

STATE OF OKLAHOMA

2nd Extraordinary Session of the 56th Legislature (2018)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 1032

By: Wallace and Casey of the
House

and

David and Fields of the
Senate

COMMITTEE SUBSTITUTE

An Act relating to transportation funding; amending 69 O.S. 2011, Section 1521, as last amended by Section 93, Chapter 15, O.S.L. 2013 (69 O.S. Supp. 2017, Section 1521), which relates to the Rebuilding Oklahoma Access and Driver Safety Fund; modifying calculation of certain annual apportionments under certain conditions; referencing additional apportionments; providing for deposit of certain funds in fund under certain conditions; amending 47 O.S. 2011, Section 1104, as last amended by Section 1, Chapter 272, O.S.L. 2017 (47 O.S. Supp. 2017, Section 1104), which relates to the apportionment of motor vehicle fees, taxes and penalties; modifying apportionments; providing certain amounts in excess of certain limits be credited to certain fund after a certain date; providing an effective date; and providing for conditional effect.

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

1 SECTION 1. AMENDATORY 69 O.S. 2011, Section 1521, as
2 last amended by Section 93, Chapter 15, O.S.L. 2013 (69 O.S. Supp.
3 2017, Section 1521), is amended to read as follows:

4 Section 1521. A. There is hereby created in the State Treasury
5 a fund to be known as the "Rebuilding Oklahoma Access and Driver
6 Safety Fund". The fund shall be a continuing fund, not subject to
7 fiscal year limitations, and shall consist of all appropriations and
8 transfers made by the Legislature. All monies accruing to the
9 credit of the fund are hereby appropriated and may be budgeted and
10 expended each fiscal year by the Department of Transportation for
11 the purposes authorized by subsection G of this section.

12 Expenditures from the fund shall be made upon warrants issued by the
13 State Treasurer against claims filed as prescribed by law with the
14 Director of the Office of Management and Enterprise Services for
15 approval and payment.

16 B. ~~There~~ Beginning July 1, 2019, except for an amount
17 equivalent to the amount of revenue apportioned to the Rebuilding
18 Oklahoma Access and Driver Safety Fund pursuant to Section 9 of
19 Enrolled House Bill No. 1033 of the 2nd Extraordinary Session of the
20 56th Oklahoma Legislature and Section 1104 of Title 47 of the
21 Oklahoma Statutes, there shall be apportioned to the funds specified
22 in this subsection from the monies that would otherwise be
23 apportioned to the General Revenue Fund by Section 2352 of Title 68
24 of the Oklahoma Statutes from the revenues derived pursuant to

1 subsections A, B and E of Section 2355 of Title 68 of the Oklahoma
2 Statutes amounts as follows:

3 1. For each fiscal year, subject to the provisions of paragraph
4 3 of this subsection, and, except for the amount prescribed by
5 subparagraph a of this paragraph, subject to any reductions required
6 by subsection F of this section, there shall be apportioned to the
7 Rebuilding Oklahoma Access and Driver Safety Fund:

- 8 a. for the fiscal year beginning July 1, 2011, the first
9 Thirty-five Million Seven Hundred Thousand Dollars
10 (\$35,700,000.00), for the fiscal year beginning July
11 1, 2012, the first Forty-one Million Seven Hundred
12 Thousand Dollars (\$41,700,000.00) and for the fiscal
13 year beginning July 1, 2013, and for each fiscal year
14 thereafter, Fifty-nine Million Seven Hundred Thousand
15 Dollars (\$59,700,000.00), which shall be allocated and
16 used by the Department of Transportation first for the
17 purpose of making any required payments for principal,
18 interest or other costs of borrowing with respect to
19 the obligations issued pursuant to Section 341 of
20 Title 73 of the Oklahoma Statutes and after any such
21 required payment has been made then for the purposes
22 otherwise authorized by this section, plus
23 b. the total amount apportioned to the Rebuilding
24 Oklahoma Access and Driver Safety Fund for the

1 preceding fiscal year which, except for the amount
2 prescribed by subparagraph a of this paragraph, shall
3 be apportioned before any other amount is apportioned
4 pursuant to Section 2352 of Title 68 of the Oklahoma
5 Statutes, plus

- 6 c. an additional incremental amount which shall not be in
7 excess of the amount prescribed by subparagraph a of
8 this paragraph and that is required in order for the
9 total apportionment to the Rebuilding Oklahoma Access
10 and Driver Safety Fund from all sources for such
11 fiscal year to equal Five Hundred Seventy-five Million
12 Dollars (\$575,000,000.00).

