

1 ENGROSSED SENATE AMENDMENT  
TO  
2 ENGROSSED HOUSE  
BILL NO. 2758

By: Caldwell (Trey), Burns,  
Fetgatter, Cantrell, and  
Crosswhite Hader of the  
House

and

Haste of the Senate

[ transportation - financing - Preserving and  
Advancing County Transportation Fund - provisions -  
allocations - methodologies - ratio - apportionment  
- taxes - codification - effective date -  
emergency ]

AUTHOR: Add the following House Coauthor: Miller

AUTHOR: Add the following Senate Coauthor: Woods

AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause  
and entire bill and insert

"[ transportation - financing - Preserving and  
Advancing County Transportation Fund - provisions -  
allocations - methodologies - ratio - apportionment -  
taxes - codification - effective date -  
emergency ]

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

2       SECTION 1.       NEW LAW       A new section of law to be codified  
3 in the Oklahoma Statutes as Section 508 of Title 69, unless there is  
4 created a duplication in numbering, reads as follows:

5       A. There is hereby created in the State Treasury a revolving  
6 fund to be designated as the "Preserving and Advancing County  
7 Transportation Fund" (PACT Fund). The fund shall be a continuing  
8 fund, not subject to fiscal year limitations, and shall consist of  
9 all monies directed for deposit to the fund by law including, but  
10 not limited to, apportionments made pursuant to paragraph 4 of  
11 subsection B of Section 1004 of Title 68 of the Oklahoma Statutes.  
12 All monies accruing to the credit of the fund are hereby  
13 appropriated and may be allocated, budgeted, and expended pursuant  
14 to subsections B and C of this section. Expenditures from the fund  
15 shall be made upon warrants issued by the State Treasurer against  
16 claims filed as prescribed by law with the Director of the Office of  
17 Management and Enterprise Services for approval and payment.

18       B. Fifty percent (50%) of the monies deposited to the credit of  
19 the PACT Fund shall be allocated to the various counties in a manner  
20 that increases a county's per county mile highway construction and  
21 maintenance ratio to a target ratio of Four Thousand Dollars  
22 (\$4,000.00) per county road mile, prioritizing counties with the  
23 lowest such ratio, until all of the various counties reach such  
24 target ratio. Any remaining amounts shall be allocated to the

1 various counties in the proportion which the certified county road  
2 miles of each county bears to the sum of county road miles in the  
3 state.

4 C. 1. Fifty percent (50%) of the monies deposited to the  
5 credit of the PACT Fund shall be allocated to the various counties  
6 as necessary for the reconstruction of county bridges on the portion  
7 of the county highway system defined as major collector routes in  
8 accordance with the provisions of Section 654 of Title 69 of the  
9 Oklahoma Statutes. Prior to any funds for such projects being  
10 allocated, the counties shall submit the proposed projects to the  
11 Department of Transportation, which shall evaluate and confirm  
12 whether the proposed projects are in accordance with the criteria  
13 provided for in this subsection prior to any funds for such projects  
14 being allocated.

15 2. Bridges proposed for reconstruction will be generally  
16 evaluated based on the state of project innovation, readiness,  
17 structural adequacy, safety, serviceability, functional  
18 obsolescence, essentiality for public use, structural deficiency  
19 ranking as captured in the most recent ODOT bridge summary report at  
20 the time of submission, and special reductions for characteristics  
21 such as detour length, traffic safety features, and current school  
22 bus routes.

23 D. Each county treasurer shall deposit such funds as received  
24 under the provisions of this section to the county's county highway

1 fund, and such funds shall be used for constructing and maintaining  
2 the county highway system.

3 SECTION 2. AMENDATORY 68 O.S. 2021, Section 1004, as  
4 amended by Section 1, Chapter 111, O.S.L. 2022 (68 O.S. Supp. 2024,  
5 Section 1004), is amended to read as follows:

6 Section 1004. A. As used in this section:

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

13 2. "Moving five-year average amount for oil" means, for  
14 purposes of the apportionments prescribed by this section, the  
15 amount of gross production tax on oil collected for each of the five  
16 (5) complete fiscal years, as computed by the State Board of  
17 Equalization pursuant to Section 34.103 of Title 62 of the Oklahoma  
18 Statutes.

