

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1257

By: Pugh

6 AS INTRODUCED

7 An Act relating to school funding; amending 70 O.S.
8 2021, Section 1-117, which relates to school district
9 general funds; updating statutory reference; removing
10 language exempting certain funds from calculation of
11 general fund carryover; amending 70 O.S. 2021,
12 Section 18-200.1, as amended by Section 1, Chapter
13 280, O.S.L. 2023 (70 O.S. Supp. 2023, Section 18-
200.1), which relates to State Aid; removing
14 limitations on school district general fund
15 carryover, method for calculating carryover amount,
16 and penalties for exceeding limitations; updating
17 statutory language; providing an effective date; and
18 declaring an emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2021, Section 1-117, is
17 amended to read as follows:

18 Section 1-117. A. The general fund of any school district is
19 hereby defined as a current expense fund and shall consist of all
20 revenue or monies that can legally be expended within a certain
21 specified fiscal year, but shall not be considered as including any
22 money derived from a special building fund levy made in accordance
23 with the provisions of Section 10 of Article X of the Oklahoma
24 Constitution, nor shall it include any monies derived from the sale

1 of bonds issued under the provisions of Section 26 of Article X of
2 the Oklahoma Constitution. All monies derived from the proceeds of
3 the school levies made pursuant to the provisions of Section 9 of
4 Article X of the Oklahoma Constitution shall be placed in the
5 general fund provided by this section. Expenditures from the
6 general fund shall be noncapital in nature. All monies derived from
7 state-dedicated revenue, state-appropriated revenue unless otherwise
8 provided for by law, and county sources shall be placed in the
9 general fund provided for by this section. Except as provided for
10 in subsections F, K, and L of this section, a district shall not be
11 authorized to make capital expenditures as defined by this section
12 from the general fund.

13 B. For purposes of this section, state-dedicated revenue shall
14 be any registration or license fees, taxes, or penalties collected
15 at the state level and distributed to common school districts.
16 County sources shall be all funds collected by the county and
17 distributed to common school districts but shall not include any
18 funds derived from the building fund levy made in accordance with
19 the provisions of Section 10 of Article X of the Oklahoma
20 Constitution or funds derived from the sinking fund levy made in
21 accordance with the provisions of Section 26 of Article X of the
22 Oklahoma Constitution.

23 C. For the purposes of this section, a capital expenditure
24 shall be an expenditure which results in the acquisition of fixed

1 assets or additions to fixed assets. Capital expenditures shall
2 include, but shall not be limited to, purchases of land or existing
3 buildings, purchases of real property, improvements of grounds and
4 sites for construction purposes, all expenditures for construction
5 of buildings unless authorized by the State Board of Education or
6 the State Board of Career and Technology Education upon application
7 to the appropriate state board pursuant to subsection F of this
8 section, additions to buildings, remodeling of buildings if such
9 remodeling involves changes to roof structures or load-bearing
10 walls, professional services, salaries and expenses of architects
11 and engineers hired or assigned to capital projects except for such
12 services, salaries, and expenses as are applicable in preparation
13 for a bond issue, expenditures for the initial installation and
14 extension of service systems and built-in heat or air equipment to
15 existing buildings, expenditures for the replacement of a building
16 which has been destroyed, installments and lease payments on
17 property, ~~including interest,~~ that have a terminal date and result
18 in the acquisition of property, and expenditures for preliminary
19 studies made prior to the time that authority to proceed with a
20 construction project is given if authority is received within the
21 same fiscal year that the expenditure was made.

22 D. Noncapital expenditures shall include, but shall not be
23 limited to, expenditures for maintenance, repair, and replacement of
24 property and equipment, initial or additional purchases of furniture

1 and equipment, direct expenses for maintenance of plant, including
2 grounds, salaries for maintenance of plant, including salaries for
3 the upkeep of grounds, and repair and replacement of building
4 structures which do not add to existing facilities and which do not
5 involve changes in roof structures or load-bearing walls and which
6 are not classified as a capital expenditure by this section.

7 E. The State Board of Education shall adopt and amend
8 regulations regarding the classification, definition, and financial
9 administration of funds, accounts, and expenditures in accordance
10 with the requirements of this section.

