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AS AMENDED

By: Newton of the House

and

Jech of the Senate

[revenue and taxation - apportionment and use of
proceeds of tax - date of apportionment - effective
date -
emergency]

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

SECTION 1. AMENDATORY 68 O.S. 2021, Section 1004, is amended to read as follows:

Section 1004. A. As used in this section:

1. "Moving five-year average amount for gas" means, for purposes of the apportionments prescribed by this section, the amount of gross production tax on natural gas collected for each of the five (5) complete fiscal years, as computed by the State Board of Equalization pursuant to Section 34.103 of Title 62 of the Oklahoma Statutes; and

2. "Moving five-year average amount for oil" means, for purposes of the apportionments prescribed by this section, the amount of gross production tax on oil collected for each of the five

1 (5) complete fiscal years, as computed by the State Board of
2 Equalization pursuant to Section 34.103 of Title 62 of the Oklahoma
3 Statutes.

4 B. Beginning July 1, 2017, the gross production tax provided
5 for in Section 1001 of this title is hereby levied and shall be
6 collected and apportioned as follows:

7 1. For all monies collected from the tax levied on asphalt or
8 ores bearing uranium, lead, zinc, jack, gold, silver or copper:

9 a. eighty-five and seventy-two one-hundredths percent

10 (85.72%) shall be paid to the State Treasurer of the

11 state to be placed in the General Revenue Fund of the

12 state and used for the general expense of state

13 government, to be paid out pursuant to direct

14 appropriation by the Legislature,

15 b. seven and fourteen one-hundredths percent (7.14%) of

16 the sum collected from natural gas and/or casinghead

17 gas or asphalt or ores bearing uranium, lead, zinc,

18 jack, gold, silver or copper shall be paid to the

19 various county treasurers to be credited to the County

20 Highway Fund as follows: Each county shall receive a

21 proportionate share of the funds available based upon

22 the proportion of the total value of production from

23 such county in the corresponding month of the

24 preceding year, and

1 c. seven and fourteen one-hundredths percent (7.14%)
2 shall be allocated to each county as provided for in
3 subparagraph b of this paragraph and shall be
4 apportioned, on an average daily attendance per capita
5 distribution basis, as certified by the State
6 Superintendent of Public Instruction to the school
7 districts of the county where such pupils attend
8 school regardless of residence of such pupil, provided
9 the school district makes an ad valorem tax levy of
10 fifteen (15) mills for the current year and maintains
11 twelve (12) years of instruction;

12 2. For all monies collected from the tax levied on natural gas
13 and/or casinghead gas at a tax rate of seven percent (7%) pursuant
14 to the provisions of subsection B of Section 1001 of this title:

15 a. after the total revenue apportioned to the General
16 Revenue Fund as prescribed by subparagraph b of this
17 paragraph equals the moving five-year average amount
18 for gas as defined by paragraph 1 of subsection A of
19 this section, there shall be apportioned from the
20 gross production tax levy imposed pursuant to Section
21 1001 of this title on natural gas and/or casinghead
22 gas to the Revenue Stabilization Fund created by
23 Section 34.102 of Title 62 of the Oklahoma Statutes,
24 the amount of revenue, if any, which exceeds the

1 moving five-year average amount for gas as defined
2 pursuant to paragraph 1 of subsection A of this
3 section,

4 b. until the apportionment to the General Revenue Fund
5 equals the moving five-year average amount for gas as
6 prescribed by paragraph 1 of subsection A of this
7 section, eighty-five and seventy-two one-hundredths
8 percent (85.72%) shall be paid to the State Treasurer
9 of the state to be placed in the General Revenue Fund
10 of the state and used for the general expense of state
11 government, to be paid out pursuant to direct
12 appropriation by the Legislature,

