

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE JOINT  
RESOLUTION NO. 20

By: Monson

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed act; levying additional tax on cigarettes; specifying procedures for payment of tax; providing for apportionment of revenues; creating Health Systems Improvement Revolving Fund; providing for deposit thereto and expenditure therefrom; specifying purpose; providing for codification; providing ballot title; ordering a special election; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 47TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed statutes.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 302-5 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. In addition to the tax levied in Sections 302, 302-1, 302-2, 302-3, and 302-4 of Title 68 of the Oklahoma Statutes, there is hereby levied upon the sale, use, gift, possession, or consumption of cigarettes, as defined in Section 301 of Title 68 of the Oklahoma Statutes, within the State of Oklahoma a tax at the rate of twenty-five (25) mills per cigarette. Such tax shall be evidenced by tax stamps as now provided for; however, as to cigarette packages of less than ten cigarettes for free distribution as samples, the tax herein levied shall be computed and paid as provided for other cigarette taxes without affixing stamps on each such package.

B. The revenue resulting from the additional tax levied in this section shall be apportioned by the Oklahoma Tax Commission and transmitted to the State Treasurer, who shall deposit the same in the Health Systems Improvement Revolving Fund created in Section 3 of this resolution.

C. The cigarette tax levied in this section shall be collected and administered in all respects not inconsistent with as now or hereafter provided for by law for other cigarette taxes now levied, collected, and administered pursuant to the provisions of Section 301 et seq. of Title 68 of the Oklahoma Statutes.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 41.29c of Title 62, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Oklahoma State Department of Health to be designated the "Health Systems Improvement Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Department pursuant to the provisions of Section 2 of this resolution. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Department for the purpose of improving the systems of health care delivery and improving the health of the citizens of this state. Expenditures from 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.

SECTION 4. The Ballot Title for the proposed statutes as set forth in SECTIONS 2 and 3 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure would impose a new tax on cigarettes. The tax is 25 mills per cigarette. Methods of payment of the tax are the same as for current cigarette taxes. Revenue from the tax is deposited to the Health Systems Improvement Revolving Fund. The fund is also created for the purpose of improving health care delivery systems and the general health of Oklahoma citizens.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 5. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide primary election or special election, whichever occurs first, at which time the proposed act, as set forth in SECTIONS 2 and 3 of this resolution, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

SECTION 6. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 4 hereof, with the Secretary of State and one copy with the Attorney General.

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