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

22 1. For all monies collected from the tax levied on asphalt or  
23 ores bearing uranium, lead, zinc, jack, gold, silver, or copper:  
24

- 1 a. eighty-five and seventy-two one-hundredths percent  
2 (85.72%) shall be paid to the State Treasurer of the  
3 state to be placed in the General Revenue Fund of the  
4 state and used for the general expense of state  
5 government, to be paid out pursuant to direct  
6 appropriation by the Legislature,
- 7 b. seven and fourteen one-hundredths percent (7.14%) of  
8 the sum collected from natural gas ~~and/or~~ or  
9 casinghead gas or asphalt or ores bearing uranium,  
10 lead, zinc, jack, gold, silver, or copper shall be  
11 paid to the various county treasurers to be credited  
12 to the ~~County Highway Fund~~ county highway fund as  
13 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, and
- 17 c. seven and fourteen one-hundredths percent (7.14%)  
18 shall be allocated to each county as provided for in  
19 subparagraph b 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 2. For all monies collected from the tax levied on natural gas  
5 ~~and/or~~ or casinghead gas at a tax rate of seven percent (7%)  
6 pursuant to the provisions of subsection B of Section 1001 of this  
7 title:

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

21 b. until the apportionment to the General Revenue Fund  
22 equals the moving five-year average amount for gas as  
23 ~~prescribed~~ defined by paragraph 1 of subsection A of  
24 this section, eighty-five and seventy-two one-

1 hundredths percent (85.72%) shall be paid to the State  
2 Treasurer of the state to be placed in the General  
3 Revenue Fund of the state and used for the general  
4 expense of state government, to be paid out pursuant  
5 to direct appropriation by the Legislature,

6 c. before any other apportionment of revenue has been  
7 made pursuant to this paragraph, seven and fourteen  
8 one-hundredths percent (7.14%) of the sum collected  
9 from natural gas ~~and/or~~ or casinghead gas shall be  
10 paid to the various county treasurers to be credited  
11 to the ~~County Highway Fund~~ county highway fund as  
12 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, seven and fourteen  
18 one-hundredths percent (7.14%) shall be allocated to  
19 each county as provided for in subparagraph c of this  
20 paragraph and shall be apportioned, on an average  
21 daily attendance per capita distribution basis, as  
22 certified by the ~~State~~ Superintendent of Public  
23 Instruction to the school districts of the county  
24 where such pupils attend school regardless of

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

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

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

21 b. ~~until the apportionment to the General Revenue Fund~~  
22 ~~equals the moving five-year average amount for gas as~~  
23 ~~prescribed by paragraph 1 of subsection A of this~~  
24 ~~section, seventy-five percent (75%) shall be paid to~~



1           ~~the State Treasurer of the state to be placed in the~~  
2           ~~General Revenue Fund of the state and used for the~~  
3           ~~general expense of state government, to be paid out~~  
4           ~~pursuant to direct appropriation by the Legislature,~~  
5           ~~c. before any other apportionment of revenue has been~~  
6           ~~made pursuant to this paragraph, twelve and one-half~~  
7           ~~percent (12.5%) of the sum collected from natural gas~~  
8           ~~and/or casinghead gas shall be paid to the various~~  
9           ~~county treasurers to be credited to the County Highway~~  
10           ~~Fund as follows: Each county shall receive a~~  
11           ~~proportionate share of the funds available based upon~~  
12           ~~the proportion of the total value of production from~~  
13           ~~such county in the corresponding month of the~~  
14           ~~preceding year, and~~  
15           ~~d. before any other apportionment of revenue has been~~  
16           ~~made pursuant to this paragraph, twelve and one-half~~  
17           ~~percent (12.5%) shall be allocated to each county as~~  
18           ~~provided for in subparagraph c of this paragraph and~~  
19           ~~shall be apportioned, on an average daily attendance~~  
20           ~~per capita distribution basis, as certified by the~~  
21           ~~State Superintendent of Public Instruction to the~~  
22           ~~school districts of the county where such pupils~~  
23           ~~attend school regardless of residence of such pupil,~~  
24           ~~provided the school district makes an ad valorem tax~~

1                   ~~levy of fifteen (15) mills for the current year and~~  
2                   ~~maintains twelve (12) years of instruction;~~