13 c. before any other apportionment of revenue has been
14 made pursuant to this paragraph, seven and fourteen
15 one-hundredths percent (7.14%) of the sum collected
16 from natural gas and/or casinghead gas shall be paid
17 to the various county treasurers to be credited to the
18 County Highway Fund as follows: Each county shall
19 receive a proportionate share of the funds available
20 based upon the proportion of the total value of
21 production from such county in the corresponding month
22 of the preceding year, and

23 d. before any other apportionment of revenue has been
24 made pursuant to this paragraph, seven and fourteen

one-hundredths percent (7.14%) shall be allocated to each county as provided for in subparagraph c of this paragraph and shall be apportioned, on an average daily attendance per capita distribution basis, as certified by the State Superintendent of Public Instruction to the school districts of the county where such pupils attend school regardless of residence of such pupil, provided the school district makes an ad valorem tax levy of fifteen (15) mills for the current year and maintains twelve (12) years of instruction;

3. For all monies collected from the tax levied on natural gas and/or casinghead gas at a tax rate of four percent (4%) pursuant to the provisions of subsection B of Section 1001 of this title:

a. after the total revenue apportioned to the General Revenue Fund as prescribed by subparagraph b of this paragraph equals the moving five-year average amount for gas as defined by paragraph 1 of subsection A of this section, there shall be apportioned from the gross production tax levy imposed pursuant to Section 1001 of this title on natural gas and/or casinghead gas to the Revenue Stabilization Fund created pursuant to Section 34.102 of Title 62 of the Oklahoma Statutes, the amount of revenue, if any, which exceeds

1 the moving five-year average amount for gas as defined
2 pursuant to paragraph 1 of subsection A of this
3 section,

4 b. until the apportionment to the General Revenue Fund
5 equals the moving five-year average amount for gas as
6 prescribed by paragraph 1 of subsection A of this
7 section, seventy-five percent (75%) shall be paid to
8 the State Treasurer of the state to be placed in the
9 General Revenue Fund of the state and used for the
10 general expense of state government, to be paid out
11 pursuant to direct appropriation by the Legislature,

12 c. before any other apportionment of revenue has been
13 made pursuant to this paragraph, twelve and one-half
14 percent (12.5%) of the sum collected from natural gas
15 and/or casinghead gas shall be paid to the various
16 county treasurers to be credited to the County Highway
17 Fund as follows: Each county shall receive a
18 proportionate share of the funds available based upon
19 the proportion of the total value of production from
20 such county in the corresponding month of the
21 preceding year, and

22 d. before any other apportionment of revenue has been
23 made pursuant to this paragraph, twelve and one-half
24 percent (12.5%) shall be allocated to each county as

provided for in subparagraph c of this paragraph and shall be apportioned, on an average daily attendance per capita distribution basis, as certified by the State Superintendent of Public Instruction to the school districts of the county where such pupils attend school regardless of residence of such pupil, provided the school district makes an ad valorem tax levy of fifteen (15) mills for the current year and maintains twelve (12) years of instruction;

4. For all monies collected from the tax levied on natural gas and/or casinghead gas at a tax rate of one percent (1%) pursuant to the provisions of subsection B of Section 1001 of this title:

a. fifty percent (50%) of the sum collected from natural gas and/or casinghead gas shall be paid to the various county treasurers to be credited to the County Highway Fund as follows: Each county shall receive a proportionate share of the funds available based upon the proportion of the total value of production from such county in the corresponding month of the preceding year, and

b. fifty percent (50%) shall be allocated to each county as provided for in subparagraph a of this paragraph and shall be apportioned, on an average daily attendance per capita distribution basis, as certified

1 by the State Superintendent of Public Instruction to
2 the school districts of the county where such pupils
3 attend school regardless of residence of such pupil,
4 provided the school district makes an ad valorem tax
5 levy of fifteen (15) mills for the current year and
6 maintains twelve (12) years of instruction;

7 5. For all monies collected from the tax levied on natural gas
8 and/or casinghead gas at a tax rate of two percent (2%) pursuant to
9 the provisions of paragraph 3 of subsection B of Section 1001 of
10 this title:

