

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1434

By: Bingman of the Senate

and

Peters of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to petroleum and gas excise tax;
11 amending 68 O.S. 2011, Section 1103, which relates to
12 apportionment of tax; providing for transfer of
certain revenue after specified date; and providing
an effective date.

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

16 SECTION 1. AMENDATORY 68 O.S. 2011, Section 1103, is
17 amended to read as follows:

18 Section 1103. A. 1. Prior to July 1, 2016, and as provided in
19 Section 1103.1 of this title, all monies derived from the levy of
20 the excise tax on petroleum oil provided for by Section 1101 of this
21 title shall be deposited with the State Treasurer, who shall credit
22 and apportion the same as follows:

23 a. eighty-two and six hundred thirty-four thousandths
24 percent (82.634%) of said excise tax shall be credited

1 to the General Revenue Fund of the State Treasury;
2 provided, in each fiscal year beginning on or after
3 July 1, 2013, the first One Million Three Hundred
4 Fifty Thousand Dollars (\$1,350,000.00) which would
5 otherwise have been apportioned to the General Revenue
6 Fund pursuant to this subparagraph shall be
7 transferred to the Oil and Gas Division Revolving Fund
8 of the Oklahoma Corporation Commission;

9 b. ten and five hundred twenty-six thousandths percent
10 (10.526%) shall be credited and apportioned to a
11 separate and distinct fund to be known as the
12 "Corporation Commission Plugging Fund"; and

13 c. the remaining six and eighty-four hundredths percent
14 (6.84%) of said excise tax shall be credited and
15 apportioned to a separate and distinct fund to be
16 known as "The Interstate Oil Compact Fund of
17 Oklahoma", which fund is hereby created.

18 2. Prior to July 1, 2016, and as provided in Section 1103.1 of
19 this title, all monies derived from the levy of the excise tax on
20 natural gas and/or casinghead gas provided for by Section 1102 of
21 this title shall be deposited with the State Treasurer, who shall
22 credit and apportion the same as follows:

23 a. eighty-two and six thousand forty-five ten thousandths
24 percent (82.6045%) of said excise tax shall be

1 credited to the General Revenue Fund of the State
2 Treasury; provided, in each fiscal year beginning on
3 or after July 1, 2013, the first One Million Three
4 Hundred Fifty Thousand Dollars (\$1,350,000.00) which
5 would otherwise have been apportioned to the General
6 Revenue Fund pursuant to this subparagraph shall be
7 transferred to the Oil and Gas Division Revolving Fund
8 of the Oklahoma Corporation Commission;

9 b. ten and five thousand five hundred fifty-five ten
10 thousandths percent (10.5555%) shall be credited and
11 apportioned to the Corporation Commission Plugging
12 Fund; and

13 c. six and eighty-four hundredths percent (6.84%) of said
14 excise tax shall be credited and apportioned to The
15 Interstate Oil Compact Fund of Oklahoma.

16 3. Prior to July 1, 2016, and as provided in Section 1103.1 of
17 this title, all monies to accrue to "The Interstate Oil Compact Fund
18 of Oklahoma" under the provisions of this article, together with all
19 monies remaining unexpended in "The Interstate Oil Compact Fund of
20 Oklahoma" created under this subsection are hereby appropriated and
21 shall be used for the payment of the compensation of the assistant
22 representative of the State of Oklahoma on "The Interstate Oil
23 Compact Commission", the compensation of such clerical, technical,
24 and legal assistants as he or she may with the consent of the

1 Governor employ; the actual and necessary traveling expenses of the
2 assistant representative and employees, and of the Governor when
3 traveling in the Governor's capacity as official representative of
4 the State of Oklahoma on "The Interstate Oil Compact Commission";
5 all items of office expense, including the cost of office supplies
6 and equipment; such contributions as the Governor shall deem
7 necessary and proper to pay to "The Interstate Oil Compact
8 Commission" to defray its expenses; and such other necessary
9 expenses as may be incurred in enabling the State of Oklahoma to
10 fully cooperate in accomplishing the objects of the Interstate
11 Compact to conserve oil and gas. The fund shall be disbursed by the
12 State Treasurer upon sworn, itemized claims approved by the
13 assistant representative and the Governor; provided, that if at the
14 end of any fiscal year any part of the special fund shall remain
15 unexpended, such balance shall be transferred by the State Treasurer
16 to, and become a part of, the General Revenue Fund of the state for
17 the ensuing fiscal year. Provided, further, that if the State of
18 Oklahoma withdraws from the Interstate Compact to conserve oil and
19 gas, any unencumbered monies in "The Interstate Oil Compact Fund of
20 Oklahoma" shall be transferred to and become a part of the General
21 Revenue Fund of the State Treasury and thereafter the excise tax on
22 petroleum oil, natural gas and/or casinghead gas levied by this
23 article shall be levied, collected and deposited in the General
24 Revenue Fund of the State Treasury.

