

1 **SENATE FLOOR VERSION**

2 February 11, 2025

3 SENATE BILL NO. 538

By: Deever and Jett

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6 An Act relating to local bond elections; amending 11
7 O.S. 2021, Section 16-112, which relates to municipal
8 special elections; modifying date when certain
9 special elections may be conducted; amending 70 O.S.
10 2021, Section 15-102, which relates to education bond
11 elections; specifying date on which certain elections
12 may be conducted; updating statutory language;
13 updating statutory reference; providing an effective
14 date; and declaring an emergency.

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

16 SECTION 1. AMENDATORY 11 O.S. 2021, Section 16-112, is
17 amended to read as follows:

18 Section 16-112. A. When the municipal governing body shall
19 deem it advisable, it may, by resolution or ordinance, authorize the
20 mayor to call a special election on a date established in Section 3-
21 101 of Title 26 of the Oklahoma Statutes for the purpose of
22 submitting to the registered voters of the municipality the question
23 of ~~issuing municipal bonds, of granting any franchise,~~ or for any
24 other purpose authorized by law.

B. Notwithstanding any other law, for purposes of submitting to
the registered voters of the municipality the question of issuing

1 municipal bonds or of any tax, the governing body may, by resolution
2 or ordinance, authorize the mayor to call a special election on a
3 state or federal election day in November in an odd- or even-
4 numbered year.

5 SECTION 2. AMENDATORY 70 O.S. 2021, Section 15-102, is
6 amended to read as follows:

7 Section 15-102. ~~The~~ Notwithstanding any other law, the board of
8 education shall call an election to be held on a state or federal
9 election day in November in an odd- or even-numbered year, ~~to~~ which
10 shall be conducted by the county election board in all respects as
11 other elections, for the purpose of taking the sense of the district
12 upon the question of issuing such bonds, naming in the proclamation
13 of such election the amount of bonds to be voted on and the purpose
14 for which they are to be issued; and it shall cause to be published
15 in a newspaper of general circulation in ~~said~~ the district the time
16 and place of such election, such notices to be given at least ten
17 (10) days before such election. In all instances where
18 proclamations for elections for boards of education are required by
19 statute of the mayor of a city, and in all instances where elections
20 for boards of education are provided for by statute wherein the
21 mayor and city clerk are denominated, the president of the board of
22 education shall be substituted for the mayor and the clerk of the
23 board of education shall be substituted for the city clerk. Boards
24 of education are hereby declared to be free and independent of

1 cities in all matters relating to school elections legally called
2 upon all school matters, and presidents of boards of education shall
3 have full power to issue proclamations calling school elections;
4 provided, that no election shall be called on the same proposition
5 within four (4) months after such proposition has been defeated at
6 an election by the school district electors. The provisions of this
7 ~~act~~ section as to the waiting period shall not apply where the
8 school facilities have been destroyed by an act of God. The cost of
9 such elections, together with the cost of such proclamations,
10 publication, notices or other expenses required, shall be legal
11 costs of boards of education.

12 SECTION 3. This act shall become effective July 1, 2025.

13 SECTION 4. It being immediately necessary for the preservation
14 of the public peace, health or safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

17 COMMITTEE REPORT BY: COMMITTEE ON LOCAL AND COUNTY GOVERNMENT
18 February 11, 2025 - DO PASS
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