

1 ENGROSSED SENATE
2 BILL NO. 1262

By: Coleman of the Senate

3 and

4 Townley of the House

5
6 [sales tax code - limit on certain apportionment -
7 effective date]
8

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

10 SECTION 1. AMENDATORY 68 O.S. 2021, Section 1353, is
11 amended to read as follows:

12 Section 1353. A. It is hereby declared to be the purpose of
13 the Oklahoma Sales Tax Code to provide funds for the financing of
14 the program provided for by the Oklahoma Social Security Act and to
15 provide revenues for the support of the functions of the state
16 government of Oklahoma, and for this purpose it is hereby expressly
17 provided that, revenues derived pursuant to the provisions of the
18 Oklahoma Sales Tax Code, subject to the apportionment requirements
19 for the Oklahoma Tax Commission and Office of Management and
20 Enterprise Services Joint Computer Enhancement Fund provided by
21 Section 265 of this title, shall be apportioned as follows:

22 1. Except as provided in subsections C and D of this section,
23 the following amounts shall be paid to the State Treasurer to be
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placed to the credit of the General Revenue Fund to be paid out pursuant to direct appropriation by the Legislature:

Fiscal Year	Amount
FY 2003 and FY 2004	86.04%
FY 2005	85.83%
FY 2006	85.54%
FY 2007	85.04%
FY 2008 through FY 2022	83.61%
FY 2023 through FY 2027	83.36%
FY 2028 and each fiscal year thereafter	83.61%;

2. The following amounts shall be paid to the State Treasurer to be placed to the credit of the Education Reform Revolving Fund of the State Department of Education:

a. for FY 2003, FY 2004 and FY 2005, ten and forty-two one-hundredths percent (10.42%),

b. for FY 2006 through FY 2020, ten and forty-six one-hundredths percent (10.46%),

c. for FY 2021:

(1) for the month beginning July 1, 2020, through the month ending August 31, 2020, ten and forty-six one-hundredths percent (10.46%), and

(2) for the month beginning September 1, 2020, through the month ending June 30, 2021, eleven

1 and ninety-six one-hundredths percent (11.96%),

2 and

3 d. for FY 2022 and each fiscal year thereafter, ten and
4 forty-six one-hundredths percent (10.46%);

5 3. The following amounts shall be paid to the State Treasurer
6 to be placed to the credit of the Teachers' Retirement System
7 Dedicated Revenue Revolving Fund:

8 Fiscal Year	Amount
9 FY 2003 and FY 2004	3.54%
10 FY 2005	3.75%
11 FY 2006	4.0%
12 FY 2007	4.5%
13 FY 2008 through FY 2020	5.0%
14 FY 2021:	
15 a. for the month beginning July	
16 1, 2020, through the month	
17 ending August 31, 2020	5.0%
18 b. for the month beginning	
19 September 1, 2020, through	
20 the month ending June 30,	
21 2021	3.5%
22 FY 2022	5.0%
23 FY 2023 through FY 2027	5.25%
24 FY 2028 and each fiscal year thereafter	5.0%;

1 4. a. except as otherwise provided in subparagraph b of this
2 paragraph, for the fiscal year beginning July 1, 2015,
3 and for each fiscal year thereafter, eighty-seven one-
4 hundredths percent (0.87%) shall be paid to the State
5 Treasurer to be further apportioned as follows:

6 (1) thirty-six percent (36%) shall be placed to the
7 credit of the Oklahoma Tourism Promotion
8 Revolving Fund, but in no event shall such
9 apportionment exceed Five Million Dollars
10 (\$5,000,000.00) in ~~any fiscal year~~ the fiscal
11 year beginning July 1, 2022, and previous fiscal
12 years, Six Million Dollars (\$6,000,000.00) in the
13 fiscal year beginning July 1, 2023, Six Million
14 Five Hundred Thousand Dollars (\$6,500,000.00) in
15 the fiscal year beginning July 1, 2024, and Seven
16 Million Five Hundred Thousand Dollars
17 (\$7,500,000.00) in the fiscal year beginning July
18 1, 2025, and subsequent fiscal years, and

19 (2) sixty-four percent (64%) shall be placed to the
20 credit of the Oklahoma Tourism Capital
21 Improvement Revolving Fund, but in no event shall
22 such apportionment exceed Nine Million Dollars
23 (\$9,000,000.00) in any fiscal year, and
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1 b. any amounts which exceed the limitations of
2 subparagraph a of this paragraph shall be placed to
3 the credit of the General Revenue Fund; and

