

ENROLLED SENATE JOINT RESOLUTION 70

ENACTED BY THE 2<sup>ND</sup> REGULAR SESSION OF THE  
56<sup>TH</sup> LEGISLATURE OF THE STATE OF OKLAHOMA  
NUMBERED BY THE SECRETARY OF STATE

**STATE QUESTION NUMBER 801**

**LEGISLATIVE REFERENDUM NUMBER 374**

RECEIVED: 05/03/2018

# Resolution

ENROLLED SENATE  
JOINT  
RESOLUTION NO. 70

By: Bice of the Senate

and

Hall 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 Section 10 of Article X of the Oklahoma Constitution; expanding authorized use of certain ad valorem levy to certain operations; providing ballot title; and directing filing.

SUBJECT: Ad valorem usage authorization

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 56TH 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 10 of Article X of the Oklahoma Constitution to read as follows:

Section 10. A. For the purpose of erecting public buildings in counties or cities, or for the purpose of raising money for a building and operations fund for a school district which may be used for erecting, remodeling or repairing school buildings, ~~and~~ for purchasing furniture or for operations as deemed necessary by a school district, the rates of taxation herein limited may be increased, when the rate of such increase and the purpose for which it is intended shall have been submitted to a vote of the people, and a majority of the qualified voters of such county, city, or school district, voting at such election, shall vote therefor: Provided, that such increase shall not exceed five (5) mills on the dollar of the assessed value of the taxable property in such county, city, or school district.

B. A school district may upon approval by a majority of the electors of the district voting on the question make the ad valorem levy for a building and operations fund under subsection A of this section permanent. If the question is approved, the levy in the amount approved as required by this section, shall be made each fiscal year thereafter until such time as a majority of the electors of the district voting on the question rescind the making of the levy permanent. An election on such question shall be held at such time as a petition is signed by ten percent (10%) of the school district electors or a recommendation by the board of education of the school district is made asking that the levies be made each fiscal year.

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:

Legislative Referendum No. 374 <sup>BALLOT TITLE</sup> State Question No. 801

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends Section 10 of Article 10 of the Oklahoma Constitution. It expands the uses permitted for certain ad valorem taxes levied by a school district. Currently, tax revenue is placed in a building fund. The fund is changed to allow use for operations. The operations would be those deemed necessary by a school district.

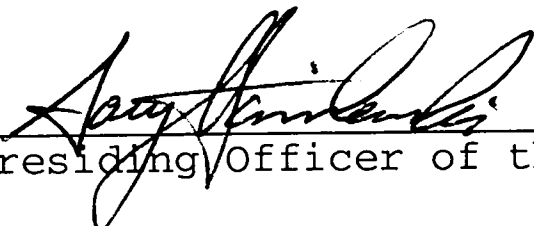
SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES \_\_\_\_\_

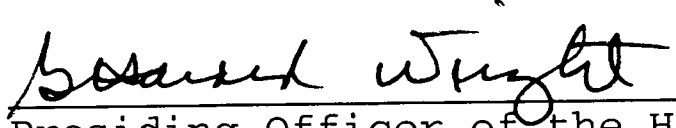
AGAINST THE PROPOSAL - NO \_\_\_\_\_

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 2nd day of May, 2018.

  
Presiding Officer of the Senate

Passed the House of Representatives the 24th day of April, 2018.

  
Presiding Officer of the House  
of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 3<sup>rd</sup>  
day of May, 20 18, at 11:02 o'clock A.M.  
By: Amy Canton

Tod Wall  
Secretary of State



Mary Fallin  
Governor

RECEIVED  
RECEPTIONIST

MAY 07 2018

ATTORNEY GENERAL

May 4, 2018

**Hand Delivered/E-Mail**

The Honorable Mike Hunter  
Oklahoma State Attorney General  
313 NE 21st Street  
Oklahoma City, Oklahoma 73105

**Re: State Question 801, Legislative Referendum 374**  
**Subject: Ad valorem usage authorization (SJR 70)**

Dear Attorney General Hunter:

You are hereby notified that Enrolled Senate Joint Resolution 70 was received in the Office of the Secretary of State on May 3, 2018. This resolution has been designated as **State Question Number 801, Legislative Referendum Number 374**.

