

OKLAHOMA CONSTITUTION  
ARTICLE X - REVENUE AND TAXATION

SECTION X-1

Fiscal year.

The fiscal year shall commence on the first day of July in each year, unless otherwise provided by law.

SECTION X-2

Tax to defray state expenses.

The Legislature shall provide by law for an annual tax sufficient, with other resources, to defray the estimated ordinary expenses of the State for each fiscal year.

SECTION X-3

Tax to pay deficiency.

Whenever the expenses of any fiscal year shall exceed the income, the Legislature may provide for levying a tax for the ensuing fiscal year, which, with other resources, shall be sufficient to pay the deficiency, as well as the estimated ordinary expenses of the State for the ensuing year.

SECTION X-4

Levy to pay state debt.

For the purpose of paying the State debt, if any, the Legislature shall provide for levying a tax, annually, sufficient to pay the annual interest and principal of such debt within twenty-five years from the final passage of the law creating the debt.

SECTION X-5

Surrender of power of taxation - Uniformity of taxes.

A. Except as otherwise provided by this section, the power of taxation shall never be surrendered, suspended, or contracted away.

B. Taxes shall be uniform upon the same class of subjects.

C. The Legislature is hereby authorized to enact laws providing for the abatement of tax assessments, or portions thereof, if:

1. Collection of the tax liability and interest and penalties accruing thereto would reasonably result in the taxpayer declaring bankruptcy;

2. The tax is uncollectible due to insolvency of the taxpayer resulting from factors beyond control of the taxpayer or for other similar cause beyond the control of the taxpayer;

3. The tax liability is attributable to actions of a person other than the taxpayer and it would be inequitable to hold the taxpayer liable for the tax liability; or

4. In cases of nonpayment of trust fund taxes, the taxes were not collected by the taxpayer from its customer and the taxpayer had a good faith belief that collection of the taxes was not required.

Amended by State Question No. 702, Legislative Referendum No. 327, adopted at General Election held Nov. 5, 2002.

SECTION X-6

Property exempt from taxation - Property exempt under territorial law - Certain property exempted for limited time - Special election to determine whether certain property exempt.

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.

Up to one hundred (100) square feet of a storm shelter designed for protection and safety from tornadoes or tornadic winds and installed or added to an improvement to real property after January 1, 2002, shall be exempt from taxation. A storm shelter shall include, but not be limited to, a safe room built as part of and within an improvement to real property. If title to property with an exempt storm shelter is transferred, changed or conveyed to another person, such storm shelter shall be assessed for that year based on the fair cash value as set forth in Section 8 of this article.

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.

Amended by State Question No. 582, Legislative Referendum No. 249, adopted at election held on Nov. 6, 1984; State Question No. 597, Legislative Referendum No. 260, adopted at election held on Nov. 4, 1986; State Question No. 648, Legislative Referendum No. 292, adopted at election held on Nov. 3, 1992; State Question No. 696, Legislative Referendum No. 323, adopted at election held on Nov. 5, 2002.

#### SECTION X-6A

See the following versions:

OC 10-6Av1 (State Question No. 443, Legislative Referendum No. 159, adopted at election held Sept. 17, 1968).

OC 10-6Av2 (State Question No. 766, Legislative Referendum No. 363, adopted at election held on Nov. 6, 2012).

#### SECTION X-6B

Qualifying manufacturing concern - Ad valorem tax exemption.

A. For the purpose of inducing any manufacturing concern to locate or expand manufacturing facilities within any county of this state, a qualifying manufacturing concern shall be exempt from the levy of any ad valorem taxes upon new, expanded or acquired manufacturing facilities for a period of five (5) years.

B. For purposes of this section, a "qualifying manufacturing concern" means a concern that:

1. Is not engaged in business in this state or does not have property subject to ad valorem tax in this state and constructs a manufacturing facility in this state or acquires an existing facility that has been unoccupied for a period of twelve (12) months prior to acquisition; or

2. Is engaged in business in this state or has property subject to ad valorem tax in this state and constructs a manufacturing facility in this state at a different location from present facilities and continues to operate all of its facilities or acquires an existing facility that has been unoccupied for a period of twelve (12) months prior to acquisition and continues to operate all of its facilities.

C. The exemption allowed by this section shall apply to expansions of existing facilities. Provided, however that any exemption shall be limited to the increase in ad valorem taxes directly attributable to the expansion.

D. The Legislature shall define the term "manufacturing facility" for purposes of the ad valorem tax exemption provided by

this section in order to promote full employment of labor resources within the state; provided, however, that a manufacturing facility that qualifies for the ad valorem tax exemption provided by this section, pursuant to the definition of "manufacturing facility" then applicable, shall be eligible for the exemption without regard to subsequent changes in the definition of the term "manufacturing facility".

E. The Legislature shall enact laws to carry out the provisions of this section and to provide for the reimbursement to common schools, county governments, cities and towns, emergency medical services districts, vocational-technical schools, junior colleges, county health departments and libraries for revenues lost to such entities as a result of the exemption provided by this section.

F. The assessed valuation of property exempt from taxation by virtue of this section shall be added to the assessed valuation of taxable property in computing the limit on indebtedness of political subdivisions contained in Section 26 of this article.

G. Pursuant to an affirmative vote of a majority of the eligible voters of the county at an election for such purpose which may be called by the county commissioners of each county, after the expiration of the period prescribed by this section for the exemption, a county may retain not to exceed twenty-five percent (25%) of the increased ad valorem taxes derived from the levy imposed by the county upon the taxable value of property previously exempt pursuant to this section. The revenue retained by the county pursuant to this subsection may be used by the county as an economic development incentive to attract additional investment which will result in additional employment in the county. Only ad valorem tax revenue derived from ten (10) mills of the total ad valorem tax levy imposed by the county may be used for this purpose. The ad valorem tax revenue derived from the levy imposed by any other taxing jurisdiction shall be apportioned as otherwise required by law. The provisions of this subsection shall be applicable to qualified manufacturing concerns exempt prior to the adoption of the amendment contained in this subsection and which become taxable, either by expiration of the exemption period or for other reasons, on or after the date as of which the provisions of this subsection become law and to qualified manufacturing concerns which are exempt for the first time on or after the date of the adoption of the amendment contained in this subsection and which subsequently become taxable.

Added by State Question No. 588, Legislative Referendum No. 252, adopted at election held on April 30, 1985. Amended by State Question No. 618, Legislative Referendum No. 275, adopted at election held on Aug. 23, 1988; State Question No. 697, Legislative Referendum No. 324, adopted at election held on Nov. 5, 2002.

SECTION X-6C

Tax relief for historic preservation, reinvestment, or enterprise areas - Economic stagnation or decline - Use of local taxes and fees for public investments - Development or redevelopment of unproductive, etc. areas.

A. The Legislature, by law, may grant incorporated cities, towns, or counties the ability to provide incentives, exemptions and other forms of relief from taxation for historic preservation, reinvestment, or enterprise areas that are exhibiting economic stagnation or decline. Relief from taxes imposed by other local taxing jurisdictions shall only be allowed by contractual arrangement with the municipal or county governing body. The law shall require public hearings before such relief may be granted and shall provide for the local initiative power and referendum of the people. The Legislature may set limitations on the cumulative incentives and relief provided pursuant to the provisions of this section, the time period for the exemptions, the geographical area of the jurisdiction covered, the percentage of the tax base of the jurisdiction eligible for the relief programs, and threshold limits of investment credit and jobs created.

B. The Legislature, by law, may authorize that the cities, towns, or counties may specifically use local taxes and local fees, in whole or in part, for specific public investments, assistance in development financing, or as a specific revenue source for other public entities in the area in which the improvements take place and may direct the apportionment of the taxes and fees specified in this subsection for the purposes specified in this section. A direction of apportionment may be prospective and may continue for one or more years, and apportioned tax increments may be pledged beyond the current fiscal year to the repayment of indebtedness of other public entities, notwithstanding the provisions of Section 26 of Article X of the Oklahoma Constitution, or other constitutional provisions. The Legislature may establish for this subsection, the same procedures and limitations authorized in subsection A of this section.

C. The Legislature, by law, may authorize any city, town, or county to plan, finance and carry out the development or redevelopment of areas determined by the governing body of such city, town, or county to be unproductive, undeveloped, underdeveloped or blighted. The authority of the county shall be limited to the unincorporated areas of such county but any city, town or county may by agreement jointly plan, finance or carry out a development plan with any other public or private entity for one or more development projects within their respective boundaries.

D. Any city, town, or county may exercise the provisions of this section separately or in combination with powers granted by any other laws of this state.

Added by State Question No. 641, Legislative Referendum No. 287, adopted at election held on Nov. 6, 1990. Amended by State Question No. 707, Legislative Referendum No. 332, adopted at election held on Nov. 2, 2004. Amendment proposed by Laws 2003, S.J.R. No. 12, § 1.

#### SECTION X-7

Assessments for local improvements.

The Legislature may authorize county and municipal corporations to levy and collect assessments for local improvements upon property benefited thereby, homesteads included, without regard to a cash valuation.

#### SECTION X-8

Valuation of property for taxation - Limit on percentage of fair cash value - Approval by voters.

A. Except as otherwise provided in Article X of this Constitution, beginning January 1, 1997, all property which may be taxed ad valorem shall be assessed for taxation as follows:

1. Tangible personal property shall not be assessed for taxation at less than ten percent (10%) nor more than fifteen percent (15%) of its fair cash value, estimated at the price it would bring at a fair voluntary sale;

2. Real property shall not be assessed for ad valorem taxation at a value less than eleven percent (11%) nor greater than thirteen and one-half percent (13.5%) of its fair cash value for the highest and best use for which such property was actually used, or was previously classified for use, during the calendar year next preceding the first day of January on which the assessment is made. The transfer of property without a change in its use classification shall not require a reassessment based exclusively upon the sale value of such property. In connection with the foregoing, the Legislature shall be empowered to enact laws defining classifications of use for the purpose of applying standards to facilitate uniform assessment procedures in this state; and

3. All other property which is assessed by the State Board of Equalization shall be assessed for ad valorem taxation at the percentage of its fair cash value, estimated at the price it would bring at a fair voluntary sale, at which it was assessed on January 1, 1996.

B. Beginning January 1, 1997, the percentage at which real or tangible personal property is assessed within a county shall not be increased except upon approval by a majority of the registered voters of the county, voting at an election called for that purpose by a majority of the county commissioners, or upon a petition initiated by not less than ten percent (10%) of the registered voters of the county based on the total number of votes cast at the last general election for the county office receiving the highest number of votes

at the election. In no event shall the percentage be increased by more than one percentage point per year or increase in excess of the limitations set forth in paragraphs 1 and 2 of subsection A of this section. The percentage at which real or tangible personal property is assessed within a county may be decreased, within the limitations set forth in paragraphs 1 and 2 of subsection A of this section, without approval of the voters of the county.

C. Any officer or other person authorized to assess values or subjects for taxation, who shall commit any wilful error in the performance of the duties of the office, shall be deemed guilty of malfeasance, and upon conviction thereof shall forfeit the office and be otherwise punished as may be provided by law.

Amended by State Question No. 379, Legislative Referendum No. 117, adopted at special election held on July 1, 1958; State Question No. 486, Legislative Referendum No. 192, adopted at election held on Nov. 7, 1972; State Question No. 675, Legislative Referendum No. 305, adopted at election held on Nov. 5, 1996.

#### SECTION X-8A

Approval of exemption of household goods of heads of families and livestock employed in support of family - Adjusted millage rate - Computation procedure - Maximum rate.

(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.  
Added by State Question No. 648, Legislative Referendum No. 292, adopted at election held on Nov. 3, 1992.

#### SECTION X-8B

Valuation of real property for ad valorem taxation.

Despite any provision to the contrary, on and after January 1, 2013, the fair cash value of any parcel of locally assessed real property shall not increase by more than five percent (5%) in any taxable year; provided, if such property qualified for a homestead exemption or is classified as agricultural land, any increase to the fair cash value of such locally assessed real property in a taxable year shall be limited to three percent (3%). The provisions of this section shall not apply in any year when title to the property is transferred, changed, or conveyed to another person or when improvements have been made to the property. If title to the property is transferred, changed, or conveyed to another person, the property shall be assessed for that year based on the fair cash value as set forth in Section 8 of Article X of this Constitution. If any improvements are made to the property, the increased value to the



property as a result of the improvement shall be assessed for that year based on the fair cash value as set forth in Section 8 of Article X of this Constitution. The provisions of this section shall not apply to any personal property which may be taxed ad valorem or any property which may be valued or assessed by the State Board of Equalization.

The Legislature shall enact any laws necessary to implement the provisions of this section.

Added by State Question No. 676, Legislative Referendum No. 306, adopted at election held on Nov. 5, 1996. Amended by State Question No. 758, Legislative Referendum No. 358, adopted at election held on Nov. 6, 2012.

#### SECTION X-8C

Limit on fair cash value on homestead.

A. Despite any provision to the contrary, beginning January 1, 2005, the fair cash value, as determined by law, on each homestead of an individual head of household whose gross household income from all sources for the preceding calendar year did not exceed an amount as provided in subsection B of this section, and which individual head of household is sixty-five (65) years of age or older, shall not exceed the fair cash value placed upon the property during the first year in which the individual head of household was sixty-five (65) years of age or older and had gross household income from all sources which did not exceed an amount as provided in subsection B of this section. Subject to the limitations of this section, the fair cash value shall not exceed such amount as long as the individual head of household who is sixty-five (65) years of age or older owns and occupies the property and as long as the gross household income from all sources does not exceed an amount as provided in subsection B of this section. If any improvements are made to the property, the fair cash value of the improvements shall be assessed in accordance with law by the county assessor and added to the assessed value of the property. Once the fair cash value of the improvements has been added to the fair cash value of the property, the total fair cash value shall not exceed the revised valuation of the property so long as the individual head of household who is sixty-five (65) years of age or older owns and occupies the property and so long as the gross household income from all sources does not exceed an amount as provided in subsection B of this section. For any individual head of household who is sixty-five (65) years of age or older prior to January 1, 1997, and has gross household income from all sources of Twenty-five Thousand Dollars (\$25,000.00) or less in calendar year 1996, the fair cash value of the real property shall be the fair cash value placed upon the property on January 1, 1997. If the individual head of household ceases to own and occupy the property or if the gross household income from all sources exceeds an amount as provided

in subsection B of this section, the fair cash value of the property shall be determined as if the provisions of Section 8 of Article X of the Constitution of the State of Oklahoma or any other provisions relating to a limitation on the fair cash value of locally assessed real property had been in effect during the time the property was valued pursuant to the provisions of this section.

B. The income threshold for the gross household income from all sources for an individual head of household under this section shall not exceed the amount determined by the United States Department of Housing and Urban Development to be the estimated median income for the preceding year for the county or metropolitan statistical area which includes such county. The Oklahoma Tax Commission shall provide such information to each county assessor each year as soon as such information becomes available.

Added by State Question No. 677, Legislative Referendum No. 307, adopted at election held on Nov. 5, 1996. Amended by State Question No. 714, Legislative Referendum No. 337, adopted at election held on Nov. 2, 2004. Amendment proposed by Laws 2004, S.J.R. No. 30, § 1.

#### SECTION X-8D

Household personal property exemption - Permanently disabled veterans.

