

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 307, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Daniels

Daniels-DC-FS-Req#2088
3/13/2019 3:50 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 307

By: Daniels of the Senate

and

Bush of the House

FLOOR SUBSTITUTE

An Act relating to medical marijuana; amending
Provision No. 7, State Question No. 788, Initiative
Petition No. 412 (63 O.S. Supp. 2018, Section 426),
which relates to tax on retail medical marijuana;
providing that sales are subject to certain taxes;
providing for deposit of proceeds; providing for
apportionment and remittance; creating certain fund;
clarifying direction of monies; stating purposes;
clarifying language; and declaring an emergency.

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

SECTION 1. AMENDATORY Provision No. 7, State Question
No. 788, Initiative Petition No. 412 (63 O.S. Supp. 2018, Section
426), is amended to read as follows:

Section 426. A. ~~The 1. An excise~~ tax on retail medical
marijuana sales ~~will be established at~~ is hereby levied at the rate
of seven percent (7%) of the gross amount received sales by the
seller.

1 ~~B. This tax will~~ 2. The excise tax shall be collected at the
2 point of sale. ~~Tax~~

3 3. Excise tax proceeds ~~will be applied primarily to finance the~~
4 ~~regulatory office~~ shall be deposited in the Oklahoma Medical
5 Marijuana Tax Revenue Fund created in subsection C of this section
6 and shall be expended as provided therein.

7 B. 1. The sale of retail medical marijuana shall be subject to
8 applicable state and local sales tax.

9 2. Proceeds from state sales tax shall be apportioned as
10 provided in Section 1353 of Title 68 of the Oklahoma Statutes.

11 3. Proceeds from local sales tax shall be remitted to the
12 county and municipal governments when the point of sale is located
13 within the boundaries of the applicable political subdivision.

14 ~~C. If proceeds from the levy authorized by subsection A of this~~
15 ~~section exceed the budgeted amount for running the regulatory~~
16 ~~office, any surplus shall be apportioned with~~ There is hereby
17 created in the State Treasury a fund to be designated the "Oklahoma
18 Medical Marijuana Tax Revenue Fund". The fund shall be a continuing
19 fund, not subject to fiscal year limitations, and shall consist of
20 monies received pursuant to subsection A of this section and any
21 monies designated to the fund by law. All monies accruing to the
22 credit of the fund shall be appropriated at the discretion of the
23 Legislature for the operation of the Oklahoma Medical Marijuana
24 Authority of the State Department of Health; provided, the amount

1 not appropriated to the Authority shall be appropriated with
2 seventy-five percent (75%) going to the General Revenue Fund and may
3 only to be expended for common education. Twenty-five and twenty-
4 five percent (25%) shall be apportioned to the Oklahoma State
5 Department of Health and earmarked for drug and alcohol
6 rehabilitation to be expended on substance abuse prevention and
7 treatment programs.

8 SECTION 2. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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13 57-1-2088 DC 3/13/2019 3:50:02 PM
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