

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1133

By: Jolley and Justice of the
Senate

6 and

7 Martin (Scott) and Newell
8 of the House

9
10 COMMITTEE SUBSTITUTE

11 An Act relating to the Oklahoma Sales Tax Code;
12 amending 68 O.S. 2011, Section 1353, as amended by
13 Section 540, Chapter 304, O.S.L. 2012 (68 O.S. Supp.
14 2012, Section 1353), which relates to sales tax;
15 modifying apportionment for specified time periods.

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

17 SECTION 1. AMENDATORY 68 O.S. 2011, Section 1353, as
18 amended by Section 540, Chapter 304, O.S.L. 2012 (68 O.S. Supp.
19 2012, Section 1353), is amended to read as follows:

20 Section 1353. A. It is hereby declared to be the purpose of
21 the Oklahoma Sales Tax Code to provide funds for the financing of
22 the program provided for by the Oklahoma Social Security Act and to
23 provide revenues for the support of the functions of the state
24 government of Oklahoma, and for this purpose it is hereby expressly
provided that, revenues derived pursuant to the provisions of the

1 Oklahoma Sales Tax Code, subject to the apportionment requirements
2 for the Oklahoma Tax Commission and Office of Management and
3 Enterprise Services Joint Computer Enhancement Fund provided by
4 Section 265 of this title, shall be apportioned as follows:

5 1. a. The following amounts shall be paid to the State
6 Treasurer to be placed to the credit of the General
7 Revenue Fund to be paid out pursuant to direct
8 appropriation by the Legislature:

9	Fiscal Year	Amount
10	FY 2003 and FY 2004	86.04%
11	FY 2005	85.83%
12	FY 2006	85.54%
13	FY 2007	85.04%
14	FY 2008 and each fiscal	
15	year thereafter <u>through</u>	
16	<u>FY 2014</u>	83.61%
17	<u>FY 2015 through FY 2016</u>	<u>83.32%</u>
18	<u>FY 2017</u>	<u>83.18%</u>
19	<u>FY 2018</u>	<u>82.75%</u>
20	<u>FY 2019 and each fiscal</u>	
21	<u>year thereafter</u>	<u>83.61%</u>

22 b. In the event that additional monies are necessary
23 pursuant to paragraph 6 of this subsection, such
24 additional monies shall be deducted in the proportion

determined by the State Board of Equalization pursuant to paragraph 3 of Section 2355.1B of this title from the monies apportioned to the General Revenue Fund;

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

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

Fiscal Year	Amount
FY 2003 and FY 2004	3.54%
FY 2005	3.75%
FY 2006	4.0%
FY 2007	4.5%
FY 2008 and each fiscal year thereafter	5.0%

4. For the fiscal year beginning July 1, 2010, and for each fiscal year thereafter, eighty-seven one-hundredths percent (0.87%)

1 shall be paid to the State Treasurer to be further apportioned as
2 follows:

- 3 a. thirty-six percent (36%) shall be placed to the credit
4 of the Oklahoma Tourism Promotion Revolving Fund, and
- 5 b. sixty-four percent (64%) shall be placed to the credit
6 of the Oklahoma Tourism Capital Improvement Revolving
7 Fund; ~~and~~

8 5. a. For the fiscal year beginning July 1, 2010, and for
9 each fiscal year thereafter, except as provided in
10 subparagraphs b, c and d of this paragraph, six one-
11 hundredths percent (0.06%) shall be placed to the
12 credit of the Oklahoma Historical Society Capital
13 Improvement and Operations Revolving Fund.

14 b. For FY 2015 and FY 2016, thirty-five one-hundredths
15 percent (0.35%) shall be placed to the credit of the
16 Oklahoma Historical Society Capital Improvement and
17 Operations Revolving Fund.

18 c. For FY 2017, forty-nine one-hundredths percent (0.49%)
19 shall be placed to the credit of the Oklahoma
20 Historical Society Capital Improvement and Operations
21 Revolving Fund.

22 d. For FY 2018, ninety-two one-hundredths percent (0.92%)
23 shall be placed to the credit of the Oklahoma
24

1 Historical Society Capital Improvement and Operations
2 Revolving Fund; and

3 6. During the first fiscal year after the State Board of
4 Equalization has made a determination as provided in Section 2355.1B
5 of this title, regarding a baseline amount of revenue apportioned
6 pursuant to paragraph 3 of this subsection, and for each fiscal year
7 thereafter, in no event shall monies apportioned pursuant to
8 paragraph 3 of this subsection, paragraph 3 of Section 1403 of this
9 title and subparagraph c of paragraph 1 of Section 2352 of this
10 title be less than such baseline amount.

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

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