11 F. A school district shall be authorized to make capital
12 expenditures from the general fund to defray the cost of rebuilding
13 a school building only if a school building or facility has been
14 destroyed by a fire or natural disaster, such as flood, tornado, or
15 other act of God, or by an act of a public enemy of the United
16 States or this state and monies received by the district through
17 insurance coverage, federal reimbursement, contributions, and
18 allocation from the State Board of Education from the State Public
19 Common School Building Equalization Fund are insufficient to rebuild
20 the facility. Capital expenditures from the general fund pursuant
21 to this subsection shall be limited to an amount necessary to defray
22 the cost of rebuilding the facility which exceeds monies received by
23 the school district through insurance, federal reimbursement,
24 contributions, and state allocations.

1 G. Schools which receive gifts ~~or~~, donations, or state-
2 appropriated monies for the purpose of capital expenditures or
3 projects shall place such monies in the building fund, as provided
4 by Section 1-118 of this title, and not in the general fund. School
5 districts which receive gifts, grants, or donations of monies for
6 noncapital expenditures may place the monies in the general fund,
7 and such monies shall not be required to be used during the year in
8 which the money was received but may accumulate from year to year
9 ~~and shall not be considered a part of the general fund collections~~
10 ~~when calculating the general fund carryover as provided for in~~
11 ~~subsection C of Section 18-200.1 of this title.~~

12 H. School districts which receive monies from rental, sale, or
13 lease of buildings, impact aid monies, or grants, gifts, or
14 donations for capital purposes, whether from state, federal, or
15 other sources, may place such monies in the building fund authorized
16 by Section 1-118 of this title or the general fund authorized by
17 this section.

18 I. Any construction of a building included as a capital
19 expenditure from the general fund of a school district which is
20 authorized and has had a contractual agreement concerning such
21 construction executed prior to July 1, 1991, may be proceeded with
22 and completed as authorized prior to July 1, 1991, as a capital
23 expenditure from such general fund.

1 J. School districts receiving revenues authorized by Section 9B
2 of Article X of the Oklahoma Constitution shall be authorized to
3 make capital expenditures from the general revenue fund no greater
4 than the amount levied by the incentive millage.

5 K. Upon the approval of the State Board of Education, a school
6 district shall be authorized to make capital expenditures as defined
7 in this section from its general fund if:

8 1. A bond issue has been rejected at an election by the school
9 district electors voting on that question within the current school
10 year, as certified by the secretary of the county election board; or

11 2. The school district has voted indebtedness at any time
12 within the preceding three (3) school years through the issuance of
13 bonds or through approval by voters of issuance of new bonds for
14 more than eighty-five percent (85%) of the maximum allowable
15 pursuant to the provisions of Section 26 of Article X of the
16 Oklahoma Constitution as shown on the school district budget filed
17 with the State Board of Equalization for the current school year and
18 certifications by the Attorney General prior to April 1 of the
19 current school year. The State Board of Education shall establish
20 the rules to administer the provisions of this subsection which
21 shall include, but not be limited to, specification of a maximum
22 amount of general fund monies to be used for capital expenditures,
23 the purposes for which such funds may be expended, and the period of
24 time in which such funds shall be encumbered.

1 L. Other provisions of this section notwithstanding, a school
2 district shall be authorized to make capital expenditures from the
3 general fund if the total assessed property valuation per average
4 daily attendance is less than sixty percent (60%) of the state
5 average total assessed property valuation per average daily
6 attendance and if, for each year in which general fund revenue is
7 used for capital expenditures, the district has voted the five-mill
8 building fund levy authorized in Section 10 of Article X of the
9 Oklahoma Constitution and has voted indebtedness through the
10 issuance of new bonds for at least eighty-five percent (85%) within
11 the last three (3) years of the maximum allowable pursuant to the
12 provisions of Section 26 of Article X of the Oklahoma Constitution
13 as shown on the school district budget filed with the State Board of
14 Equalization for the current school year and certifications by the
15 Attorney General prior to April 1 of the school year. Provided, the
16 maximum amount of general fund revenue used for capital expenditures
17 pursuant to this subsection shall not exceed five percent (5%) of
18 the total yearly revenue to the general fund. ~~Said~~ Such fund may
19 not be used for capital expenditures for more than five (5)
20 consecutive years and may only be utilized for remodeling or
21 construction of classroom facilities and such ancillary facilities
22 to ~~said~~ such classrooms as may be necessary. Provided, further, the
23 ~~State~~ Superintendent of Public Instruction shall certify in writing,
24 prior to the expenditure of the funds for which provision is made in