13 All amounts apportioned pursuant to this paragraph shall be
14 divided into twelve equal amounts to be apportioned each month
15 during the fiscal year except the amount specified in subparagraph a
16 of this paragraph which amount shall be allocated in its full amount
17 in cash not later than July 30 each year or such later date as may
18 be required in order for the amount to be allocated in cash;

19 2. For each fiscal year after the apportionments required by
20 paragraph 1 of this subsection have been made:

- 21 a. the next Two Million Dollars (\$2,000,000.00) shall be
22 apportioned to the Oklahoma Tourism and Passenger Rail
23 Revolving Fund created pursuant to Section 325 of
24 Title 66 of the Oklahoma Statutes to be used for

capital and operating costs for the "Heartland Flyer" rail project, and

- b. the next Three Million Dollars (\$3,000,000.00) shall be apportioned to the Public Transit Revolving Fund created pursuant to Section 4031 of this title to be used for purposes authorized by law other than the purpose described by subparagraph a of this paragraph.

All amounts apportioned pursuant to this paragraph shall be divided into twelve equal amounts to be apportioned each month during the fiscal year; and

3. For each fiscal year after the first fiscal year in which the total apportionment to the Rebuilding Oklahoma Access and Driver Safety Fund as provided by paragraph 1 of this subsection and from other sources equals Five Hundred Seventy-five Million Dollars (\$575,000,000.00), ~~the first Five Hundred Seventy-five Million Dollars (\$575,000,000.00)~~ an amount in addition to the amount prescribed by subparagraph a of paragraph 1 of this subsection collected pursuant to subsections A, B and E of Section 2355 of Title 68 of the Oklahoma Statutes and apportioned pursuant to Section 2352 of Title 68 of the Oklahoma Statutes that would otherwise be apportioned to the General Revenue Fund if needed shall be apportioned to the Rebuilding Oklahoma Access and Driver Safety Fund which, in conjunction with all other funds apportioned to the Rebuilding Oklahoma Access and Driver Safety Fund by law for such

1 fiscal year, shall equal Five Hundred Seventy-five Million Dollars
2 (\$575,000,000.00). With the exception of the amount prescribed by
3 subparagraph a of paragraph 1 of this subsection, all amounts
4 apportioned pursuant to this paragraph shall be divided into twelve
5 equal amounts to be apportioned each month during the fiscal year.

6 C. The apportionments of revenues required by subparagraphs a,
7 b and c of paragraph 1 of subsection B of this section shall be made
8 until the total annual apportionment from such sources in addition
9 to the apportionments made pursuant to Section 9 of Enrolled House
10 Bill No. 1033 of the 2nd Extraordinary Session of the 56th Oklahoma
11 Legislature and Section 1104 of Title 47 of the Oklahoma Statutes to
12 the Rebuilding Oklahoma Access and Driver Safety Fund equals Five
13 Hundred Seventy-five Million Dollars (\$575,000,000.00). After such
14 annual apportionment level is reached, the apportionment to the fund
15 shall be governed by the provisions of paragraph 3 of subsection B
16 of this section; provided, that in no event shall the total amount
17 apportioned to the Rebuilding Oklahoma Access and Driver Safety Fund
18 in any fiscal year exceed Five Hundred Seventy-five Million Dollars
19 (\$575,000,000.00). Any amounts in excess of such limitation shall
20 be placed to the credit of the General Revenue Fund.

21 D. The monies apportioned to the Rebuilding Oklahoma Access and
22 Driver Safety Fund shall not be used to supplant or replace existing
23 state funds used for transportation purposes.

