

ESB 1911

THE HOUSE OF REPRESENTATIVES
Tuesday, April 15, 2008

ENGROSSED
Senate Bill No. 1911
As Amended

ENGROSSED SENATE BILL NO. 1911 - By: WILSON AND MAZZEI of the Senate and
TERRILL of the House.

[revenue and taxation - consolidating duplicate sections relating to sales tax –
repealer - effective date -
emergency]

1 SECTION 1. AMENDATORY 68 O.S. 2001, Section 1353, as last amended by
2 Section 3, Chapter 366, O.S.L. 2007 (68 O.S. Supp. 2007, Section 1353), is amended to
3 read as follows:

4 Section 1353. A. It is hereby declared to be the purpose of the Oklahoma Sales Tax
5 Code to provide funds for the financing of the program provided for by the Oklahoma
6 Social Security Act and to provide revenues for the support of the functions of the state
7 government of Oklahoma, and for this purpose it is hereby expressly provided that,
8 revenues derived pursuant to the provisions of the Oklahoma Sales Tax Code shall be
9 apportioned as follows:

10 1. a. the following amounts shall be paid to the State Treasurer to be placed
11 to the credit of the General Revenue Fund to be paid out pursuant to
12 direct appropriation by the Legislature:

1	Fiscal Year	Amount
2	FY 2003 and FY 2004	86.04%
3	FY 2005	85.83%
4	FY 2006	85.54%
5	FY 2007	85.04%
6	FY 2008 and each fiscal year	
7	thereafter	83.61%

8 b. in the event that additional monies are necessary pursuant to
9 paragraph 5 of this section, such additional monies shall be deducted
10 in the proportion determined by the State Board of Equalization
11 pursuant to paragraph 3 of Section 2 of this act from the monies
12 apportioned to the General Revenue Fund;

13 2. For FY 2003, FY 2004 and FY 2005, ten and forty-two one-hundredths percent
14 (10.42%), shall be paid to the State Treasurer to be placed to the credit of the Education
15 Reform Revolving Fund of the State Department of Education and for FY 2006 and each
16 fiscal year thereafter, ten and forty-six one hundredths percent (10.46%) shall be paid to
17 the State Treasurer to be placed to the credit of the Education Reform Revolving Fund of
18 the State Department of Education;

19 3. The following amounts shall be paid to the State Treasurer to be placed to the
20 credit of the Teachers' Retirement System Dedicated Revenue Revolving Fund:

21	Fiscal Year	Amount
22	FY 2003 and FY 2004	3.54%

1	FY 2005	3.75%
2	FY 2006	4.0%
3	FY 2007	4.5%
4	FY 2008 and each fiscal year	
5	thereafter	5.0%

6 4. For the fiscal year beginning July 1, 2007, and for each fiscal year thereafter,
7 ninety-three one hundredths percent (0.93%) shall be paid to the State Treasurer to be
8 further apportioned as follows:

- 9 a. thirty-six percent (36%) shall be placed to the credit of the Oklahoma
10 Tourism Promotion Revolving Fund, and
- 11 b. sixty-four percent (64%) shall be placed to the credit of the Oklahoma
12 Tourism Capital Improvement Revolving Fund; and

13 5. During the first fiscal year after the State Board of Equalization has made a
14 determination as provided in Section 2 of Enrolled Senate Bill No. 357 of the 1st Session
15 of the 51st Oklahoma Legislature, as amended by Section 2 of this act, regarding a
16 baseline amount of revenue apportioned pursuant to paragraph 3 of this section, and for
17 each fiscal year thereafter, in no event shall monies apportioned pursuant to paragraph 3
18 of this section, paragraph 3 of Section 1403 of this title and subparagraph c of paragraph
19 1 of Section 2352 of this title be less than such baseline amount.

20 B. Provided, for the fiscal year beginning July 1, 2007, and every fiscal year
21 thereafter, an amount of revenue shall be apportioned to each municipality or county
22 which levies a sales tax subject to the provisions of Section 1357.10 of this title and

1 subsection F of Section 2701 of this title equal to the amount of sales tax revenue of such
2 municipality or county exempted by the provisions of Section 1357.10 of this title and
3 subsection F of Section 2701 of this title. The Oklahoma Tax Commission shall
4 promulgate and adopt rules necessary to implement the provisions of this subsection.

5 SECTION 2. REPEALER 68 O.S. 2001, Section 1353, as last amended by
6 Section 2, Chapter 136, O.S.L. 2007 (68 O.S. Supp. 2007, Section 1353), is hereby
7 repealed.

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

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

12 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,
13 dated 04-14-08 - DO PASS, As Amended.