 one copy thereof, including the Ballot Title set forth in SECTION 2

1 hereof, with the Secretary of State and one copy with the Attorney  
2 General.

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