1 E. In order to ensure that the funds from the ROADS Fund are
2 used to enhance and not supplant state funding for the Department of
3 Transportation, the State Board of Equalization shall examine and
4 investigate expenditures from the fund each year. For purposes of
5 this examination, monies used to retire outstanding debt obligations
6 for which the Department of Transportation is responsible shall be
7 excluded. At the meeting of the State Board of Equalization held
8 within five (5) days after the monthly apportionment in February of
9 each year, the State Board of Equalization shall issue a finding and
10 report which shall state whether expenditures from the ROADS Fund
11 were used to enhance or supplant state funding for the Department of
12 Transportation. If the State Board of Equalization finds that state
13 funding for the Department of Transportation was supplanted by funds
14 from the ROADS Fund, the Board shall specify the amount by which
15 such funding was supplanted. In this event, the Legislature shall
16 not make any appropriations for the ensuing fiscal year until an
17 appropriation in that amount is made to replenish state funding for
18 the Department of Transportation.

19 F. In the event that the Director of the Office of Management
20 and Enterprise Services declares a General Revenue Fund revenue
21 failure pursuant to Section 34.49 of Title 62 of the Oklahoma
22 Statutes, and agency allocations are reduced pursuant to the
23 provisions of Section 34.49 of Title 62 of the Oklahoma Statutes,
24

1 the amounts that would otherwise be apportioned to the ROADS Fund
2 by:

3 1. Subparagraph a of paragraph 1 of subsection B of this
4 section, only to the extent that the amount is not required for debt
5 service related to the obligations authorized pursuant to Section
6 341 of Title 73 of the Oklahoma Statutes;

7 2. Subparagraphs b and c of paragraph 1 of subsection B of this
8 section; and

9 3. Subparagraphs a and b of paragraph 2 of subsection B of this
10 section,
11 shall be reduced by a percentage equal to that required of the
12 General Revenue Fund appropriations to state agencies and such
13 reductions shall occur during the entire fiscal year and for any
14 month during which such reductions are required by the Office of
15 Management and Enterprise Services and by the same percentage as
16 that required of the agencies for such General Revenue Fund
17 appropriations.

18 G. The Department of Transportation shall use the monies in the
19 Rebuilding Oklahoma Access and Driver Safety Fund for:

20 1. The construction and maintenance of state roads, bridges and
21 highways;

22 2. The direct expenses of operating and maintaining the state
23 highway system, including bridges;

1 3. Direct expenses incurred in constructing, repairing, and
2 maintaining state highways, farm-to-market roads, county highways
3 and bridges as authorized by law;

4 4. Matching federal funds;

5 5. The purchase of materials, tools, machinery, motor vehicles,
6 and equipment necessary or convenient for the construction and
7 maintenance of the state highway system and bridges;

8 6. Debt service incurred prior to January 1, 2006, for Capital
9 Improvement Program bonds sold pursuant to Section 2001 of this
10 title; and

11 7. Debt service incurred on or after July 1, 2009, with respect
12 to obligations authorized to be issued pursuant to Section 341 of
13 Title 73 of the Oklahoma Statutes.

14 H. From the monies allocated pursuant to the provisions of
15 subparagraph a of paragraph 1 of subsection B of this section each
16 fiscal year, the Department of Transportation shall make payments
17 required for the payment of principal, interest and other costs
18 related to the obligations issued by the Oklahoma Capitol
19 Improvement Authority as authorized by Section 341 of Title 73 of
20 the Oklahoma Statutes and such payments shall be made by the
21 Department each fiscal year before such monies are used for any
22 other purpose.

1 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1104, as
2 last amended by Section 1, Chapter 272, O.S.L. 2017 (47 O.S. Supp.
3 2017, Section 1104), is amended to read as follows:

4 Section 1104. A. Unless otherwise provided by law, all fees,
5 taxes and penalties collected or received pursuant to the Oklahoma
6 Vehicle License and Registration Act or Section 1-101 et seq. of
7 this title shall be apportioned and distributed monthly by the
8 Oklahoma Tax Commission in accordance with this section.

9 B. 1. The following percentages of the monies referred to in
10 subsection A of this section shall be apportioned to the various
11 school districts in accordance with paragraph 2 of this subsection:

- 12 a. from October 1, 2000, until June 30, 2001, thirty-five
13 and forty-six one-hundredths percent (35.46%),
- 14 b. for the year beginning July 1, 2001, and ending June
15 30, 2002, thirty-five and ninety-one one-hundredths
16 percent (35.91%),
- 17 c. for the year beginning July 1, 2002, through the year
18 ending on June 30, 2015, thirty-six and twenty one-
19 hundredths percent (36.20%), ~~and~~
- 20 d. for the year beginning July 1, 2015, ~~and all~~
21 ~~subsequent years~~ through the year ending on June 30,
22 2019, thirty-six and twenty one-hundredths percent
23 (36.20%), but in no event shall the amount apportioned
24 in any fiscal year pursuant to this subparagraph

