

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1875

By: McCall

4
5
6 AS INTRODUCED

7 An Act relating to revenue and taxation; amending 68
8 O.S. 2011, Section 1353, as amended by Section 540,
9 Chapter 304, O.S.L. 2012 (68 O.S. Supp. 2012, Section
10 1353), which relates to apportionment of sales tax
11 revenue; modifying reference; providing an effective
12 date; and declaring an emergency.

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

14 SECTION 1. AMENDATORY 68 O.S. 2011, Section 1353, as
15 amended by Section 540, Chapter 304, O.S.L. 2012 (68 O.S. Supp.
16 2012, Section 1353), is amended to read as follows:

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

1 Enterprise Services Joint Computer Enhancement Fund provided by
2 Section 265 of this title, shall be apportioned as follows:

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

7 Fiscal Year	Amount
8 FY 2003 and FY 2004	86.04%
9 FY 2005	85.83%
10 FY 2006	85.54%
11 FY 2007	85.04%
12 FY 2008 and each fiscal 13 year thereafter	83.61%

14 b. in the event that additional monies are necessary
15 pursuant to paragraph 6 of this subsection, such
16 additional monies shall be deducted in the proportion
17 determined by the State Board of Equalization pursuant
18 to paragraph 3 of Section 2355.1B of this title from
19 the monies apportioned to the General Revenue Fund;

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

1 shall be paid to the State Treasurer to be placed to the credit of
2 the Education Reform Revolving Fund of the State Department of
3 Education;

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

7 Fiscal Year	Amount
8 FY 2003 and FY 2004	3.54%
9 FY 2005	3.75%
10 FY 2006	4.0%
11 FY 2007	4.5%
12 FY 2008 and each fiscal 13 year thereafter	5.0%

14 4. For the fiscal year beginning July 1, 2010, and for each
15 fiscal year thereafter, eighty-seven one-hundredths percent (0.87%)
16 shall be paid to the State Treasurer to be further apportioned as
17 follows:

- 18 a. thirty-six percent (36%) shall be placed to the credit
19 of the Oklahoma Tourism Promotion Revolving Fund, and
- 20 b. sixty-four percent (64%) shall be placed to the credit
21 of the Oklahoma Tourism Capital Improvement Revolving
22 Fund; and

23 5. For the fiscal year beginning July 1, 2010, and for each
24 fiscal year thereafter, six one-hundredths percent (0.06%) shall be

1 placed to the credit of the Oklahoma Historical Society Capital
2 Improvement and Operations Revolving Fund.

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.

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

22 SECTION 3. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby
24

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3

4 54-1-5857 MAH 12/28/12

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24