

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2642 _____
Page 7-12 Section 2 Lines _____
Of the printed Bill
Of the Engrossed Bill

By deleting all of Section 2 and by inserting in lieu thereof a new
Section 2 to read as follows:

(See Attached)

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Lee Denney

Adopted: _____

Reading Clerk

1 "SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 18-501 of Title 70, unless there
3 is created a duplication in numbering, reads as follows:

4 A. There is hereby created in the State Treasury a fund for the
5 State Board of Education to be designated the "Securing Educational
6 Excellence Fund". The fund shall be a continuing fund, not subject
7 to fiscal year limitations, and shall consist of all monies received
8 by the State Board of Education from appropriations and transfers
9 made by the Legislature to the fund. All monies accruing to the
10 credit of said fund are hereby appropriated and may be budgeted and
11 expended by the State Board of Education for the purpose set forth
12 in subsection G of this section. Expenditures from said fund shall
13 be made upon warrants issued by the State Treasurer against claims
14 filed as prescribed by law with the Director of the Office of
15 Management and Enterprise Services for approval and payment.

16 B. There shall be apportioned to the Securing Educational
17 Excellence Fund from the monies that would otherwise be apportioned
18 to the General Revenue Fund by Section 2352 of Title 68 of the
19 Oklahoma Statutes from the revenues derived pursuant to subsections
20 A, B and E of Section 2355 of Title 68 of the Oklahoma Statutes
21 amounts as follows:

22 1. The first fiscal year after the effective date of this act
23 that the State Board of Equalization determines that any increase
24 between the final itemized estimate of General Revenue Fund revenues

1 made by the State Board at the February meeting preceding the
2 beginning of the fiscal year for which that estimate is made, which
3 is the same fiscal year during which the apportionment to the
4 Securing Educational Excellence Fund is to be made, and the then
5 current itemized estimate of General Revenue Fund revenues made by
6 the State Board of Equalization for the fiscal year ending on June
7 30 immediately following such February meeting is one percent (1%)
8 or greater, the first Fifty-seven Million Five Hundred Thousand
9 Dollars (\$57,500,000.00) collected shall be apportioned to the
10 Securing Educational Excellence Fund;

11 2. The next fiscal year, after the fiscal year in which an
12 apportionment is made to the Securing Educational Excellence Fund as
13 provided for in paragraph 1 of this subsection, that the State Board
14 of Equalization determines that any increase between the final
15 itemized estimate of General Revenue Fund revenues made by the State
16 Board at the February meeting preceding the beginning of the fiscal
17 year for which that estimate is made, which is the same fiscal year
18 during which the apportionment to the Securing Educational
19 Excellence Fund is to be made, and the then current itemized
20 estimate of General Revenue Fund revenues made by the State Board of
21 Equalization for the fiscal year ending on June 30 immediately
22 following such February meeting is one percent (1%) or greater, the
23 first One Hundred Fifteen Million Dollars (\$115,000,000.00)

24

1 collected shall be apportioned to the Securing Educational
2 Excellence Fund;

3 3. The next fiscal year, after the fiscal year in which an
4 apportionment is made to the Securing Educational Excellence Fund as
5 provided for in paragraph 2 of this subsection, that the State Board
6 of Equalization determines that any increase between the final
7 itemized estimate of General Revenue Fund revenues made by the State
8 Board at the February meeting preceding the beginning of the fiscal
9 year for which that estimate is made, which is the same fiscal year
10 during which the apportionment to the Securing Educational
11 Excellence Fund is to be made, and the then current itemized
12 estimate of General Revenue Fund revenues made by the State Board of
13 Equalization for the fiscal year ending on June 30 immediately
14 following such February meeting is one percent (1%) or greater, the
15 first One Hundred Seventy-two Million Five Hundred Thousand Dollars
16 (\$172,500,000.00) collected shall be apportioned to the Securing
17 Educational Excellence Fund;

18 4. The next fiscal year, after the fiscal year in which an
19 apportionment is made to the Securing Educational Excellence Fund as
20 provided for in paragraph 3 of this subsection, that the State Board
21 of Equalization determines that any increase between the final
22 itemized estimate of General Revenue Fund revenues made by the State
23 Board at the February meeting preceding the beginning of the fiscal
24 year for which that estimate is made, which is the same fiscal year