1 this subsection, that such expenditures are in compliance with the
2 provisions of this subsection.

3 SECTION 2. AMENDATORY 70 O.S. 2021, Section 18-200.1, as
4 amended by Section 1, Chapter 280, O.S.L. 2023 (70 O.S. Supp. 2023,
5 Section 18-200.1), is amended to read as follows:

6 Section 18-200.1. A. Beginning with the 2022-2023 school year,
7 and each school year thereafter, each school district shall have its
8 initial allocation of State Aid calculated based on the state
9 dedicated revenues actually collected during the preceding fiscal
10 year, the adjusted assessed valuation of the preceding year, and the
11 weighted average daily membership for the school district of the
12 preceding school year. Each school district shall submit the
13 following data based on the first nine (9) weeks, to be used in the
14 calculation of the average daily membership of the school district:

- 15 1. Student enrollment by grade level;
- 16 2. Pupil category counts; and
- 17 3. Transportation supplement data.

18 On or before December 30, the State Department of Education
19 shall determine each school district's current year allocation
20 pursuant to subsection D of this section. The State Department of
21 Education shall complete an audit, using procedures established by
22 the Department, of the student enrollment by grade level data, pupil
23 category counts, and transportation supplement data to be used in
24 the State Aid Formula pursuant to subsection D of this section by

1 December 1 and by January 15 shall notify each school district of
2 the district's final State Aid allocation for the current school
3 year. The January payment of State Aid and each subsequent payment
4 for the remainder of the school year shall be based on the final
5 State Aid allocation as calculated in subsection D of this section.
6 Except for reductions made due to the assessment of penalties by the
7 State Department of Education according to law, the January payment
8 of State Aid and each subsequent payment for the remainder of the
9 school year shall not decrease by an amount more than the amount
10 that the current chargeable revenue increases for that district.

11 B. The State Department of Education shall retain not less than
12 one and one-half percent (1 1/2%) of the total funds appropriated
13 for financial support of schools, to be used to make midyear
14 adjustments in State Aid and which shall be reflected in the final
15 allocations. If the amount of appropriated funds, including the one
16 and one-half percent (1 1/2%) retained, remaining after January 1 of
17 each year is not sufficient to fully fund the final allocations, the
18 Department shall recalculate each school district's remaining
19 allocation pursuant to subsection D of this section using the
20 reduced amount of appropriated funds.

21 C. On and after July 1, 1997, the amount of State Aid each
22 district shall receive shall be the sum of the Foundation Aid, the
23 Salary Incentive Aid, and the Transportation Supplement, as adjusted
24 pursuant to the provisions of ~~subsection G of this section and~~

1 Section 18-112.2 of this title; provided, no district having per
2 pupil revenue in excess of three hundred percent (300%) of the
3 average per pupil revenue of all districts shall receive any State
4 Aid or Supplement in State Aid.

5 The July calculation of per pupil revenue shall be determined by
6 dividing the district's second preceding year's total weighted
7 average daily membership (ADM) into the district's preceding year's
8 total revenues excluding federal revenue, insurance loss payments,
9 reimbursements, recovery of overpayments and refunds, unused
10 reserves, prior expenditures recovered, prior year surpluses, and
11 less the amount of any transfer fees paid in that year.

12 The December calculation of per pupil revenue shall be
13 determined by dividing the district's preceding year's total
14 weighted average daily membership (ADM) into the district's
15 preceding year's total revenues excluding federal revenue, insurance
16 loss payments, reimbursements, recovery of overpayments and refunds,
17 unused reserves, prior expenditures recovered, prior year surpluses,
18 and less the amount of any transfer fees paid in that year.