1 exceed the total amount apportioned for the fiscal
2 year ending on June 30, 2015. Any amounts in excess
3 of such limitation shall be placed to the credit of
4 the General Revenue Fund, and

5 e. for the year beginning July 1, 2019, and all
6 subsequent years, thirty-six and twenty one-hundredths
7 percent (36.20%), but in no event shall the amount
8 apportioned in any fiscal year pursuant to this
9 subparagraph exceed the total amount apportioned for
10 the fiscal year ending on June 30, 2015. Any amounts
11 in excess of such limitation shall be placed to the
12 credit of the Rebuilding Oklahoma Access and Driver
13 Safety Fund created in Section 1521 of Title 69 of the
14 Oklahoma Statutes.

15 2. The monies apportioned pursuant to subparagraphs a through d
16 e of paragraph 1 of this subsection shall be apportioned to the
17 various school districts so that each district shall receive an
18 amount based upon the proportion that each district's average daily
19 attendance bears to the total average daily attendance of those
20 districts entitled to receive funds pursuant to this section as
21 certified by the State Department of Education.

22 Each district's allocation of funds shall be remitted to the
23 county treasurer of the county wherein the administrative
24 headquarters of the district are located.

1 No district shall be eligible for the funds herein provided
2 unless the district makes an ad valorem tax levy of fifteen (15)
3 mills and maintains nine (9) years of instruction and pursuant to
4 the rules of the State Board of Education, is authorized to maintain
5 ten (10) years of instruction.

6 C. The following percentages of the monies referred to in
7 subsection A of this section shall be remitted to the State
8 Treasurer to be credited to the General Revenue Fund of the State
9 Treasury:

10 1. From October 1, 2000, until June 30, 2001, forty-five and
11 ninety-seven one-hundredths percent (45.97%);

12 2. For the year beginning July 1, 2001, and ending June 30,
13 2002, forty-five and twenty-nine one-hundredths percent (45.29%);

14 3. For the year beginning July 1, 2002, and for the subsequent
15 fiscal years ending June 30, 2007, forty-four and eighty-four one-
16 hundredths percent (44.84%);

17 4. For the year beginning July 1, 2007, and ending June 30,
18 2008, thirty-nine and eighty-four one-hundredths percent (39.84%);

19 5. For the year beginning July 1, 2008, and ending June 30,
20 2009, thirty-four and eighty-four one-hundredths percent (34.84%);

21 6. For the period beginning July 1, 2009, and ending December
22 31, 2012, twenty-nine and eighty-four one-hundredths percent
23 (29.84%);
24

1 7. For the period beginning January 1, 2013, and ending June
2 30, 2013, twenty-nine and thirty-four one-hundredths percent
3 (29.34%);

4 8. For the year beginning July 1, 2013, and ending June 30,
5 2014, twenty-six and eighty-four one-hundredths percent (26.84%);
6 and

7 9. For the year beginning July 1, 2014, ~~and all subsequent~~
8 ~~years~~ through the year ending June 30, 2019, twenty-four and eighty-
9 four one-hundredths percent (24.84%).

10 D. The following percentages of the monies referred to in
11 subsection A of this section shall be remitted to the State
12 Treasurer to be credited to the State Transportation Fund:

13 1. From October 1, 2000, until June 30, 2001, thirty one-
14 hundredths percent (0.30%);

15 2. For the year beginning July 1, 2001, through the year ending
16 on June 30, 2015, thirty-one one-hundredths percent (0.31%); ~~and~~

17 3. For the year beginning July 1, 2015, ~~and all subsequent~~
18 ~~years~~ through the year ending on June 30, 2019, thirty-one one-
19 hundredths percent (0.31%), but in no event shall the amount
20 apportioned in any fiscal year pursuant to this paragraph exceed the
21 total amount apportioned for the fiscal year ending on June 30,
22 2015. Any amounts in excess of such limitation shall be placed to
23 the credit of the General Revenue Fund; and
24

1 4. For the year beginning July 1, 2019, and all subsequent
2 years, thirty-one one-hundredths percent (0.31%), but in no event
3 shall the amount apportioned in any fiscal year pursuant to this
4 paragraph exceed the total amount apportioned for the fiscal year
5 ending on June 30, 2015. Any amounts in excess of such limitation
6 shall be placed to the credit of the Rebuilding Oklahoma Access and
7 Driver Safety Fund created in Section 1521 of Title 69 of the
8 Oklahoma Statutes.

