

SB 1911

THE STATE SENATE  
Monday, February 25, 2008

Senate Bill No. 1911  
As Amended

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 - effective date -  
emergency ]

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

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

Section 1353. A. 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, revenues derived pursuant to the provisions of the  
Oklahoma Sales Tax Code shall be apportioned as follows:

1. a. the following amounts 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:

Fiscal Year Amount

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

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

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

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

1	Fiscal Year	Amount
2	FY 2003 and FY 2004	3.54%
3	FY 2005	3.75%
4	FY 2006	4.0%
5	FY 2007	4.5%
6	FY 2008 and each fiscal	
7	year thereafter	5.0%

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

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

17 5. During the first fiscal year after the State Board of  
18 Equalization has made a determination as provided in Section 2 of  
19 Enrolled Senate Bill No. 357 of the 1st Session of the 51st Oklahoma  
20 Legislature, as amended by Section 2 of this act, regarding a  
21 baseline amount of revenue apportioned pursuant to paragraph 3 of  
22 this section, and for each fiscal year thereafter, in no event shall  
23 monies apportioned pursuant to paragraph 3 of this section,

1 paragraph 3 of Section 1403 of this title and subparagraph c of  
2 paragraph 1 of Section 2352 of this title be less than such baseline  
3 amount.

4 B. Provided, for the fiscal year beginning July 1, 2007, and  
5 every fiscal year thereafter, an amount of revenue shall be  
6 apportioned to each municipality or county which levies a sales tax  
7 subject to the provisions of Section 1357.10 of this title and  
8 subsection F of Section 2701 of this title equal to the amount of  
9 sales tax revenue of such municipality or county exempted by the  
10 provisions of Section 1357.10 of this title and subsection F of  
11 Section 2701 of this title. The Oklahoma Tax Commission shall  
12 promulgate and adopt rules necessary to implement the provisions of  
13 this subsection.

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

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

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

22 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 2-19-08 - DO PASS,  
23 As Amended and Coauthored.