A. Despite any provision to the contrary, beginning January 1, 2009, each head of household who has been honorably discharged from active service in any branch of the Armed Forces of the United States or Oklahoma National Guard and who has been certified by the United States Department of Veterans Affairs or its successor to have a one-hundred-percent (100%) permanent disability sustained through military action or accident or resulting from disease contracted while in such active service or the surviving spouse of such head of household shall be entitled to claim an exemption for the full amount of all household personal property which is subject to ad valorem taxation and which is not subject to any form of taxation in lieu of ad valorem taxation.

B. In order to be eligible for the exemption authorized by this section, the individual shall be required to prove residency within the State of Oklahoma.

C. The Legislature shall be authorized to enact such laws as may be necessary in order to implement the exemption provided by this section; however, the exemption amount shall not be subject to modification by such enactments and shall be for the full amount of the valuation of any household personal property as otherwise prescribed by this section.

Added by State Question No. 735, Legislative Referendum No. 343, adopted at election held on Nov. 4, 2008. Addition proposed by Laws 2007, c. 160, § 1.

#### SECTION X-8E

Homestead exemption - Military service disability.

A. Despite any provision to the contrary, beginning January 1, 2006, each head of household who has been honorably discharged from active service in any branch of the Armed Forces of the United States or Oklahoma National Guard and who has been certified by the United States Department of Veterans Affairs or its successor to have a one hundred percent (100%) permanent disability sustained through military action or accident or resulting from disease contracted while in such active service or the surviving spouse of such head of household shall be entitled to claim an exemption for the full amount of the fair cash value of the homestead.

B. In order to be eligible for the exemption authorized by this section, the individual shall be required to prove residency within the State of Oklahoma and must have previously qualified for the homestead exemption authorized by law or be eligible for the homestead exemption pursuant to law.

C. If a homestead otherwise eligible for the exemption authorized by this section is transferred on or after January 1 of a calendar year, another homestead property acquired by the qualifying head of household or by the surviving spouse of such qualifying head of household shall be exempt to the same extent as the homestead property previously owned by such person or persons for the year during which the new homestead is acquired and, subject to the requirements of this section, for each year thereafter.

Added by State Question No. 715, Legislative Referendum No. 338, adopted at election held on Nov. 2, 2004 (addition proposed by Laws 2004, H.J.R. No. 1044, § 1). Amended by State Question No. 770, Legislative Referendum No. 365, adopted at election held on Nov. 4, 2014 (amendment proposed by Laws 2014, c. 317, § 1).

#### SECTION X-8F

Homestead exemption - Surviving spouse of veteran.

A. Despite any provision to the contrary, and except as otherwise provided by subsection D of this section, beginning January 1, 2015, the surviving spouse of the head of household who is determined by the United States Department of Defense or any branch of the United States military to have died while in the line of duty shall be entitled to claim an exemption for the full amount of the fair cash value of the homestead until such surviving spouse remarries.

B. In order to be eligible for the exemption authorized by this section, the surviving spouse shall be required to prove residency within the State of Oklahoma and must have previously qualified for the homestead exemption authorized by law or be eligible for the homestead exemption pursuant to law.

C. If a homestead otherwise eligible for the exemption authorized by this section is transferred on or after January 1 of a calendar year, another homestead property acquired by the surviving spouse shall be exempt to the same extent as the homestead property previously owned by such person for the year during which the new homestead is acquired and, subject to the requirements of this section, for each year thereafter.

D. The provisions of this section shall be applicable for the 2014 calendar year with respect to an existing homestead property owned by the surviving spouse of a person previously determined to have died while in the line of duty by the United States Department of Defense or applicable branch of the United States military. Added by State Question No. 771, Legislative Referendum No. 366, adopted at election held on Nov. 4, 2014 (addition proposed by Laws 2014, c. 317, § 3).

#### SECTION X-9

Amount of ad valorem tax.

(a) Except as herein otherwise provided, the total taxes for all purposes on an ad valorem basis shall not exceed, in any taxable year, fifteen (15) mills on the dollar, no less than five (5) mills of which is hereby apportioned for school district purposes, the remainder to be apportioned between county, city, town and school district, by the County Excise Board, until such time as a regular apportionment thereof is otherwise provided for by the Legislature.

No ad valorem tax shall be levied for State purposes, nor shall any part of the proceeds of any ad valorem tax levy upon any kind of property in this State be used for State purposes.

(b) A tax of four (4) mills on the dollar valuation of all taxable property in the county shall be levied annually in each county of the State for school purposes and, until otherwise provided by law, the proceeds thereof shall be apportioned to the school districts of the county by the County Treasurer on the basis of the legal average daily attendance for the preceding school year as certified by the State Board of Education. Provided that in case a school district lies in more than one county, such district shall be deemed a school district of the county having the greater part of the area comprising such district, unless otherwise provided by law, and shall be entitled to participate in the proceeds of such tax on the same basis as districts lying wholly within such county but revenue from such tax on the assessed valuation of the district in other counties shall, when collected, be transmitted to the County Treasurer of such county having the greater part of the area comprising the district, unless otherwise provided by law, and be apportioned as hereinbefore provided for the proceeds of such tax on the assessed valuation of such county. Not to exceed seventy-five per centum (75%) of the amount received by a school district from the

proceeds of such county levy in any year shall be required to finance the State guaranteed program of such district.

(c) Upon certification of a need therefor by the board of education of any school district an additional tax of not to exceed fifteen (15) mills on the dollar valuation of all taxable property in the district shall be levied for the benefit of the schools of such district.

(d) In addition to the levies hereinbefore authorized, any school district may make an emergency levy for the benefit of the schools of such district, in an amount not to exceed five (5) mills on the dollar valuation of the taxable property in such district when approved by a majority of the electors of the district voting on the question at an election called for such purpose. This emergency levy shall provide only sufficient additional revenue to meet the needs of the district each fiscal year as determined by the board of such district and must be approved by a majority of the electors voting on said question at such an election for each fiscal year.

(d-1) In addition to the levies hereinbefore authorized, any school district may make a local support levy for the benefit of the schools of such district, in an amount not to exceed ten (10) mills on the dollar valuation of the taxable property in such district, when approved by a majority of the ad valorem taxpaying voters voting on said question at an election for each fiscal year called for such purposes. This local support levy shall provide only sufficient additional revenue to meet the needs of the district for each such fiscal year as determined by the board of such district; provided, an elector desiring to vote upon such local support levy must present an ad valorem tax receipt for the year immediately preceding before being issued a ballot, or sign a sworn affidavit certifying the fact of such payment.

(d-2) 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 emergency levy and local support levy under (d) and (d-1) of this section permanent. If the question is approved, the levies, 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.

(e) The amount of revenue from school district ad valorem taxes levied under (a) and (c) of this Section which any school district may be required to use to finance its State guaranteed program shall not be in excess of its share, based upon its relative taxpaying ability as may be defined by law, of an amount equivalent to the net proceeds from a fifteen (15) mill tax levy on the aggregate net

assessed valuation of the State; but until such relative taxpaying ability is defined by the Legislature, the amount of revenue from such taxes which any school district may be required to use to finance its State guaranteed program shall not be in excess of the net proceeds from an ad valorem tax levy of fifteen (15) mills on the dollar net assessed valuation of the district. No part of the proceeds from any ad valorem levy for emergency levy and local support levy under (d) and (d-1) of this Section shall be required to finance the State guaranteed program of such district.

Nothing in the amendments to the Constitution incorporated herein shall be construed to amend, alter or supersede the present application of Article XII-A, Sections 1 and 2 of the Oklahoma Constitution.

Amended by State Question No. 185, Referendum Petition No. 61, adopted at election held on Aug. 15, 1933; State Question No. 319, Referendum Petition No. 91, adopted at election held on July 2, 1946; State Question No. 314, Initiative Petition No. 224, adopted at election held on Nov. 5, 1946; State Question No. 316, Initiative Petition No. 226, adopted at election held on Nov. 5, 1946; State Question No. 327, Referendum Petition No. 92, adopted at election held on July 6, 1948; State Question No. 368, Referendum Petition No. 109, adopted at election held on April 5, 1955; State Question No. 430, Referendum Petition No. 151, adopted at election held on Sept. 14, 1965; State Question No. 690, Legislative Referendum No. 318, adopted at election held on Nov. 7, 2000.

#### SECTION X-9A

Additional county ad valorem tax levy for department of health.

For the purpose of maintaining or aiding in maintaining a department of health within any county of the State, an additional levy not to exceed two and one-half mills on the dollar of the assessed valuation of the county may be levied annually, when such levy is approved by a majority of the qualified ad valorem tax paying voters of the county, voting on the question at an election called for such purpose by the Board of County Commissioners, or by initiative petition by voters of a county. A maximum levy of two and one-half mills may be made for such purpose after such approval until repealed by a majority of the qualified ad valorem tax paying voters of the county, voting on the question at an election called for such purpose by the Board of County Commissioners, or by initiative petition by voters of a county. Such department of health may be maintained jointly or in conjunction with one or more counties, cities, towns or school districts, or any combination thereof, and shall be maintained as now or hereafter provided by law. Nothing herein shall prohibit other levies or the use of other public funds for such department of health.

SECTION X-9B

Technology center school districts for technology center schools -  
Tax levies.

A. Technology center school districts for technology center schools may be established and a levy of not to exceed five (5) mills on the dollar valuation of the taxable property in any technology center school district so established may be made annually, for the district, when the levy is approved by a majority of the electors of the technology center school district, voting on the question at an election called for that purpose. The levy shall be in addition to all other levies authorized by this Constitution, and when approved, shall be made each fiscal year thereafter until repealed by a majority of the electors of the technology center school district, voting on the question at an election called for that purpose.

B. Any technology center school district so established shall be considered as a school district for the purposes of Sections 10 and 26 of this Article. The administrative control and direction of the technology center school district shall be vested in a school board which shall be constituted and empowered as provided for by law for school boards of independent school districts.

C. Provisions of other subsections of this section notwithstanding, in any case where a college technology center school district recognized pursuant to Section 4423 of Title 70 of the Oklahoma Statutes and established by vote of the people after December 31, 1968, overlaps and includes territory which is included within the district of a technology center school established as prescribed by the State Board of Career and Technology Education pursuant to Section 14-108 of Title 70 of the Oklahoma Statutes, except as otherwise provided in this section, only the levies made by the college technology center school district shall be applied to the overlap territory. Incentive levies may be applied to the overlap area by either the college technology center school district or technology center school district and revenues from the overlap area collected pursuant to any incentive levy so made shall be apportioned one-half (1/2) to the college technology center school district making the levy and one-half (1/2) to the overlapped technology center school district. Only one district shall make an incentive levy in the overlap territory during any given time period. In any case where a college technology center school district recognized pursuant to Section 4420 or 4420.1 of Title 70 of the Oklahoma Statutes overlaps and includes territory which is included within the district of a technology center school established as prescribed by the State Board of Career and Technology Education pursuant to Section 14-108 of Title 70 of the Oklahoma Statutes, said overlap territory shall be subject to all levies of both kinds of districts that are approved by a majority of the electors.

D. Provisions of other subsections of this section notwithstanding, in any case where a college technology center school district recognized pursuant to Section 4423 of Title 70 of the Oklahoma Statutes and established by vote of the people after December 31, 1968, but before July 1, 2012, overlaps and includes territory which is included within the district of a technology center school established as prescribed by the State Board of Career and Technology Education pursuant to Section 14-108 of Title 70 of the Oklahoma Statutes, except as otherwise provided in this section, the building fund levy made pursuant to Section 10 of this Article may be applied to the overlap area by either the college technology center school district or technology center school district and revenues from the overlap area collected pursuant to any building fund levy so made shall be apportioned one-half (1/2) to the college technology center school district making the levy and one-half (1/2) to the overlapped technology center school district. Only one district shall make a building fund levy in the overlap territory during any given time period.

E. In addition to any other levies authorized by this section, a technology center school district may make a local incentive levy for the benefit of the technology center school district in an amount not to exceed five (5) mills on the dollar valuation of the taxable property in the technology center school district when approved by a majority of those registered voters of the technology center school district voting on the question at an election called for that purpose. Except as otherwise provided, this levy, when approved, shall be made each fiscal year thereafter until repealed by a majority of the electors of the technology center school district voting on the question at an election called for that purpose. A technology center school district which has previously failed to approve a local incentive levy at two consecutive elections held between January 1, 1994, and May 31, 1994, may make a local incentive levy for the benefit of the technology center school district only if approved by a majority of the registered voters of the technology center school district voting on the question at an election for each fiscal year. If a majority of voters approve the local incentive levy for three (3) consecutive years, the levy approved on the third year shall be made each fiscal year thereafter until repealed by a majority of the electors of the technology center school district voting on the question at an election called for that purpose.

F. Upon the establishment of technology center school districts, the districts are authorized to become indebted separate and apart from the indebtedness of any school district included in the technology center school district up to five percent (5%) of the net valuation of taxable property within the technology center school district for capital improvements, including purchasing sites and constructing, purchasing, improving, and equipping real property and



buildings when the indebtedness is approved by a majority of the electors of the technology center school district voting on the question in an election called for that purpose.

G. Until otherwise provided for by law, technology center school districts and the government of technology center school districts shall be established in accordance with criteria and procedures prescribed by the State Board of Career and Technology Education.

H. The Legislature may alter, amend, delete, or add to the provisions of this section by law.

Added by State Question No. 434, Legislative Referendum No. 155, adopted at election held on May 24, 1966. Amended by Laws 1984, c. 63, § 1, emerg. eff. March 29, 1984; Laws 1989, c. 41, § 1, eff. Jan. 1, 1991; Laws 1990, c. 263, § 148, operative July 1, 1990; Laws 1991, c. 206, § 1, emerg. eff. May 17, 1991; Laws 1993, c. 149, § 1, eff. July 1, 1993; Laws 1994, c. 232, § 7, emerg. eff. May 25, 1994; Laws 2001, c. 33, § 183, eff. July 1, 2001; Laws 2002, c. 480, § 1, emerg. eff. June 6, 2002; Laws 2007, c. 123, § 1, eff. July 1, 2007; Laws 2012, c. 180, § 1, eff. July 1, 2012.

#### SECTION X-9C

##### Emergency Medical Service Districts

(a) The board of county commissioners, or boards if more than one county is involved, may call a special election to determine whether or not an ambulance service district shall be formed. An election shall also be called by the board or boards involved upon petition signed by not less than ten percent (10%) of the registered voters of the area affected. Said area may embrace a county, a part thereof, or more than one county or parts thereof, and in the event the area covers only a part or parts of one or more counties, the area must follow school district boundary lines. All registered voters in such area shall be entitled to vote, as to whether or not such district shall be formed, and at the same time and in the same question authorize a tax levy not to exceed three (3) mills for the purpose of providing funds for the purpose of support, organization, operation and maintenance of district ambulance services, known as emergency medical service districts and hereinafter referred to as "districts." If the formation of the district and the mill levy is approved by a majority of the votes cast, a special annual recurring ad valorem tax levy of not more than three (3) mills on the dollar of the assessed valuation of all taxable property in the district shall be levied. The number of mills shall be set forth in the election proclamation, and may be increased in a later election, not to exceed a total levy of three (3) mills. This special levy shall be in addition to all other levies and when authorized shall be made each fiscal year thereafter.

Each district which is herein authorized, or established, shall have a board of trustees composed of not less than five members.