9 E. 1. The following percentages of the monies referred to in
10 subsection A of this section shall be apportioned to the various
11 counties as set forth in paragraph 2 of this section:

12 a. from October 1, 2000, until June 30, 2001, seven and
13 nine one-hundredths percent (7.09%),

14 b. for the year beginning July 1, 2001, and ending June
15 30, 2002, seven and eighteen one-hundredths percent
16 (7.18%),

17 c. for the year beginning July 1, 2002, through the year
18 ending on June 30, 2015, seven and twenty-four one-
19 hundredths percent (7.24%), ~~and~~

20 d. for the year beginning July 1, 2015, ~~and all~~
21 ~~subsequent years~~ through the year ending on June 30,
22 2019, seven and twenty-four one-hundredths percent
23 (7.24%), but in no event shall the amount apportioned
24 in any fiscal year pursuant to this subparagraph

1 exceed the total amount apportioned for the fiscal
2 year ending on June 30, 2015. Any amounts in excess
3 of such limitation shall be placed to the credit of
4 the General Revenue Fund, and

5 e. for the year beginning July 1, 2019, and all
6 subsequent years, seven and twenty-four one-hundredths
7 percent (7.24%), but in no event shall the amount
8 apportioned in any fiscal year pursuant to this
9 subparagraph exceed the total amount apportioned for
10 the fiscal year ending on June 30, 2015. Any amounts
11 in excess of such limitation shall be placed to the
12 credit of the Rebuilding Oklahoma Access and Driver
13 Safety Fund created in Section 1521 of Title 69 of the
14 Oklahoma Statutes.

15 2. The monies apportioned pursuant to subparagraphs a through d
16 e of paragraph 1 of this subsection shall be apportioned as follows:
17 forty percent (40%) of such sum shall be distributed to the various
18 counties in that proportion which the county road mileage of each
19 county bears to the entire state road mileage as certified by the
20 Transportation Commission and the remaining sixty percent (60%) of
21 such sum shall be distributed to the various counties on the basis
22 which the population and area of each county bears to the total
23 population and area of the state. The population shall be as shown
24 by the last Federal Census or the most recent annual estimate

1 provided by the United States Bureau of the Census. The funds shall
2 be used for the purpose of constructing and maintaining county
3 highways; 7i provided, however, the county treasurer may deposit so
4 much of the funds in the sinking fund as may be necessary for the
5 retirement of interest and annual accrual of indebtedness created by
6 the issuance of county or township bonds for road purposes. Such
7 deposits to the sinking fund shall not exceed forty percent (40%) of
8 the funds allocated to a county pursuant to this paragraph.

9 F. 1. The following percentages of the monies referred to in
10 subsection A of this section shall be remitted to the county
11 treasurers of the respective counties and by them deposited in a
12 separate special revenue fund to be used by the county commissioners
13 in accordance with paragraph 2 of this subsection:

14 a. from October 1, 2000, until June 30, 2001, two and
15 fifty-three one-hundredths percent (2.53%),

16 b. for the year beginning July 1, 2001, and ending June
17 30, 2002, two and fifty-six one-hundredths percent
18 (2.56%),

19 c. for the year beginning July 1, 2002, through the year
20 ending on June 30, 2015, two and fifty-nine one-
21 hundredths percent (2.59%), ~~and~~

22 d. for the year beginning July 1, 2015, ~~and all~~
23 ~~subsequent years~~ through the year ending on June 30,
24 2019, two and fifty-nine one-hundredths percent

(2.59%), but in no event shall the amount apportioned in any fiscal year pursuant to this subparagraph exceed the total amount apportioned for the fiscal year ending on June 30, 2015. Any amounts in excess of such limitation shall be placed to the credit of the General Revenue Fund, and

e. for the year beginning July 1, 2019, and all subsequent years, two and fifty-nine one-hundredths percent (2.59%), but in no event shall the amount apportioned in any fiscal year pursuant to this subparagraph exceed the total amount apportioned for the fiscal year ending on June 30, 2015. Any amounts in excess of such limitation shall be placed to the credit of the Rebuilding Oklahoma Access and Driver Safety Fund created in Section 1521 of Title 69 of the Oklahoma Statutes.