1 during which the apportionment to the Securing Educational
2 Excellence Fund is to be made, and the then current itemized
3 estimate of General Revenue Fund revenues made by the State Board of
4 Equalization for the fiscal year ending on June 30 immediately
5 following such February meeting is one percent (1%) or greater, the
6 first Two Hundred Thirty Million Dollars (\$230,000,000.00) collected
7 shall be apportioned to the Securing Educational Excellence Fund;

8 5. The next fiscal year, after the fiscal year in which an
9 apportionment is made to the Securing Educational Excellence Fund as
10 provided for in paragraph 4 of this subsection, that the State Board
11 of Equalization determines that any increase between the final
12 itemized estimate of General Revenue Fund revenues made by the State
13 Board at the February meeting preceding the beginning of the fiscal
14 year for which that estimate is made, which is the same fiscal year
15 during which the apportionment to the Securing Educational
16 Excellence Fund is to be made, and the then current itemized
17 estimate of General Revenue Fund revenues made by the State Board of
18 Equalization for the fiscal year ending on June 30 immediately
19 following such February meeting is one percent (1%) or greater, the
20 first Two Hundred Eighty-seven Million Five Hundred Thousand Dollars
21 (\$287,500,000.00) collected shall be apportioned to the Securing
22 Educational Excellence Fund;

23 6. The next fiscal year, after the fiscal year in which an
24 apportionment is made to the Securing Educational Excellence Fund as

1 provided for in paragraph 5 of this subsection, that the State Board
2 of Equalization determines that any increase between the final
3 itemized estimate of General Revenue Fund revenues made by the State
4 Board at the February meeting preceding the beginning of the fiscal
5 year for which that estimate is made, which is the same fiscal year
6 during which the apportionment to the Securing Educational
7 Excellence Fund is to be made, and the then current itemized
8 estimate of General Revenue Fund revenues made by the State Board of
9 Equalization for the fiscal year ending on June 30 immediately
10 following such February meeting is one percent (1%) or greater, the
11 first Three Hundred Forty-five Million Dollars (\$345,000,000.00)
12 collected shall be apportioned to the Securing Educational
13 Excellence Fund;

14 7. The next fiscal year, after the fiscal year in which an
15 apportionment is made to the Securing Educational Excellence Fund as
16 provided for in paragraph 6 of this subsection, that the State Board
17 of Equalization determines that any increase between the final
18 itemized estimate of General Revenue Fund revenues made by the State
19 Board at the February meeting preceding the beginning of the fiscal
20 year for which that estimate is made, which is the same fiscal year
21 during which the apportionment to the Securing Educational
22 Excellence Fund is to be made, and the then current itemized
23 estimate of General Revenue Fund revenues made by the State Board of
24 Equalization for the fiscal year ending on June 30 immediately

1 following such February meeting is one percent (1%) or greater, the
2 first Four Hundred Two Million Five Hundred Thousand Dollars
3 (\$402,500,000.00) collected shall be apportioned to the Securing
4 Educational Excellence Fund;

5 8. The next fiscal year, after the fiscal year in which an
6 apportionment is made to the Securing Educational Excellence Fund as
7 provided for in paragraph 7 of this subsection, that the State Board
8 of Equalization determines that any increase between the final
9 itemized estimate of General Revenue Fund revenues made by the State
10 Board at the February meeting preceding the beginning of the fiscal
11 year for which that estimate is made, which is the same fiscal year
12 during which the apportionment to the Securing Educational
13 Excellence Fund is to be made, and the then current itemized
14 estimate of General Revenue Fund revenues made by the State Board of
15 Equalization for the fiscal year ending on June 30 immediately
16 following such February meeting is one percent (1%) or greater, the
17 first Four Hundred Sixty Million Dollars (\$460,000,000.00) collected
18 shall be apportioned to the Securing Educational Excellence Fund;

19 9. The next fiscal year, after the fiscal year in which an
20 apportionment is made to the Securing Educational Excellence Fund as
21 provided for in paragraph 8 of this subsection, that the State Board
22 of Equalization determines that any increase between the final
23 itemized estimate of General Revenue Fund revenues made by the State
24 Board at the February meeting preceding the beginning of the fiscal