Such trustees shall be chosen jointly by the board or boards of county commissioners, provided that such membership shall be composed of not less than one individual from each county or part thereof which is included in said district.

Original members of the board of trustees shall hold office, as follows: At the first meeting of said board, board members shall draw lots to determine each trustee's original length of term in office. The number of lots to be provided shall be equal to the number of original members of the board, and lots shall be numbered sequentially from one through five, with lots in excess of the fifth lot being also numbered sequentially from one through five until all lots are numbered. Each original member or members added by an expansion area of the board shall hold office for the number of years indicated on his or her lot. Each year, as necessary, the board or boards of county commissioners shall appoint successors to such members of the board of trustees whose terms have expired, and such subsequent appointments shall be for terms of five (5) years.

Such board of trustees shall have the power and duty to promulgate and adopt such rules, procedures and contract provisions necessary to carry out the purposes and objectives of these provisions, and shall individually post such bond as required by the county commissioners, which shall not be less than Ten Thousand Dollars (\$10,000.00).

The district board of trustees shall have the additional powers to hire a manager and appropriate personnel, contract, organize, maintain or otherwise operate the emergency medical services within said district and such additional powers as may be authorized by the Legislature.

(b) Any district board of trustees may issue bonds, if approved by a majority vote at a special election for such purpose. All registered voters within the designated district shall have the right to vote in said election. Such bonds shall be issued for the purpose of acquiring emergency vehicles and other equipment and maintaining and housing the same.

(c) The bonds authorized above shall not bear interest at a greater rate than that authorized by statute for the issuance of city municipal bonds. Such bonds shall be sold only at public sale after twenty (20) days' advertisement in a newspaper for publication of legal notices with circulation in the district. Any district may refund its bonds as is now provided by law for refunding municipal bonds.

(d) Any district board of trustees, upon issuing bonds as authorized in subsection (b) of this section, shall levy a special annual ad valorem tax upon the property within the district, payable annually, in a total amount not to exceed three (3) mills on the dollar, on the real and personal taxable property in such district, for the payment of principal and interest on outstanding bonds, until

same are paid. However, the trustees may, from time to time, suspend the collection of such annual levy when not required for the payment of the bonds. In no event shall the real and personal taxable property in any city or town be subject to a special tax in excess of three (3) mills for the payment of bonds issued hereunder.

(e) There may also be pledged to the payment of principal and interest of the bonds herein authorized to be issued: (1) any net proceeds from operation of the district that the board of trustees of the district shall deem not necessary to the future operation and maintenance of said emergency medical service; or (2) any monies available from other funds of the district not otherwise obligated.

(f) Bonds shall be issued for designated sums with serial numbers thereon and maturing annually after three (3) years from date of issue. All bonds and interest thereon shall be paid upon maturity and no bonds shall be issued for a period longer than thirty (30) years. Any district board of trustees may in its discretion schedule the payment of principal over the thirty-year period so that when interest is added there will be approximately level annual payments of principal and interest.

(g) In the event the mill levy as set forth in the original election proclamation is less than three (3) mills, the board of trustees may request the county commissioners to call a subsequent election to consider increasing the mill levy; provided, however, the total levy authorized by subsection (a) hereof shall not exceed three (3) mills.

(h) The board of trustees of any district shall have jurisdiction over the sale or refunding of any bonds issued by the district and shall be responsible for the economical expenditure of the funds derived from the bonds.

(i) Such districts shall be empowered to charge fees for services, and accept gifts, funds or grants from sources other than the mill levy, which shall be used and accounted for in a like manner. Persons served outside the district shall be charged an amount equal to the actual costs for the service, not taking into account any income the district receives from millage or sources within the district. The board of trustees shall have legal authority to bring suits necessary to collect accounts owed and to sue and defend as necessary for the protection of the board. The State Auditor and Inspector shall conduct an annual audit of the operations of such districts.

(j) Any emergency medical service district may expand to include other counties or parts thereof, provided that an election is called by the county commissioners whose county or counties, or parts thereof, are to be added to in the established district; and provided further, that the county commissioners in the original district concur in the calling of said election. The proposed expansion area shall only be added to the original district if approved separately

by a majority vote, by the voters in both the original district and in the expansion area, at an election called for that purpose. The county in which the expansion area is located shall have not less than one member on the board of trustees. Appropriate millage or other approved method of financial support shall be levied in the expansion area, when said area is added to the original district which millage shall be levied at the rate used to cover operational costs and outstanding bonded indebtedness as provided in Section 9C, (d) and (e), Article X.

(k) Any county or parts thereof may withdraw from a district provided that an election is called by the county commissioners of the county whose county or parts thereof is to be withdrawn from the district. The county or parts thereof shall be withdrawn from the district if approved by a majority vote of the voters in the county at an election called for such purpose. If the county commissioners are presented a petition signed by not less than twenty percent (20%) of all registered voters in the county, the county commissioners shall call an election. The petition for an election for a county or parts thereof to withdraw from a district and the ballot shall provide for the payment of any debt for operational costs and outstanding bonded indebtedness in proportional shares, for which the county or parts thereof would be responsible as a result of the membership of the county or parts thereof in the district.

(l) Any district may be dissolved, or the millage levy changed, by a majority vote of the registered voters voting at an election called for that purpose by the county commissioners of each county or part thereof included within the district; provided that such an election shall not be called unless either three-fifths (3/5) of the trustees of such district request the county commissioners to call such an election, or the respective county commissioners are presented a petition signed by not less than twenty percent (20%) of all registered voters in the district.

(m) In the event a district is dissolved, any mill levy used to support, organize, operate and maintain the emergency medical service district shall cease, provided that such mill levy shall not cease until all outstanding emergency medical service bonds of that district are retired and all other debts incurred by the emergency medical service district have been satisfied.

(n) All elections called under the provisions hereof shall be conducted by the county election board or boards of each county or counties involved, upon receipt of an election proclamation, issued by a majority of the board or boards of county commissioners in the area affected. In the event more than one county is involved, said proclamation must be a joint proclamation from a majority of the board of county commissioners of each county involved. Said proclamation shall be published in one issue of a newspaper of general circulation in each county involved in the area affected at

least ten (10) days prior to said election, and said proclamation shall set forth the purpose of the election, and the date thereof. The county election board or boards shall certify the results of an election to the board or boards issuing such proclamation.

(o) The board of any district shall have capacity to sue and be sued. Provided, however, the board shall enjoy immunity from civil suit for actions or omissions arising from the operation of the district, so long as, and to the same extent as, municipalities and counties within the state enjoy such immunity.

(p) In lieu of proceeding to establish a district as outlined hereinabove through the county commissioners, the governing body of any incorporated city or town may proceed to form a district, join an existing district or join with other incorporated cities or towns in forming a district. In such case, said governing body shall be considered as being substituted as to the powers and duties of said county commissioners as set forth hereinabove; provided, further, said city or town shall be considered as being substituted as to the powers and duties of a district formed, as set forth hereinabove. All rights, duties, privileges and obligations of the residents and voters in such city or town shall be the same as those outlined for the district as set forth above.

Added by State Question No. 552, Legislative Referendum No. 217, adopted at election held on Aug. 24, 1976. Amended by State Question No. 678, Legislative Referendum No. 308, adopted at election held on Nov. 3, 1998.

#### SECTION X-9D

Solid waste management services.

A. The board of county commissioners of any county may call a special election to determine whether or not the board shall provide solid waste management services for the county. An election shall also be called by the board upon petition signed by not less than ten percent (10%) of the registered voters of the county. All registered voters in such county shall be entitled to vote, as to whether or not such services shall be provided, and at the same time and in the same question authorize a tax levy of not to exceed three (3) mills for the purpose of providing funds for the purpose of support, organization, operation and maintenance of such services. If the provision of the services and the mill levy is approved by a majority of the votes cast, a special annual recurring ad valorem tax levy of not more than three (3) mills on the dollar of the assessed valuation of all taxable property in the county shall be levied. The number of mills shall be set forth in the election proclamation, and may be increased in a later election, not to exceed a total levy of three (3) mills. This special levy shall be in addition to all other levies and when authorized shall be made each fiscal year thereafter.

B. Upon passage of the question, the board of county commissioners shall provide solid waste management services for county residents and businesses. The board may provide for one or more disposal facilities and for solid waste collection services. The board may purchase landfill sites, construct and operate landfills and transfer stations and other solid waste disposal and handling facilities. The board shall provide a solid waste disposal and collection system for the county, using the funds available from the millage levy and any service charges the board may assess. The board may purchase, operate, and maintain vehicles for curbside or roadside solid waste collection. In rural areas where curbside collection services may not be economically feasible, the board may construct and operate transfer stations for areawide collection and transfer of solid waste to ultimate disposal sites.

C. The board of county commissioners of a county in which the question has passed shall have the power and duty to promulgate and adopt such rules, procedures and contract provisions necessary to implement the purposes and objectives of this section. The board of county commissioners shall have the additional powers to hire a manager and appropriate personnel, contract, organize, maintain or otherwise operate the solid waste management services within said county and such additional powers as may be authorized by the Legislature.

D. Two or more counties in which the question has passed may enter into agreements with each other to provide solid waste management services in all counties involved in the most economical fashion, including agreements to provide collection and disposal services for each other where areas in one county may be more economically served by facilities located in another county.

E. In addition to other powers provided for pursuant to the provisions of this section, the board of county commissioners of any county in which the question has passed may issue bonds, if approved by a majority vote at a special election for such purpose. All registered voters within the county shall have the right to vote in said election. Such bonds may be issued for the purpose of:

1. acquiring vehicles, equipment and other necessary items;
2. purchasing landfill sites;
3. constructing landfills, transfer stations, or other facilities for solid waste management, disposal, and recycling; and
4. operating and maintaining all of the above listed items.

Landfill sites, equipment and other items, no longer needed, shall be disposed of as provided for by law for the sale of county-owned property.

F. The bonds authorized, pursuant to the provisions of subsection E of this section shall not bear interest at a greater rate than that authorized by statute for the issuance of city municipal bonds. Such bonds shall be sold only at public sale after

twenty (20) days' advertisement in a newspaper of general circulation in the county. Any county may refund its bonds as is now provided by law for refunding municipal bonds.

G. Any board of county commissioners, upon issuing bonds as authorized in subsection E of this section, shall levy a special annual ad valorem tax upon the property within the county, payable annually, in a total amount not to exceed three (3) mills on the dollar, on the real and personal taxable property in such county, for the payment of principal and interest on outstanding bonds, until same are paid. However, the board may suspend, from time to time, the collection of such annual levy when not required for the payment of the bonds.

H. There may also be pledged to the payment of principal and interest of the bonds authorized to be issued:

1. any net proceeds from operation of the county solid waste management services that the board of county commissioners shall deem not necessary to the future operation, maintenance or closure of said solid waste management services and facilities; or
2. any monies available from other funds of the county not otherwise obligated.

I. Bonds shall be issued for designated sums with interest payable semiannually and with the principal maturing annually beginning not more than three (3) years from date of issue. All bonds and interest thereon shall be paid upon maturity and no bonds shall be issued for a period longer than thirty (30) years. Any board of county commissioners may in its discretion schedule the payment of principal over the period of maturity of the bond issue, so that when interest is added there will be approximately level annual payments of principal and interest.

J. In the event the mill levy as provided for in the original election proclamation is less than three (3) mills, the board of county commissioners may call a subsequent election to consider increasing the mill levy; provided, however, the total levy authorized by subsection A of this section shall not exceed three (3) mills.

K. The board of county commissioners shall have jurisdiction over the sale or refunding of any bonds issued by the county pursuant to the provisions hereof, and shall be responsible for the economical expenditure of the funds derived from the bonds.

L. The board of county commissioners shall be empowered to charge fees for services, and accept gifts, funds or grants from sources other than the mill levy, which shall be used and accounted for in a like manner. Persons served outside the county shall be charged an amount equal to the actual costs for providing the service, not taking into account any income the county receives from millage or sources within the county. The board shall have legal authority to bring such suits necessary to collect accounts owed and

to sue and defend as necessary for the protection of the board. The State Auditor and Inspector shall conduct an annual audit of the solid waste management operations of such counties.

M. Any county may cease providing solid waste management services, or cause the millage levy authorized by subsection G of this section to be changed, by a majority vote of the registered voters voting at an election called for that purpose by the board of county commissioners. Such an election shall not be called unless either two-thirds (2/3) of the board members vote to call such an election, or the board is presented a petition signed by not less than twenty percent (20%) of all registered voters in the county.

N. If a county ceases to provide solid waste management services, any mill levy used to support, organize, operate and maintain the services and facilities shall cease, provided that such mill levy shall not cease until all outstanding solid waste management services bonds of that county are retired, all other debts incurred by the county in providing solid waste management services have been satisfied, and all facilities have been properly closed as provided for by law.

O. All elections called pursuant to the provisions of this section shall be conducted by the county election board of each county involved, upon receipt of an election proclamation, issued by the board of county commissioners in the county affected. Said proclamation shall be published in one issue of a newspaper of general circulation in the county at least ten (10) days prior to said election. The proclamation shall set forth the purpose of the election, and the date thereof. The county election board shall certify the results of the election to the board issuing the proclamation.

Added by State Question No. 596, Legislative Referendum No. 259, adopted at election held on Aug. 26, 1986. Addition proposed by Laws 1986, p. 1573, H.J.R. No. 1048.

#### SECTION X-10

Increased rate for public buildings or for building fund for school districts - Permanent levy.

A. For the purpose of erecting public buildings in counties or cities, or for the purpose of raising money for a building fund for a school district which may be used for erecting, remodeling or repairing school buildings, and for purchasing furniture, 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 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. Amended by State Question No. 368, Legislative Referendum No. 109, adopted at special election held on April 5, 1955; State Question No. 690, Legislative Referendum No. 318, adopted at general election held on Nov. 7, 2000.

#### SECTION X-10A

Tax levy for cooperative county libraries and joint city-county libraries.

To provide funds for the purpose of establishing and maintaining or aiding in establishing and maintaining public libraries and library services, a special annual recurring ad valorem tax shall be levied when such levy is approved by a majority vote of the qualified electors of the county voting on the question at an election called for that purpose by the Board of County Commissioners, either upon its own initiative or upon petition initiated by not less than ten percent (10%) of the qualified electors of the county based on the total number of votes cast at the last general election for the county office receiving the highest number of votes at such an election.

Except as provided in this section, in a county having less than one hundred fifty thousand (150,000) population, according to the most recent Federal Decennial Census, the special annual recurring ad valorem tax levy shall be not less than one (1) mill nor more than four (4) mills on the dollar of the assessed valuation of all taxable property in the county. In a county having more than one hundred fifty thousand (150,000) population or in a multicounty library system with a county having more than one hundred fifty thousand (150,000) population, according to the most recent Federal Decennial Census, the special annual recurring ad valorem tax levy for each such county shall be not less than one (1) mill nor more than six (6) mills on the dollar of the assessed valuation of all taxable property in the county.

This special levy shall be in addition to all other levies and when authorized shall be made each fiscal year thereafter until such authority shall be cancelled by a majority vote of the qualified electors of the county voting on the question at an election called

for that purpose by the Board of County Commissioners upon petition initiated by not less than twenty percent (20%) of the qualified electors of the county based on the total number of votes cast at the last general election for the county office receiving the highest number of votes at such an election.

