ENROLLED SENATE JOINT RESOLUTION NO. 21
ENACTED BY THE SECOND REGULAR SESSION OF THE
43RD LEGISLATURE OF THE STATE OF OKLAHOMA
NUMBERED BY THE SECRETARY OF STATE

STATE QUESTION NUMBER 648
LEGISLATIVE REFERENDUM NUMBER 292

Received: May 26, 1992
Resolution

ENROLLED SENATE
JOINT
RESOLUTION NO. 21

BY: WILLIAMS (Penny), HORNER,
MILES-LAGRANJE, HANESY,
RUBOTTOM, LONG (Lewis), FAIR
and LEFTWICH of the SENATE

and

CROCKER, MCCORKELL, BASTIN,
HUDSON, BRYANT, CALDWRLL,
HENSHAW, NIEMI, ROACH,
STOTLEMYRE, VAUGHN (Ray),
WEBB and WEESE 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 SECTIONS 6 AND
26 OF ARTICLE X OF THE CONSTITUTION OF THE STATE
OF OKLAHOMA AND A PROPOSED AMENDMENT TO THE
CONSTITUTION OF THE STATE OF OKLAHOMA BY ADDING A
NEW SECTION TO ARTICLE X TO BE DESIGNATED AS
SECTION 8A; PROVIDING FOR THE EXEMPTION OF ALL
HOUSEHOLD PERSONAL PROPERTY AND LIVESTOCK EMPLOYED
IN SUPPORT OF THE FAMILY FROM AD VALOREM TAXATION
ON A COUNTY OPTION BASIS; PROVIDING PROCEDURES FOR
ELECTION TO VOTE ON TAX EXEMPTION; PROVIDING FOR
COMPUTATION OF MODIFIED MAXIMUM AMOUNT OF
INDEBTEDNESS FOR CERTAIN POLITICAL SUBDIVISIONS OR
POLITICAL CORPORATIONS; REQUIRING ADJUSTMENT OF
CERTAIN MILLAGE RATES TO COMPENSATE FOR CERTAIN
POTENTIAL LOSS OF REVENUE; PROVIDING PROCEDURES
FOR COMPUTATION OF CERTAIN MILLAGE RATES;
PROVIDING EFFECTIVE DATES; PROVIDING BALLOT TITLE;
AND DIRECTING FILING.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
2ND SESSION OF THE 43RD 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 amendments to Sections 6 and 26 of Article X
of the Constitution of the State of Oklahoma and the following
proposed amendment to Article X of the Oklahoma Constitution by
adding a new Section 8A to read as follows:

Section 6. All (a) Except as otherwise provided in subsection
(b) of this section, all property used for free public libraries,
free museums, public cemeteries, property used exclusively for
nonprofit schools and colleges, and all property used exclusively for
religious and charitable purposes, and all property of the United
States except property for which a federal agency obtains title
through foreclosure, voluntary or involuntary liquidation or
bankruptcy unless the taxation of such property is prohibited by
federal law; all property of this state, and of counties and of
municipalities of this state; household goods of the heads of
families, tools, implements, and livestock employed in the support of
the family, not exceeding One Hundred Dollars ($100.00) in value, and
all growing crops, shall be exempt from taxation: Provided, that all
property not herein specified now exempt from taxation under the laws
of the Territory of Oklahoma, shall be exempt from taxation until
otherwise provided by law.

All property owned by the Murrow Indian Orphan Home, located in
Coal County, and all property owned by the Whitaker Orphan Home,
located in Mayes County, so long as the same shall be used
exclusively as free homes or schools for orphan children, and for
poor and indigent persons, and all fraternal orphan homes, and other
orphan homes, together with all their charitable funds, shall be
exempt from taxation, and such property as may be exempt by reason of
treaty stipulations, existing between the Indians and the United
States government, or by federal laws, during the force and effect of
such treaties or federal laws. The Legislature may authorize any
incorporated city or town, by a majority vote of its electors voting
thereon, to exempt manufacturing establishments and public utilities
from municipal taxation, for a period not exceeding five (5) years,
as an inducement to their location.

(b) The board of county commissioners of any county may call a
special election to determine whether or not household goods of the
heads of families and livestock employed in support of the family
located within the county shall be exempt from ad valorem taxation.
Such an election shall also be called by the board upon petition
signed by not less than twenty-five percent (25%) of the registered
voters of the county. Upon passage of the question, the exemption
provided for in this subsection shall become effective on January 1
of the following year.