Pursuant to 34 O.S. §9(C), this office is submitting the proposed ballot title to you for review. Please find enclosed a true and exact copy of Enrolled Senate Joint Resolution 70 on record with the Secretary of State.

If our office may be of any further assistance, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Canton".

Amy Canton  
Acting Assistant Secretary of State



MIKE HUNTER  
ATTORNEY GENERAL

**FILED**

MAY 14 2018

OKLAHOMA SECRETARY  
OF STATE

Dawn Elizabeth Cash  
First Assistant Attorney General

May 14, 2018

Senator Mike Schulz  
President Pro Tempore  
Oklahoma Senate  
2300 N. Lincoln Blvd., Room 422  
Oklahoma City, Oklahoma 73105

Representative Charles McCall  
Speaker of the House of Representatives  
2300 N. Lincoln Blvd., Room 401  
Oklahoma City, Oklahoma 73105

Tod Wall, Secretary of State  
Office of the Secretary of State  
2300 N. Lincoln Blvd., Room 122  
Oklahoma City, Oklahoma 73105-4897

Senator Stephanie Bice  
2300 N. Lincoln Blvd., Room 424A  
Oklahoma City, Oklahoma 73105

Representative Elise Hall  
2300 N. Lincoln Blvd., Room 200  
Oklahoma City, Oklahoma 73105

**Re: Ballot Title for State Question No. 801, Legislative Referendum No. 374**

Dear Secretary Wall:

In accordance with the provisions of 34 O.S.Supp.2017, § 9(C), we have reviewed the proposed ballot title for the above-referenced State Question and conclude that it does not comply with applicable laws because it does not completely explain the effects of the proposition. *See* 34 O.S.Supp.2017, § 9(B)(2). Specifically, the proposed ballot title does not explain the role of voters

in approving any additional ad valorem tax levied for the purposes set forth in Article X, Section 10 of the Oklahoma Constitution.

Having found that the ballot title does not comply with applicable laws, we will, in accordance with the provisions of 34 O.S.Supp.2017, § 9(C), prepare a Preliminary Ballot Title that complies with the law and furnish a copy to you within ten (10) business days.

Sincerely,

A handwritten signature in black ink, appearing to read "Dawn Cash", with a stylized flourish at the end.

Dawn Cash  
First Assistant Attorney General



MIKE HUNTER  
ATTORNEY GENERAL

**FILED**

**MAY 25 2018**

**OKLAHOMA SECRETARY  
OF STATE**

Dawn Elizabeth Cash  
First Assistant Attorney General

May 25, 2018

Senator Mike Schulz  
President Pro Tempore  
Oklahoma Senate  
2300 N. Lincoln Blvd., Room 422  
Oklahoma City, Oklahoma 73105

Representative Charles McCall  
Speaker of the House of Representatives  
2300 N. Lincoln Blvd., Room 401  
Oklahoma City, Oklahoma 73105

Tod Wall, Secretary of State  
Office of the Secretary of State  
2300 N. Lincoln Blvd., Room 122  
Oklahoma City, Oklahoma 73105-4897

Senator Stephanie Bice  
2300 N. Lincoln Blvd., Room 424A  
Oklahoma City, Oklahoma 73105

Representative Elise Hall  
2300 N. Lincoln Blvd., Room 200  
Oklahoma City, Oklahoma 73105

**Sent via Hand-Delivery and Electronic Mail**

**Re: Preliminary Ballot Title for State Question No. 801,  
Legislative Referendum No. 374**

Dear Secretary Wall:

On May 14, 2018, we notified you that the proposed ballot title for the above-referenced State Question did not comply with the requirements of 34 O.S.Supp.2017, § 9(C). In accordance with Section 9(C), we have prepared the following Preliminary Ballot Title. As a Title 34 ballot title review, the following does not constitute an Attorney General Opinion on the merits or



constitutionality of the underlying changes in the law, nor on the ability of federal law to preempt the changes in law. The Preliminary Ballot Title reads as follows:

**PRELIMINARY BALLOT TITLE FOR STATE QUESTION NO. 801**

This measure would provide a means for voters to allow school districts to expand the permissible uses of ad valorem tax revenues to include school operations.

The Oklahoma Constitution limits the rate of ad valorem taxation. However, it permits voters in a school district to approve an increase of up to five mills (\$5.00 per \$1,000.00 of the assessed value of taxable property) over this limit for the purpose of raising money for a school district building fund.

Currently, monies from this building fund may only be used to build, repair, or remodel school buildings and purchase furniture. This measure would amend the Constitution to permit voters to approve such a tax to be used for school operations deemed necessary by the school district, in addition to the purposes listed above.

**SHALL THE PROPOSAL BE APPROVED?**

**FOR THE PROPOSAL – YES**

\_\_\_\_\_

**AGAINST THE PROPOSAL – NO**

\_\_\_\_\_

Sincerely,



Dawn Cash  
First Assistant Attorney General



MIKE HUNTER  
ATTORNEY GENERAL

**FILED**

JUN 08 2018

OKLAHOMA SECRETARY  
OF STATE

Dawn Elizabeth Cash  
First Assistant Attorney General

June 8, 2018

Senator Mike Schulz  
President Pro Tempore  
Oklahoma Senate  
2300 N. Lincoln Blvd., Room 422  
Oklahoma City, Oklahoma 73105

Representative Charles McCall  
Speaker of the House of Representatives  
2300 N. Lincoln Blvd., Room 401  
Oklahoma City, Oklahoma 73105

James Williamson, Secretary of State  
Office of the Secretary of State  
2300 N. Lincoln Blvd., Room 122  
Oklahoma City, Oklahoma 73105-4897

Senator Stephanie Bice  
2300 N. Lincoln Blvd., Room 424A  
Oklahoma City, Oklahoma 73105

Representative Elise Hall  
2300 N. Lincoln Blvd., Room 200  
Oklahoma City, Oklahoma 73105

**Re: Final Ballot Title for State Question No. 801,  
Legislative Referendum No. 374**

Dear Secretary Williamson:

On May 14, 2018, we notified you that the proposed ballot title for the above-referenced State Question did not comply with the requirements of 34 O.S.Supp.2017, § 9(C), and on May 25, 2018, we prepared a preliminary ballot title in accordance with that Section. We have now prepared the following Final Ballot Title also in accordance with Section 9(C). As a Title 34 ballot

title review, the following does not constitute an Attorney General Opinion on the merits or constitutionality of the underlying changes in the law, nor on the ability of federal law to preempt the changes in law. The Final Ballot Title reads as follows:

**FINAL BALLOT TITLE FOR STATE QUESTION NO. 801**

This measure would provide a means for voters to allow school districts to expand the permissible uses of ad valorem tax revenues to include school operations.

The Oklahoma Constitution limits the rate of ad valorem taxation. However, it permits voters in a school district to approve an increase of up to five mills (\$5.00 per \$1,000.00 of the assessed value of taxable property) over this limit for the purpose of raising money for a school district building fund.

Currently, monies from this building fund may only be used to build, repair, or remodel school buildings and purchase furniture. This measure would amend the Constitution to permit voters to approve such a tax to be used for school operations deemed necessary by the school district, in addition to the purposes listed above.

**SHALL THE PROPOSAL BE APPROVED?**

**FOR THE PROPOSAL – YES**

\_\_\_\_\_

**AGAINST THE PROPOSAL – NO**

\_\_\_\_\_

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dawn Cash", with a stylized flourish at the end.

