

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL 1583

By: David and Fields of the
Senate

and

Wallace and Casey of the
House

COMMITTEE SUBSTITUTE

An Act relating to public finance; amending Section 1, Chapter 337, O.S.L. 2016 (62 O.S. Supp. 2017, Section 34.102), which relates to the Revenue Stabilization Fund; clarifying status of certain determination; modifying amount used in certain determination; updating statutory references; and providing an effective date.

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

SECTION 1. AMENDATORY Section 1, Chapter 337, O.S.L. 2016 (62 O.S. Supp. 2017, Section 34.102), is amended to read as follows:

Section 34.102. A. There is hereby created in the State Treasury a revolving fund to be known and designated as the "Revenue Stabilization Fund". The fund shall be a continuing fund, not subject to fiscal year limitations.

1 B. ~~No~~ For determinations made regarding deposits for fiscal
2 years beginning on or after July 1, 2019, no monies shall be
3 deposited to the credit of the Revenue Stabilization Fund until such
4 time as the amount of actual revenue certified by the State Board of
5 Equalization as having been deposited into the General Revenue Fund
6 for the first fiscal year prior to the beginning of the fiscal year
7 that deposits to the Revenue Stabilization Fund are first made
8 equals or exceeds ~~Five Billion Seven Hundred Thirty Million Dollars~~
9 ~~(\$5,730,000,000.00)~~ Six Billion Six Hundred Million Dollars
10 (\$6,600,000,000.00).

11 C. Once the provisions prescribed by subsection B of this
12 section have been met, deposits to the Revenue Stabilization Fund as
13 prescribed by this section may be made during any subsequent fiscal
14 year according to the requirements and limitations imposed by this
15 act.

16 D. Notwithstanding any other provisions of this section, no
17 monies shall be deposited to the credit of the Revenue Stabilization
18 Fund for any month during a fiscal year after the month during which
19 the declaration of a revenue failure pursuant to the provisions of
20 Section 34.49 of ~~Title 62 of the Oklahoma Statutes~~ this title has
21 been made. For purposes of this subsection, the limitation on
22 deposits to the Revenue Stabilization Fund shall be imposed for the
23 remaining months of the fiscal year during which the revenue failure
24 was declared, but shall not operate as a limitation upon deposits

1 for any subsequent fiscal year unless a revenue failure is declared
2 at some time during such fiscal year.

3 E. The Revenue Stabilization Fund shall consist of:

4 1. One hundred percent (100%) of the revenue derived from the
5 gross production tax on oil levied pursuant to Section 1001 of Title
6 68 of the Oklahoma Statutes which is in excess of the five-year
7 average computed as prescribed by Section ~~2~~ 34.103 of this ~~act~~
8 title;

9 2. One hundred percent (100%) of the revenue derived from the
10 gross production tax on natural gas levied pursuant to Section 1001
11 of Title 68 of the Oklahoma Statutes which is in excess of the five-
12 year average computed as prescribed by Section ~~2~~ 34.103 of this ~~act~~
13 title;

14 3. Seventy-five percent (75%) of the revenue derived from
15 corporate income tax levied pursuant to Section 2355 of Title 68 of
16 the Oklahoma Statutes which is in excess of the five-year average
17 computed as prescribed by Section ~~2~~ 34.103 of this ~~act~~ title; and

18 4. Any amounts appropriated by the Legislature.

19 F. In the event that a revenue failure is declared with respect
20 to the General Revenue Fund pursuant to Section 34.49 of ~~Title 62 of~~
21 ~~the Oklahoma Statutes~~ this title, the Director of the Office of
22 Management and Enterprise Services may withdraw up to one-quarter
23 (1/4) of the balance of the Revenue Stabilization Fund available at
24 the beginning of the fiscal year, provided the total amount

1 withdrawn shall not exceed the amount of the declared revenue
2 failure, to reduce or avoid reductions to agencies for the current
3 fiscal year and to mitigate potential reductions of funds to be
4 expended by common school districts which were appropriated or
5 authorized by the Legislature, but excluding any funds which are
6 apportioned directly to common school districts.

7 G. In the event that a revenue failure is declared with respect
8 to the General Revenue Fund pursuant to Section 34.49 of ~~Title 62 of~~
9 ~~the Oklahoma Statutes~~ this title, the Legislature may appropriate up
10 to one-quarter (1/4) of the balance of the Revenue Stabilization
11 Fund available at the beginning of the fiscal year, not to exceed
12 the amount of the revenue failure as declared with respect to the
13 General Revenue Fund pursuant to Section 34.49 of ~~Title 62 of the~~
14 ~~Oklahoma Statutes~~ this title.

15 H. If the amount of revenue certified by the State Board of
16 Equalization at its February meeting in any year to be collected in
17 the General Revenue Fund for the upcoming fiscal year is less than
18 the amount of revenue certified by the State Board of Equalization
19 to be collected in the General Revenue Fund for the current fiscal
20 year as determined at its February meeting conducted in the
21 preceding calendar year, the Legislature may appropriate up to one-
22 half (1/2) of the balance of the Revenue Stabilization Fund
23 available at the beginning of the fiscal year; provided, that the
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1 amount withdrawn shall not exceed the amount of the decline in
2 revenue certified.

3 SECTION 2. This act shall become effective November 1, 2018.

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