

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL NO. 1396

By: Bingman and Branam of the
Senate

6 and

7 Thompson of the House

8
9 COMMITTEE SUBSTITUTE

10 (Roads, bridges and ferries - Rebuilding Oklahoma

11 Access and Driver Safety Fund - apportionment of

12 certain revenues - effective date -

13 emergency)

14
15
16 SECTION 1. AMENDATORY Section 1, Chapter 444, O.S.L.

17 2005, as amended by Section 11, Chapter 45, 2nd Extraordinary

18 Session, O.S.L. 2006 (69 O.S. Supp. 2007, Section 1521), is amended

19 to read as follows:

20 Section 1521. A. There is hereby created in the State Treasury

21 a fund to be known as the "Rebuilding Oklahoma Access and Driver

22 Safety (ROADS) Fund". The fund shall be a continuing fund, not

23 subject to fiscal year limitations, and shall consist of all

24 appropriations and transfers made by the Legislature. All monies

1 accruing to the credit of said fund are hereby appropriated and may
2 be budgeted and expended ~~beginning with the fiscal year ending June~~
3 ~~30, 2006, and~~ each fiscal year thereafter by the Department of
4 Transportation for the purposes authorized by subsection ~~F~~ F of this
5 section. Expenditures from said fund shall be made upon warrants
6 issued by the State Treasurer against claims filed as prescribed by
7 law with the Director of State Finance for approval and payment.

8 B. There shall be apportioned to the funds specified in this
9 subsection from the monies that would otherwise be apportioned to
10 the General Revenue Fund by Section 2352 of Title 68 of the Oklahoma
11 Statutes from the revenues derived pursuant to subsections A, B and
12 E of Section 2355 of Title 68 of the Oklahoma Statutes amounts as
13 follows:

- 14 1. ~~For the fiscal year ending June 30, 2006:~~
 - 15 a. ~~the first Fifteen Million Dollars (\$15,000,000.00)~~
16 ~~shall be apportioned to the Rebuilding Oklahoma Access~~
17 ~~and Driver Safety Fund,~~
 - 18 b. ~~the next Two Million Dollars (\$2,000,000.00) shall be~~
19 ~~apportioned to the Oklahoma Tourism and Passenger Rail~~
20 ~~Revolving Fund created pursuant to Section 325 of~~
21 ~~Title 66 of the Oklahoma Statutes to be used for~~
22 ~~capital and operating costs for the "Heartland Flyer"~~
23 ~~rail project,~~

24

1 c. ~~the next Five Hundred Thousand Dollars (\$500,000.00)~~
2 ~~shall be apportioned to the Public Transit Revolving~~
3 ~~Fund created pursuant to Section 4031 of this title to~~
4 ~~be used for purposes authorized by law other than the~~
5 ~~purpose described by subparagraph b of this paragraph,~~
6 ~~and~~

7 d. ~~all amounts apportioned pursuant to this paragraph~~
8 ~~shall be divided into twelve equal amounts to be~~
9 ~~apportioned each month during the fiscal year,~~

10 ~~2.~~ For the fiscal year ending June 30, ~~2007~~ 2009, and for each
11 fiscal year thereafter, subject to the provisions of paragraph ~~4~~ 3
12 of this subsection, and subject to any reductions required by
13 subsection ~~H~~ E of this section, there shall be apportioned to the
14 Rebuilding Oklahoma Access and Driver Safety Fund:

15 a. ~~Seventy Million Dollars (\$70,000,000.00)~~ plus the
16 total amount apportioned to the Rebuilding Oklahoma
17 Access and Driver Safety Fund for the preceding fiscal
18 year, which shall be apportioned before any other
19 amount is apportioned pursuant to Section 2352 of
20 Title 68 of the Oklahoma Statutes, plus

21 b. ~~an additional amount which shall be either:~~

22 ~~(1) the next Seventeen Million Five Hundred Thousand~~
23 ~~Dollars (\$17,500,000.00) as provided by~~
24 ~~subsection C of this section, or~~