2. The monies apportioned pursuant to subparagraphs a through ~~e~~ e of paragraph 1 of this subsection shall be used for the primary purpose of matching federal funds for the construction of federal aid projects on county roads, or constructing and maintaining county or township highways and permanent bridges of such counties. The distribution of monies apportioned by this paragraph shall be made upon the basis of the current formula based upon road mileage, area and population as related to county road improvement and maintenance

1 costs. Provided, however, the Department of Transportation may
2 update the formula factors from time to time as necessary to account
3 for changing conditions.

4 G. 1. The following percentages of the monies referred to in
5 subsection A of this section shall be transmitted by the Tax
6 Commission to the various counties as set forth in paragraph 2 of
7 this subsection:

8 a. from October 1, 2000, until June 30, 2001, three and
9 fifty-five one-hundredths percent (3.55%),

10 b. for the year beginning July 1, 2001, and ending June
11 30, 2002, three and fifty-nine one-hundredths percent
12 (3.59%),

13 c. for the year beginning July 1, 2002, through the year
14 ending on June 30, 2015, three and sixty-two one-
15 hundredths percent (3.62%), ~~and~~

16 d. for the year beginning July 1, 2015, ~~and all~~
17 ~~subsequent years~~ through the year ending on June 30,
18 2019, three and sixty-two one-hundredths percent
19 (3.62%), but in no event shall the amount apportioned
20 in any fiscal year pursuant to this subparagraph
21 exceed the total amount apportioned for the fiscal
22 year ending on June 30, 2015. Any amounts in excess
23 of such limitation shall be placed to the credit of
24 the General Revenue Fund, and

1 e. for the year beginning July 1, 2019, and all
2 subsequent years, three and sixty-two one-hundredths
3 percent (3.62%), but in no event shall the amount
4 apportioned in any fiscal year pursuant to this
5 subparagraph exceed the total amount apportioned for
6 the fiscal year ending on June 30, 2015. Any amounts
7 in excess of such limitation shall be placed to the
8 credit of the Rebuilding Oklahoma Access and Driver
9 Safety Fund created in Section 1521 of Title 69 of the
10 Oklahoma Statutes.

11 2. The monies apportioned pursuant to subparagraphs a through d
12 e of paragraph 1 of this subsection shall be transmitted to the
13 various counties on the basis of a formula to be developed by the
14 Department of Transportation. Such formula shall be similar to that
15 currently used for the distribution of County Bridge Program Funds,
16 but also taking into consideration the effect of terrain and traffic
17 volume as related to county road improvement and maintenance costs.
18 Provided, however, the Department of Transportation may update the
19 formula factors from time to time as necessary to account for
20 changing conditions. The funds shall be transmitted to the various
21 county treasurers to be deposited in the county highway fund of
22 their respective counties.

1 H. 1. The following percentages of the monies referred to in
2 subsection A of this section shall be apportioned to the various
3 counties as set forth in paragraph 2 of this subsection:

4 a. from October 1, 2000, until June 30, 2001, eighty-one
5 one-hundredths percent (0.81%),

6 b. for the year beginning July 1, 2001, and ending June
7 30, 2002, eighty-two one-hundredths percent (0.82%),

8 c. for the year beginning July 1, 2002, through the year
9 ending on June 30, 2015, eighty-three one-hundredths
10 percent (0.83%), ~~and~~

11 d. for the year beginning July 1, 2015, ~~and all~~
12 ~~subsequent years~~ through the year ending on June 30,
13 2019, eighty-three one-hundredths percent (0.83%), but
14 in no event shall the amount apportioned in any fiscal
15 year pursuant to this subparagraph exceed the total
16 amount apportioned for the fiscal year ending on June
17 30, 2015. Any amounts in excess of such limitation
18 shall be placed to the credit of the General Revenue
19 Fund, and

20 e. for the year beginning July 1, 2019, and all
21 subsequent years, eighty-three one-hundredths percent
22 (0.83%), but in no event shall the amount apportioned
23 in any fiscal year pursuant to this subparagraph
24 exceed the total amount apportioned for the fiscal

1 year ending on June 30, 2015. Any amounts in excess
2 of such limitation shall be placed to the credit of
3 the Rebuilding Oklahoma Access and Driver Safety Fund
4 created in Section 1521 of Title 69 of the Oklahoma
5 Statutes.