19 D. For the 1997-98 school year, and each school year
20 thereafter, Foundation Aid, the Transportation Supplement, and
21 Salary Incentive Aid shall be calculated as follows:

22 1. Foundation Aid shall be determined by subtracting the amount
23 of the Foundation Program Income from the cost of the Foundation
24 Program and adding to this difference the Transportation Supplement.

1 a. The Foundation Program shall be a district's higher
2 weighted average daily membership based on the first
3 nine (9) weeks of the current school year or the
4 preceding school year of a school district, as
5 determined by the provisions of subsection A of
6 Section 18-201.1 of this title and paragraphs 1, 2, 3,
7 and 4 of subsection B of Section 18-201.1 of this
8 title, multiplied by the Base Foundation Support
9 Level. However, for the portion of weighted
10 membership derived from nonresident, transferred
11 pupils enrolled in online courses, the Foundation
12 Program shall be a district's weighted average daily
13 membership of the preceding school year or the first
14 nine (9) weeks of the current school year, whichever
15 is greater, as determined by the provisions of
16 subsection A of Section 18-201.1 of this title and
17 paragraphs 1, 2, 3, and 4 of subsection B of Section
18 18-201.1 of this title, multiplied by the Base
19 Foundation Support Level.

20 b. The Foundation Program Income shall be the sum of the
21 following:

- 22 (1) ~~The~~ the adjusted assessed valuation of the
23 current school year of the school district, minus
24 the previous year protested ad valorem tax

1 revenues held as prescribed in Section 2884 of
2 Title 68 of the Oklahoma Statutes, multiplied by
3 the mills levied pursuant to subsection (c) of
4 Section 9 of Article X of the Oklahoma
5 Constitution, if applicable, as adjusted in
6 subsection (c) of Section 8A of Article X of the
7 Oklahoma Constitution. For purposes of this
8 subsection, the "adjusted assessed valuation of
9 the current school year" shall be the adjusted
10 assessed valuation on which tax revenues are
11 collected during the current school year, and
12 (2) ~~Seventy-five~~ seventy-five percent (75%) of the
13 amount received by the school district from the
14 proceeds of the county levy during the preceding
15 fiscal year, as levied pursuant to subsection (b)
16 of Section 9 of Article X of the Oklahoma
17 Constitution, ~~and~~
18 (3) motor vehicle collections, ~~and~~
19 (4) gross production tax, ~~and~~
20 (5) state apportionment, and
21 (6) R.E.A. tax.

22 The items listed in divisions (3), (4), (5), and (6)
23 of this subparagraph shall consist of the amounts
24 actually collected from such sources during the

preceding fiscal year calculated on a per capita basis
on the unit provided for by law for the distribution
of each such revenue.

2. The Transportation Supplement shall be equal to the average
daily haul times the per capita allowance times the appropriate
transportation factor.

a. The average daily haul shall be the number of children
in a district who are legally transported and who live
one and one-half (1 1/2) miles or more from school.

b. The per capita allowance shall be determined using the
following chart:

PER CAPITA		PER CAPITA	
DENSITY FIGURE	ALLOWANCE	DENSITY FIGURE	ALLOWANCE
3000 - .3083	\$167.00	.9334 - .9599	\$99.00
3084 - .3249	\$165.00	.9600 - .9866	\$97.00
3250 - .3416	\$163.00	.9867 - 1.1071	\$95.00
3417 - .3583	\$161.00	1.1072 - 1.3214	\$92.00
3584 - .3749	\$158.00	1.3215 - 1.5357	\$90.00
3750 - .3916	\$156.00	1.5358 - 1.7499	\$88.00
3917 - .4083	\$154.00	1.7500 - 1.9642	\$86.00
4084 - .4249	\$152.00	1.9643 - 2.1785	\$84.00
4250 - .4416	\$150.00	2.1786 - 2.3928	\$81.00
4417 - .4583	\$147.00	2.3929 - 2.6249	\$79.00
4584 - .4749	\$145.00	2.6250 - 2.8749	\$77.00

