

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

☐ FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

☐ COMMITTEE AMENDMENT

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend Senate Bill No. 519, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator David

David-JCR-FS-Req#2040  
3/6/2019 4:57 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. 519

By: David of the Senate

and

O'Donnell of the House

FLOOR SUBSTITUTE

[ Oil and Gas Division Revolving Fund - apportionment  
- ~~effective date~~ -  
emergency ]

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

SECTION 1. AMENDATORY 68 O.S. 2011, Section 1103, as  
last amended by Section 4, Chapter 153, O.S.L. 2016 (68 O.S. Supp.  
2018, Section 1103), is amended to read as follows:

Section 1103. A. 1. Prior to July 1, 2021, and as provided in  
Section 1103.1 of this title, all monies derived from the levy of  
the excise tax on petroleum oil provided for by Section 1101 of this  
title shall be deposited with the State Treasurer, who shall credit  
and apportion the same as follows:

a. except as provided in subsection C of this section,  
eighty-two and six hundred thirty-four thousandths

1           percent (82.634%) of ~~said~~ the excise tax shall be  
2           credited to the ~~General Revenue Fund of the State~~  
3           ~~Treasury; provided, in each fiscal year beginning on~~  
4           ~~or after July 1, 2013, the first One Million Three~~  
5           ~~Hundred Fifty Thousand Dollars (\$1,350,000.00) which~~  
6           ~~would otherwise have been apportioned to the General~~  
7           ~~Revenue Fund pursuant to this subparagraph shall be~~  
8           ~~transferred to the~~ Oil and Gas Division Revolving Fund  
9           of the Oklahoma Corporation Commission,

10          b.    ten and five hundred twenty-six thousandths percent  
11               (10.526%) shall be credited and apportioned to a  
12               separate and distinct fund to be known as the  
13               "Corporation Commission Plugging Fund", and

14          c.    the remaining six and eighty-four hundredths percent  
15               (6.84%) of ~~said~~ the excise tax shall be credited and  
16               apportioned to a separate and distinct fund to be  
17               known as "The Interstate Oil Compact Fund of  
18               Oklahoma", which fund is hereby created.

19          2.    Prior to July 1, 2021, and as provided in Section 1103.1 of  
20               this title, all monies derived from the levy of the excise tax on  
21               natural gas and/or casinghead gas provided for by Section 1102 of  
22               this title shall be deposited with the State Treasurer, who shall  
23               credit and apportion the same as follows:  
24

- 1           a. except as provided in subsection C of this section,  
2           eighty-two and six thousand forty-five ten thousandths  
3           percent (82.6045%) of ~~said~~ the excise tax shall be  
4           credited to the ~~General Revenue Fund of the State~~  
5           ~~Treasury; provided, in each fiscal year beginning on~~  
6           ~~or after July 1, 2013, the first One Million Three~~  
7           ~~Hundred Fifty Thousand Dollars (\$1,350,000.00) which~~  
8           ~~would otherwise have been apportioned to the General~~  
9           ~~Revenue Fund pursuant to this subparagraph shall be~~  
10          ~~transferred to the~~ Oil and Gas Division Revolving Fund  
11          of the Oklahoma Corporation Commission,  
12          b. ten and five thousand five hundred fifty-five ten  
13          thousandths percent (10.5555%) shall be credited and  
14          apportioned to the Corporation Commission Plugging  
15          Fund, and  
16          c. six and eighty-four hundredths percent (6.84%) of ~~said~~  
17          the excise tax shall be credited and apportioned to  
18          The Interstate Oil Compact Fund of Oklahoma.

19          3. Prior to July 1, 2021, and as provided in Section 1103.1 of  
20          this title, all monies to accrue to "The Interstate Oil Compact Fund  
21          of Oklahoma" under the provisions of this article, together with all  
22          monies remaining unexpended in "The Interstate Oil Compact Fund of  
23          Oklahoma" created under this subsection are hereby appropriated and  
24          shall be used for the payment of the compensation of the assistant

1 representative of the State of Oklahoma on "The Interstate Oil  
2 Compact Commission", the compensation of such clerical, technical,  
3 and legal assistants as he or she may with the consent of the  
4 Governor employ; the actual and necessary traveling expenses of the  
5 assistant representative and employees, and of the Governor when  
6 traveling in the Governor's capacity as official representative of  
7 the State of Oklahoma on "The Interstate Oil Compact Commission";  
8 all items of office expense, including the cost of office supplies  
9 and equipment; such contributions as the Governor shall deem  
10 necessary and proper to pay to "The Interstate Oil Compact  
11 Commission" to defray its expenses; and such other necessary  
12 expenses as may be incurred in enabling the State of Oklahoma to  
13 fully cooperate in accomplishing the objects of the Interstate  
14 Compact to conserve oil and gas. The fund shall be disbursed by the  
15 State Treasurer upon sworn, itemized claims approved by the  
16 assistant representative and the Governor; provided, that if at the  
17 end of any fiscal year any part of the special fund shall remain  
18 unexpended, such balance shall be transferred by the State Treasurer  
19 to, and become a part of, the General Revenue Fund of the state for  
20 the ensuing fiscal year. Provided, further, that if the State of  
21 Oklahoma withdraws from the Interstate Compact to conserve oil and  
22 gas, any unencumbered monies in "The Interstate Oil Compact Fund of  
23 Oklahoma" shall be transferred to and become a part of the General  
24 Revenue Fund of the State Treasury and thereafter the excise tax on

1 petroleum oil, natural gas and/or casinghead gas levied by this  
2 article shall be levied, collected and deposited in the General  
3 Revenue Fund of the State Treasury.