The proceeds of such levy shall be used by the county for creation, development, operation and maintenance of such public libraries and library services as are authorized by the Legislature. Nothing herein shall prohibit other levies for public libraries and library services or the use of other public funds for such purposes. All expenditures of the proceeds of such levies shall be made in accordance with laws heretofore or hereafter enacted concerning such libraries and library services. The provisions hereof shall be self-executing.

Added by State Question No. 392, Legislative Referendum No. 127, adopted at election held on July 26, 1960. Amended by State Question No. 507, Legislative Referendum No. 207, adopted at election held on Nov. 2, 1976; State Question No. 666, Legislative Referendum No. 300, adopted at election held on Nov. 8, 1994.

#### SECTION X-10B

Municipal-owned hospitals - Operation and maintenance - Tax levy.

For the purpose of operating and maintaining municipal-owned hospitals in cities, the rates of taxation herein limited may be increased, when the rate of such increase and the purpose of which it is intended shall have been submitted to a vote of the people, and a majority of the qualified voters of such city, 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 city.

Added by State Question No. 604, Legislative Referendum No. 264, adopted at election held on March 8, 1988.

#### SECTION X-11

Officer receiving interest, profit or perquisites.

The receiving, directly or indirectly, by any officer of the State, or of any county, city, or town, or member or officer of the Legislature, of any interest, profit, or perquisites, arising from the use or loan of public funds in his hands, or moneys to be raised through his agency for State, city, town, district, or county purposes shall be deemed a felony. Said offense shall be punished as may be prescribed by law, a part of which punishment shall be disqualification to hold office.

#### SECTION X-12

Special forms of taxation - Amounts - Reference to Federal taxation.

The Legislature shall have power to provide for the levy and collection of license, franchise, gross revenue, excise, income, collateral and direct inheritance, legacy, and succession taxes; also graduated income taxes, graduated collateral and direct inheritance taxes, graduated legacy and succession taxes; also stamp, registration, production or other specific taxes.

In the exercise of the powers provided for in this section, and notwithstanding any other provision of this Constitution, the Legislature may, with or without exceptions, modifications, or adjustments, define the amount on, in respect to, or by which any such tax or taxes are imposed or measured (a) by reference to any provisions of the laws (including administrative regulations, determinations, and interpretations) of the United States, as such laws may be or become effective at any time or from time to time; (b) by reference to any amount or amounts finally ascertained in determining amounts subject to taxation by the United States; or (c) by reference to any amount or amounts of tax finally ascertained to be payable to the United States.

Amended by State Question No. 444, Legislative Referendum No. 160, adopted at election held on Aug. 27, 1968. Amendment proposed by Laws 1967, p. 689, S.J.R. No. 30.

#### SECTION X-12a

Common school taxes on property of public service corporations.

All taxes collected for the maintenance of the common schools of this State, and which are levied upon the property of any railroad company, pipe line company, telegraph company, or upon the property of any public service corporation which operates in more than one county in this State, shall be paid into the Common School Fund and distributed as are other Common School Funds of this State.

Added by State Question No. 57, Referendum Petition No. 20, Adopted August 5, 1913.

#### SECTION X-13

Independence of state taxation.

The State may select its subjects of taxation, and levy and collect its revenues independent of the counties, cities, or other municipal subdivisions.

#### SECTION X-14

Levy and collection by general laws and for public purposes - Assumption of debts.

A. Except as otherwise provided by this section, taxes shall be levied and collected by general laws, and for public purposes only, except that taxes may be levied when necessary to carry into effect Section thirty-one of the Bill of Rights. Except as required by the Enabling Act, the State shall not assume the debt of any county,

municipal corporation, or political subdivision of the State, unless such debt shall have been contracted to defend itself in time of war, to repel invasion, or to suppress insurrection.

B. Subject to requirements imposed by law, use of public facilities of institutions within The Oklahoma State System of Higher Education shall be authorized by this section if the use is made in connection with a project involving the research or development of a technology, whether or not the technology is protected pursuant to federal or state law governing intellectual property, the results of which have potential economic value for a business enterprise or private business entity involved in the project with the institution. Amended by State Question No. 680, Legislative Referendum No. 310, adopted at election held on Nov. 3, 1998.

#### SECTION X-15

Pledge or loan of credit - Donation - Exceptions.

A. Except as provided by this section, the credit of the State shall not be given, pledged, or loaned to any individual, company, corporation, or association, municipality, or political subdivision of the State, nor shall the State become an owner or stockholder in, nor make donation by gift, subscription to stock, by tax, or otherwise, to any company, association, or corporation.

B. Pursuant to authority of and subject to requirements of law and according to professional norms established nationally in similar activities, the Oklahoma Center for the Advancement of Science and Technology or its successor may be authorized to use public funds not exceeding one percent (1%) of total state appropriations for the current fiscal year to promote economic development through grants or loans to individuals, companies, corporations or associations. Pursuant to authority of and subject to requirements of law and according to professional norms established nationally in similar activities, the Oklahoma Center for the Advancement of Science and Technology or its successor may be authorized to use public funds in order to promote economic development by purchase or ownership of stock or to make other investments in private enterprises and to receive income from such investments which are involved with research or patents from projects involving Oklahoma colleges or universities. The Oklahoma Center for the Advancement of Science and Technology or its successor may only use public funds for the purposes authorized in this subsection if a statute specifically authorizing such use is approved by an affirmative vote of at least two-thirds (2/3) of the members elected to the Senate and to the House of Representatives upon final passage of such measure in each of the respective houses and with the approval of the Governor.

C. The Legislature shall only authorize use of public funds by the Oklahoma Center for the Advancement of Science and Technology or its successor as permitted by this section for promotion of economic

development by creation of new employment, enhancement of existing employment or by the addition of economic value to goods, services or resources within the State authorized by subsection B herein.

D. The Legislature shall establish procedures to review and evaluate the extent to which the purposes of any statute authorizing use of public funds by the Oklahoma Center for the Advancement of Science and Technology are achieved.

E. Bonds issued by the board of education of any school district or public institutions of higher education may be guaranteed by the corpus of the permanent school fund, provided:

1. As to bonds issued by the board of education such bonds must be approved by election of the school district upon the question of issuing such bonds;

2. As to bonds issued by an institution within The Oklahoma State System of Higher Education such bonds are issued in accordance with all applicable provisions of law; and

3. Provisions shall be made by the Legislature to guarantee prompt reimbursement to the corpus of the permanent school fund for any payment from the fund on behalf of a school district or on behalf of an institution within The Oklahoma State System of Higher Education. The reimbursement shall include a reasonable rate of interest. The provisions of this paragraph regarding use of the permanent school fund for guarantee of bonds issued by an institution within The Oklahoma State System of Higher Education shall not be self-executing and the Legislature shall provide by law the procedure pursuant to which such obligations may be guaranteed and the procedures for repayments, if any, required to be made to the permanent school fund.

F. Subject to requirements imposed by law, the governing boards of institutions within The Oklahoma State System of Higher Education and employees of those institutions may have an ownership interest in a technology, whether or not the technology is protected pursuant to federal or state law governing intellectual property, and may have an ownership interest in a business enterprise or private business entity, if the ownership interest is acquired as a result of research or development of a technology involving the authorized use of facilities, equipment, or services of such institutions.

Amended by State Question No. 611, Legislative Referendum No. 268, adopted at election held on Sept. 20, 1988; State Question No. 665, Legislative Referendum No. 299, adopted at election held on Nov. 8, 1994; State Question No. 681, Legislative Referendum No. 311, adopted at election held on Nov. 3, 1998.

#### SECTION X-16

Borrowing money - Specification of purpose - Use.

All laws authorizing the borrowing of money by and on behalf of the State, county, or other political subdivision of the State, shall

specify the purpose for which the money is to be used, and the money so borrowed shall be used for no other purpose.

#### SECTION X-17

Aid to corporations, etc., by counties, cities, towns, etc.

The Legislature shall not authorize any county or subdivision thereof, city, town, or incorporated district, to become a stockholder in any company, association, or corporation, or to obtain or appropriate money for, or levy any tax for, or to loan its credit to any corporation, association, or individual.

SECTION X-18. Repealed by State Question No. 590, Legislative Referendum No. 254, adopted at election held Nov. 4, 1986.

#### SECTION X-19

Specification of purpose of tax - Devotion to another purpose.

Every act enacted by the Legislature, and every ordinance and resolution passed by any county, city, town, or municipal board or local legislative body, levying a tax shall specify distinctly the purpose for which said tax is levied, and no tax levied and collected for one purpose shall ever be devoted to another purpose.

#### SECTION X-20

Taxes for county, city, town or municipal purposes.

The Legislature shall not impose taxes for the purpose of any county, city, town, or other municipal corporation, but may, by general laws, confer on the proper authorities thereof, respectively, the power to assess and collect such taxes.

#### SECTION X-21

State Board of Equalization - Assessment levels.

A. There shall be a State Board of Equalization consisting of the Governor, State Auditor, State Treasurer, Lieutenant Governor, Attorney General, State Inspector and Examiner and President of the Board of Agriculture. The duty of said Board shall be to adjust and equalize the valuation of real and personal property of the several counties in the state, and it shall perform such other duties as may be prescribed by law, and they shall assess all railroad and public service corporation property.

B. Should the Offices of State Examiner and Inspector and State Auditor be consolidated in the Office of State Auditor and Inspector, the State Auditor shall be replaced as a member of the State Board of Equalization by the State Auditor and Inspector and the Superintendent of Public Instruction shall be added as a member thereof. Should the offices not be so consolidated, the membership shall remain the same as provided in subsection A of this section and

the Superintendent of Public Instruction shall not be added to the membership.

Amended by State Question No. 508, Legislative Referendum No. 208, adopted at election held on July 22, 1975, eff. Jan. 8, 1979.

#### SECTION X-22

Classification of property.

Nothing in this Constitution shall be held, or construed, to prevent the classification of property for purposes of taxation; and the valuation of different classes by different means or methods.

#### SECTION X-22A

Ad valorem tax exemption - Prohibition on filing for years prior to original application.

No person, firm, corporation or other legal entity shall be allowed to file for any ad valorem tax exemption provided for in Article X of the Oklahoma Constitution, for any year or years prior to the person, firm, corporation or legal entity filing their original application for said exemption with the county assessor. Eligibility for the applicable exemption shall be established as required by law. The Legislature may pass any additional laws that may be required to implement the provisions of this section.

Added by State Question No. 741, Legislative Referendum No. 344, adopted at election held on Nov. 4, 2008. Addition proposed by Laws 2008, c. 33, § 1.

#### SECTION X-23

Balanced budget - Procedures.

The state shall never create or authorize the creation of any debt or obligation, or fund or pay any deficit, against the state, or any department, institution or agency thereof, regardless of its form or the source of money from which it is to be paid, except as may be provided in this section and in Sections 24 and 25 of Article X of the Constitution of the State of Oklahoma.

To ensure a balanced annual budget, pursuant to the limitations contained in the foregoing, procedures are herewith established as follows:

1. Not more than forty-five (45) days or less than thirty-five (35) days prior to the convening of each regular session of the Legislature, the State Board of Equalization shall certify the total amount of revenue which accrued during the last preceding fiscal year to the General Revenue Fund and to each Special Revenue Fund appropriated directly by the Legislature, and shall further certify amounts available for appropriation which shall be based on a determination, in accordance with the procedure hereinafter provided, of the revenues to be received by the state under the laws in effect at the time such determination is made, for the next ensuing fiscal

year, showing separately the revenues to accrue to the credit of each such fund of the state appropriated directly by the Legislature.

Amounts certified as available for appropriation from each fund, as hereinbefore provided, shall be ninety-five percent (95%) of an itemized estimate made by the State Board of Equalization, which shall include all sources of revenue to each fund for the next ensuing fiscal year; provided, however, appropriated federal funds shall be certified for the full amount of the estimate. Said estimate shall consider any increase or decline in revenues that would result from predictable changes in the economy.

Legislative appropriations for any fiscal year, except for special appropriations provided for in paragraph 6, 7 or 8 shall be limited to a sum not to exceed the total amount appropriated from all funds in the preceding fiscal year, plus twelve percent (12%), adjusted for inflation for the previous calendar year. Said limit shall be adjusted for funds not previously appropriated. The limit on the growth of appropriations shall be certified to by the State Board of Equalization.

2. Such certification shall be filed with the Governor, the President and President Pro Tempore of the Senate, and the Speaker of the House of Representatives. The Legislature shall not pass or enact any bill, act or measure making an appropriation of money for any purpose until such certification is made and filed, unless the State Board of Equalization has failed to file said certification at the time of convening of said Legislature. In such event, it shall be the duty of the Legislature to make such certification pursuant to the provisions of this section. All appropriations made in excess of such certification shall be null and void; provided, however, that the Legislature may at any regular session or special session, called for that purpose, enact laws to provide for additional revenues or a reduction in revenues, other than ad valorem taxes, or transferring the existing revenues or unappropriated cash on hand from one fund to another, or making provisions for appropriating funds not previously appropriated directly by the Legislature. Whereupon, it shall be the duty of the State Board of Equalization to make a determination of the revenues that will accrue under such laws and ninety-five percent (95%) of the amount of any increase or decrease resulting, for any reason, from such changes in laws shall be added to or deducted from the amount previously certified available for appropriation from each respective fund, as the case may be. The State Board of Equalization shall file the amount of such adjusted certification, or additional certification for funds not previously appropriated directly by the Legislature, with the Governor, with the President and President Pro Tempore of the Senate, and the Speaker of the House of Representatives, and such adjusted amount shall be the maximum amount which can be appropriated for all purposes from any such fund for the fiscal year being certified.



3. The State Board of Equalization shall meet within five (5) days after the monthly apportionment in February of each year, and at that time may adjust the certification, based upon the most current information available, and determine the amount of funds available for appropriation for that legislative session. At said meeting the Board shall determine the limit on the growth of appropriations as provided for in this section.

4. Surplus funds or monies shall be any amount accruing to the General Revenue Fund of the State of Oklahoma over and above the itemized estimate made by the State Board of Equalization.

5. All such surplus funds or monies shall be placed in a Constitutional Reserve Fund by the State Treasurer until such time that the amount of said Fund equals fifteen percent (15%) of the General Revenue Fund certification for the preceding fiscal year. Appropriations made from said Fund shall be considered special appropriations.