4 5. For the fiscal year beginning July 1, 2015, and for each
5 fiscal year thereafter, six one-hundredths percent (0.06%) shall be
6 placed to the credit of the Oklahoma Historical Society Capital
7 Improvement and Operations Revolving Fund, but in no event shall
8 such apportionment exceed the total amount apportioned pursuant to
9 this paragraph for the fiscal year ending on June 30, 2015. Any
10 amounts which exceed the limitations of this paragraph shall be
11 placed to the credit of the General Revenue Fund.

12 B. Provided, for the fiscal year beginning July 1, 2007, and
13 every fiscal year thereafter, an amount of revenue shall be
14 apportioned to each municipality or county which levies a sales tax
15 subject to the provisions of Section 1357.10 of this title and
16 subsection F of Section 2701 of this title equal to the amount of
17 sales tax revenue of such municipality or county exempted by the
18 provisions of Section 1357.10 of this title and subsection F of
19 Section 2701 of this title. The Oklahoma Tax Commission shall
20 promulgate and adopt rules necessary to implement the provisions of
21 this subsection.

22 C. From the monies that would otherwise be apportioned to the
23 General Revenue Fund pursuant to subsection A of this section, there
24 shall be apportioned the following amounts:

1. For the month ending August 31, 2019:

- a. Nine Million Six Hundred Thousand Dollars (\$9,600,000.00) to the credit of the State Highway Construction and Maintenance Fund created in Section 1501 of Title 69 of the Oklahoma Statutes, and
- b. Two Million Dollars (\$2,000,000.00) to the credit of the Oklahoma Railroad Maintenance Revolving Fund created in Section 309 of Title 66 of the Oklahoma Statutes;

2. For the month ending September 30, 2019:

- a. Twenty Million Dollars (\$20,000,000.00) to the credit of the State Highway Construction and Maintenance Fund created in Section 1501 of Title 69 of the Oklahoma Statutes, and
- b. Two Million Dollars (\$2,000,000.00) to the credit of the Oklahoma Railroad Maintenance Revolving Fund created in Section 309 of Title 66 of the Oklahoma Statutes;

3. For the month ending October 31, 2019:

- a. Twenty Million Dollars (\$20,000,000.00) to the credit of the State Highway Construction and Maintenance Fund created in Section 1501 of Title 69 of the Oklahoma Statutes, and

1 b. Two Million Dollars (\$2,000,000.00) to the credit of
2 the Oklahoma Railroad Maintenance Revolving Fund
3 created in Section 309 of Title 66 of the Oklahoma
4 Statutes;

5 4. For the month ending November 30, 2019:

6 a. Twenty Million Dollars (\$20,000,000.00) to the credit
7 of the State Highway Construction and Maintenance Fund
8 created in Section 1501 of Title 69 of the Oklahoma
9 Statutes, and

10 b. Two Million Dollars (\$2,000,000.00) to the credit of
11 the Oklahoma Railroad Maintenance Revolving Fund
12 created in Section 309 of Title 66 of the Oklahoma
13 Statutes; and

14 5. For the month ending December 31, 2019:

15 a. Twenty Million Dollars (\$20,000,000.00) to the credit
16 of the State Highway Construction and Maintenance Fund
17 created in Section 1501 of Title 69 of the Oklahoma
18 Statutes, and

19 b. Two Million Dollars (\$2,000,000.00) to the credit of
20 the Oklahoma Railroad Maintenance Revolving Fund
21 created in Section 309 of Title 66 of the Oklahoma
22 Statutes.

23 D. For fiscal year 2023, and each subsequent fiscal year,
24 before any other apportionment otherwise required by this section is

1 made to the General Revenue Fund, there shall be apportioned to the
2 State Public Common School Building Equalization Fund an amount, if
3 any, as required pursuant to Section 3-104 of Title 70 of the
4 Oklahoma Statutes, not to exceed the state sales tax generated by
5 medical marijuana sales in the preceding fiscal year as reported by
6 the Oklahoma Tax Commission.

7 SECTION 2. This act shall become effective November 1, 2022.

8 Passed the Senate the 21st day of March, 2022.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the ____ day of _____,
13 2022.

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Presiding Officer of the House
of Representatives

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