- 11 a. after the total revenue apportioned to the General
12 Revenue Fund as prescribed by subparagraph b of this
13 paragraph equals the moving five-year average amount
14 for gas as defined by paragraph 1 of subsection A of
15 this section, there shall be apportioned from the
16 gross production tax levy imposed pursuant to Section
17 1001 of this title on gas to the Revenue Stabilization
18 Fund created by Section 34.102 of Title 62 of the
19 Oklahoma Statutes, the amount of revenue, if any,
20 which exceeds the moving five-year average amount for
21 natural gas and/or casinghead gas as defined pursuant
22 to paragraph 1 of subsection A of this section,
- 23 b. until the apportionment to the General Revenue Fund
24 equals the moving five-year average amount for gas as

1 prescribed by paragraph 1 of subsection A of this
2 section, fifty percent (50%) shall be paid to the
3 State Treasurer to be placed in the General Revenue
4 Fund of the state and used for the general expense of
5 state government, to be paid out pursuant to direct
6 appropriation by the Legislature,

7 c. before any other apportionment of revenue has been
8 made pursuant to this paragraph, twenty-five percent
9 (25%) of the sum collected from natural gas and/or
10 casinghead gas shall be paid to the various county
11 treasurers to be credited to the County Highway Fund
12 as follows: Each county shall receive a proportionate
13 share of the funds available based upon the proportion
14 of the total value of production from such county in
15 the corresponding month of the preceding year, and

16 d. before any other apportionment of revenue has been
17 made pursuant to this paragraph, twenty-five percent
18 (25%) shall be allocated to each county as provided
19 for in subparagraph c of this paragraph and shall be
20 apportioned on an average daily attendance per capita
21 distribution basis, as certified by the State
22 Superintendent of Public Instruction, to the school
23 districts of the county where such pupils attend
24 school regardless of residence of such pupil, provided

1 the school district makes an ad valorem tax levy of
2 fifteen (15) mills for the current year and maintains
3 twelve (12) years of instruction;

4 6. For all monies collected from the tax levied on oil at a tax
5 rate of seven percent (7%) pursuant to the provisions of subsection
6 B of Section 1001 of this title:

7 a. there shall be apportioned from the gross production
8 tax levy imposed pursuant to Section 1001 of this
9 title on oil to the Revenue Stabilization Fund created
10 by Section 34.102 of Title 62 of the Oklahoma
11 Statutes, after the applicable maximum amount
12 prescribed by subsection C of this section has been
13 deposited to the funds therein specified, the amount
14 of revenue, if any, which would otherwise be
15 apportioned to the General Revenue Fund and which
16 exceeds the moving five-year average amount for oil as
17 defined pursuant to paragraph 2 of subsection A of
18 this section,

19 b. before any other apportionment of revenue has been
20 made pursuant to this paragraph, twenty-five and
21 seventy-two one-hundredths percent (25.72%) shall be
22 paid to the State Treasurer to be placed in the Common
23 Education Technology Revolving Fund created in Section
24 34.90 of Title 62 of the Oklahoma Statutes,

- 1 c. before any other apportionment of revenue has been
2 made pursuant to this paragraph, twenty-five and
3 seventy-two one-hundredths percent (25.72%) shall be
4 paid to the State Treasurer to be placed in the Higher
5 Education Capital Revolving Fund created in Section
6 34.91 of Title 62 of the Oklahoma Statutes,
- 7 d. before any other apportionment of revenue has been
8 made pursuant to this paragraph, twenty-five and
9 seventy-two one-hundredths percent (25.72%) shall be
10 paid to the State Treasurer to be placed in the
11 Oklahoma Student Aid Revolving Fund created in Section
12 34.92 of Title 62 of the Oklahoma Statutes,
- 13 e. before any other apportionment of revenue has been
14 made pursuant to this paragraph, three and seven
15 hundred forty-five one-thousandths percent (3.745%)
16 shall be distributed to the various counties of the
17 state for deposit into the County Bridge and Road
18 Improvement Fund of each county based on a formula
19 developed by the Department of Transportation and
20 approved by the Department of Transportation County
21 Advisory Board created pursuant to Section 302.1 of
22 Title 69 of the Oklahoma Statutes to be used for the
23 purposes set forth in the County Bridge and Road
24 Improvement Act. The formula shall be similar to the

