

SJR 8207 - S AMD

By Senators Hargrove, Sheldon, Benton

ADOPTED 02/28/2007

1 Strike everything after page 1, line 7, and insert the following:

2 "Article VII, section 2. Except as hereinafter provided and  
3 notwithstanding any other provision of this Constitution, the aggregate  
4 of all tax levies upon real and personal property by the state and all  
5 taxing districts now existing or hereafter created, shall not in any  
6 year exceed one percent of the true and fair value of such property in  
7 money(~~(:—Provided, however, That))~~). Nothing herein shall prevent  
8 levies at the rates now provided by law by or for any port or public  
9 utility district. The term "taxing district" for the purposes of this  
10 section shall mean any political subdivision, municipal corporation,  
11 district, or other governmental agency authorized by law to levy, or  
12 have levied for it, ad valorem taxes on property, other than a port or  
13 public utility district. Such aggregate limitation or any specific  
14 limitation imposed by law in conformity therewith may be exceeded only  
15 as follows:

16 (a) By any taxing district when specifically authorized so to do by  
17 a majority of at least three-fifths of the voters of the taxing  
18 district voting on the proposition to levy such additional tax  
19 submitted not more than twelve months prior to the date on which the  
20 proposed initial levy is to be made and not oftener than twice in such  
21 twelve month period, either at a special election or at the regular  
22 election of such taxing district, at which election the number of  
23 voters voting "yes" on the proposition shall constitute three-fifths of  
24 a number equal to forty percent of the total number of voters voting in  
25 such taxing district at the last preceding general election when the  
26 number of voters voting on the proposition does not exceed forty  
27 percent of the total number of voters voting in such taxing district in  
28 the last preceding general election; or by a majority of at least  
29 three-fifths of the voters of the taxing district voting on the  
30 proposition to levy when the number of voters voting on the proposition  
31 exceeds forty percent of the number of voters voting in such taxing

1 district in the last preceding general election(~~(+ Provided, That)~~).  
2 Notwithstanding any other provision of this Constitution, any  
3 proposition pursuant to this subsection to levy additional tax for the  
4 support of the common schools or fire protection districts may provide  
5 such support for a period of up to four years and any proposition to  
6 levy an additional tax to support the construction, modernization, or  
7 remodelling of school facilities or fire facilities may provide such  
8 support for a period not exceeding six years. A proposition under this  
9 subsection to levy an additional tax for a school district shall be  
10 authorized by a majority of the voters voting on the proposition if the  
11 proposition is approved at the general election, in which case the  
12 proposition to levy such additional tax shall be submitted not more  
13 than fourteen months before the date on which the proposed initial levy  
14 is to be made and not oftener than twice during the fourteen-month  
15 period beginning with the general election at which the proposition was  
16 first submitted. However, a proposition to levy an additional tax for  
17 a school district may be submitted at the 2008 general election if the  
18 proposition has been submitted no more than three times in such  
19 fourteen-month period;

20 (b) By any taxing district otherwise authorized by law to issue  
21 general obligation bonds for capital purposes, for the sole purpose of  
22 making the required payments of principal and interest on general  
23 obligation bonds issued solely for capital purposes, other than the  
24 replacement of equipment, when authorized so to do by majority of at  
25 least three-fifths of the voters of the taxing district voting on the  
26 proposition to issue such bonds and to pay the principal and interest  
27 thereon by annual tax levies in excess of the limitation herein  
28 provided during the term of such bonds, submitted not oftener than  
29 twice in any calendar year, at an election held in the manner provided  
30 by law for bond elections in such taxing district, at which election  
31 the total number of voters voting on the proposition shall constitute  
32 not less than forty percent of the total number of voters voting in  
33 such taxing district at the last preceding general election(~~(+ Provided, That)~~).  
34 Any such taxing district shall have the right by  
35 vote of its governing body to refund any general obligation bonds of  
36 said district issued for capital purposes only, and to provide for the  
37 interest thereon and amortization thereof by annual levies in excess of

1 the tax limitation provided for herein(~~(, And provided further, That)~~).  
2 The provisions of this section shall also be subject to the limitations  
3 contained in Article VIII, Section 6, of this Constitution;

4 (c) By the state or any taxing district for the purpose of  
5 preventing the impairment of the obligation of a contract when ordered  
6 so to do by a court of last resort.

7 BE IT FURTHER RESOLVED, That the secretary of state shall cause  
8 notice of this constitutional amendment to be published at least four  
9 times during the four weeks next preceding the election in every legal  
10 newspaper in the state."

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