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

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

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

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

5           ~~a. after the total revenue apportioned to the General~~  
6           ~~Revenue Fund as prescribed by subparagraph b of this~~  
7           ~~paragraph equals the moving five year average amount~~  
8           ~~for gas as defined by paragraph 1 of subsection A of~~  
9           ~~this section, there shall be apportioned from the~~  
10          ~~gross production tax levy imposed pursuant to Section~~  
11          ~~1001 of this title on gas to the Revenue Stabilization~~  
12          ~~Fund created by Section 34.102 of Title 62 of the~~  
13          ~~Oklahoma Statutes, the amount of revenue, if any,~~  
14          ~~which exceeds the moving five year average amount for~~  
15          ~~natural gas and/or casinghead gas as defined pursuant~~  
16          ~~to paragraph 1 of subsection A of this section,~~

17          ~~b. until the apportionment to the General Revenue Fund~~  
18          ~~equals the moving five year average amount for gas as~~  
19          ~~prescribed by paragraph 1 of subsection A of this~~  
20          ~~section, fifty percent (50%) shall be paid to the~~  
21          ~~State Treasurer to be placed in the General Revenue~~  
22          ~~Fund of the state and used for the general expense of~~  
23          ~~state government, to be paid out pursuant to direct~~  
24          ~~appropriation by the Legislature,~~

1 ~~e. before any other apportionment of revenue has been~~  
2 ~~made pursuant to this paragraph, twenty-five percent~~  
3 ~~(25%) of the sum collected from natural gas and/or~~  
4 ~~casinghead gas shall be paid to the various county~~  
5 ~~treasurers to be credited to the County Highway Fund~~  
6 ~~as follows: Each county shall receive a proportionate~~  
7 ~~share of the funds available based upon the proportion~~  
8 ~~of the total value of production from such county in~~  
9 ~~the corresponding month of the preceding year, and~~

10 ~~d. before any other apportionment of revenue has been~~  
11 ~~made pursuant to this paragraph, twenty-five percent~~  
12 ~~(25%) shall be allocated to each county as provided~~  
13 ~~for in subparagraph c of this paragraph and shall be~~  
14 ~~apportioned on an average daily attendance per capita~~  
15 ~~distribution basis, as certified by the State~~  
16 ~~Superintendent of Public Instruction, to the school~~  
17 ~~districts of the county where such pupils attend~~  
18 ~~school regardless of residence of such pupil, provided~~  
19 ~~the school district makes an ad valorem tax levy of~~  
20 ~~fifteen (15) mills for the current year and maintains~~  
21 ~~twelve (12) years of instruction;~~

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

- 1           a.    there shall be apportioned from the gross production  
2                tax levy imposed pursuant to Section 1001 of this  
3                title on oil to the Revenue Stabilization Fund created  
4                by Section 34.102 of Title 62 of the Oklahoma  
5                Statutes, after the applicable maximum amount  
6                prescribed by subsection C of this section has been  
7                deposited to the funds therein specified, the amount  
8                of revenue, if any, which would otherwise be  
9                apportioned to the General Revenue Fund and which  
10              exceeds the moving five-year average amount for oil as  
11              defined pursuant to paragraph 2 of subsection A of  
12              this section,
- 13          b.    before any other apportionment of revenue has been  
14                made pursuant to this paragraph, twenty-five and  
15                seventy-two one-hundredths percent (25.72%) shall be  
16                paid to the State Treasurer to be placed in the Common  
17                Education Technology Revolving Fund created in Section  
18                34.90 of Title 62 of the Oklahoma Statutes,
- 19          c.    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 Higher  
23                Education Capital Revolving Fund created in Section  
24                34.91 of Title 62 of the Oklahoma Statutes,

- d. before any other apportionment of revenue has been made pursuant to this paragraph, twenty-five and seventy-two one-hundredths percent (25.72%) 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 seven hundred forty-five one-thousandths percent (3.745%) 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 the Department of Transportation and approved by the Department of Transportation County Advisory Board created pursuant to Section 302.1 of Title 69 of the Oklahoma Statutes to be used for the purposes set forth in the County Bridge and Road Improvement Act. The formula shall be similar to the formula currently used for the distribution of monies in the County Bridge Program funds, but shall also take into consideration the effect of the terrain and traffic volume as related to county road improvement and maintenance costs,

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

(1) the following sources and in the following amounts through the fiscal year ending June 30, 2027:

(a) thirty-three and one-third percent (33 1/3%) to the Oklahoma Tourism and Recreation 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

1                   year beginning July 1, 2027, and for each fiscal  
2                   year thereafter,