1 year for which that estimate is made, which is the same fiscal year
2 during which the apportionment to the Securing Educational
3 Excellence Fund is to be made, and the then current itemized
4 estimate of General Revenue Fund revenues made by the State Board of
5 Equalization for the fiscal year ending on June 30 immediately
6 following such February meeting is one percent (1%) or greater, the
7 first Five Hundred Seventeen Million Five Hundred Thousand Dollars
8 (\$517,500,000.00) collected shall be apportioned to the Securing
9 Educational Excellence Fund; and

10 10. The next fiscal year, after the fiscal year in which an
11 apportionment is made to the Securing Educational Excellence Fund as
12 provided for in paragraph 9 of this subsection, that the State Board
13 of Equalization determines that any increase between the final
14 itemized estimate of General Revenue Fund revenues made by the State
15 Board at the February meeting preceding the beginning of the fiscal
16 year for which that estimate is made, which is the same fiscal year
17 during which the apportionment to the Securing Educational
18 Excellence Fund is to be made, and the then current itemized
19 estimate of General Revenue Fund revenues made by the State Board of
20 Equalization for the fiscal year ending on June 30 immediately
21 following such February meeting is one percent (1%) or greater, the
22 first Five Hundred Seventy-five Million Dollars (\$575,000,000.00)
23 collected shall be apportioned to the Securing Educational
24 Excellence Fund.

1 C. For each fiscal year after the first fiscal year in which
2 the total apportionment to the Securing Educational Excellence Fund
3 equals Five Hundred Seventy-five Million Dollars (\$575,000,000.00)
4 as provided for in subsection B of this section, the first Five
5 Hundred Seventy-five Million Dollars (\$575,000,000.00) collected
6 pursuant to subsections A, B and E of Section 2355 of Title 68 of
7 the Oklahoma Statutes and apportioned pursuant to Section 2352 of
8 Title 68 of the Oklahoma Statutes that would otherwise be
9 apportioned to the General Revenue Fund shall be apportioned to the
10 Securing Educational Excellence Fund.

11 D. All amounts apportioned pursuant to subsections B and C
12 shall be divided into twelve equal amounts to be apportioned each
13 month during the fiscal year.

14 E. The apportionments of revenues required in subsection B of
15 this section shall be made until the total apportionment to the
16 Securing Educational Excellence Fund equals Five Hundred Seventy-
17 five Million Dollars (\$575,000,000.00). After such apportionment
18 level is reached, the annual apportionment to the Securing
19 Educational Excellence Fund shall be governed by the provisions of
20 subsection C of this section.

21 F. The monies apportioned to the Securing Educational
22 Excellence Fund shall not be used to supplant or replace existing
23 state funds used for common education purposes.
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1 G. In order to ensure that the monies from the Securing
2 Educational Excellence Fund are used to enhance and not supplant
3 state funding for the State Board of Education, the State Board of
4 Equalization shall examine and investigate expenditures from the
5 fund each year. At the meeting of the State Board of Equalization
6 held within five (5) days after the monthly apportionment in
7 February of each year, the State Board of Equalization shall issue a
8 finding and report which shall state whether expenditures from the
9 Securing Educational Excellence Fund were used to enhance or
10 supplant state funding for the Department of Education. If the
11 State Board of Equalization finds that state funding for the State
12 Board of Education was supplanted by funds from the Securing
13 Educational Excellence Fund, the Board of Equalization shall specify
14 the amount by which such funding was supplanted. In this event, the
15 Legislature shall not make any appropriations for the ensuing fiscal
16 year until an appropriation in that amount is made to replenish
17 state funding for the State Board of Education.

18 H. In the event that the Director of the Office of Management
19 and Enterprise Services declares a General Revenue Fund revenue
20 failure pursuant to Section 34.49 of Title 62 of the Oklahoma
21 Statutes, and agency allocations are reduced pursuant to the
22 provisions of Section 34.49 of Title 62 of the Oklahoma Statutes,
23 the amounts that would otherwise be apportioned to the Securing
24 Educational Excellence Fund by subsection B or C of this section

1 shall be reduced by a percentage equal to that required of the
2 General Revenue Fund appropriations to state agencies. The
3 reductions shall occur during the entire fiscal year and for any
4 month during which reductions are required by the Director of the
5 Office of Management and Enterprise Services and by the same
6 percentage as that required of the agencies for General Revenue Fund
7 appropriations.

8 I. The State Board of Education shall use the monies in the
9 Securing Educational Excellence Fund to increase the per-pupil
10 expenditure by distributing the funds through the State Aid formula
11 for the financial support of public schools."

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