1 formula currently used for the distribution of monies
2 in the County Bridge Program funds, but shall also
3 take into consideration the effect of the terrain and
4 traffic volume as related to county road improvement
5 and maintenance costs,

6 f. before any other apportionment of revenue has been
7 made pursuant to this paragraph, four and twenty-eight
8 one-hundredths percent (4.28%) shall be paid to the
9 State Treasurer to be apportioned to:

10 (1) the following sources and in the following
11 amounts through the fiscal year ending June 30,
12 ~~2022~~ 2027:

13 (a) thirty-three and one-third percent (33 1/3%)
14 to the Oklahoma Tourism and Recreation
15 Department Capital Expenditure Revolving
16 Fund created pursuant to Section 2254.1 of
17 Title 74 of the Oklahoma Statutes,

18 (b) thirty-three and one-third percent (33 1/3%)
19 to the Oklahoma Conservation Commission
20 Infrastructure Revolving Fund created
21 pursuant to Section 3-2-110 of Title 27A of
22 the Oklahoma Statutes, and

23 (c) thirty-three and one-third percent (33 1/3%)
24 to the Community Water Infrastructure

1 Development Revolving Fund created pursuant
2 to Section 1085.7A of Title 82 of the
3 Oklahoma Statutes, and

4 (2) the Oklahoma Water Resources Board Rural Economic
5 Action Plan Water Projects Fund for the fiscal
6 year beginning July 1, ~~2022~~ 2027, and for each
7 fiscal year thereafter,

8 g. before any other apportionment of revenue has been
9 made pursuant to this paragraph, seven and fourteen
10 one-hundredths percent (7.14%) of the sum collected
11 from oil shall be paid to the various county
12 treasurers, to be credited to the County Highway Fund
13 as follows: Each county shall receive a proportionate
14 share of the funds available based upon the proportion
15 of the total value of production from such county in
16 the corresponding month of the preceding year,

17 h. before any other apportionment of revenue has been
18 made pursuant to this paragraph, seven and fourteen
19 one-hundredths percent (7.14%) shall be allocated to
20 each county as provided in subparagraph g of this
21 paragraph and shall be apportioned, on an average
22 daily attendance per capita distribution basis, as
23 certified by the State Superintendent of Public
24 Instruction, to the school districts of the county

1 where such pupils attend school regardless of
2 residence of such pupil, provided the school district
3 makes an ad valorem tax levy of fifteen (15) mills for
4 the current year and maintains twelve (12) years of
5 instruction, and

- 6 i. before any other apportionment of revenue has been
7 made pursuant to this paragraph, five hundred thirty-
8 five one-thousandths percent (0.535%) of the levy
9 shall be transmitted by the Oklahoma Tax Commission to
10 the Statewide Circuit Engineering District Revolving
11 Fund as created in Section 687.2 of Title 69 of the
12 Oklahoma Statutes;

13 7. For all monies collected from the tax levied on oil at a tax
14 rate of four percent (4%) pursuant to the provisions of subsection B
15 of Section 1001 of this title:

- 16 a. there shall be apportioned from the gross production
17 tax levy imposed pursuant to Section 1001 of this
18 title on oil to the Revenue Stabilization Fund created
19 by Section 34.102 of Title 62 of the Oklahoma
20 Statutes, after the applicable maximum amount
21 prescribed by subsection C of this section has been
22 deposited to the funds therein specified, the amount
23 of revenue, if any, which would otherwise be
24 apportioned to the General Revenue Fund and which