6. a. Up to three-eighths (3/8) of the balance at the beginning of the current fiscal year in the Constitutional Reserve Fund may be appropriated for the forthcoming fiscal year, when the certification by the State Board of Equalization for said forthcoming fiscal year General Revenue Fund is less than that of the current fiscal year certification. In no event shall the amount of monies appropriated from the Constitutional Reserve Fund be in excess of the difference between the two said certifications.

b. (1) In years when the provisions of subparagraph a of this paragraph are not applicable and the balance at the beginning of the current fiscal year in the Constitutional Reserve Fund is equal to or greater than Eighty Million Dollars (\$80,000,000.00), up to Ten Million Dollars (\$10,000,000.00) may be expended for the purpose of providing incentives to support retention of at-risk manufacturing establishments in this state in order to retain employment for residents of this state. Such incentives shall be paid by the Oklahoma Tax Commission upon a unanimous finding by the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate that:

- (a) such incentives have been recommended by an independent committee created by the Legislature for such purposes as provided herein pursuant to criteria set out by law,
- (b) the incentive will result in a substantial benefit to this state, and

- (c) payment of the incentive would be in accordance with the provisions of this subparagraph and laws enacted to implement provisions of this subparagraph.
- (2) The independent committee will be composed of not less than seven (7) people appointed or otherwise determined pursuant to laws enacted by the Legislature providing for membership on the committee. The committee shall make recommendations to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate for the awarding of incentives. Such recommendations shall give priority to establishments which:
- (a) are at greater risk of losing jobs because the plant is no longer competitive or leaving the state and thereby causing the loss of more employment in this state than other eligible recipients, and
  - (b) provide the largest economic impact to the state.
- (3) For any fiscal year, the incentives shall not exceed ten percent (10%) of the amount invested by an establishment in capital assets to be utilized in this state. Incentives may only be paid pursuant to an investment contract between the establishment and a state agency designated by law, which provides for a specified amount of investment in a capital asset to be made by the establishment over a period of not to exceed five (5) years. No incentive payment shall be made prior to the actual investment by the establishment. The contract shall make payment of any incentives in any fiscal year contingent on the balance at the beginning of such fiscal year in the Constitutional Reserve Fund being equal to or greater than Eighty Million Dollars (\$80,000,000.00) and on the certification by the State Board of Equalization for such fiscal year of the amount available for appropriation from the General Revenue Fund being greater than the amount certified for the preceding fiscal year. Investment contracts authorized by this subparagraph shall provide that if any incentive payment is payable during a fiscal year in which either the balance at the beginning of the fiscal year in the Constitutional Reserve Fund is not

equal to or greater than Eighty Million Dollars (\$80,000,000.00) or when the certification by the State Board of Equalization for such fiscal year General Revenue Fund is less than that of the immediately prior fiscal year certification, then any incentive payments which would have been payable during such fiscal year shall be payable in the first fiscal year when funds are available pursuant to the provisions of division (1) of this subparagraph. In the event that the amount of incentives payable under investment contracts authorized by this subparagraph is greater than the amounts available for payment under this subparagraph in a fiscal year, then no new contracts may be authorized during such year and incentive payments which are made shall be reduced pro rata as necessary to apply all available funds to incentive payments which are payable in such year.

- (4) The Legislature is authorized to enact laws necessary to implement the provisions of this section.

7. Up to three-eighths (3/8) of the balance at the beginning of the current fiscal year in the Constitutional Reserve Fund may be appropriated for the current fiscal year if the State Board of Equalization determines that a revenue failure has occurred with respect to the General Revenue Fund of the State Treasury. In no event shall the amount of monies appropriated from the Constitutional Reserve Fund pursuant to this paragraph be in excess of the amount of the projected revenue failure in the General Revenue Fund, which total amount shall be computed by the State Board of Equalization, for the entire fiscal year. Monies appropriated to any state governmental entity from the Constitutional Reserve Fund pursuant to this paragraph may only be made in order to ensure that the monies actually received by the entity for the then current fiscal year are equal to or less than, but not in excess of, the total appropriation amount for such entity in effect at the beginning of the then current fiscal year.

8. Up to one-quarter (1/4) of the balance at the beginning of the current fiscal year in the Constitutional Reserve Fund may be appropriated, upon a declaration by the Governor that emergency conditions exist, with concurrence of the Legislature by a two-thirds (2/3) vote of the House of Representatives and Senate for the appropriation; or said one-quarter (1/4) could be appropriated upon a joint declaration of emergency conditions by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, with

a concurrence of a three-fourths (3/4) vote of the House of Representatives and Senate.

9. That portion of every appropriation, at the end of each fiscal year, in excess of actual revenues collected and allocated thereto, as hereinafter provided, shall be null and void. Revenues deposited in the State Treasury to the credit of the General Revenue Fund or of any special fund (which derives its revenue in whole or in part from state taxes or fees) shall, except as to principal and interest on the public debt, be allocated monthly to each department, institution, board, commission or special appropriation on a percentage basis, in that ratio that the total appropriation for such department, institution, board, commission or special appropriation from each fund for that fiscal year bears to the total of all appropriations from each fund for that fiscal year, and no warrant shall be issued in excess of said allocation. Any department, institution or agency of the state operating on revenues derived from any law or laws which allocate the revenues thereof to such department, institution or agency shall not incur obligations in excess of the unencumbered balance of cash on hand. Nothing in this section shall prevent, under such conditions and limitations as shall be prescribed by law, the governing board of an institution of higher education within The Oklahoma State System of Higher Education from contracting with a president of such institution of higher education for periods extending more than one (1) year, but not to exceed three (3) years beyond the fiscal year in which the contract is signed.

10. The Legislature shall provide a method whereby appropriations shall be divided and set up on a monthly, quarterly or semiannual basis within each fiscal year to prevent obligations being incurred in excess of the revenue to be collected, and notwithstanding other provisions of this Constitution, the Legislature shall provide that all appropriations shall be reduced to bring them within revenues actually collected, but all such reductions shall apply to each department, institution, board, commission or special appropriation made by the State Legislature in the ratio that its total appropriation for that fiscal year bears to the total of all appropriations from that fund for that fiscal year; provided, however, that the Governor shall have discretion to issue deficiency certificates to the State Treasurer for the benefit of any department, institution or agency of the state, if the amount of such deficiency certificates be within the limit of the current appropriation for that department, institution or agency, whereupon the State Treasurer shall issue warrants to the extent of such certificates for the payment of such claims as may be authorized by the Governor, and such warrants shall become a part of the public debt and shall be paid out of any money appropriated by the Legislature and made lawfully available therefor; provided further, that in no event shall said deficiency certificates exceed in the

aggregate the sum of Five Hundred Thousand Dollars (\$500,000.00) in any fiscal year.

Amended by State Question No. 298, Referendum Petition No. 80, adopted at election held on March 11, 1941; State Question No. 453, Legislative Referendum No. 166, adopted at election held on April 16, 1968; State Question No. 506, Legislative Referendum No. 206, adopted at election held on July 22, 1975; State Question No. 587, Legislative Referendum No. 251, adopted at election held on April 30, 1985; State Question No. 686, Legislative Referendum No. 316, adopted at election held on Nov. 7, 2000; State Question No. 708, Legislative Referendum No. 333, adopted at election held on Nov. 2, 2004; State Question No. 725, Legislative Referendum No. 340, adopted at election held on Nov. 7, 2006; State Question No. 757, Legislative Referendum No. 357, adopted at election held on Nov. 2, 2010.

#### SECTION X-23a

Surplus accruing to General Revenue Fund - Payment of bonded indebtedness - Investments - Appropriation of surplus.

Any surplus which has accrued or may hereafter accrue to the General Revenue Fund of the State of Oklahoma during any fiscal year shall be placed monthly in a sinking fund in the State Treasury to be used solely for the purpose of paying the principal and interest of the outstanding and unpaid bonded indebtedness of the State of Oklahoma. The monies and securities heretofore credited to the Surplus Accounts of the State Funding Bond Funds of 1935, 1939, and 1941 also shall be placed in said Sinking Fund. The State Treasurer shall be the custodian of said Sinking Fund and shall apply the monies and securities placed to the credit of said fund to the payment of the principal and interest of the state's bonded indebtedness. The State Treasurer with the approval of the Governor and Attorney General shall have the authority to invest the monies in said sinking fund in bonds or securities of the United States of America, and the State Treasurer with the approval of the Governor and Attorney General may sell said securities to provide funds to meet maturing State bonds and coupons. The provisions of this section shall be self-executing. When the monies credited to said sinking fund together with the monies set aside to pay said bonded indebtedness, pursuant to the statutes authorizing the issuance of said bonds, are sufficient to pay all outstanding bonds and coupons heretofore issued by the State of Oklahoma, it shall no longer be necessary to credit surplus funds to the Sinking Fund herein created. The sufficiency of said monies to fully pay the State's bonded indebtedness shall be determined by the Governor, State Treasurer, and Attorney General. After such determination any surplus monies thereafter to the credit of the State General Revenue Fund shall be subject to appropriation by the Legislature.

Added by State Question No. 313, Referendum Petition No. 90, adopted at special election held on July 11, 1944.

#### SECTION X-23b

Contracts for incarceration of state inmates with counties and municipalities.

A. The state is hereby authorized to enter into contracts for the incarceration of state prisoners with counties, municipalities, or any combination thereof authorized by law. The term of such a contract shall not exceed fifteen (15) years.

B. Any county, municipality or combination thereof authorized by law that builds a new jail or provides for capital improvements to an existing jail to enter into a contract authorized by subsection A of this section may provide for financing of the project by any means authorized by the provisions of this Constitution or state law. Added by State Question No. 682, Legislative Referendum No. 312, adopted at election held on Nov. 3, 1998.

#### SECTION X-24

Debts in case of invasion, insurrection, or war.

In addition to the above limited power to contract debts, the State may contract debts to repel invasion, suppress insurrection or to defend the State in war; but the money arising from the contracting of such debts shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever.

#### SECTION X-25

Authorization of debt - Annual tax - Submission to voters - Final passage.

Except the debts specified in sections twenty-three and twenty-four of this article, no debts shall be hereafter contracted by or on behalf of this State, unless such debt shall be authorized by law for some work or object, to be distinctly specified therein; and such law shall impose and provide for the collection of a direct annual tax to pay, and sufficient to pay, the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within twenty-five years from the time of the contracting thereof. No such law shall take effect until it shall, at a general election, have been submitted to the people and have received a majority of all the votes cast for and against it at such election. On the final passage of such bill in either House of the Legislature, the question shall be taken by yeas and nays, to be duly entered on the journals thereof, and shall be: "Shall this bill pass, and ought the same to receive the sanction of the people?"

#### SECTION X-26

Indebtedness of political subdivisions - Assent of voters -  
Limitation of amount - Annual tax - Computation of amount of  
indebtedness.

(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, under such conditions and limitations as shall be prescribed by law, any school district from contracting with:

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

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

(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.

Amended by State Question No. 368, Referendum Petition No. 109, adopted at election held on April 5, 1955; State Question No. 489, Referendum Petition No. 195, adopted at election held on Aug. 22, 1972; State Question No. 648, Legislative Referendum No. 292, adopted at election held on Nov. 3, 1992; State Question No. 671, Legislative Referendum No. 303, adopted at election held on Nov. 5, 1996.

#### SECTION X-27

Indebtedness for purchase, construction or repair of public utilities.

Any incorporated city or town in this state may, by a majority of the voters of such city or town, voting at an election to be held for that purpose, be allowed to become indebted in a larger amount than that specified in Section 26, for the purpose of purchasing or constructing public utilities, or for repairing the same, to be owned exclusively by such city or town, or for the purpose of constructing, reconstructing, improving or repairing streets or bridges. Provided, that any such city or town incurring any such indebtedness requiring the assent of the voters as aforesaid, shall have the power to provide for, and, before or at the time of incurring such indebtedness, shall provide for the collection of an annual tax in addition to the other taxes provided for by this Constitution, 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 years from the time of contracting the same.

Amended by State Question No. 616, Legislative Referendum No. 273, adopted at election held on Aug. 23, 1988. Amendment proposed by Laws 1988, p. 1876, S.J.R. No. 30, § 1.

#### SECTION X-27A



Municipal water and water facilities - Financing.

Any incorporated city or town in Oklahoma may individually or jointly, after approval of the proposition by a majority of the qualified electors voting in an election in each of said cities and towns, contract and pledge revenues for a term of years with other cities or towns, the State of Oklahoma, the United States of America, or any other governmental subdivision or agency of any of them, for the purpose of purchasing water, constructing, acquiring, or operating water facilities, or purchasing or leasing reservoir space. Any one or more incorporated cities and towns in Oklahoma may after approval of the proposition by a majority of the qualified electors voting in an election in each of said cities and towns issue bonds payable over a period not to exceed thirty (30) years and secured by revenues derived from the sale of water for the joint construction, acquisition, repair, extension or improvement of said water facilities; and thereafter enact ordinances giving effect to the provisions of this section. This section shall be independent and shall not be limited by or limit other existing provisions of the Constitution relating to municipal water or the financing thereof, nor shall it be exclusive as to other agencies of the State of Oklahoma authorized by law to incur indebtedness, Section 27 of Article X of the Constitution which pertains to incurring of tax secured indebtedness by cities and towns for public utilities is hereby amended to permit joint ownership by cities and towns of water facilities.

Added by State Question No. 380, Referendum Petition No. 118, adopted at election held on July 1, 1958. Addition proposed by Laws 1957, p. 647, H.J.R. No. 518.

#### SECTION X-27B.

Political subdivisions - Public utilities financing - Indebtedness.

A. Any incorporated city or town may borrow money or issue bonds, notes or other evidences of indebtedness, which debt shall be payable from and secured by revenues over a term of years, for the purpose of financing the purchase, construction, or improvement of any public utility or combination of public utilities which shall be owned exclusively by such city or town in the following manner:

1. The governing body of a city or town shall submit the question of financing the purchase or construction of a public utility or combination of public utilities to the qualified voters at an election if:

- a. the public utility or combination of public utilities has not been voted on by the voters of the city or town at any time during a ten-year period preceding the date of the election, or

- b. the public utility or combination of public utilities does not come within the terms of paragraph 3 of this subsection;

2. If the question of financing the purchase or construction of a public utility or combination of public utilities has been approved by a majority vote of the qualified voters voting on the question at an election, or if improvements to a public utility or combination of public utilities pursuant to paragraph 3 of this subsection are authorized, the governing body of a city or town may borrow money or issue bonds, notes or other evidences of indebtedness, which debt shall be payable from and secured by revenues over a term of years, upon an affirmative vote of at least three-fourths (3/4) of all the members of such governing body;

3. Any additions, extensions, reconstruction, maintenance, repairs or other improvement to any public utility or combination of public utilities of a city or town may be financed by the city or town if the original financing of the purchase or construction of the public utility was approved by a majority vote of the qualified voters voting on the question at an election, or if the public utility or combination of public utilities acquired by the city or town was financed originally by bonds or other debt of a public trust of which the city or town is a beneficiary, excluding an industrial trust. Any such bonds or other debt originally issued by a public trust of which the city or town is a beneficiary, excluding an industrial trust, may be refunded by the governing body of the city or town in the manner provided in paragraph 2 of this subsection.

B. Nothing in this section shall allow an indebtedness of the city or town, other than revenues pledged from the utility involved.

C. The revenue indebtedness or contractual obligations of any city or town incurred pursuant to this section shall be a limited obligation payable from and secured by a lien and charge on revenues or funds so pledged for their payment by the governing body of the city or town, and shall not constitute an indebtedness of the city or town for the purpose of any constitutional or statutory limitation.

D. This section shall be independent and shall not be limited by or limit other provisions of the Oklahoma Constitution or statutes relating to financing public utilities or indebtedness of a city or town, nor shall it be exclusive as to other agencies of this state authorized by law to incur indebtedness. As used in this section, the words "public utility" shall have the same meaning as the words "public utilities" in Section 27 of Article X of the Constitution.

E. Notwithstanding any provision to the contrary, the provisions of this section shall not apply to the purchase of any utility regulated by the Oklahoma Corporation Commission or to the purchase of any facility or property of any such utility, unless the purchase is made with the agreement and consent of the utility, including its

agreement and consent as to a specific price to be paid in connection with the purchase.

Added by State Question No. 626, Legislative Referendum No. 280, adopted at election held on Aug. 28, 1990.

#### SECTION X-28

Revenue for sinking fund - Uses to which applied.