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

13       h.   before any other apportionment of revenue has been  
14           made pursuant to this paragraph, seven and fourteen  
15           one-hundredths percent (7.14%) shall be allocated to  
16           each county as provided in subparagraph g of this  
17           paragraph and shall be apportioned, on an average  
18           daily attendance per capita distribution basis, as  
19           certified by the ~~State~~ Superintendent of Public  
20           Instruction, to the school districts of the county  
21           where such pupils attend school regardless of  
22           residence of such pupil, provided the school district  
23           makes an ad valorem tax levy of fifteen (15) mills for  
24



1 the current year and maintains twelve (12) years of  
2 instruction, and

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

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

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

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

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

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

19 ~~e. before any other apportionment of revenue has been~~  
20 ~~made pursuant to this paragraph, three and twenty~~  
21 ~~eight one-hundredths percent (3.28%) shall be~~  
22 ~~distributed to the various counties of the state for~~  
23 ~~deposit into the County Bridge and Road Improvement~~  
24 ~~Fund of each county based on a formula developed by~~

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

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

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

~~(a) thirty-three and one-third percent (33 1/3%)  
to the Oklahoma Tourism and Recreation  
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, 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  
of production from such county in the corresponding  
month of the preceding year,~~

1       ~~h. before any other apportionment of revenue has been~~  
2       ~~made pursuant to this paragraph, twelve and one-half~~  
3       ~~percent (12.5%) shall be allocated to each county as~~  
4       ~~provided in subparagraph g of this paragraph and shall~~  
5       ~~be apportioned on an average daily attendance per~~  
6       ~~capita 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      ~~8. For all monies collected from the tax levied on oil at a tax~~  
20      ~~rate of one percent (1%) pursuant to the provisions of subsection B~~  
21      ~~of Section 1001 of this title:~~

22      ~~a. fifty percent (50%) of the sum collected shall be paid~~  
23      ~~to the various county treasurers, to be credited to~~  
24      ~~the County Highway Fund as follows: Each county shall~~

1 ~~receive a proportionate share of the funds available~~  
2 ~~based upon the proportion of the total value of~~  
3 ~~production from such county in the corresponding month~~  
4 ~~of the preceding year, and~~

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

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

18 ~~a. there shall be apportioned from the gross production~~  
19 ~~tax levy imposed pursuant to Section 1001 of this~~  
20 ~~title on oil to the Revenue Stabilization Fund created~~  
21 ~~by Section 34.102 of Title 62 of the Oklahoma~~  
22 ~~Statutes, the amount of revenue, if any, which exceeds~~  
23 ~~the moving five-year average amount for oil as defined~~  
24

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

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

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

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

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



- b. until the apportionment to the General Revenue Fund equals the moving five-year average amount for gas as ~~prescribed~~ defined by paragraph 1 of subsection A of this section, ~~eighty percent (80%)~~ sixty percent (60%) shall be paid to the State Treasurer of the state to be placed in the General Revenue Fund of the state and used for the general expense of state government, to be paid out pursuant to direct appropriation by the Legislature,
- c. before any other apportionment of revenue has been made pursuant to this paragraph, ten percent (10%) of the sum collected from natural gas ~~and/or~~ or casinghead gas shall be paid to the various county treasurers to be credited to the ~~County Highway Fund~~ 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~~
- d. before any other apportionment of revenue has been made pursuant to this paragraph, ten percent (10%) 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

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 e. before any other apportionment of revenue has been  
9 made pursuant to this paragraph, twenty percent (20%)  
10 shall be remitted to the State Treasurer to be  
11 credited to the Preserving and Advancing County  
12 Transportation Fund created in Section 1 of this act,  
13 but in no event shall the total amount apportioned in  
14 any fiscal year pursuant to this subparagraph exceed  
15 Seventy-five Million Dollars (\$75,000,000.00). Any  
16 amounts in excess of Seventy-five Million Dollars  
17 (\$75,000,000.00) shall be placed in the General  
18 Revenue Fund of the state and used for the general  
19 expense of state government, to be paid out pursuant  
20 to direct appropriation by the Legislature; and

21 ~~11.~~ 5. On or after June 28, 2018, the gross production tax on  
22 oil levied at the rate of five percent (5%) provided for in  
23 paragraph 3 of subsection B of Section 1001 of this title shall be  
24 apportioned as follows:

