

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 2942

By: Nichols

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6 AS INTRODUCED

7 An Act relating to education; creating After School
8 Programs Revolving Fund; stating purpose of fund;
9 providing for apportionment of certain revenues to
10 fund; providing for expenditure of monies and
11 prescribing procedures related thereto; requiring
12 State Department of Education to establish criteria;
13 providing for application process; authorizing use of
14 funds for training of certain professional persons to
15 offer services in after-school programs; amending
16 Section 7, State Question No. 788, Initiative
17 Petition No. 412 (63 O.S. Supp. 2019, Section 426),
18 which relates to apportionment of medical marijuana
19 tax revenues; providing for apportionment of certain
20 revenue amount to After School Programs Revolving
21 Fund; providing for codification; providing an
22 effective date; and declaring an emergency.

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

24 SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 9001 of Title 70, unless there
is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund
for the State Department of Education to be designated the "After
School Programs Revolving Fund". The fund shall be a continuing

1 fund, not subject to fiscal year limitations, and shall consist of
2 all monies received by the State Department of Education from the
3 apportionment of excise tax on medical marijuana as provided by
4 Section 3 of this act. All monies accruing to the credit of said
5 fund are hereby appropriated and may be budgeted and expended by the
6 State Department of Education for the purpose of providing training
7 to professional persons related to qualified after-school programs.
8 Expenditures from said fund shall be made upon warrants issued by
9 the State Treasurer against claims filed as prescribed by law with
10 the Director of the Office of Management and Enterprise Services for
11 approval and payment.

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 9002 of Title 70, unless there
14 is created a duplication in numbering, reads as follows:

15 The State Department of Education shall establish criteria by
16 which common school districts may make application for funds
17 available from the After School Programs Revolving Fund created by
18 Section 1 of this act. The funds shall be used for the training of
19 professionals, with appropriate credentials in their applicable
20 fields of study, who can provide instruction to students in the
21 common schools as part of after-school programs such as athletics,
22 music, drama, art or other programs determined eligible by the State
23 Department of Education.

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1 SECTION 3. AMENDATORY Section 7, State Question No. 788,
2 Initiative Petition No. 412 (63 O.S. Supp. 2019, Section 426), is
3 amended to read as follows:

4 Section 426. A. The tax on retail medical marijuana sales will
5 be established at seven percent (7%) of the gross amount received by
6 the seller.

7 B. This tax will be collected at the point of sale. Tax
8 proceeds will be applied primarily to finance the regulatory office.

9 C. If proceeds from the levy authorized by subsection A of this
10 section exceed the budgeted amount for running the regulatory
11 office, ~~any~~:

12 1. The first Five Million Dollars (\$5,000,000.00) shall be
13 apportioned to the After School Programs Revolving Fund created by
14 Section 1 of this act; and

15 2. Any surplus shall be apportioned with seventy-five percent
16 (75%) going to the General Revenue Fund and may only be expended for
17 common education. ~~Twenty-five percent (25%)~~ and the balance of
18 twenty-five percent (25%) shall be apportioned to the Oklahoma State
19 Department of Health and earmarked for drug and alcohol
20 rehabilitation.

21 SECTION 4. This act shall become effective July 1, 2020.

22 SECTION 5. It being immediately necessary for the preservation
23 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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