Counties, townships, school districts, cities, and towns shall levy sufficient additional revenue to create a sinking fund to be used, first, for the payment of interest coupons as they fall due; second, for the payment of bonds as they fall due; third, for the payments of such parts of judgments as such municipality may, by law, be required to pay.

#### SECTION X-29

Bonds and evidence of indebtedness - Certificates as to compliance with law.

No bond or evidence of indebtedness of this State shall be valid unless the same shall have endorsed thereon a certificate, signed by the Auditor and Attorney General of the State, showing that the bond or evidence of debt is issued pursuant to law and is within the debt limit. No bond or evidence of debt of any county, or bond of any township or any other political subdivision of any county, shall be valid unless the same have endorsed thereon a certificate signed by the County Clerk, or other officer authorized by law to sign such certificate, and the County Attorney of the county, stating that said bond, or evidence of debt, is issued pursuant to law, and that said issue is within the debt limit.

#### SECTION X-30

System of accounting.

The Legislature shall require all money collected by taxation, or by fees, fines, and public charges of every kind, to be accounted for by a system of accounting that shall be uniform for each class of accounts, State and local, which shall be prescribed and audited by authority of the State.

#### SECTION X-31

Indebtedness for construction, equipment, etc., of state buildings - Use of part of cigarette tax for payment.

The Legislature of the State of Oklahoma is hereby authorized to enact a law whereby the State may become indebted in an amount not to exceed Thirty-six Million Dollars (\$36,000,000.00) for the purpose of constructing, equipping, remodeling and repairing any and all buildings of the State, including those of its educational, recreational, penal and eleemosynary establishments; and such laws shall provide that two cents (2¢) of the tax on each package of

cigarettes authorized by 68 O.S. 1941, Par. 586 to 586p, as amended and supplemented to the effective date of this Section, or so much of said tax as may be necessary, shall be pledged and used for the sole purpose of paying the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within twenty-five (25) years from the time of the contracting thereof; provided, that if said tax is not sufficient to so pay and discharge said interest and principal, the Legislature shall impose and provide for the collection of an additional tax, other than an ad valorem tax, sufficient to pay and discharge said interest and principal. Added by State Question No. 348, Referendum Petition No. 99, adopted at special election held on Sept. 27, 1949.

#### SECTION X-32

State public common school building equalization fund.

For the purpose of providing buildings for school districts, there is hereby established a State Public Common School Building Equalization Fund in which shall be deposited (1) such monies as may be designated or provided for such purpose by the Legislature, other than ad valorem taxes, and (2) the proceeds of all property that shall fall to the State by escheat and penalties for unlawful holding of real estate by corporations; provided, that if such disposition and use of money from any such sources shall be declared invalid, the validity of other provisions of this section shall not be affected thereby. The State Public Common School Building Equalization Fund shall be administered by the State Board of Education, until otherwise provided by the Legislature. Such Fund shall be used to aid school districts in acquiring buildings, under such regulations as may be prescribed by the administering agency, unless otherwise provided by law, and the amount paid therefrom to or for any school district shall be determined by a formula established by the Legislature. The administering agency is authorized to accept grants-in-aid from the federal government for building purposes. Added by State Question No. 368, Referendum Petition No. 109, adopted at election held on April 5, 1955. Amended by State Question No. 578, Legislative Referendum No. 245, adopted at election held on Aug 28, 1984.

#### SECTION X-33

Indebtedness for construction of buildings and other capital improvements - Restrictions - Term - Sources of payment.

The Legislature of the State of Oklahoma is hereby authorized to enact a law whereby the State may become indebted in an amount not to exceed Fifteen Million Dollars (\$15,000,000.00) for the purpose of constructing any buildings and other capital improvements and for equipping, remodeling, modernizing and repairing any and all existing buildings and capital improvements at the constituent institutions of

the Oklahoma State System of Higher Education and other State institutions. No part of any of said monies shall be, directly or indirectly, allocated to or used by the Oklahoma Educational Television Authority for any purpose whatsoever. Such law shall provide for the payment and discharge of the principal of such debt within twenty-seven (27) years and shall further provide for the payment and discharge of the principal and interest on such indebtedness from one or more of the following sources of State income as follows:

(1) Any remainder available from the two cents (2¢) of the tax on each package of cigarettes as heretofore provided and defined in Article X, Section 31 of the Constitution of the State of Oklahoma, after the annual requirements for principal and interest on the indebtedness created pursuant to said Section have been fully met, until such indebtedness created by said Section has been fully paid and retired, and thereafter, the full amount of said two cents (2¢) of the cigarette tax so provided, or so much thereof as may be required, until the indebtedness herein authorized to be created is fully paid and retired; (2) An additional three cents (3¢) of the tax now imposed, or which may hereafter be imposed, on each package of cigarettes containing more than twenty (20) cigarettes, or so much of said additional three cents (3¢) as may be necessary; (3) Any funds available in the Public Building Fund of the State, not otherwise encumbered, or funds available in other funds of the State not created or realized from ad valorem tax sources; (4) The proceeds of any tax which the Legislature may impose and collect for the purpose of paying the principal and interest on the indebtedness herein authorized to be created, if the funds available for use and pledge under (1), (2), and (3) above should be insufficient; provided, that the Legislature shall never impose or collect an ad valorem tax for the purpose of paying any part of the principal or interest on the indebtedness herein authorized to be incurred.

Added by State Question No. 368, Referendum Petition No. 109, adopted at election held on April 5, 1955.

#### SECTION X-33A

State Industrial Finance Authority.

The Legislature of the State of Oklahoma is hereby authorized to enact legislation creating a State Industrial Finance Authority, to be composed of the State Treasurer (who shall be an ex officio, non-voting member) and seven members, appointed by the Governor for overlapping terms, one of whom shall be the Director of the Department of Economic Development representing the State at large, and one each from the present six Congressional Districts, at least five of whom shall have had at least fifteen (15) years experience in banking, mortgage loans, or financial management, and the remaining member shall have demonstrated outstanding ability in business or

industry, which Authority shall be, and is hereby, authorized to issue and sell State Industrial Finance Bonds in such amounts as shall be needed from time to time for the purposes herein provided, not to exceed in the aggregate Ninety Million Dollars (\$90,000,000.00) outstanding at any one time, said bonds to be payable in full within thirty (30) years from their date, the proceeds whereof shall be deposited in the State Treasury in a fund known as a State Industrial Revolving Loan Fund to be loaned, and reloaned, by said Authority only to Oklahoma incorporated industrial development agencies (whether profit or non-profit) in Oklahoma communities, which agencies shall first have been approved and qualified by said Authority, such loans to be secured either by first or second mortgage on the land, buildings and facilities of such industrial properties, whether existing or to be constructed, held for sale or lease to approved responsible industrial firms on such terms as will amortize such loans within a period of twenty-five (25) years or less, but in no event shall the state's participation exceed thirty-three and one-third percent (33 1/3%) of the total cost or value of such industrial properties when such loan is secured by a second mortgage on such industrial properties and sixty-six and two-thirds percent (66 2/3%) of the total cost or value of such industrial properties when such loan is secured by a first mortgage on such industrial properties. Provided, however that up to one-half of such monies in said fund may be used by said Authority to purchase federally guaranteed SBA loans or loans of similar federal programs for investment purposes. All bonds representing the state indebtedness herein authorized to be created by the State Industrial Finance Authority shall be backed by the full faith and credit of the State of Oklahoma, and there shall be pledged to the payment of principal and interest of the bonds herein authorized to be issued: (1) The net proceeds from repayment of loans and interest received thereon; (2) any moneys available from other funds of the State not otherwise obligated; and (3) the proceeds of any tax, other than ad valorem, which may be imposed for such purpose in the event funds available for use and pledge under (1) and (2) should be insufficient. The Legislature shall enact appropriate and needful legislation pertaining to procedure, terms and necessary covenants for issuance of the bonds herein authorized and establishing such safeguards and regulations governing the lending of such funds as in its wisdom may be necessary to the vitalization of this Section, and helpful in carrying out the purpose and intent hereof; to aid and assist with Oklahoma's industrial development. The additional bonds as authorized herein shall only be sold as needed in increments not to exceed Ten Million Dollars (\$10,000,000.00). Added by State Question No. 391, Referendum Petition No. 126, adopted at election held on July 26, 1960. Renumbered from § 34 and amended

by State Question No. 600, Legislative Referendum No. 262, adopted at election held on Aug. 26, 1986.

SECTION X-34

State Industrial Finance Authority.

The Legislature of the State of Oklahoma is hereby authorized to enact a law or laws whereby the State may become indebted in an amount not to exceed Thirty Five Million, Five Hundred Thousand Dollars (\$35,500,000.00) for the purpose of constructing new buildings and other capital improvements and for equipping, remodeling, modernizing and repairing any and all existing buildings and capital improvements at the constituent institutions of the Oklahoma State System of Higher Education, provided that Five Million Dollars (\$5,000,000.00) shall be used to construct and equip a School and Hospital for Mentally Retarded Children in Northeastern Oklahoma, out of said monies such law or laws shall provide for the payment and discharge of the principal of such debt, together with principal and interest on such indebtedness, from one or more of the following sources of State income as follows:

1. Any remainder of revenue available from the revenues lawfully levied and collected by the State of Oklahoma on the sale of cigarets not already committed to other obligations of the State of Oklahoma;

2. Allocations by the Legislature of the State of Oklahoma from any monies in the general revenue fund of the State not otherwise obligated, committed or appropriated; and

3. The proceeds of any tax which the Legislature may impose and collect for the purpose of paying the principal and interest on the indebtedness herein authorized to be created, authority hereby being granted to the Legislature to so impose and collect such tax, if necessary.

Such law or laws hereby authorized to be enacted by the Legislature of the State of Oklahoma may provided for the issuance of bonds evidencing the indebtedness herein authorized and provide that such bonds may be issued in one or more series, may bear such date or dates, may mature at such time or times, may be in such denomination or denominations, may be in such form, coupon or registered, may carry such registration or conversion provisions, may be executed in such manner, may be payable in such medium or payment at such place or places, may be subject to such terms of redemption, with or without premium, and may bear such rate or rates of interest as the Legislature may deem expedient and may contain any and all provisions which the Legislature may deem necessary or expedient to make such bonds marketable as general obligations of the State of Oklahoma with the full faith and credit of the State pledged thereto. Within the limit of indebtedness herein authorized the Legislature in its discretion may authorize the issuance of such bonds and the incurring of the authorized indebtedness in fractional amounts of the total

indebtedness hereby authorized to be incurred from time to time and at one or more Sessions of the Legislature.  
Added by State Question No. 393, Referendum Petition No. 128, adopted at election held on July 5, 1960.

SECTION X-35

Municipal and county levy for securing and developing industry.

(a) Any incorporated town and any county may issue, by and with the consent of the majority of the registered voters of said municipality or county voting on the question at an election held for the purpose, bonds in sums provided by such majority at such election for economic development or community development purposes, as may be defined by law, within or near the said municipality or county holding the election.

(b) Such bonds shall bear interest at a rate as set by law and shall be sold in a manner prescribed by law.

(c) To provide for the payment of all such bonds outstanding, principal, and interest as they mature, the municipality or county may:

(1) levy a special tax, payable annually, in a total amount not to exceed five (5) mills on the dollar, in addition to the legal rate permitted, on the real and personal taxable property therein; provided, however, that in no event shall the real and personal taxable property in any city or town be subject to a special tax in excess of five (5) mills for bonds issued hereunder;

(2) levy a special sales tax, payable as may be prescribed by law, in a total amount not to exceed one cent (\$.01) on the dollar, in addition to the legal rate permitted, upon the sale of tangible personal property and services, not otherwise exempted by law;

(3) apportion revenues pursuant to Section 6C of Article X of the Constitution, in a manner prescribed by law; or

(4) implement any combination of paragraphs (1) through (3) of this subsection.

Provided, however, that the source or sources of revenue and the irrevocable pledge thereof shall be set forth in the ballot.

(d) Such bonds shall be issued under terms prescribed by law.

(e) (1) The governing body of the municipality or the county commissioners of the county shall exercise jurisdiction over the sale or exchange of any such bonds voted by the electors at an election held for that purpose and shall expend economically the funds so provided.

(2) In the expenditure and use of proceeds from the sale of said bonds, the said governing body is hereby authorized and directed to coordinate its industrial development plans and projects insofar as practicable with similar plans and projects of local industrial development agencies and the Oklahoma Industrial Finance Authority, as set forth in Section 34 of Article X of the Constitution, so as to



supplement funds to be derived from these and other sources, including federal aid available to economically depressed areas, if any; and to the extent that federal requirements shall require subordination of liens securing loans from the Oklahoma Industrial Finance Authority or from other sources, as a condition to the obtaining of such federal aid, the same is hereby approved and authorized.

(f) The election on the issuance of such bonds shall be held at such time as the governing body of the municipality may designate by ordinance, or as the county commissioners of the county may designate by order, which ordinance or order shall state the sum total of issue, the dates of maturities thereof, and shall fix the date of election so that it shall not occur earlier than thirty (30) days after the passage of the said ordinance or the granting of said order. All elections called pursuant to this section shall be conducted by the appropriate county election board or boards pursuant to the general election laws of the state. The said election shall be held and conducted, the vote thereof canvassed, and the result thereof declared under the law and in the manner now or hereafter provided for municipal elections when the election is held by a municipality, and in the manner now or hereafter provided for county elections when the election is held by a county, so far as the same may be applicable, except as herein otherwise provided. Notice of the election shall be given by the mayor of the municipality or by the county commissioners of the county by advertisement weekly for at least four times in some newspaper having a bona fide circulation in the said municipality or county, with the last publication to be not less than ten (10) days prior to the date of the said election. Only registered voters of the said municipality or county shall have a right to vote at the said election. The result of the said election shall be proclaimed by the mayor of the municipality or by the county commissioners of the county, and the result as proclaimed shall be conclusive, unless attacked in the courts within thirty (30) days after the date of such proclamation.

(g) The tax levies or revenue apportionment associated with bonds issued pursuant to this section and the pledge thereof, may not be revoked during the term of such bonds; provided, however, the municipality or county may, from time to time, suspend the collection of such levy or apportioned revenues when not required for the payment of its bonds.

(h) The Legislature may provide by law for the creation of regional economic development districts, comprised of two or more municipalities or counties, or a combination of one or more municipalities and counties, and may specify the terms and conditions under which the bonds authorized in this section may be issued by municipalities and counties located within such districts. The provisions of paragraph (f) of this section shall not apply to any

bonds issued in accordance with this paragraph unless such provisions are made expressly applicable by law.

Added by State Question No. 404, Legislative Referendum No. 133, adopted at election held on May 1, 1962. Amended by State Question No. 625, Legislative Referendum No. 279, adopted at election held on Aug. 28, 1990; State Question No. 693, Legislative Referendum No. 321, adopted at election held on Nov. 5, 2002.

#### SECTION X-36

Indebtedness for capital improvements - University Medical Center.