- 1           a.    there shall be apportioned from the gross production  
2                tax levy imposed pursuant to Section 1001 of this  
3                title on oil to the Revenue Stabilization Fund created  
4                by Section 34.102 of Title 62 of the Oklahoma  
5                Statutes, after the applicable maximum amount  
6                prescribed by subsection C of this section has been  
7                deposited to the funds therein specified, the amount  
8                of revenue, if any, which would otherwise be  
9                apportioned to the General Revenue Fund and which  
10              exceeds the moving five-year average amount for oil as  
11              defined pursuant to paragraph 2 of subsection A of  
12              this section,
- 13          b.    before any other apportionment of revenue has been  
14                made pursuant to this paragraph, twenty-three and  
15                seventy-five one-hundredths percent (23.75%) shall be  
16                paid to the State Treasurer to be placed in the Common  
17                Education Technology Revolving Fund created in Section  
18                34.90 of Title 62 of the Oklahoma Statutes,
- 19          c.    before any other apportionment of revenue has been  
20                made pursuant to this paragraph, twenty-three and  
21                seventy-five one-hundredths percent (23.75%) shall be  
22                paid to the State Treasurer to be placed in the Higher  
23                Education Capital Revolving Fund created in Section  
24                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 the Department of Transportation and approved by the Department of Transportation County Advisory Board created pursuant to Section 302.1 of Title 69 of the Oklahoma Statutes to be used for the purposes set forth in the County Bridge and Road Improvement Act. The formula shall be similar to the formula currently used for the distribution of monies in the County Bridge Program funds, but shall also take into consideration the effect of the terrain and traffic volume as related to county road improvement and maintenance costs,

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

(1) the following sources and in the following amounts through the fiscal year ending June 30, 2027:

(a) thirty-three and one-third percent (33 1/3%) to the Oklahoma Tourism and Recreation 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

1                   year beginning July 1, 2027, and for each fiscal  
2                   year thereafter,

- 3       g.   before any other apportionment of revenue has been  
4           made pursuant to this paragraph, ten percent (10%) of  
5           the sum collected from oil shall be paid to the  
6           various county treasurers, to be credited to the  
7           ~~County Highway Fund~~ county highway fund as follows:  
8           Each county shall receive a proportionate share of the  
9           funds available based upon the proportion of the total  
10          value of production from such county in the  
11          corresponding month of the preceding year,
- 12       h.   before any other apportionment of revenue has been  
13           made pursuant to this paragraph, ten percent (10%)  
14           shall be allocated to each county as provided in  
15           subparagraph g of this paragraph and shall be  
16           apportioned on an average daily attendance per capita  
17           distribution basis, as certified by the ~~State~~  
18           Superintendent of Public Instruction, to the school  
19           districts of the county where such pupils attend  
20           school regardless of residence of such pupil, provided  
21           the school district makes an ad valorem tax levy of  
22           fifteen (15) mills for the current year and maintains  
23           twelve (12) years of instruction, and

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

C. Provided, notwithstanding any other provision of this section, the total amounts deposited to the Common Education Technology Revolving Fund, the Higher Education Capital Revolving Fund, the Oklahoma Student Aid Revolving Fund, the Rural Economic Action Plan Water Projects Fund, the Oklahoma Tourism and Recreation Department Capital Expenditure Revolving Fund, the Oklahoma Conservation Commission Infrastructure Revolving Fund, and the Community Water Infrastructure Development Revolving Fund pursuant to paragraphs ~~6, 7~~ 3 and ~~11~~ 5 of subsection B of this section shall not exceed One Hundred Fifty Million Dollars (\$150,000,000.00) in any fiscal year. Except as otherwise provided in this subsection, all sums in excess of One Hundred Fifty Million Dollars (\$150,000,000.00) in any fiscal year which would otherwise be deposited in such funds shall be apportioned by the Oklahoma Tax Commission to the General Revenue Fund of the state.

SECTION 3. This act shall become effective July 1, 2025.

SECTION 4. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby

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."

3 Passed the Senate the 5th day of May, 2025.

4

5

\_\_\_\_\_  
Presiding Officer of the Senate

6

7 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
8 2025.

