

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2814

By: Hefner

AS INTRODUCED

An Act relating to revenue and taxation; amending 68 O.S. 1991, Section 1353, as amended by Section 3, Chapter 269, O.S.L. 1996 (68 O.S. Supp. 1997, Section 1353), which relates to purpose and apportionment of sales tax revenues; modifying apportionment of sales tax revenues; amending 3 O.S. 1991, Section 91, which relates to the Oklahoma Aeronautics Commission Revolving Fund; providing for certain sales tax revenues to be deposited into the Oklahoma Aeronautics Commission Revolving Fund; apportioning certain monies to certain airports; requiring monies to be used for certain purposes; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 68 O.S. 1991, Section 1353, as amended by Section 3, Chapter 269, O.S.L. 1996 (68 O.S. Supp. 1997, Section 1353), is amended to read as follows:

Section 1353. Purpose of Article - Apportionment of Revenues.

It is hereby declared to be the purpose of the Oklahoma Sales Tax Code to provide funds for the financing of the program provided

for by the Oklahoma Social Security Act and to provide revenues for the support of the functions of the state government of Oklahoma, and for this purpose it is hereby expressly provided that ~~eighty-nine and fifty-eight one-hundredths percent (89.58%)~~ eighty-seven and ninety-one one-hundredths percent (87.91%) of the revenues derived pursuant to the provisions of the Oklahoma Sales Tax Code shall be paid to the State Treasurer to be placed to the credit of the General Revenue Fund to be paid out pursuant to direct appropriation by the Legislature ~~and,~~ that ten and forty-two one-hundredths percent (10.42%) shall be paid to the State Treasurer to be placed to the credit of the Education Reform Revolving Fund of the State Department of Education, and that one and sixty-seven one-hundredths percent (1.67%) shall be paid to the State Treasurer to be placed to the credit of the Oklahoma Aeronautics Commission Revolving Fund.

SECTION 2. AMENDATORY 3 O.S. 1991, Section 91, is amended to read as follows:

Section 91. A. There is hereby created in the State Treasury a revolving fund for the Oklahoma Aeronautics Commission to be designated as the Oklahoma Aeronautics Commission Revolving Fund. The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of a monthly allocation by the Oklahoma Tax Commission of Three Thousand Dollars (\$3,000.00) from the motor fuel excise tax levied and collected pursuant to the provisions of Title 68 of the Oklahoma Statutes, such amount being a part of the estimated amount of tax paid on gasoline consumed by engines to propel aircraft in Oklahoma, sale of surplus property, fees and receipts collected pursuant to the Oklahoma Open Records Act, donations, gifts, bequests, contribution, devices, interagency reimbursements, federal funds unless otherwise provided by federal law or regulation, sale of leases and aircraft registration fees and taxes, or any other source. All monies accruing to ~~said~~ the fund

are hereby appropriated and may be budgeted and expended by the Oklahoma Aeronautics Commission for airport construction and rehabilitation programs and general operations of the agency. Expenditures from ~~said~~ the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

B. Beginning July 1, 1998, the Oklahoma Aeronautics Commission Revolving Fund shall also consist of sales tax revenues as provided for in Section 1353 of Title 68 of the Oklahoma Statutes. The sales tax revenues deposited into the revolving fund pursuant to Section 1353 of Title 68 of the Oklahoma Statutes shall be apportioned as follows:

1. Forty percent (40%) of the monies shall be apportioned equally to all designated primary commercial service airports in this state with one million or more annual enplanements. The monies apportioned pursuant to this paragraph shall be used for capital improvements at these designated primary commercial service airports and their designated reliever airports;

2. Six and sixty-seven one-hundredths percent (6.67%) of the monies shall be apportioned equally to all designated primary airports in this state with less than one million enplanements each year; and

3. Fifty-three and thirty-three one-hundredths percent (53.33%) of the monies shall be used for general aviation airports located in this state.

SECTION 3. This act shall become effective July 1, 1998.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