1 ~~(2)~~ the next Fifty Million Dollars (\$50,000,000.00)
2 ~~as provided by subsection D of this section, or~~
3 ~~(3)~~ an amount which shall not be in excess of the
4 amount prescribed by ~~division (1) of this~~
5 ~~subparagraph~~ paragraph for a fiscal year ~~in which~~
6 ~~such amount is the maximum additional amount that~~
7 ~~may be apportioned to the Rebuilding Oklahoma~~
8 ~~Access and Driver Safety Fund and which shall not~~
9 ~~be in excess of the amount prescribed by division~~
10 ~~(2) of this subparagraph for a fiscal year in~~
11 ~~which such amount is the maximum additional~~
12 ~~amount that may be apportioned to the Rebuilding~~
13 ~~Oklahoma Access and Driver Safety Fund, in order~~
14 for the total apportionment for such fiscal year
15 to equal ~~Two Hundred Seventy Million Dollars~~
16 ~~(\$270,000,000.00), and~~
17 e. all Five Hundred Million Dollars
18 (\$500,000,000.00).

19 Provided, for each year that the State Board of Equalization
20 determines that the final itemized estimate of General Revenue Fund
21 revenues made by the State Board at the February meeting preceding
22 the beginning of the fiscal year for which that estimate is made,
23 which is the same fiscal year during which the apportionment to the
24 Rebuilding Oklahoma Access and Driver Safety Fund is to be made, is

1 less than the itemized estimate of General Revenue Fund revenues
2 made by the State Board of Equalization for the fiscal year ending
3 on June 30 immediately following such February meeting, there shall
4 be apportioned to the Rebuilding Oklahoma Access and Driver Safety
5 Fund the total amount apportioned to the Fund for the preceding
6 fiscal year, which shall be apportioned before any other amount is
7 apportioned pursuant to Section 2352 of Title 68 of the Oklahoma
8 Statutes.

9 All amounts apportioned pursuant to this paragraph shall be
10 divided into twelve equal amounts to be apportioned each month
11 during the fiscal year;

12 ~~3.~~ 2. For the fiscal year ending June 30, ~~2007~~ 2009, and for
13 each fiscal year thereafter after the apportionments required by
14 paragraph ~~2~~ 1 of this subsection have been made:

15 a. the next Two Million Dollars (\$2,000,000.00) shall be
16 apportioned to the Oklahoma Tourism and Passenger Rail
17 Revolving Fund created pursuant to Section 325 of
18 Title 66 of the Oklahoma Statutes to be used for
19 capital and operating costs for the "Heartland Flyer"
20 rail project, and

21 b. the next Three Million Dollars (\$3,000,000.00) shall
22 be apportioned to the Public Transit Revolving Fund
23 created pursuant to Section 4031 of this title to be
24 used for purposes authorized by law other than the

1 purpose described by subparagraph a of this paragraph⁷
2 and
3 e. all.

4 All amounts apportioned pursuant to this paragraph shall be
5 divided into twelve equal amounts to be apportioned each month
6 during the fiscal year; and

7 ~~4. 3.~~ For each fiscal year after the first fiscal year in which
8 the total apportionment to the Rebuilding Oklahoma Access and Driver
9 Safety Fund as provided by paragraph ~~2~~ 1 of this subsection equals
10 ~~Two Hundred Seventy Million Dollars (\$270,000,000.00)~~ Five Hundred
11 Million Dollars (\$500,000,000.00), the first ~~Two Hundred Seventy~~
12 ~~Million Dollars (\$270,000,000.00)~~ Five Hundred Million Dollars
13 (\$500,000,000.00) collected pursuant to subsections A, B and E of
14 Section 2355 of Title 68 of the Oklahoma Statutes and apportioned
15 pursuant to Section 2352 of Title 68 of the Oklahoma Statutes that
16 would otherwise be apportioned to the General Revenue Fund shall be
17 apportioned to the Rebuilding Oklahoma Access and Driver Safety
18 Fund. All amounts apportioned pursuant to this paragraph shall be
19 divided into twelve equal amounts to be apportioned each month
20 during the fiscal year.

21 C. ~~For the fiscal year ending June 30, 2007, and for each~~
22 ~~fiscal year thereafter, in addition to the amount apportioned to the~~
23 ~~Rebuilding Oklahoma Access and Driver Safety Fund pursuant to~~
24 ~~subparagraph a of paragraph 2 of subsection B of this section, there~~