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\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

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1 ENGROSSED HOUSE  
2 BILL NO. 2758

By: Caldwell (Trey), Burns,  
Fetgatter, Cantrell, and  
Crosswhite Hader of the  
House

4 and

5 Haste of the Senate

6  
7  
8 [ transportation - financing - Preserving and  
9 Advancing County Transportation Fund - provisions -  
10 allocations - methodologies - ratio - apportionment  
11 - taxes - codification - effective date -  
12 emergency ]

13  
14  
15  
16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 5. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 508 of Title 69, unless there is  
19 created a duplication in numbering, reads as follows:

20 A. There is hereby created in the State Treasury a revolving  
21 fund to be designated as the "Preserving and Advancing County  
22 Transportation Fund" (PACT Fund). The fund shall be a continuing  
23 fund, not subject to fiscal year limitations, and shall consist of  
24 all monies directed for deposit to the fund by law including, but

1 not limited to, apportionments made pursuant to paragraph 10 of  
2 subsection B of Section 1004 of Title 68 of the Oklahoma Statutes.  
3 All monies accruing to the credit of said fund are hereby  
4 appropriated and may be allocated, budgeted, and expended pursuant  
5 to subsection B of this section. Expenditures from said fund shall  
6 be made upon warrants issued by the State Treasurer against claims  
7 filed as prescribed by law with the Director of the Office of  
8 Management and Enterprise Services for approval and payment.

9 B. 1. Two-thirds (2/3) of the monies deposited to the credit  
10 of the PACT Fund shall be allocated as follows:

11 a. to the various counties in a manner that increases a  
12 county's per county mile highway construction and  
13 maintenance ratio to a target ratio of Four Thousand  
14 Dollars (\$4,000.00) per county road mile, prioritizing  
15 counties with the lowest such ratio, until all of the  
16 various counties reach such target ratio, and

17 b. any remaining amounts as follows:

18 (1) fifty percent (50%) shall be allocated to the  
19 various counties in the proportion which the  
20 certified county road miles of each county bears  
21 to the sum of county road miles in the state, and

22 (2) fifty percent (50%) shall be allocated to the  
23 various counties in the proportion which the  
24 number of county bridges in each county according

1 to the most recent ODOT Bridge Summary Report for  
2 County Bridges bears to the total sum of county  
3 bridges in the state according to such report.

4 2. One-third (1/3) of the monies deposited to the credit of the  
5 PACT Fund shall be allocated to the various counties in the  
6 proportion which the number of county bridges in each county  
7 according to the most recent ODOT Bridge Summary Report for County  
8 Bridges bears to the total sum of county bridges in the state  
9 according to such report.

10 Each county treasurer shall deposit such funds to the county's  
11 county highway fund and such funds shall be used for constructing  
12 and maintaining the county highway system.

13 SECTION 6. AMENDATORY 68 O.S. 2021, Section 1004, as  
14 amended by Section 1, Chapter 111, O.S.L. 2022 (68 O.S. Supp. 2024,  
15 Section 1004), is amended to read as follows:

16 Section 1004. A. As used in this section:

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

23 2. "Moving five-year average amount for oil" means, for  
24 purposes of the apportionments prescribed by this section, the

1 amount of gross production tax on oil collected for each of the five  
2 (5) complete fiscal years, as computed by the State Board of  
3 Equalization pursuant to Section 34.103 of Title 62 of the Oklahoma  
4 Statutes.

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

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

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

11 (85.72%) shall be paid to the State Treasurer of the

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

13 state and used for the general expense of state

14 government, to be paid out pursuant to direct

15 appropriation by the Legislature,

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

17 the sum collected from natural gas and/or casinghead

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

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

20 various county treasurers to be credited to the County

21 Highway Fund as follows: Each county shall receive a

22 proportionate share of the funds available based upon

23 the proportion of the total value of production from  
24

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

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

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

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

1           Section 34.102 of Title 62 of the Oklahoma Statutes,  
2           the amount of revenue, if any, which exceeds the  
3           moving five-year average amount for gas as defined  
4           pursuant to paragraph 1 of subsection A of this  
5           section,

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

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

d. before any other apportionment of revenue has been 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

1 to Section 34.102 of Title 62 of the Oklahoma  
2 Statutes, the amount of revenue, if any, which exceeds  
3 the moving five-year average amount for gas as defined  
4 pursuant to paragraph 1 of subsection A of this  
5 section,

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

14 c. before any other apportionment of revenue has been  
15 made pursuant to this paragraph, twelve and one-half  
16 percent (12.5%) of the sum collected from natural gas  
17 and/or casinghead gas shall be paid to the various  
18 county treasurers to be credited to the County Highway  
19 Fund as follows: Each county shall receive a  
20 proportionate share of the funds available based upon  
21 the proportion of the total value of production from  
22 such county in the corresponding month of the  
23 preceding year, and  
24