1 4. All monies to accrue to the Corporation Commission Plugging
2 Fund are hereby appropriated and shall be used for payment of
3 expenses related to the statutory purpose of the fund.

4 The provisions of this subsection shall terminate on June 30,
5 2016.

6 B. 1. Beginning on July 1, 2016, all monies derived from the
7 levy of the excise tax on petroleum oil provided for by Section 1101
8 of this Code shall be deposited with the State Treasurer, who shall
9 credit and apportion the same as follows:

10 a. ninety-two and thirty-five hundredths percent (92.35%)
11 of said excise tax shall be credited and apportioned
12 to the General Revenue Fund of the State Treasury;
13 provided, in each fiscal year beginning on or after
14 July 1, 2013, the first One Million Three Hundred
15 Fifty Thousand Dollars (\$1,350,000.00) which would
16 otherwise have been apportioned to the General Revenue
17 Fund pursuant to this subparagraph shall be
18 transferred to the Oil and Gas Division Revolving Fund
19 of the Oklahoma Corporation Commission, and

20 b. the remaining seven and sixty-five hundredths percent
21 (7.65%) of said excise tax shall be credited and
22 apportioned to a separate and distinct fund to be
23 known as "The Interstate Oil Compact Fund of
24 Oklahoma", which fund is hereby created.

1 2. Beginning on July 1, 2016, all monies derived from the levy
2 of the excise tax on natural gas and/or casinghead gas provided for
3 by Section 1102 of this Code shall be deposited with the State
4 Treasurer, who shall credit and apportion the same as follows:

5 a. ninety-two and thirty-five hundredths percent (92.35%)
6 of said excise tax shall be credited and apportioned
7 to the General Revenue Fund of the State Treasury;
8 provided, in each fiscal year beginning on or after
9 July 1, 2013, the first One Million Three Hundred
10 Fifty Thousand Dollars (\$1,350,000.00) which would
11 otherwise have been apportioned to the General Revenue
12 Fund pursuant to this subparagraph shall be
13 transferred to the Oil and Gas Conservation Division
14 Revolving Fund of the Oklahoma Corporation Commission,
15 and

16 b. seven and sixty-five hundredths percent (7.65%) of
17 said excise tax shall be credited and apportioned to
18 The Interstate Oil Compact Fund of Oklahoma.

19 3. Beginning on July 1, 2016, all monies to accrue to "The
20 Interstate Oil Compact Fund of Oklahoma" under the provisions of
21 this article, together with all monies remaining unexpended in "The
22 Interstate Oil Compact Fund of Oklahoma" created under this
23 subsection are hereby appropriated and shall be used for the payment
24 of the compensation of the assistant representative of the State of

1 Oklahoma on "The Interstate Oil Compact Commission", the
2 compensation of such clerical, technical, and legal assistants as he
3 or she may with the consent of the Governor employ; the actual and
4 necessary traveling expenses of the assistant representative and
5 employees, and of the Governor when traveling in the Governor's
6 capacity as official representative of the State of Oklahoma on "The
7 Interstate Oil Compact Commission"; all items of office expense,
8 including the cost of office supplies and equipment; such
9 contributions as the Governor shall deem necessary and proper to pay
10 to "The Interstate Oil Compact Commission" to defray its expenses;
11 and such other necessary expenses as may be incurred in enabling the
12 State of Oklahoma to fully cooperate in accomplishing the objects of
13 the Interstate Compact to conserve oil and gas. The fund shall be
14 disbursed by the State Treasurer upon sworn, itemized claims
15 approved by the assistant representative and the Governor; provided,
16 that if at the end of any fiscal year any part of the special fund
17 shall remain unexpended, such balance shall be transferred by the
18 State Treasurer to, and become a part of, the General Revenue Fund
19 of the State Treasury for the ensuing fiscal year. Provided,
20 further, that if the State of Oklahoma withdraws from the Interstate
21 Compact to conserve oil and gas, any unencumbered monies in "The
22 Interstate Oil Compact Fund of Oklahoma" shall be transferred to and
23 become a part of the General Revenue Fund of the State Treasury and
24 thereafter the excise tax on petroleum oil, natural gas and/or

1 casinghead gas levied by this article shall be levied, collected and
2 deposited in the General Revenue Fund of the State Treasury.

3 SECTION 2. This act shall become effective July 1, 2013.

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