1 exceeds the moving five-year average amount for oil as
2 defined pursuant to paragraph 2 of subsection A of
3 this section,

4 b. before any other apportionment of revenue has been
5 made pursuant to this paragraph, twenty-two and one-
6 half percent (22.5%) shall be paid to the State
7 Treasurer to be placed in the Common Education
8 Technology Revolving Fund created in Section 34.90 of
9 Title 62 of the Oklahoma Statutes,

10 c. before any other apportionment of revenue has been
11 made pursuant to this paragraph, twenty-two and one-
12 half percent (22.5%) shall be paid to the State
13 Treasurer to be placed in the Higher Education Capital
14 Revolving Fund created in Section 34.91 of Title 62 of
15 the Oklahoma Statutes,

16 d. before any other apportionment of revenue has been
17 made pursuant to this paragraph, twenty-two and one-
18 half percent (22.5%) shall be paid to the State
19 Treasurer to be placed in the Oklahoma Student Aid
20 Revolving Fund created in Section 34.92 of Title 62 of
21 the Oklahoma Statutes,

22 e. before any other apportionment of revenue has been
23 made pursuant to this paragraph, three and twenty-
24 eight one-hundredths percent (3.28%) shall be

1 distributed to the various counties of the state for
2 deposit into the County Bridge and Road Improvement
3 Fund of each county based on a formula developed by
4 the Department of Transportation and approved by the
5 Department of Transportation County Advisory Board
6 created pursuant to Section 302.1 of Title 69 of the
7 Oklahoma Statutes to be used for the purposes set
8 forth in the County Bridge and Road Improvement Act.
9 The formula shall be similar to the formula currently
10 used for the distribution of monies in the County
11 Bridge Program funds, but shall also take into
12 consideration the effect of the terrain and traffic
13 volume as related to county road improvement and
14 maintenance costs,

15 f. before any other apportionment of revenue has been
16 made pursuant to this paragraph, three and seventy-
17 five one-hundredths percent (3.75%) shall be paid to
18 the State Treasurer to be apportioned to:

19 (1) the following sources and in the following
20 amounts through the fiscal year ending June 30,
21 ~~2022~~ 2027:

22 (a) thirty-three and one-third percent (33 1/3%)
23 to the Oklahoma Tourism and Recreation
24 Department Capital Expenditure Revolving

Fund created pursuant to Section 2254.1 of
Title 74 of the Oklahoma Statutes,

(b) thirty-three and one-third percent (33 1/3%)
to the Oklahoma Conservation Commission
Infrastructure Revolving Fund created
pursuant to Section 3-2-110 of Title 27A of
the Oklahoma Statutes, and

(c) thirty-three and one-third percent (33 1/3%)
to the Community Water Infrastructure
Development Revolving Fund created pursuant
to Section 1085.7A of Title 82 of the
Oklahoma Statutes, and

(2) the Oklahoma Water Resources Board Rural Economic
Action Plan Water Projects Fund for the fiscal
year beginning July 1, ~~2022~~ 2027, and for each
fiscal year thereafter,

g. before any other apportionment of revenue has been
made pursuant to this paragraph, twelve and one-half
percent (12.5%) of the sum collected from oil shall be
paid to the various county treasurers, to be credited
to the County Highway Fund as follows: Each county
shall receive a proportionate share of the funds
available based upon the proportion of the total value

1 of production from such county in the corresponding
2 month of the preceding year,

3 h. before any other apportionment of revenue has been
4 made pursuant to this paragraph, twelve and one-half
5 percent (12.5%) shall be allocated to each county as
6 provided in subparagraph g of this paragraph and shall
7 be apportioned on an average daily attendance per
8 capita distribution basis, as certified by the State
9 Superintendent of Public Instruction, to the school
10 districts of the county where such pupils attend
11 school regardless of residence of such pupil, provided
12 the school district makes an ad valorem tax levy of
13 fifteen (15) mills for the current year and maintains
14 twelve (12) years of instruction, and