1 ~~shall be apportioned to such fund an additional amount of Seventeen~~
2 ~~Million Five Hundred Thousand Dollars (\$17,500,000.00) for each year~~
3 ~~that the State Board of Equalization determines that any increase~~
4 ~~between the final itemized estimate of General Revenue Fund revenues~~
5 ~~made by the State Board at the February meeting preceding the~~
6 ~~beginning of the fiscal year for which that estimate is made, which~~
7 ~~is the same fiscal year during which the apportionment to the~~
8 ~~Rebuilding Oklahoma Access and Driver Safety Fund is to be made, and~~
9 ~~the then current itemized estimate of General Revenue Fund revenues~~
10 ~~made by the State Board of Equalization for the fiscal year ending~~
11 ~~on June 30 immediately following such February meeting is less than~~
12 ~~three percent (3%).~~

13 ~~D. For the fiscal year ending June 30, 2007, and for each~~
14 ~~fiscal year thereafter, in addition to the amount apportioned to the~~
15 ~~Rebuilding Oklahoma Access and Driver Safety Fund pursuant to~~
16 ~~subparagraph a of paragraph 2 of subsection B of this section, there~~
17 ~~shall be apportioned to such fund an additional amount of Fifty~~
18 ~~Million Dollars (\$50,000,000.00) for each year that the State Board~~
19 ~~of Equalization determines that any increase between the final~~
20 ~~itemized estimate of General Revenue Fund revenues made by the State~~
21 ~~Board at the February meeting preceding the beginning of the fiscal~~
22 ~~year for which that estimate is made, which is the same fiscal year~~
23 ~~during which the apportionment to the Rebuilding Oklahoma Access and~~
24 ~~Driver Safety Fund is to be made, and the then current itemized~~

1 ~~estimate of General Revenue Fund revenues made by the State Board of~~
2 ~~Equalization for the fiscal year ending on June 30 immediately~~
3 ~~following such February meeting is three percent (3%) or greater.~~

4 ~~E. The apportionments of revenues required by subparagraph a of~~
5 ~~paragraph 2 of subsection B of this section and the apportionment of~~
6 ~~additional revenues required by either division (1), (2) or (3) of~~
7 ~~subparagraph b of paragraph 2 of subsection B of this section, as~~
8 ~~governed by the provisions of subsection C or subsection D of this~~
9 ~~section, shall be made until the total annual apportionment to the~~
10 ~~Rebuilding Oklahoma Access and Driver Safety Fund equals Two Hundred~~
11 ~~Seventy Million Dollars (\$270,000,000.00). After such annual~~
12 ~~apportionment level is reached, the apportionment to the fund shall~~
13 ~~be governed by the provisions of paragraph 4 of subsection B of this~~
14 ~~section.~~

15 ~~F. The monies apportioned to the Rebuilding Oklahoma Access and~~
16 ~~Driver Safety Fund shall not be used to supplant or replace existing~~
17 ~~state funds used for transportation purposes.~~

18 ~~G. D.~~ In order to ensure that the funds from the ROADS Fund are
19 used to enhance and not supplant state funding for the Department of
20 Transportation, the State Board of Equalization shall examine and
21 investigate expenditures from the fund each year. For purposes of
22 this examination, monies used to retire outstanding debt obligations
23 for which the Department of Transportation is responsible shall be
24 excluded. At the meeting of the State Board of Equalization held

1 within five (5) days after the monthly apportionment in February of
2 each year, the State Board of Equalization shall issue a finding and
3 report which shall state whether expenditures from the ROADS Fund
4 were used to enhance or supplant state funding for the Department of
5 Transportation. If the State Board of Equalization finds that state
6 funding for the Department of Transportation was supplanted by funds
7 from the ROADS Fund, the Board shall specify the amount by which
8 such funding was supplanted. In this event, the Legislature shall
9 not make any appropriations for the ensuing fiscal year until an
10 appropriation in that amount is made to replenish state funding for
11 the Department of Transportation.

12 ~~H. E.~~ In the event that the Director of the Office of State
13 Finance declares a General Revenue Fund revenue failure pursuant to
14 Section 41.9 of Title 62 of the Oklahoma Statutes, and agency
15 allocations are reduced pursuant to the provisions of Section 41.9
16 of Title 62 of the Oklahoma Statutes, the amounts that would
17 otherwise be apportioned to the ROADS Fund by ~~subparagraphs a, b and~~
18 ~~e of paragraph 1 and subparagraphs a and b of paragraph 2 and~~
19 ~~paragraph 3 of subsection~~ subsections B and C of this section shall
20 be reduced by a percentage equal to that required of the General
21 Revenue Fund appropriations to state agencies and such reductions
22 shall occur during the entire fiscal year and for any month during
23 which such reductions are required by the Office of State Finance

24

1 and by the same percentage as that required of the agencies for such
2 General Revenue Fund appropriations.

