

OKLAHOMA HOUSE OF REPRESENTATIVES  
COMMITTEE REPORT

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JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET COMMITTEE

**HB1032**

By: Wallace et al of the House

David et al of the Senate

Title: Transportation funding; apportionments; Rebuilding Oklahoma Access and Driver Safety Fund; State Transportation Fund; State Highway Construction and Maintenance Fund; conditional effect.

Coauthored By:

Recommendation: **DO PASS AS AMENDED BY CS**

Amendments:

1. Committee Substitute Attached



Chr.

Representative Kevin Wallace

YEAS: 21

Caldwell, Casey, Cockroft, Dunnington, Echols, Hall, Jordan, Kannady, Loring, McBride, O'Donnell, Ortega, Osborn (L), Ownbey, Pfeiffer, Roberts (D), Russ, Sanders, Sears, Wallace, Watson

NAYS: 5

Inman, Kouplen, Proctor, Stone, Virgin

CONSTITUTIONAL PRIVILEGE: 0

**OKLAHOMA STATE SENATE  
JOINT  
COMMITTEE REPORT**

February 8, 2018

JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET

HB 1032

By: Wallace of the House and David and Fields of the Senate

Title: Transportation funding; apportionments; Rebuilding Oklahoma Access and Driver Safety Fund; State Transportation Fund; State Highway Construction and Maintenance Fund; conditional effect.

Recommendation: **DO PASS AS AMENDED**

Aye: Boggs, Holt, McCortney, Simpson, Stanislawski, Thompson, Fields, David, Schulz, Treat

Nay: Pittman, Sparks

Pass:

Senator Kim David, Chair

Committee Substitute, motion by Senator AUTHOR - Adopted (Request No: 50360)

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~~

d. for the year beginning July 1, 2015, ~~and all~~  
~~subsequent years~~ through the year ending on June 30,  
2019, three and ten one-hundredths percent (3.10%),  
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, three and ten one-hundredths percent  
(3.10%), 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 apportioned to the  
various cities and incorporated towns based upon the proportion that  
each city or incorporated town's population bears to the total  
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

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