

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE JOINT
RESOLUTION 3

By: Kirt

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 26 of Article X of the Oklahoma Constitution; reducing the threshold to approve school district indebtedness; updating constitutional reference; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 59TH OKLAHOMA LEGISLATURE:

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

Section 26. (a) Except as herein otherwise provided, no county, city, town, township, school district, or other political corporation, or subdivision of the state, shall be allowed to become indebted, in any manner, or for any purpose, to an amount exceeding, in any year, the income and revenue provided for such year without the assent of three-fifths of the voters ~~thereof~~ of the county, city, town, township, or other political corporation or subdivision

1 of the state or the assent of a majority of the voters of the school
2 district, voting at an election, to be held for that purpose, nor,
3 in cases requiring such assent, shall any indebtedness be allowed to
4 be incurred to an amount, including existing indebtedness, in the
5 aggregate exceeding five percent (5%) of the valuation of the
6 taxable property therein, to be ascertained from the last assessment
7 for state and county purposes previous to the incurring of such
8 indebtedness: Provided, that if a school district has an absolute
9 need therefor, such district may, with the assent of three-fifths of
10 the voters thereof voting at an election to be held for that
11 purpose, 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; and such assent to such
19 indebtedness shall be deemed to be a sufficient showing of such
20 absolute need, unless otherwise provided by law. Provided further,
21 that if a city or town has an absolute need therefor, such city or
22 town may, with the assent of three-fifths of the voters thereof
23 voting at an election to be held for that purpose, incur
24 indebtedness to an amount, including existing indebtedness, in the

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

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

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

23 (b) If a county approves an exemption of household goods of the
24 heads of families and livestock employed in support of the family

1 from ad valorem taxation pursuant to the provisions of subsection
2 ~~(b)~~ B of Section 6 of this article, the percentage limitations on
3 indebtedness as specified in subsection (a) of this section for
4 political subdivisions or political corporations located in any such
5 county shall be adjusted by multiplying the percentage levels
6 specified in subsection (a) of this section by the millage
7 adjustment factor as specified in subsection (b) of Section 8A of
8 this article.

9 (c) If approved by the people, the amendment to this section
10 shall become effective January 1, 1993.

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

14 BALLOT TITLE

15 Legislative Referendum No. _____ State Question No. _____

16 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

17 This measure amends Section 26 of Article 10 of the Oklahoma
18 Constitution. This measure would allow a school district to
19 become indebted upon approval of a majority of the voters of the
20 school district, rather than the approval of three-fifths of the
21 voters of the school district.

22 SHALL THE PROPOSAL BE APPROVED?

23 FOR THE PROPOSAL - YES _____

24 AGAINST THE PROPOSAL - NO _____

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

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