3 ~~F.~~ F. The Department of Transportation shall use the monies in
4 the Rebuilding Oklahoma Access and Driver Safety Fund for:

5 1. The construction and maintenance of state roads, bridges and
6 highways;

7 2. The direct expenses of operating and maintaining the state
8 highway system, including bridges;

9 3. Direct expenses incurred in constructing, repairing, and
10 maintaining state highways, farm-to-market roads, county highways
11 and bridges as authorized by law;

12 4. Matching federal funds;

13 5. The purchase of materials, tools, machinery, motor vehicles,
14 and equipment necessary or convenient for the construction and
15 maintenance of the state highway system and bridges; and

16 6. Debt service incurred prior to January 1, 2006, for Capitol
17 Improvement Program bonds sold pursuant to Section 2001 of this
18 title.

19 SECTION 2. AMENDATORY 47 O.S. 2001, Section 1104, as
20 last amended by Section 1, Chapter 45, 2nd Extraordinary Session,
21 O.S.L. 2006 (47 O.S. Supp. 2007, Section 1104), is amended to read
22 as follows:

23 Section 1104. A. Unless otherwise provided by law, all fees,
24 taxes and penalties collected or received pursuant to the Oklahoma

1 Vehicle License and Registration Act or Section 1-101 et seq. of
2 this title shall be apportioned and distributed monthly by the
3 Oklahoma Tax Commission in accordance with this section.

4 B. 1. The following percentages of the monies referred to in
5 subsection A of this section shall be apportioned to the various
6 school districts in accordance with paragraph 2 of this subsection:

7 a. from October 1, 2000, until June 30, 2001, thirty-five
8 and forty-six one-hundredths percent (35.46%),

9 b. for the year beginning July 1, 2001, and ending June
10 30, 2002, thirty-five and ninety-one one-hundredths
11 percent (35.91%), and

12 c. for the year beginning July 1, 2002, and all
13 subsequent years, thirty-six and twenty one-hundredths
14 percent (36.20%).

15 2. The monies apportioned pursuant to subparagraphs a through c
16 of paragraph 1 of this subsection shall be apportioned to the
17 various school districts as follows:

18 a. except as otherwise provided in this subparagraph,
19 each district shall receive the same amount of funds
20 as such district received from the taxes and fees
21 provided in this title in the corresponding month of
22 the preceding year. Any district eligible for funds
23 pursuant to the provisions of this section that was
24 not eligible the preceding year shall receive an

1 amount equal to the average daily attendance of the
2 applicable year multiplied by the average daily
3 attendance apportionment within such county for each
4 appropriate month. For fiscal year 1995 and
5 thereafter, any district which received less than
6 twenty-five percent (25%) of the average apportionment
7 of the monies made to school districts in this state
8 based on average daily attendance in fiscal year 1995
9 shall receive an amount equal to the average daily
10 attendance in the 1994-1995 school year multiplied by
11 the average daily attendance apportionment within the
12 county in which the district is located for each
13 appropriate month, and

14 b. any funds remaining unallocated following the
15 allocation provided in subparagraph a of this
16 paragraph shall be apportioned to the various school
17 districts so that each district shall first receive
18 the cumulative total of the monthly apportionments for
19 which it is otherwise eligible under subparagraph a of
20 this paragraph and then an amount based upon the
21 proportion that each district's average daily
22 attendance bears to the total average daily attendance
23 of those districts entitled to receive funds pursuant
24

1 to this section as certified by the State Department
2 of Education.

3 Each district's allocation of funds shall be remitted to the
4 county treasurer of the county wherein the administrative
5 headquarters of the district are located.

6 No district shall be eligible for the funds herein provided
7 unless the district makes an ad valorem tax levy of fifteen (15)
8 mills and maintains nine (9) years of instruction and pursuant to
9 the rules of the State Board of Education, is authorized to maintain
10 ten (10) years of instruction.

