

1 ENGROSSED SENATE
2 BILL NO. 1583

By: David and Fields of the
Senate

3 and

4 Wallace and Casey of the
5 House

6
7 An Act relating to public finance; amending Section
8 1, Chapter 337, O.S.L. 2016 (62 O.S. Supp. 2017,
9 Section 34.102), which relates to the Revenue
10 Stabilization Fund; clarifying status of certain
11 determination; modifying amount used in certain
12 determination; updating statutory references; and
13 providing an effective date.

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

15 SECTION 1. AMENDATORY Section 1, Chapter 337, O.S.L.
16 2016 (62 O.S. Supp. 2017, Section 34.102), is amended to read as
17 follows:

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

22 B. ~~No~~ For determinations made regarding deposits for fiscal
23 years beginning on or after July 1, 2019, no monies shall be
24 deposited to the credit of the Revenue Stabilization Fund until such
time as the amount of actual revenue certified by the State Board of

1 Equalization as having been deposited into the General Revenue Fund
2 for the first fiscal year prior to the beginning of the fiscal year
3 that deposits to the Revenue Stabilization Fund are first made
4 equals or exceeds ~~Five Billion Seven Hundred Thirty Million Dollars~~
5 ~~(\$5,730,000,000.00)~~ Six Billion Six Hundred Million Dollars
6 (\$6,600,000,000.00).

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

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

23 E. The Revenue Stabilization Fund shall consist of:
24

1 1. One hundred percent (100%) of the revenue derived from the
2 gross production tax on oil levied pursuant to Section 1001 of Title
3 68 of the Oklahoma Statutes which is in excess of the five-year
4 average computed as prescribed by Section ~~2~~ 34.103 of this ~~act~~
5 title;

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

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

15 4. Any amounts appropriated by the Legislature.

16 F. In the event that a revenue failure is declared with respect
17 to the General Revenue Fund pursuant to Section 34.49 of ~~Title 62 of~~
18 ~~the Oklahoma Statutes~~ this title, the Director of the Office of
19 Management and Enterprise Services may withdraw up to one-quarter
20 (1/4) of the balance of the Revenue Stabilization Fund available at
21 the beginning of the fiscal year, provided the total amount
22 withdrawn shall not exceed the amount of the declared revenue
23 failure, to reduce or avoid reductions to agencies for the current
24 fiscal year and to mitigate potential reductions of funds to be

1 expended by common school districts which were appropriated or
2 authorized by the Legislature, but excluding any funds which are
3 apportioned directly to common school districts.

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

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

23 SECTION 2. This act shall become effective November 1, 2018.
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1 Passed the Senate the 30th day of April, 2018.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2018.

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8 _____
9 Presiding Officer of the House
10 of Representatives