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

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

16           a.   fifty percent (50%) of the sum collected from natural  
17               gas and/or casinghead gas shall be paid to the various  
18               county treasurers to be credited to the County Highway  
19               Fund as follows: Each county shall receive a  
20               proportionate share of the funds available based upon  
21               the proportion of the total value of production from  
22               such county in the corresponding month of the  
23               preceding year, and  
24

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

11           5.   For all monies collected from the tax levied on natural gas  
12           and/or casinghead gas at a tax rate of two percent (2%) pursuant to  
13           the provisions of paragraph 3 of subsection B of Section 1001 of  
14           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 gas to the Revenue Stabilization  
22               Fund created by Section 34.102 of Title 62 of the  
23               Oklahoma Statutes, the amount of revenue, if any,  
24               which exceeds the moving five-year average amount for

- 1           natural gas and/or casinghead gas as defined pursuant  
2           to paragraph 1 of subsection A of this 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, fifty percent (50%) shall be paid to the  
7           State Treasurer to be placed in the General Revenue  
8           Fund of the state and used for the general expense of  
9           state government, to be paid out pursuant to direct  
10          appropriation by the Legislature,
- 11       c.   before any other apportionment of revenue has been  
12           made pursuant to this paragraph, twenty-five percent  
13           (25%) of the sum collected from natural gas and/or  
14           casinghead gas shall be paid to the various county  
15           treasurers to be credited to the County Highway Fund  
16           as follows: Each county shall receive a proportionate  
17           share of the funds available based upon the proportion  
18           of the total value of production from such county in  
19           the corresponding month of the preceding year, and
- 20       d.   before any other apportionment of revenue has been  
21           made pursuant to this paragraph, twenty-five percent  
22           (25%) shall be allocated to each county as provided  
23           for in 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;

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

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

1           seventy-two one-hundredths percent (25.72%) shall be  
2           paid to the State Treasurer to be placed in the Common  
3           Education Technology Revolving Fund created in Section  
4           34.90 of Title 62 of the Oklahoma Statutes,

5           c.   before any other apportionment of revenue has been  
6               made pursuant to this paragraph, twenty-five and  
7               seventy-two one-hundredths percent (25.72%) shall be  
8               paid to the State Treasurer to be placed in the Higher  
9               Education Capital Revolving Fund created in Section  
10              34.91 of Title 62 of the Oklahoma Statutes,

11           d.   before any other apportionment of revenue has been  
12               made pursuant to this paragraph, twenty-five and  
13               seventy-two one-hundredths percent (25.72%) shall be  
14               paid to the State Treasurer to be placed in the  
15               Oklahoma Student Aid Revolving Fund created in Section  
16               34.92 of Title 62 of the Oklahoma Statutes,

17           e.   before any other apportionment of revenue has been  
18               made pursuant to this paragraph, three and seven  
19               hundred forty-five one-thousandths percent (3.745%)  
20               shall be distributed to the various counties of the  
21               state for deposit into the County Bridge and Road  
22               Improvement Fund of each county based on a formula  
23               developed by the Department of Transportation and  
24               approved by the Department of Transportation County

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

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

14           (1) the following sources and in the following  
15               amounts through the fiscal year ending June 30,  
16               2027:

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

22               (b) thirty-three and one-third percent (33 1/3%)  
23                   to the Oklahoma Conservation Commission  
24                   Infrastructure Revolving Fund created

1                   pursuant to Section 3-2-110 of Title 27A of  
2                   the Oklahoma Statutes, and

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

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

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

21               h. before any other apportionment of revenue has been  
22                  made pursuant to this paragraph, seven and fourteen  
23                  one-hundredths percent (7.14%) shall be allocated to  
24                  each county as provided in subparagraph g 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, and

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

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

- a. there shall be apportioned from the gross production tax levy imposed pursuant to Section 1001 of this title on oil to the Revenue Stabilization Fund created by Section 34.102 of Title 62 of the Oklahoma Statutes, after the applicable maximum amount



1           prescribed by subsection C of this section has been  
2           deposited to the funds therein specified, the amount  
3           of revenue, if any, which would otherwise be  
4           apportioned to the General Revenue Fund and which  
5           exceeds the moving five-year average amount for oil as  
6           defined pursuant to paragraph 2 of subsection A of  
7           this section,