6 2. The monies apportioned pursuant to subparagraphs a through d
7 e of paragraph 1 of this subsection shall be apportioned to the
8 various counties based upon the proportion that each county's
9 population bears to the total state population.

10 Each county's allocation of funds shall be remitted to the
11 various county treasurers to be deposited in the general fund of the
12 county and used for the support of county government.

13 I. 1. The following percentages of the monies referred to in
14 subsection A of this section shall be apportioned to the various
15 cities and incorporated towns as set forth in paragraph 2 of this
16 subsection:

17 a. from October 1, 2000, until June 30, 2001, three and
18 four one-hundredths percent (3.04%),

19 b. for the year beginning July 1, 2001, and ending June
20 30, 2002, three and eight one-hundredths percent
21 (3.08%),

22 c. for the year beginning July 1, 2002, through the year
23 ending on June 30, 2015, three and ten one-hundredths
24 percent (3.10%), ~~and~~

1 d. for the year beginning July 1, 2015, ~~and all~~
2 ~~subsequent years~~ through the year ending on June 30,
3 2019, three and ten one-hundredths percent (3.10%),
4 but in no event shall the amount apportioned in any
5 fiscal year pursuant to this subparagraph exceed the
6 total amount apportioned for the fiscal year ending on
7 June 30, 2015. Any amounts in excess of such
8 limitation shall be placed to the credit of the
9 General Revenue Fund, and

10 e. for the year beginning July 1, 2019, and all
11 subsequent years, three and ten one-hundredths percent
12 (3.10%), but in no event shall the amount apportioned
13 in any fiscal year pursuant to this subparagraph
14 exceed the total amount apportioned for the fiscal
15 year ending on June 30, 2015. Any amounts in excess
16 of such limitation shall be placed to the credit of
17 the Rebuilding Oklahoma Access and Driver Safety Fund
18 created in Section 1521 of Title 69 of the Oklahoma
19 Statutes.

20 2. The monies apportioned pursuant to subparagraphs a through ~~e~~
21 e of paragraph 1 of this subsection shall be apportioned to the
22 various cities and incorporated towns based upon the proportion that
23 each city or incorporated town's population bears to the total
24 population of all cities and incorporated towns in the state. Such

1 funds shall be remitted to the various county treasurers for
2 allocation to the various cities and incorporated towns. All such
3 funds shall be used for the construction, maintenance, repair,
4 improvement and lighting of streets and alleys. Provided, however,
5 the governing board of any city or town may, with the approval of
6 the county excise board, transfer any surplus funds to the general
7 revenue fund of such city or town whenever an emergency requires
8 such a transfer.

9 J. The following percentages of the monies referred to in
10 subsection A of this section shall be remitted to the State
11 Treasurer to be credited to the Oklahoma Law Enforcement Retirement
12 Fund:

13 1. From October 1, 2000, until June 30, 2001, one and twenty-
14 two one-hundredths percent (1.22%);

15 2. For the year beginning July 1, 2001, and ending June 30,
16 2002, one and twenty-three one-hundredths percent (1.23%); and

17 3. For the year beginning July 1, 2002, and all subsequent
18 years, one and twenty-four one-hundredths percent (1.24%).

19 K. Three one-hundredths of one percent (3/100 of 1%) of the
20 monies referred to in subsection A of this section shall be remitted
21 to the State Treasurer to be credited to the Wildlife Conservation
22 Fund. Seventy-five percent (75%) of the funds shall be used for
23 fish habitat restoration and twenty-five percent (25%) of the funds
24 shall be used in the fish hatchery system for fish production.

1 L. 1. For the year beginning July 1, 2007, and ending June 30,
2 2008, five percent (5%) of monies referred to in subsection A of
3 this section shall be remitted to the State Treasurer to be credited
4 to the County Improvements for Roads and Bridges Fund as created in
5 Section 507 of Title 69 of the Oklahoma Statutes.