15 i. before any other apportionment of revenue has been
16 made pursuant to this paragraph, forty-seven one-
17 hundredths percent (0.47%) of the levy shall be
18 transmitted by the Tax Commission to the Statewide
19 Circuit Engineering District Revolving Fund as created
20 in Section 687.2 of Title 69 of the Oklahoma Statutes;

21 8. For all monies collected from the tax levied on oil at a tax
22 rate of one percent (1%) pursuant to the provisions of subsection B
23 of Section 1001 of this title:
24

1 a. fifty percent (50%) of the sum collected shall be paid
2 to the various county treasurers, to be credited to
3 the County Highway Fund as follows: Each county shall
4 receive a proportionate share of the funds available
5 based upon the proportion of the total value of
6 production from such county in the corresponding month
7 of the preceding year, and

8 b. fifty percent (50%) shall be allocated to each county
9 as provided for in subparagraph a of this paragraph
10 and shall be apportioned on an average daily
11 attendance per capita distribution basis, as certified
12 by the State Superintendent of Public Instruction, to
13 the school districts of the county where such pupils
14 attend school regardless of residence of such pupil,
15 provided the school district makes an ad valorem tax
16 levy of fifteen (15) mills for the current year and
17 maintains twelve (12) years of instruction;

18 9. For all monies collected from the tax levied on oil at a tax
19 rate of two percent (2%) pursuant to the provisions of paragraph 3
20 of subsection B of Section 1001 of this title:

21 a. there shall be apportioned from the gross production
22 tax levy imposed pursuant to Section 1001 of this
23 title on oil to the Revenue Stabilization Fund created
24 by Section 34.102 of Title 62 of the Oklahoma

1 Statutes, the amount of revenue, if any, which exceeds
2 the moving five-year average amount for oil as defined
3 pursuant to paragraph 2 of subsection A of this
4 section,

5 b. until the apportionment to the General Revenue Fund
6 equals the moving five-year average amount for oil as
7 prescribed by paragraph 2 of subsection A of this
8 section, fifty percent (50%) shall be paid to the
9 State Treasurer to be placed in the General Revenue
10 Fund of the state and used for the general expense of
11 state government, to be paid out pursuant to direct
12 appropriation by the Legislature,

13 c. before any other apportionment of revenue has been
14 made pursuant to this paragraph, twenty-five percent
15 (25%) of the sum collected from oil shall be paid to
16 the various county treasurers, to be credited to the
17 County Highway Fund as follows: Each county shall
18 receive a proportionate share of the funds available
19 based upon the proportion of the total value of
20 production from such county in the corresponding month
21 of the preceding year, and

22 d. before any other apportionment of revenue has been
23 made pursuant to this paragraph, twenty-five percent
24 (25%) shall be allocated to each county as provided in

1 subparagraph c of this paragraph and shall be
2 apportioned on an average daily attendance per capita
3 distribution basis, as certified by the State
4 Superintendent of Public Instruction, to the school
5 districts of the county where such pupils attend
6 school regardless of residence of such pupil, provided
7 the school district makes an ad valorem tax levy of
8 fifteen (15) mills for the current year and maintains
9 twelve (12) years of instruction;

10 10. On or after June 28, 2018, the gross production tax levied
11 on natural gas or casinghead gas at the rate of five percent (5%)
12 provided for in paragraph 3 of subsection B of Section 1001 of this
13 title shall be apportioned as follows:

14 a. after the total revenue apportioned to the General
15 Revenue Fund as prescribed by subparagraph b of this
16 paragraph equals the moving five-year average amount
17 for gas as defined by paragraph 1 of subsection A of
18 this section, there shall be apportioned from the
19 gross production tax levy imposed pursuant to Section
20 1001 of this title on natural gas and/or casinghead
21 gas to the Revenue Stabilization Fund created pursuant
22 to Section 34.102 of Title 62 of the Oklahoma
23 Statutes, the amount of revenue, if any, which exceeds
24 the moving five-year average amount for gas as defined