11 C. 1. The following percentages of the monies referred to in
12 subsection A of this section shall be remitted to the State
13 Treasurer to be credited to the General Revenue Fund of the State
14 Treasury:

- 15 a. from October 1, 2000, until June 30, 2001, forty-five
16 and ninety-seven one-hundredths percent (45.97%),
- 17 b. for the year beginning July 1, 2001, and ending June
18 30, 2002, forty-five and twenty-nine one-hundredths
19 percent (45.29%),
- 20 c. for the year beginning July 1, 2002, and for the
21 subsequent fiscal years ending June 30, 2007, forty-
22 four and eighty-four one-hundredths percent (44.84%),

- 1 d. for the year beginning July 1, 2007, and ending June
2 30, 2008, thirty-nine and eighty-four one-hundredths
3 percent (39.84%),
- 4 e. for the year beginning July 1, 2008, and ending June
5 30, 2009, thirty-four and eighty-four one-hundredths
6 percent (34.84%), and
- 7 f. for the year beginning July 1, 2009, ~~and all~~
8 ~~subsequent years,~~ twenty-nine and eighty-four one-
9 hundredths percent (29.84%),
- 10 g. for the year beginning July 1, 2010, twenty-four and
11 eighty-four one-hundredths percent (24.84%),
- 12 h. for the year beginning July 1, 2011, nineteen and
13 eighty-four one-hundredths percent (19.84%),
- 14 i. for the year beginning July 1, 2012, fourteen and
15 eighty-four one-hundredths percent (14.84%),
- 16 j. for the year beginning July 1, 2013, nine and eighty-
17 four one-hundredths percent (9.84%), and
- 18 k. for the year beginning July 1, 2014, four and eighty-
19 four one-hundredths percent (4.84%).

20 2. In the event that additional monies are necessary pursuant
21 to subsection ¶ 0 of this section, such additional monies shall be
22 deducted from the monies apportioned to the General Revenue Fund.
23
24

1 D. The following percentages of the monies referred to in
2 subsection A of this section shall be remitted to the State
3 Treasurer to be credited to the State Transportation Fund:

4 1. From October 1, 2000, until June 30, 2001, thirty one-
5 hundredths percent (0.30%); and

6 2. For the year beginning July 1, 2001, and all subsequent
7 years, thirty-one one-hundredths percent (0.31%).

8 E. 1. The following percentages of the monies referred to in
9 subsection A of this section shall be apportioned to the various
10 counties as set forth in paragraph 2 of this section:

11 a. from October 1, 2000, until June 30, 2001, seven and
12 nine one-hundredths percent (7.09%),

13 b. for the year beginning July 1, 2001, and ending June
14 30, 2002, seven and eighteen one-hundredths percent
15 (7.18%), and

16 c. for the year beginning July 1, 2002, and all
17 subsequent years, seven and twenty-four one-hundredths
18 percent (7.24%).

19 2. The monies apportioned pursuant to subparagraphs a through c
20 of paragraph 1 of this subsection shall be apportioned as follows:
21 forty percent (40%) of such sum shall be distributed to the various
22 counties in that proportion which the county road mileage of each
23 county bears to the entire state road mileage as certified by the
24 Transportation Commission and the remaining sixty percent (60%) of

1 such sum shall be distributed to the various counties on the basis
2 which the population and area of each county bears to the total
3 population and area of the state. The population shall be as shown
4 by the last Federal Census or the most recent annual estimate
5 provided by the United States Bureau of the Census. The funds shall
6 be used for the purpose of constructing and maintaining county
7 highways, provided, however, the county treasurer may deposit so
8 much of the funds in the sinking fund as may be necessary for the
9 retirement of interest and annual accrual of indebtedness created by
10 the issuance of county or township bonds for road purposes. Such
11 deposits to the sinking fund shall not exceed forty percent (40%) of
12 the funds allocated to a county pursuant to this paragraph.

13 F. 1. The following percentages of the monies referred to in
14 subsection A of this section shall be remitted to the county
15 treasurers of the respective counties and by them deposited in a
16 separate special revenue fund to be used by the county commissioners
17 in accordance with paragraph 2 of this subsection:

18 a. from October 1, 2000, until June 30, 2001, two and
19 fifty-three one-hundredths percent (2.53%),

20 b. for the year beginning July 1, 2001, and ending June
21 30, 2002, two and fifty-six one-hundredths percent
22 (2.56%), and
23
24

1 c. for the year beginning July 1, 2002, and all
2 subsequent years, two and fifty-nine one-hundredths
3 percent (2.59%).