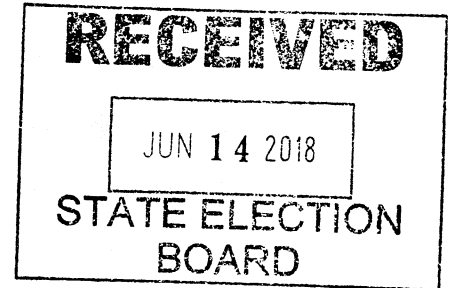
Dawn Cash  
First Assistant Attorney General

James A. Williamson  
Secretary of State



Mary Fallin  
Governor

June 14, 2018



The Honorable Paul Ziriaux  
Secretary, State Election Board  
State Capitol, Room G28  
Oklahoma City, Oklahoma 73105

**Re: State Question 801, Legislative Referendum 374 (SJR 70)**  
**Subject: Ad valorem usage authorization**

Dear Secretary Ziriaux:

In accordance with the provisions of 34 O.S. § 9(C)(2), I herewith transmit State Question 801, Legislative Referendum 374 and attest that the enclosed copy of Senate Joint Resolution 70 is a true and accurate copy of the measure on record with this office. Also enclosed is a true and accurate copy of the Final Ballot Title, as prepared by the Attorney General.

If our office may be of any further assistance, please do let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "James A. Williamson", written over a large, stylized initial "J".

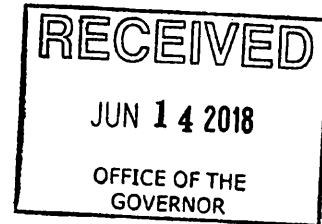
James A. Williamson  
Secretary of State

James A. Williamson  
Secretary of State



Mary Fallin  
Governor

June 14, 2018



The Honorable Mary Fallin  
Governor, State of Oklahoma  
State Capitol, Room 212  
Oklahoma City, Oklahoma 73105

**Re: State Question 801, Legislative Referendum 374 (SJR 70)**  
**Subject: Ad valorem usage authorization**

Dear Governor Fallin:

Pursuant to 34 O.S. § 9(C)(2), the Secretary of State has transmitted to the Secretary of the State Election Board an attested copy of the above referenced measure and a copy of the Attorney General's Final Ballot Title. Please find enclosed a true and accurate copy of SJR **70**, as recorded in this office, a copy of the transmittal letter addressed to the Secretary of the State Election Board, and a true and accurate copy of the Attorney General's Final Ballot Title on record with this office.

If there are any questions, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "James A. Williamson".

James A. Williamson  
Secretary of State



Mary Fallin  
Governor

**FILED**

AUG 02 2018

OKLAHOMA SECRETARY  
OF STATE

**EXECUTIVE DEPARTMENT  
EXECUTIVE PROCLAMATION**

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the provisions of Section 1 of Article 24 of the Oklahoma Constitution, and the referral by the Secretary of State, do hereby declare that legislative referendum Number 374, State Question 801, be submitted to qualified electors of the State of Oklahoma for their approval or rejection at an election to be held statewide on the general election date of November 6, 2018.

The substance of this measure would amend the Oklahoma Constitution to permit voters to approve ad valorem revenues being used for school operations.

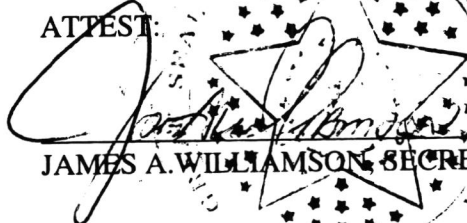
Copies of this Executive Proclamation shall be delivered to the Secretary of State, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Secretary of the State Election Board.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 2nd day of August, 2018

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

  
MARY FALLIN

ATTEST:

  
JAMES A. WILLIAMSON, SECRETARY OF STATE

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