The Legislature of the State of Oklahoma is hereby authorized to enact a law or laws whereby the State may become indebted in an amount not to exceed Seven Million Dollars (\$7,000,000.00) for the purpose of constructing new buildings and other capital improvements and for equipping, remodeling, modernizing and repairing any and all existing buildings and capital improvements at University of Oklahoma Medical Center, and such law or laws shall provide for the payment and discharge of the principal of such debt, together with principal and interest on such indebtedness, from one or more of the following sources of State income as follows:

1. Any remainder of revenue available from the revenues lawfully levied and collected by the State of Oklahoma on the sale of cigarets not already committed to other obligations of the State of Oklahoma;

2. Allocations by the Legislature of the State of Oklahoma from any monies in the general revenue fund of the State not otherwise obligated, committed or appropriated; and

3. The proceeds of any tax which the Legislature may impose and collect for the purpose of paying the principal and interest on the indebtedness herein authorized to be created, authority hereby being granted to the Legislature to so impose and collect such tax, if necessary.

Such law or laws hereby authorized to be enacted by the Legislature of the State of Oklahoma may provide for the issuance of bonds evidencing the indebtedness herein authorized and provide that such bonds may be issued in one or more series, may bear such date or dates, may mature at such time or times, may be in such denomination or denominations, may be in such form, coupon or registered, may carry such registration or conversion provisions, may be executed in such manner, may be payable in such medium or payment at such place or places, may be subject to such terms of redemption, with or without premium, and may bear such rate or rates of interest as the Legislature may deem expedient and may contain any and all provisions which the Legislature may deem necessary or expedient to make such bonds marketable as general obligations of the State of Oklahoma with the full faith and credit of the State pledged thereto. Within the limits of indebtedness herein authorized the Legislature in its discretion may authorize the issuance of such bonds and the incurring

of the authorized indebtedness in fractional amounts of the total indebtedness hereby authorized to be incurred from time to time and at one or more sessions of the Legislature.  
Added by State Question No. 411, Referendum Petition No. 137, adopted at election held on Dec. 3, 1963.

SECTION X-37

Bond issue for capital improvements at state institutions.

The Legislature of the State of Oklahoma is hereby authorized to enact necessary legislation whereby the State may become indebted in an amount not to exceed Fifty-Four Million Seven Hundred Fifty Thousand Dollars (\$54,750,000.00) for the purpose of constructing new buildings and other capital improvements for remodeling, modernizing and repairing any and all existing buildings and capital improvements and purchase of land, equipment and furnishings necessary for such new construction or remodeling for the following departments of state government in the amounts and for the purposes indicated as follows:

Oklahoma State Regents for Higher  
Education for Expenditures at all  
Constituent Institutions  
\$38,500,000.00

Department of Mental Health for  
Expenditures at the following  
Institutions:

Central State Griffin Memorial  
Hospital, Eastern State Hospital,  
Western State Hospital and Taft  
State Hospital \$ 6,500,000.00

Oklahoma Public Welfare Commission for  
Expenditures at the following  
Institutions:

Pauls Valley State School, Enid  
State School and the Hissom  
Memorial Center \$ 1,000,000.00  
State Department of Health \$  
2,275,000.00  
Oklahoma State Library \$  
2,150,000.00

State Board of Public Affairs for  
Expenditures at the following  
Institutions:

Oklahoma State Penitentiary \$  
150,000.00  
Oklahoma State Reformatory \$  
150,000.00  
Oklahoma School for the Blind \$  
550,000.00

Oklahoma School for the Deaf       \$  
550,000.00  
Oklahoma Educational Television  
Authority       \$   250,000.00  
Oklahoma Historical Society       \$  
125,000.00

State Board of Health for Expenditures  
at the following Institutions:

Western Oklahoma Tuberculosis  
Sanatorium   \$   150,000.00  
Eastern Oklahoma Tuberculosis  
Sanatorium   \$   150,000.00  
Department of Public Health for  
the Building of Community Social  
Service Centers   \$ 1,500,000.00

Purchase of Land in and about the  
Capitol Improvement and Zoning  
District and Medical Center  
Improvement Zoning District and for  
Public Parks, Veterans Memorial Area  
and Landscaping   \$   750,000.00

and such legislation shall provide for the payment and discharge of  
the principal of such debt, together with interest on such  
indebtedness, from one or more of the following sources of state  
income as follows:

1. Any remainder of revenue available from the revenues lawfully  
levied and collected by the State of Oklahoma on the sale of  
cigarettes not already committed to other obligations of the State of  
Oklahoma;
2. Allocations by the Legislature of the State of Oklahoma from  
any monies in the general revenue fund of the state not otherwise  
obligated, committed or appropriated; and
3. The proceeds of any tax which the Legislature may impose and  
collect for the purpose of paying the principal and interest on the  
indebtedness herein authorized to be created, and authority is hereby  
granted to the Legislature to so impose and collect such tax, if  
necessary.

Such legislation hereby authorized to be enacted by the  
Legislature of the State of Oklahoma may provide for the issuance of  
bonds evidencing the indebtedness herein authorized and provide that  
such bonds may be issued in one or more series, may bear such date or  
dates, may mature at such time or times, may be in such denomination  
or denominations, may be in such form, coupon or registered, may  
carry such registration or conversion provisions, may be executed in  
such manner, may be payable in such medium or payment at such place  
or places, may be subject to such terms of redemption, with or  
without premium, and may bear such rate or rates of interest as the

Legislature may deem expedient and may contain any and all provisions which the Legislature may deem necessary or expedient to make such bonds marketable as general obligations of the State of Oklahoma with the full faith and credit of the State pledged thereto. Within the limits of indebtedness herein authorized the Legislature in its discretion may authorize the issuance of such bonds and the incurring of the authorized indebtedness in fractional amounts of the total indebtedness hereby authorized to be incurred from time to time and at one or more sessions of the Legislature.

Added by State Question No. 433, Referendum Petition No. 154, adopted Dec. 14, 1965.

#### SECTION X-38

Indebtedness for capital improvements at state institutions.

The Legislature of the State of Oklahoma is hereby authorized to enact necessary legislation whereby the State may become indebted in an amount not to exceed Ninety-nine Million, Eight Hundred Eight Thousand Dollars (\$99,808,000.00) for the purpose of planning and constructing new buildings or additions to existing state buildings and other capital improvements for remodeling, modernizing and repairing any and all existing buildings and capital improvements and purchase of land, equipment and furnishings necessary for such new construction or remodeling for the following departments and agencies of state government in the amounts and for the purposes set forth as follows:

1. Oklahoma State Regents for Higher Education for expenditure at all constituent institutions  
\$34,250,000.00
2. Oklahoma State Regents for Higher Education for expenditure at the Medical Center of the University of Oklahoma \$26,870,000.00
3. Oklahoma State Regents for Higher Education for the planning and construction of a new junior college at Tulsa \$ 4,000,000.00
4. Oklahoma State Regents for Higher Education for the planning and construction of a new junior college at Midwest City, provided that the study of Regents for Higher Education establishes the feasibility thereof, not to exceed \$1,500,000.00, otherwise for new or existing community junior colleges which meet the criteria

- and conditions established by the Regents for Higher Education, a total of \$ 2,000,000.00
5. State Department of Mental Health for expenditure at Central State Griffin Memorial Hospital, Eastern State Hospital, Western State Hospital and Taft State Hospital and for constructing and equipping community mental health centers, provided that not more than fifteen percent (15%) of the amount may be spent on community mental health centers \$ 8,000,000.00
  6. State Department of Health for expenditure for the administrative offices and laboratories \$ 4,516,000.00
  7. State Department of Health for construction, remodeling and equipping Oklahoma General Hospital at Clinton, Oklahoma \$ 500,000.00
  8. State Department of Highways for the acquisition of land and completion of streets and highways in the State Capitol Complex \$ 1,875,000.00
  9. Oklahoma Historical Society for equipment and remodeling at the Wiley Post Building and for acquisition and improvement of historic sites \$ 125,000.00
  10. To the State Department of Vocational Education for construction and equipping of area vocational and technical schools and technical institutes and equipment, \$5,750,000.00 and for Oklahoma State University School of Technical Training (Oklahoma State Tech) at Okmulgee, \$1,500,000.00 \$ 7,250,000.00
  11. State Department of Public Welfare for expenditure at the Pauls Valley State School, Enid State School,

- Hisson Memorial Center, School for the Blind, School for the Deaf, Whitaker State Children's Home, Taft State Children's Home, Helena State School for Boys, Boley State School for Boys, Taft State School for Girls and Tecumseh Girls' Town  
\$ 4,375,000.00
12. State Department of Public Welfare for construction of a Juvenile Diagnostic Evaluation and Receiving Center \$ 1,000,000.00
  13. State Department of Public Safety for construction of a plans and training building and for district headquarters \$ 497,000.00
  14. State Military Department for the construction of headquarters, warehouse and armory buildings \$ 1,500,000.00
  15. State Bureau of Investigation for the construction of a building near or integrated into the new headquarters facilities of the Department of Public Safety \$ 200,000.00
  16. State Department of Corrections for construction and equipping of a reception and diagnostic center and other capital improvements at McAlester, Oklahoma, \$1,000,000.00 and for constructing, renovating and equipping academic and vocational school facilities and other capital projects at Granite Reformatory, \$750,000.00 \$ 1,750,000.00
  17. State Department of Health for construction, remodeling and equipping Eastern Oklahoma Tuberculosis Sanatorium at Talihina, Oklahoma, \$250,000.00, and to the Western Oklahoma Tuberculosis Sanatorium at Clinton, Oklahoma, \$250,000.00, and for constructing community social service centers at Ada, Shawnee,

Lawton, and other communities approved by the State Department of Health, \$500,000.00, (to be used with the \$1,500,000.00 heretofore authorized in Section 37 of Article X of this Constitution) \$ 1,000,000.00

18. Cerebral Palsy Institute \$ 100,000.00

and such legislation shall provide for the payment and discharge of the principal of such debt, together with interest on such indebtedness, from one or more of the following sources of state income as follows:

1. Any remainder of revenue available from the revenues lawfully levied and collected by the State of Oklahoma on the sale of cigarettes not already committed to other obligations of the State of Oklahoma;

2. Allocations by the Legislature of the State of Oklahoma from any monies in the General Revenue Fund of the State not otherwise obligated, committed or appropriated; and

3. The proceeds of any tax which the Legislature may impose and collect for the purpose of paying the principal and interest on the indebtedness herein authorized to be created, and authority is hereby granted to the Legislature to so impose and collect such tax, if necessary.

Such legislation hereby authorized to be enacted by the Legislature of the State of Oklahoma may provide for the issuance of bonds evidencing the indebtedness herein authorized and provide that such bonds may be issued in one or more series, may bear such date or dates, may mature at such time or times, may be in such denomination or denominations, may be in such form, coupon or registered, may carry such registration or conversion provisions, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may bear such rate or rates of interest as the Legislature may deem expedient and may contain any and all provisions which the Legislature may deem necessary or expedient to make such bonds marketable as general obligations of the State of Oklahoma with the full faith and credit of the State pledged thereto. As used herein words in the singular shall be construed to include the plural, and words in the plural shall be construed to include the singular; the designation of place or location shall be considered directive and not exclusive. Within the limits of indebtedness herein authorized the Legislature in its discretion may authorize the issuance of such bonds and the incurring of the authorized indebtedness in fractional amounts of the total indebtedness hereby



authorized to be incurred from time to time and at one or more Sessions of the Legislature.

Added by State Question No. 463, Legislative Referendum No. 176, adopted at election held on Dec. 10, 1968.

#### SECTION X-39

Water resources and sewage treatment programs - Funding - State financial assistance - State liability.

A program is hereby authorized to provide for the beneficial utilization of water resources within the State of Oklahoma through the planning, development, construction, improvement, conservation, ownership, operation and financing of water resource and sewage treatment works, facilities and projects with state monies appropriated to the Statewide Water Development Revolving Fund and monies in the Water Resources Fund. State monies appropriated to the Statewide Water Development Revolving Fund and monies in the Water Resources Fund shall be used only as authorized by the Legislature to provide for the furnishing of financial assistance to municipalities, political subdivisions and such other public entities of the state as may be designated by law as being eligible for such assistance for water resource and sewage treatment purposes. Any state liability arising from the implementation of such a program shall be limited to those monies in the Statewide Water Development Revolving Fund which have been reserved for the undertaking producing the liability. The provisions of this section shall be independent of and not be limited by the provisions of Sections 14 and 15 of Article X of the Oklahoma Constitution.

Added by State Question No. 581, Legislative Referendum No. 248, adopted at election held on Aug. 28, 1984.

#### SECTION X-39A

Water Infrastructure Credit Enhancement Reserve Fund.

A. There is hereby created within the Oklahoma Water Resources Board the Water Infrastructure Credit Enhancement Reserve Fund to be used by the Oklahoma Water Resources Board solely to secure the payment of principal, interest and premiums, if any, on bonds and other financial obligations issued or incurred to provide for the financial assistance programs as authorized in Section 39 of Article X of the Oklahoma Constitution.

B. The Oklahoma Water Resources Board shall issue bonds as authorized in subsection C of this section to provide for the Water Infrastructure Credit Enhancement Reserve Fund only after the following have been used, to the extent allowed by law, to repay the bonds and other financial obligations:

1. All other pledged monies;
2. Any reserved funds required of borrowers;

3. Any reserved funds required of the Oklahoma Water Resources Board; and

4. Any surety bond payments.

C. The Oklahoma Water Resources Board is hereby authorized to issue general obligation bonds, in an amount not to exceed a cumulative total of Three Hundred Million Dollars (\$300,000,000.00), for the purpose of providing for the Water Infrastructure Credit Enhancement Reserve Fund for the water resource and sewage treatment financial assistance programs for municipalities, political subdivisions and other public entities of the state provided by the Board as authorized in Section 39 of Article X of the Oklahoma Constitution.

D. The Legislature shall provide sufficient appropriations from any monies of the state not otherwise obligated, committed or appropriated to pay the principal and interest of any general obligation bond issued pursuant to this section.

E. The Legislature shall establish a method by law to provide for the issuance of the general obligation bonds authorized pursuant to this section and to provide for the administration of the Water Infrastructure Credit Enhancement Reserve Fund.

Added by State Question No. 764, Legislative Referendum No. 361, adopted at election held on Nov. 6, 2012.

#### SECTION X-40

Tobacco Settlement Endowment Trust Fund.

A. There is hereby created a trust fund to be known as the "Tobacco Settlement Endowment Trust Fund". The trust fund principal shall consist of the portion of monies which are received by the State of Oklahoma on or after July 1, 2001, pursuant to any settlement with or judgment against any tobacco company or companies as provided by subsection B of this section, and any other monies that may be appropriated or otherwise directed to the trust fund by the Legislature.

B. 1. Deposits into the trust fund from monies which are received by the State of Oklahoma pursuant to any settlement with or judgment against any tobacco company or companies shall be based on the following schedule:

Fiscal Year	Minimum Percentage of Payments
Ending June 30, 2002	50%
Ending June 30, 2003	55%
Ending June 30, 2004	60%
Ending June 30, 2005	65%
Ending June 30, 2006	70%
Ending June 30, 2007	75%

2. Deposits into the trust fund in subsequent fiscal years shall never be less than seventy-five percent (75%) of the payments.

3. The monies received by the State of Oklahoma pursuant to any settlement with or judgment against any tobacco company or companies after June 30, 2001, not deposited into the trust fund as provided in this section, shall be deposited into a special fund established by the Legislature solely for the purpose of receiving the payments; provided, the Legislature may, by law, direct a certain portion of such monies to the Office of the Attorney General. The special fund shall be subject to legislative appropriations.