6 2. For the year beginning July 1, 2008, and ending June 30,
7 2009, ten percent (10%) of monies referred to in subsection A of
8 this section shall be remitted to the State Treasurer to be credited
9 to the County Improvements for Roads and Bridges Fund as created in
10 Section 507 of Title 69 of the Oklahoma Statutes.

11 3. For the period beginning July 1, 2009, and ending December
12 31, 2012, fifteen percent (15%) of monies referred to in subsection
13 A of this section shall be remitted to the State Treasurer to be
14 credited to the County Improvements for Roads and Bridges Fund as
15 created in Section 507 of Title 69 of the Oklahoma Statutes.

16 4. For the period beginning January 1, 2013, and ending June
17 30, 2013, fifteen and fifty one-hundredths percent (15.50%) of
18 monies referred to in subsection A of this section shall be remitted
19 to the State Treasurer to be credited to the County Improvements for
20 Roads and Bridges Fund as created in Section 507 of Title 69 of the
21 Oklahoma Statutes.

22 5. For the year beginning July 1, 2013, and ending June 30,
23 2014, eighteen percent (18%) of monies referred to in subsection A
24 of this section shall be remitted to the State Treasurer to be

1 credited to the County Improvements for Roads and Bridges Fund as
2 created in Section 507 of Title 69 of the Oklahoma Statutes.

3 6. For the year beginning July 1, 2014, twenty percent (20%) of
4 monies referred to in subsection A of this section shall be remitted
5 to the State Treasurer to be credited to the County Improvements for
6 Roads and Bridges Fund as created in Section 507 of Title 69 of the
7 Oklahoma Statutes.

8 7. For the year beginning July 1, 2015, ~~and all subsequent~~
9 years through the year ending on June 30, 2019, twenty percent (20%)
10 of monies referred to in subsection A of this section shall be
11 remitted to the State Treasurer to be credited to the County
12 Improvements for Roads and Bridges Fund as created in Section 507 of
13 Title 69 of the Oklahoma Statutes, but in no event shall the total
14 amount apportioned in any fiscal year pursuant to this paragraph
15 exceed One Hundred Twenty Million Dollars (\$120,000,000.00). Any
16 amounts in excess of One Hundred Twenty Million Dollars
17 (\$120,000,000.00) shall be placed to the credit of the General
18 Revenue Fund.

19 8. For the year beginning July 1, 2019, and all subsequent
20 years, twenty percent (20%) of monies referred to in subsection A of
21 this section shall be remitted to the State Treasurer to be credited
22 to the County Improvements for Roads and Bridges Fund as created in
23 Section 507 of Title 69 of the Oklahoma Statutes, but in no event
24 shall the total amount apportioned in any fiscal year pursuant to

1 this paragraph exceed One Hundred Twenty Million Dollars
2 (\$120,000,000.00). Any amounts in excess of One Hundred Twenty
3 Million Dollars (\$120,000,000.00) shall be placed to the credit of
4 the Rebuilding Oklahoma Access and Driver Safety Fund created in
5 Section 1521 of Title 69 of the Oklahoma Statutes.

6 M. Twenty-four and eighty-four one-hundredths percent (24.84%)
7 of the monies referred to in subsection A of this section shall be
8 remitted to the State Treasurer to be credited to the Rebuilding
9 Oklahoma Access and Driver Safety Fund created in Section 1521 of
10 Title 69 of the Oklahoma Statutes.

11 N. Monies allocated to counties by this section may be
12 estimated by the county excise board in the budget for the county as
13 anticipated revenue to the extent of ninety percent (90%) of the
14 previous year's income from such source; provided, not more than
15 fifteen percent (15%) can be encumbered during any month.

16 ~~N.~~ O. Notwithstanding any other provisions of this section, for
17 the fiscal year beginning July 1, 2003, the first One Hundred
18 Thousand Dollars (\$100,000.00) of the monies collected or received
19 by the Tax Commission pursuant to the registration of motorcycles
20 and mopeds in this state shall be placed to the credit of the
21 Oklahoma Tax Commission Revolving Fund.

22 SECTION 3. This act shall become effective July 1, 2019.

23 SECTION 4. The provisions of this act shall be contingent upon
24 the enactment of the provisions of Enrolled House Bill No. 1033 of

1 the 2nd Extraordinary Session of the 56th Oklahoma Legislature and
2 shall not become operative as law otherwise.

3

4 56-2EX-50366 JM 02/08/18

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24