4 2. The monies apportioned pursuant to subparagraphs a through c
5 of paragraph 1 of this subsection shall be used for the primary
6 purpose of matching federal funds for the construction of federal
7 aid projects on county roads, or constructing and maintaining county
8 or township highways and permanent bridges of such counties. The
9 distribution of monies apportioned by this paragraph shall be made
10 upon the basis of the current formula based upon road mileage, area
11 and population as related to county road improvement and maintenance
12 costs. Provided, however, the Department of Transportation may
13 update the formula factors from time to time as necessary to account
14 for changing conditions.

15 G. 1. The following percentages of the monies referred to in
16 subsection A of this section shall be transmitted by the Tax
17 Commission to the various counties as set forth in paragraph 2 of
18 this subsection:

19 a. from October 1, 2000, until June 30, 2001, three and
20 fifty-five one-hundredths percent (3.55%),

21 b. for the year beginning July 1, 2001, and ending June
22 30, 2002, three and fifty-nine one-hundredths percent
23 (3.59%), and
24

1 c. for the year beginning July 1, 2002, and all
2 subsequent years, three and sixty-two one-hundredths
3 percent (3.62%).

4 2. The monies apportioned pursuant to subparagraphs a through c
5 of paragraph 1 of this subsection shall be transmitted to the
6 various counties on the basis of a formula to be developed by the
7 Department of Transportation. Such formula shall be similar to that
8 currently used for the distribution of County Bridge Program Funds,
9 but also taking into consideration the effect of terrain and traffic
10 volume as related to county road improvement and maintenance costs.
11 Provided, however, the Department of Transportation may update the
12 formula factors from time to time as necessary to account for
13 changing conditions. The funds shall be transmitted to the various
14 county treasurers to be deposited in the county highway fund of
15 their respective counties.

16 H. 1. The following percentages of the monies referred to in
17 subsection A of this section shall be apportioned to the various
18 counties as set forth in paragraph 2 of this subsection:

- 19 a. from October 1, 2000, until June 30, 2001, eighty-one
20 one-hundredths percent (0.81%),
21 b. for the year beginning July 1, 2001, and ending June
22 30, 2002, eighty-two one-hundredths percent (0.82%),
23 and

1 c. for the year beginning July 1, 2002, and all
2 subsequent years, eighty-three one-hundredths percent
3 (0.83%).

4 2. The monies apportioned pursuant to subparagraphs a through c
5 of paragraph 1 of this subsection shall be apportioned to the
6 various counties as follows:

7 a. each county shall receive the same amount of funds as
8 such county received from the taxes and fees provided
9 for in the 1985 fiscal year, and

10 b. any funds remaining unallocated following the
11 allocation provided in subparagraph a of this
12 paragraph shall be apportioned to the various counties
13 based upon the proportion that each county's
14 population bears to the total state population.

15 Each county's allocation of funds shall be remitted to the
16 various county treasurers to be deposited in the general fund of the
17 county and used for the support of county government.

18 I. 1. The following percentages of the monies referred to in
19 subsection A of this section shall be apportioned to the various
20 cities and incorporated towns as set forth in paragraph 2 of this
21 subsection:

22 a. from October 1, 2000, until June 30, 2001, three and
23 four one-hundredths percent (3.04%),
24

1 b. for the year beginning July 1, 2001, and ending June
2 30, 2002, three and eight one-hundredths percent
3 (3.08%), and

4 c. for the year beginning July 1, 2002, and all
5 subsequent years, three and ten one-hundredths percent
6 (3.10%).

7 2. The monies apportioned pursuant to subparagraphs a through c
8 of paragraph 1 of this subsection shall be apportioned to the
9 various cities and incorporated towns based upon the proportion that
10 each city or incorporated town's population bears to the total
11 population of all cities and incorporated towns in the state. Such
12 funds shall be remitted to the various county treasurers for
13 allocation to the various cities and incorporated towns. All such
14 funds shall be used for the construction, maintenance, repair,
15 improvement and lighting of streets and alleys. Provided, however,
16 the governing board of any city or town may, with the approval of
17 the county excise board, transfer any surplus funds to the general
18 revenue fund of such city or town whenever an emergency requires
19 such a transfer.

20 J. The following percentages of the monies referred to in
21 subsection A of this section shall be remitted to the State
22 Treasurer to be credited to the Oklahoma Law Enforcement Retirement
23 Fund:
24

1 1. From October 1, 2000, until June 30, 2001, one and twenty-
2 two one-hundredths percent (1.22%);

3 2. For the year beginning July 1, 2001, and ending June 30,
4 2002, one and twenty-three one-hundredths percent (1.23%); and

5 3. For the year beginning July 1, 2002, and all subsequent
6 years, one and twenty-four one-hundredths percent (1.24%).

