

Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 16

By: Haste of the Senate

and

O'Donnell and Sims of the
House

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Oklahoma Constitution by adding a new Section 9E to Article X; allowing for the creation of public infrastructure districts; requiring certain conditions for the creation of a public infrastructure district; allowing municipalities to limit powers of the public infrastructure districts; authorizing additional levies to be imposed for certain purpose; authorizing the Legislature to enact laws necessary for the implementation of public infrastructure districts; providing ballot title; and directing filing.

SUBJECT: Public infrastructure districts

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND 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 the Oklahoma Constitution by adding a new Section 9E to Article X to read as follows:

Section 9E. A. There are hereby created public infrastructure districts.

B. Municipalities may approve the creation of public infrastructure districts, which may incur indebtedness and issue public infrastructure district bonds to pay for all or part of the cost of public improvements within such districts. The cost of all indebtedness so incurred shall be levied and assessed by the board of trustees of a public infrastructure district on the property benefited by such improvements following the passage and approval of the organization of a public infrastructure district pursuant to subsection C of this section. The board shall collect the special assessments so levied and use the same to reimburse the public infrastructure district for the amount paid or to be paid by it on the bonds issued for such improvements not to exceed ten (10) mills for the purpose of providing funds for the purpose of support, organization, operation, and maintenance of such services.

C. A public infrastructure district shall not be created unless a petition is filed with the municipality that contains the signatures of one hundred percent (100%) of surface property owners within the applicable area consenting to the creation of the public infrastructure district.

D. The municipality may impose limitations on the powers of the public infrastructure district through the governing document presented by the public infrastructure district applicant.

E. The levy shall be in addition to all other levies authorized by this Constitution, and when approved, shall be made for the repayment of public infrastructure district bonds issued by the public infrastructure districts for the public improvements agreed upon by the voters of the district as provided by the governing document.

F. The Legislature shall be authorized to enact such laws as may be necessary in order to implement public infrastructure districts in this state.

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

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure adds a new section of law to the Oklahoma Constitution. It adds Section 9E to Article 10. It allows for the creation of public infrastructure districts. It provides for the issuance of public infrastructure district bonds by the public infrastructure district to pay for all or part of all public improvements implemented by and for the public infrastructure district. It requires a one-hundred-percent approval of surface property owners in the district to become created.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

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

Passed the Senate the 11th day of March, 2024.

Presiding Officer of the Senate

Passed the House of Representatives the 24th day of April, 2024.

Presiding Officer of the House
of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20 _____, at _____ o'clock _____ M.
By: _____