C. There is hereby created the Board of Investors of the Tobacco Settlement Endowment Trust Fund. The Board of Investors shall have the duty of investing monies in the trust fund, subject to restrictions and limitations provided by law for and in accordance with laws applicable to the investment of monies in state retirement funds.

The Board of Investors shall consist of five (5) members as follows:

1. The State Treasurer who shall be the chair;
2. An appointee of the Governor;
3. An appointee of the Speaker of the House of Representatives;
4. An appointee of the President Pro Tempore of the Senate; and
5. An appointee of the State Auditor and Inspector.

The initial appointees shall serve staggered terms of office as provided for by law. Thereafter, appointees shall serve four-year terms of office. No more than two appointees shall be appointed from any single congressional district. All appointed members shall have demonstrated expertise in public or private investment funds management.

D. There is hereby created the Board of Directors of the Tobacco Settlement Endowment Trust Fund. The Board of Directors shall consist of seven (7) members, one appointed by each of the following appointing authorities:

1. The Governor;
2. The President Pro Tempore of the Senate;
3. The Speaker of the House of Representatives;
4. The Attorney General;
5. The State Treasurer;
6. The State Auditor and Inspector; and
7. The State Superintendent of Public instruction.

The initial appointed members shall serve staggered terms of office as provided for by law. Thereafter, the appointed members of the Board of Directors shall serve seven-year terms of office. At least one appointee shall be appointed from each congressional district, and not more than two appointees shall be appointed from any single congressional district. Not more than four appointees shall be members of the same political party. An appointee shall have been a member of the political party to which the appointee belongs for at least one (1) year prior to the date of appointment.

Appointees shall have demonstrated expertise in public or private health care or programs related to or for the benefit of children or senior adults.

The Board of Directors shall meet at least one time each calendar quarter.

E. Earnings from the trust fund, including but not limited to interest, dividends, and realized capital gains from investments of the trust fund shall be expended as provided in subsection F of this section for the following purposes:

1. Clinical and basic research and treatment efforts in Oklahoma for the purpose of enhancing efforts to prevent and combat cancer and other tobacco-related diseases;

2. Cost-effective tobacco prevention and cessation programs;

3. Programs other than those specified in paragraph 1 of this subsection designed to maintain or improve the health of Oklahomans or to enhance the provision of health care services to Oklahomans, with particular emphasis on such programs for children;

4. Programs and services for the benefit of the children of Oklahoma, with particular emphasis on common and higher education, before- and after-school and pre-school programs, substance abuse prevention and treatment programs and other programs and services designed to improve the health and quality of life of children;

5. Programs designed to enhance the health and well-being of senior adults; and

6. Authorized administrative expenses of the Office of the State Treasurer and the Board of Directors.

F. Each fiscal year, the Board of Directors may expend the amount of earnings which actually accrued to the trust fund during the preceding fiscal year. Any amount not so expended shall remain in the trust fund. The Board shall direct specific expenditures to be made for the purposes specified in subsection E of this section.

G. The Legislature may enact laws to further implement the provisions of this section.

Added by State Question No. 692, Legislative Referendum No. 320, adopted at general election held on Nov. 7, 2000.

#### SECTION X-41

Oklahoma Education Lottery Trust Fund.

A. There is hereby created a trust fund to be known as the "Oklahoma Education Lottery Trust Fund". The trust fund shall consist of the funds transferred to it from the Oklahoma Education Lottery.

B. Monies in the Oklahoma Education Lottery Trust Fund shall only be expended for the following educational purposes and programs:

1. Kindergarten through twelfth grade public education, including but not limited to compensation and benefits for public school teachers and support employees;

2. Early childhood development programs;
3. Tuition grants, loans and scholarships to citizens of this state to enable such citizens to attend colleges and universities located within this state which are accredited by the Oklahoma State Regents for Higher Education or to attend institutions operated under the authority of the Oklahoma Department of Career and Technology Education;
4. Construction of educational facilities for elementary school districts, independent school districts, the Oklahoma State System of Higher Education, and career and technology education;
5. Capital outlay projects for elementary school districts, independent school districts, the Oklahoma State System of Higher Education, and career and technology education;
6. Technology for public elementary school district, independent school district, state higher education, and career and technology education facilities;
7. Endowed chairs for professors at institutions of higher education operated by the Oklahoma State System of Higher Education;
8. Programs and personnel of the Oklahoma School for the Deaf and the Oklahoma School for the Blind;
9. The School Consolidation and Assistance Fund; and
10. The Teachers' Retirement System Dedicated Revenue Revolving Fund.

C. The Legislature shall appropriate funds from the Oklahoma Education Lottery Trust Fund only for the purposes specified in subsection B of this section. Even when the funds from the trust fund are used for these purposes, the Legislature shall not use funds from the trust fund to supplant or replace other state funds supporting common education, higher education, or career and technology education.

D. In order to ensure that the funds from the trust fund are used to enhance and not supplant funding for education, the State Board of Equalization shall examine and investigate appropriations from the trust fund each year. At the meeting of the State Board of Equalization held within five (5) days after the monthly apportionment in February of each year, the State Board of Equalization shall issue a finding and report which shall state whether appropriations from the trust fund were used to enhance or supplant education funding. If the State Board of Equalization finds that education funding was supplanted by funds from the trust fund, the Board shall specify the amount by which education funding was supplanted. In this event, the Legislature shall not make any appropriations for the ensuing fiscal year until an appropriation in that amount is made to replenish the trust fund.

E. The provisions of this section shall not become effective if Enrolled House Bill No. 1278 of the 1st Session of the 49th Oklahoma Legislature is not approved by the people of this state.

Added by State Question No. 706, Legislative Referendum No. 331, adopted at election held on Nov. 2, 2004. Addition proposed by Laws 2003, S.J.R. No. 22, § 1.

SECTION X-42

Economic development credit enhancement reserve fund - General obligation bonds.

The Oklahoma Development Finance Authority is hereby authorized to issue general obligation bonds, in an amount not to exceed One Hundred Million Dollars (\$100,000,000.00), for the purpose of providing an economic development credit enhancement reserve fund for the Authority. This fund shall be used by the Authority solely to secure the payment of principal, interest and premium, if any, on the revenue bonds and other financial obligations issued by the Authority after other pledged monies and other reserve funds are used to the extent allowable by law. The Legislature shall provide sufficient appropriations to pay the principal and interest of any general obligation bonds issued pursuant to this resolution. Further, the Legislature shall establish a method by law to provide for issuance of the bonds or portions thereof when it is necessary and to provide for administration of the economic development credit enhancement reserve fund.

Added by State Question No. 610, Legislative Referendum No. 267, adopted at election held on Sept. 20, 1988. Addition proposed by Laws 1987, p. 1715, H.J.R. No. 1034 and Laws 1988, p. 1847, H.J.R. No. 1034.

SECTION X-43

State construction, remodeling or other capital improvements - Amount of indebtedness - Payment and discharge of debt - Issuance of bonds.

The State of Oklahoma may become indebted in an amount not to exceed Three Hundred Fifty Million Dollars (\$350,000,000.00) pursuant to the provisions of Enrolled House Bill No. 2428 of the 2nd Session of the 43rd Oklahoma Legislature and any amendments thereto for the purpose of constructing new buildings, remodeling, modernizing and repairing any and all existing buildings and providing other capital improvements and for the purchase of land, equipment and furnishings necessary for such new construction, remodeling or other capital improvements, including any costs of issuance associated with the indebtedness, for the following departments of state government in the amounts and for the purposes indicated as follows:

1. Oklahoma State Regents for Higher Education for expenditure as follows:
  - a. University of Oklahoma - Norman Campus \$22,731,000.00

- b. University of Oklahoma - Health Sciences Center  
\$22,400,000.00
- c. Oklahoma State University - Stillwater Campus  
\$22,328,000.00
- d. Oklahoma State University - Agriculture Experiment Station  
\$4,000,000.00
- e. Oklahoma State University - Veterinary Medicine  
\$5,075,000.00
- f. Oklahoma State University - Technical Branch - Okmulgee  
\$4,118,000.00
- g. Oklahoma State University - Technical Branch - Oklahoma City  
\$3,868,000.00
- h. Oklahoma State University - College of Osteopathic Medicine  
\$3,750,400.00
- i. University of Central Oklahoma  
\$7,765,106.00
- j. East Central University  
\$5,869,000.00
- k. Northeastern State University  
\$8,813,400.00
- l. Northwestern Oklahoma State University  
\$2,860,000.00
- m. Southeastern Oklahoma State University  
\$5,586,900.00
- n. Southwestern Oklahoma State University - Weatherford Campus  
\$6,297,500.00
- o. Southwestern Oklahoma State University - Sayre Campus  
\$300,000.00
- p. Cameron University  
\$10,200,000.00
- q. Langston University  
\$2,842,500.00
- r. Oklahoma Panhandle State University  
\$2,016,500.00
- s. University of Science and Arts of Oklahoma  
\$3,104,376.00
- t. University Center at Tulsa  
\$15,000,000.00

- u. Carl Albert State College  
\$3,021,000.00
- v. Connors State College  
\$2,055,100.00
- w. Eastern Oklahoma State College  
\$2,007,600.00
- x. Murray State College  
\$2,045,000.00
- y. Northeastern Oklahoma  
Agricultural and Mechanical  
College \$2,410,400.00
- z. Northern Oklahoma College  
\$1,206,500.00
- aa. Oklahoma City Community College  
\$6,152,100.00
- bb. Redlands Community College  
\$2,003,900.00
- cc. Rogers State College  
\$5,035,100.00
- dd. Rose State College  
\$6,158,600.00
- ee. Seminole Junior College  
\$2,125,924.00
- ff. Tulsa Junior College  
\$22,333,800.00
- gg. Western Oklahoma State College  
\$2,500,000.00
- hh. Enid Higher Education Program  
\$619,123.00
- ii. Enid Higher Education Program -  
this allocation is contingent  
upon a \$2,200,000.00 match by  
the local community  
\$1,980,877.00
- jj. Ardmore Higher Education Program  
\$619,123.00
- kk. Muskogee Higher Education  
Program \$619,123.00
- ll. Idabel Higher Education Program  
\$619,123.00
- mm. Tulsa Medical Center debt  
retirement \$6,600,000.00
- nn. Food Processing Research Center  
- Stillwater \$14,000,000.00
- oo. Natural History Museum - Norman  
\$15,000,000.00



2. State Department of Vocational and Technical Education for expenditure as follows:
  - a. Instructional equipment for area schools, including inmate training facilities  
\$2,300,000.00
  - b. Mid-Del Vo-Tech \$200,000.00
  - c. Okmulgee County AVTS  
\$3,200,000.00
  - d. Southwest AVTS \$1,500,000.00
  - e. Wes Watkins AVTS  
\$1,000,000.00
  - f. Western Oklahoma AVTS  
\$2,000,000.00
3. Oklahoma Water Resources Board  
\$5,700,000.00
4. Oklahoma Tourism and Recreation Department for the following purposes: roads, park improvements, sewage treatment, facility rehab, equipment, trails, park visitor centers, tourism information centers, Will Rogers Museum and other museums, Oklahoma Jazz Hall of Fame and Quartz Mountain Arts and Conference Center \$18,000,000.00
5. Oklahoma Historical Society  
\$1,700,000.00
6. Department of Human Services  
\$5,300,000.00
7. Department of Corrections for the following purposes: drug offender work camps and meat processing facility at Jackie Brannon  
\$6,500,000.00
8. State Department of Health  
\$7,500,000.00
9. State Department of Agriculture for purposes of dry fire hydrants and rural fire equipment  
\$1,000,000.00
10. Department of Central Services  
\$4,300,000.00
11. Oklahoma Military Department  
\$800,000.00

12. Oklahoma School of Science and Mathematics. Said amount shall not be used for purposes of subsection D of Section 168.3 of Title 73 of the Oklahoma Statutes \$4,500,000.00
13. Office of State Finance for expenditure for telecommunications as recommended by the State Data Processing and Telecommunications Advisory Committee \$14,000,000.00
14. Oklahoma Department of Libraries for expenditure for matching grant program for handicapped access \$500,000.00
15. Oklahoma Department of Veterans Affairs for the following purposes: New facility at Norman, computer programming-mapper system, and improvements at the facilities at Ardmore, Sulphur, Talihina, Clinton, Claremore and Okmulgee \$16,432,500.00
16. Department of Mental Health and Substance Abuse Services \$6,400,000.00

If the full amount of funding for any project specified in this section is not necessary for provision of such project, any remaining available funds shall be allocated as provided for by law.

The payment and discharge of the principal of such debt, together with principal and interest on such indebtedness, shall be paid from one or more of the following sources of state income as follows:

1. Any remainder of revenue available from the taxes lawfully levied and collected by the State of Oklahoma on the sale of cigarettes not already committed to other obligations of the State of Oklahoma;
2. Allocations by the Legislature of the State of Oklahoma from any monies in the general revenue fund of the state not otherwise obligated, committed or appropriated; and
3. The proceeds of any tax which the Legislature may impose and collect for the purpose of paying the principal and interest on the indebtedness herein authorized to be created, and authority is hereby granted to the Legislature to so impose and collect such tax, if necessary.

The bonds evidencing the indebtedness herein authorized may be issued by the Oklahoma Building Bonds Commission, the members of

which shall be appointed by the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the State Senate as provided for by law and may be issued in one or more series, for a term or terms not to exceed thirty (30) years from their date, and may contain any and all provisions which the Oklahoma State Legislature may deem necessary or expedient to make such bonds marketable as general obligations of the State of Oklahoma with the full faith and credit of the state pledged thereto.

The provisions of this section shall not become effective if Enrolled House Bill No. 2074 of the 2nd Session of the 43rd Oklahoma Legislature is not approved by the people of this state. Added by State Question Number 649, Legislative Referendum No. 293, adopted at election held November 3, 1992.

#### SECTION X-6Av1

Tangible personal property moving through State - Situs.

A. All property consigned to a consignee in this State from outside this State to be forwarded to a point outside this State, which is entitled under the tariffs, rules, and regulations approved by the Interstate Commerce Commission to be forwarded at through rates from the point of origin to the point of destination, if not detained within this State for a period of more than ninety (90) days, shall be deemed to be property moving in interstate commerce, and no such property shall be subject to taxation in this State; provided, that goods, wares and merchandise, whether or not moving on through rates, shall be deemed to move in interstate commerce, and not subject to taxation in this State if not detained more than nine (9) months where such goods, wares and merchandise are so held for assembly, storage, manufacturing, processing or fabricating purposes; provided, further, that personal property consigned for sale within this State must be assessed as any other personal property.

B. The Legislature shall enact laws governing the procedures for making application to the county assessor for purposes of the exemption authorized by this section, including the time as of which the application must be filed and information to be included with the application.

Added by State Question No. 443, Legislative Referendum No. 159, adopted at election held on Sept. 17, 1968. Amended by State Question No. 734, Legislative Referendum No. 342, adopted at election held on Nov. 7, 2006.

#### SECTION X-6Av2

Intangible personal property exempt from ad valorem or other tax.

Beginning January 1, 2013, intangible personal property shall not be subject to ad valorem tax or to any other tax in lieu of ad valorem tax within this State.

Added by State Question No. 460, Legislative Referendum No. 173, adopted at election held on Aug. 27, 1968. Amended by State Question No. 766, Legislative Referendum No. 363, adopted at election held on Nov. 6, 2012.