7 K. Three one-hundredths of one percent (3/100 of 1%) of the
8 monies referred to in subsection A of this section shall be remitted
9 to the State Treasurer to be credited to the Wildlife Conservation
10 Fund. Seventy-five percent (75%) of the funds shall be used for
11 fish habitat restoration and twenty-five percent (25%) of the funds
12 shall be used in the fish hatchery system for fish production.

13 L. 1. For the year beginning July 1, 2007, and ending June 30,
14 2008, five percent (5%) of monies referred to in subsection A of
15 this section shall be remitted to the State Treasurer to be credited
16 to the County Improvements for Roads and Bridges Fund as created in
17 Section 7 507 of ~~this act~~ Title 69 of the Oklahoma Statutes.

18 2. For the year beginning July 1, 2008, and ending June 30,
19 2009, ten percent (10%) of monies referred to in subsection A of
20 this section shall be remitted to the State Treasurer to be credited
21 to the County Improvements for Roads and Bridges Fund as created in
22 Section 7 507 of ~~this act~~ Title 69 of the Oklahoma Statutes.

23 3. For the year beginning July 1, 2009, and all subsequent
24 years, fifteen percent (15%) of monies referred to in subsection A

1 of this section shall be remitted to the State Treasurer to be
2 credited to the County Improvements for Roads and Bridges Fund as
3 created in Section 7 507 of ~~this act~~ Title 69 of the Oklahoma
4 Statutes.

5 M. 1. For the year beginning July 1, 2010, five percent (5%)
6 of monies referred to in subsection A of this section shall be
7 remitted to the State Treasurer to be credited to the Statewide
8 Circuit Engineering District Revolving Fund as created in Section
9 687.2 of Title 69 of the Oklahoma Statutes.

10 2. For the year beginning July 1, 2011, ten percent (10%) of
11 monies referred to in subsection A of this section shall be remitted
12 to the State Treasurer to be credited to the Statewide Circuit
13 Engineering District Revolving Fund as created in Section 687.2 of
14 Title 69 of the Oklahoma Statutes.

15 3. For the year beginning July 1, 2012, fifteen percent (15%)
16 of monies referred to in subsection A of this section shall be
17 remitted to the State Treasurer to be credited to the Statewide
18 Circuit Engineering District Revolving Fund as created in Section
19 687.2 of Title 69 of the Oklahoma Statutes.

20 4. For the year beginning July 1, 2013, twenty percent (20%) of
21 monies referred to in subsection A of this section shall be remitted
22 to the State Treasurer to be credited to the Statewide Circuit
23 Engineering District Revolving Fund as created in Section 687.2 of
24 Title 69 of the Oklahoma Statutes.

1 5. For the year beginning July 1, 2014, twenty-five percent
2 (25%) of monies referred to in subsection A of this section shall be
3 remitted to the State Treasurer to be credited to the Statewide
4 Circuit Engineering District Revolving Fund as created in Section
5 687.2 of Title 69 of the Oklahoma Statutes.

6 6. For the year beginning July 1, 2015, and for subsequent
7 fiscal years, twenty-nine and eighty-four one-hundredths
8 percent (29.84%) of monies referred to in subsection A of this
9 section shall be remitted to the State Treasurer to be credited to
10 the Statewide Circuit Engineering District Revolving Fund as created
11 in Section 687.2 of Title 69 of the Oklahoma Statutes.

12 N. Monies allocated to counties by this section may be
13 estimated by the county excise board in the budget for the county as
14 anticipated revenue to the extent of ninety percent (90%) of the
15 previous year's income from such source, provided, not more than
16 fifteen percent (15%) can be encumbered during any month.

17 ~~N.~~ O. In no event shall the monies apportioned pursuant to
18 subsections B, E, F, G, H, I and L of this section be less than the
19 monies apportioned in the previous fiscal year.

20 ~~O.~~ P. Notwithstanding any other provisions of this section, for
21 the fiscal year beginning July 1, 2003, the first One Hundred
22 Thousand Dollars (\$100,000.00) of the monies collected or received
23 by the Tax Commission pursuant to the registration of motorcycles
24

1 and mopeds in this state shall be placed to the credit of the
2 Oklahoma Tax Commission Revolving Fund.

3 SECTION 3. This act shall become effective July 1, 2008.

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

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