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, voting at an
election, to be held for that purpose, nor, in cases requiring such
assent, shall any indebtedness be allowed to be incurred to an
amount, including existing indebtedness, in the aggregate exceeding
five percent (5%) of the valuation of the taxable property therein,
to be ascertained from the last assessment for state and county
purposes previous to the incurring of such indebtedness: Provided,
that if a school district has an absolute need therefor, such
district may, with the assent of three-fifths of the voters thereof
voting at an election to be held for that purpose, incur indebtedness
to an amount, including existing indebtedness, in the aggregate
exceeding five percent (5%) but not exceeding ten percent (10%) of
the valuation of the taxable property therein, to be ascertained from
the last assessment for state and county purposes previous to the
incurring of such indebtedness, for the purpose of acquiring or
improving school sites, constructing, repairing, remodeling or
equipping buildings, or acquiring school furniture, fixtures or
equipment; and such assent to such indebtedness shall be deemed to be
a sufficient showing of such absolute need, unless otherwise provided
by law. Provided further, that if a city or town has an absolute
need therefor, such city or town may, with the assent of three-fifths
of the voters thereof voting at an election to be held for that
purpose, incur indebtedness to an amount, including existing
indebtedness, in the aggregate exceeding five percent (5%) but not
exceeding ten percent (10%) of the valuation of the taxable property
therein, to be ascertained from the last assessment for state and
county purposes previous to the incurring of such indebtedness, and
such assent to such indebtedness shall be deemed to be a sufficient
showing of such absolute need unless otherwise provided by law. Provided, further, that any county, city, town, school district, or other political corporation, or subdivision of the state, incurring any indebtedness requiring the assent of the voters as aforesaid, shall, before or at the time of doing so, provide for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof within twenty-five (25) years from the time of contracting the same, and provided further that nothing in this section shall prevent any school district from contracting with certificated personnel for periods extending one (1) year beyond the current fiscal year, under such conditions and limitations as shall be prescribed by law.

(b) If a county approves an exemption of household goods of the heads of families and livestock employed in support of the family from ad valorem taxation pursuant to the provisions of subsection (b) of Section 6 of this article, the percentage limitations on indebtedness as specified in subsection (a) of this section for political subdivisions or political corporations located in any such county shall be adjusted by multiplying the percentage levels specified in subsection (a) of this section by the millage adjustment factor as specified in subsection (b) of Section 8A of this article.

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

Section 8A. (a) If a county approves an exemption of household goods of the heads of families and livestock employed in support of the family from taxation pursuant to the provisions of subsection (b) of Section 6 of this article, the millage rate levied against the net taxable valuation of all property of each taxing jurisdiction located within such county levying ad valorem taxes for a general fund or a building fund shall be adjusted pursuant to the provisions of subsection (b) of this section to compensate for the potential loss of revenue to the taxing jurisdiction directly attributable to the exemption of all such property. For purposes of this section, "taxing jurisdiction" shall include, but not be limited to, counties, cities, towns, common school districts, vocational-technical school districts and any other unit of government authorized to collect ad valorem taxes from millage levied against the taxable value of property.

(b) The adjusted millage rate for a general fund or building fund of each taxing jurisdiction located within a county which exempts household goods of the heads of families and livestock employed in support of the family from ad valorem taxation pursuant to the provisions of subsection (b) of Section 6 of this Article shall be computed, for each taxing jurisdiction, by dividing the net taxable valuation of all property for the year preceding the year in which the exemption of such property becomes effective by the difference between the net taxable valuation of all property for the year preceding the year in which the exemption of such property becomes effective and the net taxable valuation of the household goods of the heads of families and livestock employed in support of the family for the year preceding the year in which the exemption of such property becomes effective. The resulting quotient shall be the millage adjustment factor, and shall be multiplied by the millage rate which would otherwise have been applied for the year in which the exemption of such property becomes effective to derive the adjusted millage rate, which shall be levied against the net taxable valuation of all property, other than the exempt property, within the jurisdiction for the year in which the exemption of household goods of the heads of families and livestock employed in support of the family becomes effective; provided, such adjusted millage rate may be
increased or decreased in the manner provided by the provisions of this Article.

(c) If a county approves an exemption of household goods of the heads of families and livestock employed in support of the family from ad valorem taxation pursuant to the provisions of subsection (b) of Section 6 of this article, the maximum allowable millage for any millage levied by any taxing jurisdiction located within such county for a general fund or building fund, as prescribed by Sections 9, 9A, 9B, 9C, 9D, 10, 10A, 10B and 35 of this article or as otherwise authorized by Section 36 of Article V of the Oklahoma Constitution, shall be adjusted by multiplying such millage by the millage adjustment factor as specified in subsection (b) of this section. The resulting product shall be the adjusted maximum allowable millage for that particular millage levied by such taxing jurisdiction for a general fund or building fund.

(d) If approved by the people, this section will become effective January 1, 1993.

SECTION 2. The Ballot Title for the proposed Constitutional amendments 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 amends Sections 6 and 26 of Article 10 of the State Constitution. It adds a new Section 8A to Article 10. It gives counties the option of exempting household goods and certain livestock from ad valorem taxation. The exemption would have to be approved at an election. The election could be called by the board of county commissioners on their own. The election could also be called by the board of county commissioners upon petition signed by at least 25% of the registered voters of the county. The measure would provide for an adjusted millage rate for each taxing entity within an approving county. The adjusted millage rate would make up for revenue lost due to the tax exemption. The measure provides a method to adjust total bond debt capacity of taxing entities. Thus, the bonding capacity of such taxing entities in approving counties would remain the same.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

☐ YES, FOR THE AMENDMENT
☐ NO, AGAINST THE AMENDMENT

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 21st day of May, 1992.

[Signature]

Acting President of the Senate

Passed the House of Representatives the 25th day of May, 1992.

[Signature]

Speaker of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 26th day of May, 1992, at 2:04 o'clock P.M.

[Signature]

By: [Signature]

ENR. S. J. R. NO. 21