1	4750 - .4916	\$143.00	2.8750 - 3.1249	\$75.00
2	4917 - .5083	\$141.00	3.1250 - 3.3749	\$73.00
3	5084 - .5249	\$139.00	3.3750 - 3.6666	\$70.00
4	5250 - .5416	\$136.00	3.6667 - 3.9999	\$68.00
5	5417 - .5583	\$134.00	4.0000 - 4.3333	\$66.00
6	5584 - .5749	\$132.00	4.3334 - 4.6666	\$64.00
7	5750 - .5916	\$130.00	4.6667 - 4.9999	\$62.00
8	5917 - .6133	\$128.00	5.0000 - 5.5000	\$59.00
9	6134 - .6399	\$125.00	5.5001 - 6.0000	\$57.00
10	6400 - .6666	\$123.00	6.0001 - 6.5000	\$55.00
11	6667 - .6933	\$121.00	6.5001 - 7.0000	\$53.00
12	6934 - .7199	\$119.00	7.0001 - 7.3333	\$51.00
13	7200 - .7466	\$117.00	7.3334 - 7.6667	\$48.00
14	7467 - .7733	\$114.00	7.6668 - 8.0000	\$46.00
15	7734 - .7999	\$112.00	8.0001 - 8.3333	\$44.00
16	8000 - .8266	\$110.00	8.3334 - 8.6667	\$42.00
17	8267 - .8533	\$108.00	8.6668 - 9.0000	\$40.00
18	8534 - .8799	\$106.00	9.0001 - 9.3333	\$37.00
19	8800 - .9066	\$103.00	9.3334 - 9.6667	\$35.00
20	9067 - .9333	\$101.00	9.6668 or more	\$33.00

21 c. The formula transportation factor shall be 2.0.

22 3. Salary Incentive Aid shall be determined as follows:

23 a. Multiply the Incentive Aid guarantee by the district's
24 higher weighted average daily membership based on the

1 first nine (9) weeks of the current school year or the
2 preceding school year of a school district, as
3 determined by the provisions of subsection A of
4 Section 18-201.1 of this title and paragraphs 1, 2, 3,
5 and 4 of subsection B of Section 18-201.1 of this
6 title.

7 b. Divide the district's adjusted assessed valuation of
8 the current school year minus the previous year's
9 protested ad valorem tax revenues held as prescribed
10 in Section 2884 of Title 68 of the Oklahoma Statutes,
11 by one thousand (1,000) and subtract the quotient from
12 the product of subparagraph a of this paragraph. The
13 remainder shall not be less than zero (0).

14 c. Multiply the number of mills levied for general fund
15 purposes above the fifteen (15) mills required to
16 support Foundation Aid pursuant to division (1) of
17 subparagraph b of paragraph 1 of this subsection, not
18 including the county four-mill levy, by the remainder
19 of subparagraph b of this paragraph. The product
20 shall be the Salary Incentive Aid of the district.

21 E. By June 30, 1998, the State Department of Education shall
22 develop and the Department and all school districts shall have
23 implemented a student identification system which is consistent with
24 the provisions of subsections ~~C~~ D and ~~D~~ E of Section 3111 of Title

1 74 of the Oklahoma Statutes. The student identification system
2 shall be used specifically for the purpose of reporting enrollment
3 data by school sites and by school districts, the administration of
4 the Oklahoma School Testing Program Act, the collection of
5 appropriate and necessary data pursuant to the Oklahoma Educational
6 Indicators Program, determining student enrollment, establishing a
7 student mobility rate, allocation of the State Aid Formula, and
8 midyear adjustments in funding for student growth. This enrollment
9 data shall be submitted to the State Department of Education in
10 accordance with rules promulgated by the State Board of Education.
11 Funding for the development, implementation, personnel training, and
12 maintenance of the student identification system shall be set out in
13 a separate line item in the allocation section of the appropriation
14 bill for the State Board of Education for each year.

