

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1792

By: Friskup

AS INTRODUCED

An Act relating to educational entities; prohibiting the Legislature from enacting laws without sufficient funding; making appropriations to the State Board of Education; stating purposes; making appropriation to the Oklahoma State and Education Employees Group Insurance Board; stating purpose; amending 70 O.S. 1991, Section 16-114, as amended by Section 5, Chapter 341, O.S.L. 1997 (70 O.S. Supp. 2000, Section 16-114), which relates to textbook allocation; changing per student textbook allocation amount; providing for noncodification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Legislature shall not enact any law which requires funding to implement the provisions of the law, unless the necessary and sufficient amount of funding for the law is also appropriated or is otherwise provided for through a source of revenue.

SECTION 2. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2002, the sum of Thirteen Million Eight Hundred Thousand Dollars (\$13,800,000.00) for the purpose of purchasing textbooks.

SECTION 3. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2000, the sum of Forty-eight Million Dollars (\$48,000,000.00) for the purpose of funding the Teacher Retirement

Credit. The funds shall be transferred to the Teachers' Retirement System of Oklahoma.

SECTION 4. There is hereby appropriated to the Oklahoma State and Education Employees Group Insurance Board from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2000, the sum of Thirty One Million Five Hundred Thousand Dollars (\$31,500,000.00) for the purpose of replacing premium payment funds directed to go to the Oklahoma State and Education Employees Group Insurance Board which in 1996 were intercepted and allocated to other state agencies.

SECTION 5. AMENDATORY 70 O.S. 1991, Section 16-114, as amended by Section 5, Chapter 341, O.S.L. 1997 (70 O.S. Supp. 2000, Section 16-114), is amended to read as follows:

Section 16-114. Based upon legislative appropriations, the State Board of Education shall determine the textbook allocation to be distributed to each school district in the state. For the 1997-98 school year, and each year thereafter, the textbook allocation for each school district shall be calculated and distributed in July and adjusted in December. The initial allocation shall be calculated based on the audited end-of-year average daily attendance of the preceding school year multiplied by ~~Thirty-two Dollars (\$32.00)~~ Fifty-five Dollars (\$55.00). The initial allocation shall be calculated and distributed to each school district in July. The December adjustment shall be calculated by multiplying the audited first nine (9) weeks average daily attendance for that current school year by Thirty-two Dollars (\$32.00) and subtracting from that amount the amount of the initial allocation. The adjustment shall be calculated in December and distributed to each eligible school district no later than January 15. A school district shall receive an adjustment only if the adjustment figure as calculated in this section is greater than zero. The State Department of Education shall retain from the total amount appropriated for textbooks not

less than one percent (1%) of the total amount to be used for the purpose of making the adjustments. If the amount appropriated, including the retained amount, is not sufficient to fully fund the adjusted allocation each school district eligible for an adjustment shall receive a proportionate reduction in funding. Any unused portion of the value of textbooks allowed to a school district shall be cumulative and may be retained by the school district the following fiscal year, in addition to the allocation it is entitled to receive during such fiscal year. All textbooks distributed to a school district that have been destroyed by fire or other hazard shall be replaced by the State Board of Education. The total cost of all additional textbooks delivered to school districts to replace those destroyed by fire or other hazard shall not exceed, for the entire state in any fiscal year, the aggregate sum of One Hundred Thousand Dollars (\$100,000.00), which sum shall be reserved for such purpose from any appropriation made to carry out the provision of this article for any fiscal year.

SECTION 6. This act shall become effective July 1, 2001.

SECTION 7. 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.

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