1 pursuant to paragraph 1 of subsection A of this
2 section,

3 b. until the apportionment to the General Revenue Fund
4 equals the moving five-year average amount for gas as
5 prescribed by paragraph 1 of subsection A of this
6 section, eighty percent (80%) shall be paid to the
7 State Treasurer of the state to be placed in the
8 General Revenue Fund of the state and used for the
9 general expense of state government, to be paid out
10 pursuant to direct appropriation by the Legislature,

11 c. before any other apportionment of revenue has been
12 made pursuant to this paragraph, ten percent (10%) of
13 the sum collected from natural gas and/or casinghead
14 gas shall be paid to the various county treasurers to
15 be credited to the County Highway Fund as follows:
16 Each county shall receive a proportionate share of the
17 funds available based upon the proportion of the total
18 value of production from such county in the
19 corresponding month of the preceding year, and

20 d. before any other apportionment of revenue has been
21 made pursuant to this paragraph, ten percent (10%)
22 shall be allocated to each county as provided for in
23 subparagraph c of this paragraph and shall be
24 apportioned, on an average daily attendance per capita

1 distribution basis, as certified by the State
2 Superintendent of Public Instruction to the school
3 districts of the county where such pupils attend
4 school regardless of residence of such pupil, provided
5 the school district makes an ad valorem tax levy of
6 fifteen (15) mills for the current year and maintains
7 twelve (12) years of instruction; and

8 11. On or after June 28, 2018, the gross production tax on oil
9 levied at the rate of five percent (5%) provided for in paragraph 3
10 of subsection B of Section 1001 of this title shall be apportioned
11 as follows:

12 a. there shall be apportioned from the gross production
13 tax levy imposed pursuant to Section 1001 of this
14 title on oil to the Revenue Stabilization Fund created
15 by Section 34.102 of Title 62 of the Oklahoma
16 Statutes, after the applicable maximum amount
17 prescribed by subsection C of this section has been
18 deposited to the funds therein specified, the amount
19 of revenue, if any, which would otherwise be
20 apportioned to the General Revenue Fund and which
21 exceeds the moving five-year average amount for oil as
22 defined pursuant to paragraph 2 of subsection A of
23 this section,
24

- b. before any other apportionment of revenue has been made pursuant to this paragraph, twenty-three and seventy-five one-hundredths percent (23.75%) shall be paid to the State Treasurer to be placed in the Common Education Technology Revolving Fund created in Section 34.90 of Title 62 of the Oklahoma Statutes,
- c. before any other apportionment of revenue has been made pursuant to this paragraph, twenty-three and seventy-five one-hundredths percent (23.75%) shall be paid to the State Treasurer to be placed in the Higher Education Capital Revolving Fund created in Section 34.91 of Title 62 of the Oklahoma Statutes,
- d. before any other apportionment of revenue has been made pursuant to this paragraph, twenty-three and seventy-five one-hundredths percent (23.75%) shall be paid to the State Treasurer to be placed in the Oklahoma Student Aid Revolving Fund created in Section 34.92 of Title 62 of the Oklahoma Statutes,
- e. before any other apportionment of revenue has been made pursuant to this paragraph, three and twenty-eight one-hundredths percent (3.28%) shall be distributed to the various counties of the state for deposit into the County Bridge and Road Improvement Fund of each county based on a formula developed by

1 the Department of Transportation and approved by the
2 Department of Transportation County Advisory Board
3 created pursuant to Section 302.1 of Title 69 of the
4 Oklahoma Statutes to be used for the purposes set
5 forth in the County Bridge and Road Improvement Act.
6 The formula shall be similar to the formula currently
7 used for the distribution of monies in the County
8 Bridge Program funds, but shall also take into
9 consideration the effect of the terrain and traffic
10 volume as related to county road improvement and
11 maintenance costs,