4 4. All monies to accrue to the Corporation Commission Plugging  
5 Fund are hereby appropriated and shall be used for payment of  
6 expenses related to the statutory purpose of the fund.

7 The provisions of this subsection shall terminate on June 30,  
8 2021.

9 B. 1. Beginning on July 1, 2021, all monies derived from the  
10 levy of the excise tax on petroleum oil provided for by Section 1101  
11 of this title shall be deposited with the State Treasurer, who shall  
12 credit and apportion the same as follows:

- 13 a. except as provided in subsection C of this section,  
14 ninety-two and thirty-five hundredths percent (92.35%)  
15 of ~~said the~~ excise tax shall be credited and  
16 apportioned to the ~~General Revenue Fund of the State~~  
17 ~~Treasury; provided, in each fiscal year beginning on~~  
18 ~~or after July 1, 2013, the first One Million Three~~  
19 ~~Hundred Fifty Thousand Dollars (\$1,350,000.00) which~~  
20 ~~would otherwise have been apportioned to the General~~  
21 ~~Revenue Fund pursuant to this subparagraph shall be~~  
22 ~~transferred to the~~ Oil and Gas Division Revolving Fund  
23 of the Oklahoma Corporation Commission, and  
24

1           b.    the remaining seven and sixty-five hundredths percent  
2                (7.65%) of ~~said~~ the excise tax shall be credited and  
3                apportioned to a separate and distinct fund to be  
4                known as "The Interstate Oil Compact Fund of  
5                Oklahoma", which fund is hereby created.

6           2.   Beginning on July 1, 2021, all monies derived from the levy  
7 of the excise tax on natural gas and/or casinghead gas provided for  
8 by Section 1102 of this title shall be deposited with the State  
9 Treasurer, who shall credit and apportion the same as follows:

10          a.   except as provided in subsection C of this section,  
11                ninety-two and thirty-five hundredths percent (92.35%)  
12                of ~~said~~ the excise tax shall be credited and  
13                apportioned to the ~~General Revenue Fund of the State~~  
14                ~~Treasury; provided, in each fiscal year beginning on~~  
15                ~~or after July 1, 2013, the first One Million Three~~  
16                ~~Hundred Fifty Thousand Dollars (\$1,350,000.00) which~~  
17                ~~would otherwise have been apportioned to the General~~  
18                ~~Revenue Fund pursuant to this subparagraph shall be~~  
19                ~~transferred to the~~ Oil and Gas Division Revolving Fund  
20                of the Oklahoma Corporation Commission, and

21          b.   seven and sixty-five hundredths percent (7.65%) of  
22                ~~said~~ the excise tax shall be credited and apportioned  
23                to The Interstate Oil Compact Fund of Oklahoma.  
24

1        3. Beginning on July 1, 2021, all monies to accrue to "The  
2 Interstate Oil Compact Fund of Oklahoma" under the provisions of  
3 this article, together with all monies remaining unexpended in "The  
4 Interstate Oil Compact Fund of Oklahoma" created under this  
5 subsection are hereby appropriated and shall be used for the payment  
6 of the compensation of the assistant representative of the State of  
7 Oklahoma on "The Interstate Oil Compact Commission", the  
8 compensation of such clerical, technical, and legal assistants as he  
9 or she may with the consent of the Governor employ; the actual and  
10 necessary traveling expenses of the assistant representative and  
11 employees, and of the Governor when traveling in the Governor's  
12 capacity as official representative of the State of Oklahoma on "The  
13 Interstate Oil Compact Commission"; all items of office expense,  
14 including the cost of office supplies and equipment; such  
15 contributions as the Governor shall deem necessary and proper to pay  
16 to "The Interstate Oil Compact Commission" to defray its expenses;  
17 and such other necessary expenses as may be incurred in enabling the  
18 State of Oklahoma to fully cooperate in accomplishing the objects of  
19 the Interstate Compact to conserve oil and gas. The fund shall be  
20 disbursed by the State Treasurer upon sworn, itemized claims  
21 approved by the assistant representative and the Governor; provided,  
22 that if at the end of any fiscal year any part of the special fund  
23 shall remain unexpended, such balance shall be transferred by the  
24 State Treasurer to, and become a part of, the General Revenue Fund



1 of the State Treasury for the ensuing fiscal year. Provided,  
2 further, that if the State of Oklahoma withdraws from the Interstate  
3 Compact to conserve oil and gas, any unencumbered monies in "The  
4 Interstate Oil Compact Fund of Oklahoma" shall be transferred to and  
5 become a part of the General Revenue Fund of the State Treasury and  
6 thereafter the excise tax on petroleum oil, natural gas and/or  
7 casinghead gas levied by this article shall be levied, collected and  
8 deposited in the General Revenue Fund of the State Treasury.

9 C. The total combined apportionment of revenue for a fiscal  
10 year to the Oil and Gas Division Revolving Fund, made pursuant to  
11 this section from both the levy of tax on oil and the levy of tax on  
12 natural gas and/or casinghead gas, shall be limited to Nine Million  
13 Dollars (\$9,000,000.00). Any amounts in excess of Nine Million  
14 Dollars (\$9,000,000.00) shall be credited to the General Revenue  
15 Fund.

16 ~~SECTION 2. This act shall become effective July 1, 2019.~~

17 ~~SECTION 3. It being immediately necessary for the preservation~~  
18 ~~of the public peace, health or safety, an emergency is hereby~~  
19 ~~declared to exist, by reason whereof this act shall take effect and~~  
20 ~~be in full force from and after its passage and approval.~~

21  
22 57-1-2040

JCR

3/6/2019 4:57:35 PM