15 F. 1. In the event that ad valorem taxes of a school district
16 are determined to be uncollectible because of bankruptcy, clerical
17 error, or a successful tax protest, and the amount of such taxes
18 deemed uncollectible exceeds Fifty Thousand Dollars (\$50,000.00) or
19 an amount greater than twenty-five percent (25%) of ad valorem taxes
20 per tax year, or the valuation of a district is lowered by order of
21 the State Board of Equalization, the school district's State Aid,
22 for the school year that such ad valorem taxes are calculated in the
23 State Aid Formula, shall be determined by subtracting the net
24 assessed valuation of the property upon which taxes were deemed

1 uncollectible from the assessed valuation of the school district and
2 the state. Upon request of the local board of education, it shall
3 be the duty of the county assessor to certify to the Director of
4 Finance of the State Department of Education the net assessed
5 valuation of the property upon which taxes were determined
6 uncollectible.

7 2. In the event that the amount of funds a school district
8 receives for reimbursement from the Ad Valorem Reimbursement Fund is
9 less than the amount of funds claimed for reimbursement by the
10 school district due to insufficiency of funds as provided in Section
11 193 of Title 62 of the Oklahoma Statutes, then the school district's
12 assessed valuation for the school year that such ad valorem
13 reimbursement is calculated in the State Aid Formula shall be
14 adjusted accordingly.

15 G. ~~1. Notwithstanding the provisions of Section 18-112.2 of~~
16 ~~this title, a school district shall have its State Aid reduced by an~~
17 ~~amount equal to the amount of carryover in the general fund of the~~
18 ~~district as of June 30 of the preceding fiscal year, that is in~~
19 ~~excess of the following standards for two (2) consecutive years:~~

20	Total Amount of	Amount of
21	General Fund Collections,	General Fund
22	Excluding Previous Year	Balance
23	Cash Surplus as of June 30	Allowable
24	Less than \$1,000,000	48%

1	\$1,000,000 — \$2,999,999	42%
2	\$3,000,000 — \$3,999,999	36%
3	\$4,000,000 — \$4,999,999	30%
4	\$5,000,000 — \$5,999,999	24%
5	\$6,000,000 — \$7,999,999	22%
6	\$8,000,000 — \$9,999,999	19%
7	\$10,000,000 or more	17%

8 ~~2. By February 1 the State Department of Education shall send~~
 9 ~~by certified mail, with return receipt requested, to each school~~
 10 ~~district superintendent, auditor, and regional accreditation officer~~
 11 ~~a notice of and calculation sheet reflecting the general fund~~
 12 ~~balance penalty to be assessed against that school district.~~
 13 ~~Calculation of the general fund balance penalty shall not include~~
 14 ~~federal revenue. Within thirty (30) days of receipt of this written~~
 15 ~~notice the school district shall submit to the Department a written~~
 16 ~~reply either accepting or protesting the penalty to be assessed~~
 17 ~~against the district. If protesting, the school district shall~~
 18 ~~submit with its reply the reasons for rejecting the calculations and~~
 19 ~~documentation supporting those reasons. The Department shall review~~
 20 ~~all school district penalty protest documentation and notify each~~
 21 ~~district by March 15 of its finding and the final penalty to be~~
 22 ~~assessed to each district. General fund balance penalties shall be~~
 23 ~~assessed to all school districts by April 1.~~

24

1 ~~3. Any school district which receives proceeds from a tax~~
2 ~~settlement or a Federal Emergency Management Agency settlement~~
3 ~~during the last two (2) months of the preceding fiscal year shall be~~
4 ~~exempt from the penalties assessed in this subsection, if the~~
5 ~~penalty would occur solely as a result of receiving funds from the~~
6 ~~tax settlement.~~

7 ~~4. Any school district which receives an increase in State Aid~~
8 ~~because of a change in Foundation and/or Salary Incentive Aid~~
9 ~~factors during the last two (2) months of the preceding fiscal year~~
10 ~~shall be exempt from the penalties assessed in this subsection, if~~
11 ~~the penalty would occur solely as a result of receiving funds from~~
12 ~~the increase in State Aid.~~