12 f. before any other apportionment of revenue has been
13 made pursuant to this paragraph, five percent (5%)
14 shall be paid to the State Treasurer to be apportioned
15 to:

16 (1) the following sources and in the following
17 amounts through the fiscal year ending June 30,
18 ~~2022~~ 2027:

19 (a) thirty-three and one-third percent (33 1/3%)
20 to the Oklahoma Tourism and Recreation
21 Department Capital Expenditure Revolving
22 Fund created pursuant to Section 2254.1 of
23 Title 74 of the Oklahoma Statutes,
24

1 (b) thirty-three and one-third percent (33 1/3%)

2 to the Oklahoma Conservation Commission

3 Infrastructure Revolving Fund created

4 pursuant to Section 3-2-110 of Title 27A of

5 the Oklahoma Statutes, and

6 (c) thirty-three and one-third percent (33 1/3%)

7 to the Community Water Infrastructure

8 Development Revolving Fund created pursuant

9 to Section 1085.7A of Title 82 of the

10 Oklahoma Statutes, and

11 (2) the Oklahoma Water Resources Board Rural Economic

12 Action Plan Water Projects Fund for the fiscal

13 year beginning July 1, ~~2022~~ 2027, and for each

14 fiscal year thereafter,

15 g. before any other apportionment of revenue has been

16 made pursuant to this paragraph, ten percent (10%) of

17 the sum collected from oil shall be paid to the

18 various county treasurers, to be credited to the

19 County Highway Fund as follows: Each county shall

20 receive a proportionate share of the funds available

21 based upon the proportion of the total value of

22 production from such county in the corresponding month

23 of the preceding year,

24

- 1 h. before any other apportionment of revenue has been
2 made pursuant to this paragraph, ten percent (10%)
3 shall be allocated to each county as provided in
4 subparagraph g of this paragraph and shall be
5 apportioned on an average daily attendance per capita
6 distribution basis, as certified by the State
7 Superintendent of Public Instruction, to the school
8 districts of the county where such pupils attend
9 school regardless of residence of such pupil, provided
10 the school district makes an ad valorem tax levy of
11 fifteen (15) mills for the current year and maintains
12 twelve (12) years of instruction, and
- 13 i. before any other apportionment of revenue has been
14 made pursuant to this paragraph, forty-seven one-
15 hundredths percent (0.47%) of the levy shall be
16 transmitted by the Tax Commission to the Statewide
17 Circuit Engineering District Revolving Fund as created
18 in Section 687.2 of Title 69 of the Oklahoma Statutes.

19 C. Provided, notwithstanding any other provision of this
20 section, the total amounts deposited to the Common Education
21 Technology Revolving Fund, the Higher Education Capital Revolving
22 Fund, the Oklahoma Student Aid Revolving Fund, the Rural Economic
23 Action Plan Water Projects Fund, the Oklahoma Tourism and Recreation
24 Department Capital Expenditure Revolving Fund, the Oklahoma

1 Conservation Commission Infrastructure Revolving Fund and the
2 Community Water Infrastructure Development Revolving Fund pursuant
3 to paragraphs 6, 7 and 11 of subsection B of this section shall not
4 exceed One Hundred Fifty Million Dollars (\$150,000,000.00) in any
5 fiscal year. Except as otherwise provided in this subsection, all
6 sums in excess of One Hundred Fifty Million Dollars
7 (\$150,000,000.00) in any fiscal year which would otherwise be
8 deposited in such funds shall be apportioned by the Oklahoma Tax
9 Commission to the General Revenue Fund of the state.

10 SECTION 2. This act shall become effective July 1, 2022.

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

15 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
16 April 13, 2022 - DO PASS AS AMENDED
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