13 ~~5. If a school district does not receive Foundation and/or~~
14 ~~Salary Incentive Aid during the preceding fiscal year, the State~~
15 ~~Board of Education may waive the penalty assessed in this subsection~~
16 ~~if the penalty would result in a loss of more than forty percent~~
17 ~~(40%) of the remaining State Aid to be allocated to the school~~
18 ~~district between April 1 and the remainder of the school year and if~~
19 ~~the Board determines the penalty will cause the school district not~~
20 ~~to meet remaining financial obligations.~~

21 ~~6. Any school district which receives gross production revenue~~
22 ~~apportionment during the 2002-2003 school year or in any subsequent~~
23 ~~school year that is greater than the gross production revenue~~
24 ~~apportionment of the preceding school year shall be exempt from the~~

~~penalty assessed in this subsection, if the penalty would occur solely as a result of the gross production revenue apportionment, as determined by the State Board of Education.~~

~~7. Beginning July 1, 2003, school districts that participate in consolidation or annexation pursuant to the provisions of the Oklahoma School Consolidation and Annexation Act shall be exempt from the penalty assessed in this subsection for the school year in which the consolidation or annexation occurs and for the next three (3) fiscal years.~~

~~8. Any school district which receives proceeds from a sales tax levied by a municipality pursuant to Section 22-159 of Title 11 of the Oklahoma Statutes or proceeds from a sales tax levied by a county pursuant to Section 1370 of Title 68 of the Oklahoma Statutes during the 2003-2004 school year or the 2004-2005 school year shall be exempt from the penalties assessed in this subsection, if the penalty would occur solely as a result of receiving funds from the sales tax levy.~~

~~9. Any school district which has an amount of carryover in the general fund of the district in excess of the limits established in paragraph 1 of this subsection during the fiscal years beginning July 1, 2020, July 1, 2021, July 1, 2022, and July 1, 2023, shall not be assessed a general fund balance penalty as provided for in this subsection.~~

1 ~~10. For purposes of calculating the general fund balance~~
2 ~~penalty, the terms "carryover" and "general fund balance" shall not~~
3 ~~include federal revenue.~~

4 ~~H.~~ In order to provide startup funds for the implementation of
5 early childhood programs, State Aid may be advanced to school
6 districts that initially start early childhood instruction at a
7 school site. School districts that desire such advanced funding
8 shall make application to the State Department of Education no later
9 than September 15 of each year and advanced funding shall be awarded
10 to the approved districts no later than October 30. The advanced
11 funding shall not exceed the per pupil amount of State Aid as
12 calculated in subsection D of this section per anticipated Head
13 Start eligible student. The total amount of advanced funding shall
14 be proportionately reduced from the monthly payments of the
15 district's State Aid payments during the last six (6) months of the
16 same fiscal year.

17 ~~H.~~ H. 1. Beginning July 1, 1996, the Oklahoma Tax Commission,
18 notwithstanding any provision of law to the contrary, shall report
19 monthly to the State Department of Education the monthly
20 apportionment of the following information:

- 21 a. the assessed valuation of property,
- 22 b. motor vehicle collections,
- 23 c. R.E.A. tax collected, and
- 24 d. gross productions tax collected.

1 2. Beginning July 1, 1997, the State Auditor and Inspector's
2 Office, notwithstanding any provision of law to the contrary, shall
3 report monthly to the State Department of Education the monthly
4 apportionment of the proceeds of the county levy.

5 3. Beginning July 1, 1996, the Commissioners of the Land
6 Office, notwithstanding any provision of law to the contrary, shall
7 report monthly to the State Department of Education the monthly
8 apportionment of state apportionment.

9 4. Beginning July 1, 1997, the county treasurers' offices,
10 notwithstanding any provision of law to the contrary, shall report
11 monthly to the State Department of Education the ad valorem tax
12 protest amounts for each county.

13 5. The information reported by the Tax Commission, the State
14 Auditor and Inspector's Office, the county treasurers' offices, and
15 the Commissioners of the Land Office, pursuant to this subsection
16 shall be reported by a school district on forms developed by the
17 State Department of Education.

18 SECTION 3. This act shall become effective July 1, 2024.

19 SECTION 4. It being immediately necessary for the preservation
20 of the public peace, health, or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

23
24 59-2-2489

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