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

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

20           d.   before any other apportionment of revenue has been  
21                made pursuant to this paragraph, twenty-two and one-  
22              half percent (22.5%) shall be paid to the State  
23              Treasurer to be placed in the Oklahoma Student Aid  
24

1           Revolving Fund created in Section 34.92 of Title 62 of  
2           the Oklahoma Statutes,

3       e.   before any other apportionment of revenue has been  
4           made pursuant to this paragraph, three and twenty-  
5           eight one-hundredths percent (3.28%) shall be  
6           distributed to the various counties of the state for  
7           deposit into the County Bridge and Road Improvement  
8           Fund of each county based on a formula developed by  
9           the Department of Transportation and approved by the  
10          Department of Transportation County Advisory Board  
11          created pursuant to Section 302.1 of Title 69 of the  
12          Oklahoma Statutes to be used for the purposes set  
13          forth in the County Bridge and Road Improvement Act.  
14          The formula shall be similar to the formula currently  
15          used for the distribution of monies in the County  
16          Bridge Program funds, but shall also take into  
17          consideration the effect of the terrain and traffic  
18          volume as related to county road improvement and  
19          maintenance costs,

20       f.   before any other apportionment of revenue has been  
21           made pursuant to this paragraph, three and seventy-  
22           five one-hundredths percent (3.75%) shall be paid to  
23           the State Treasurer to be apportioned to:  
24

1 (1) the following sources and in the following  
2 amounts through the fiscal year ending June 30,  
3 2027:

4 (a) thirty-three and one-third percent (33 1/3%)  
5 to the Oklahoma Tourism and Recreation  
6 Department Capital Expenditure Revolving  
7 Fund created pursuant to Section 2254.1 of  
8 Title 74 of the Oklahoma Statutes,

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

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

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

23 g. before any other apportionment of revenue has been  
24 made pursuant to this paragraph, twelve and one-half

1           percent (12.5%) of the sum collected from oil shall be  
2           paid to the various county treasurers, to be credited  
3           to the County Highway Fund as follows: Each county  
4           shall receive a proportionate share of the funds  
5           available based upon the proportion of the total value  
6           of production from such county in the corresponding  
7           month of the preceding year,

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

20          i. before any other apportionment of revenue has been  
21          made pursuant to this paragraph, forty-seven one-  
22          hundredths percent (0.47%) of the levy shall be  
23          transmitted by the Tax Commission to the Statewide  
24

1           Circuit Engineering District Revolving Fund as created  
2           in Section 687.2 of Title 69 of the Oklahoma Statutes;

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

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

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

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

4            a. there shall be apportioned from the gross production  
5 tax levy imposed pursuant to Section 1001 of this  
6 title on oil to the Revenue Stabilization Fund created  
7 by Section 34.102 of Title 62 of the Oklahoma  
8 Statutes, the amount of revenue, if any, which exceeds  
9 the moving five-year average amount for oil as defined  
10 pursuant to paragraph 2 of subsection A of this  
11 section,

12           b. until the apportionment to the General Revenue Fund  
13 equals the moving five-year average amount for oil as  
14 prescribed by paragraph 2 of subsection A of this  
15 section, fifty percent (50%) shall be paid to the  
16 State Treasurer to be placed in the General Revenue  
17 Fund of the state and used for the general expense of  
18 state government, to be paid out pursuant to direct  
19 appropriation by the Legislature,

20           c. before any other apportionment of revenue has been  
21 made pursuant to this paragraph, twenty-five percent  
22 (25%) of the sum collected from oil shall be paid to  
23 the various county treasurers, to be credited to the  
24 County Highway Fund as follows: Each county shall

1 receive a proportionate share of the funds available  
2 based upon the proportion of the total value of  
3 production from such county in the corresponding month  
4 of the preceding year, and

- 5 d. before any other apportionment of revenue has been  
6 made pursuant to this paragraph, twenty-five percent  
7 (25%) shall be allocated to each county as provided in  
8 subparagraph c of this paragraph and shall be  
9 apportioned on an average daily attendance per capita  
10 distribution basis, as certified by the State  
11 Superintendent of Public Instruction, to the school  
12 districts of the county where such pupils attend  
13 school regardless of residence of such pupil, provided  
14 the school district makes an ad valorem tax levy of  
15 fifteen (15) mills for the current year and maintains  
16 twelve (12) years of instruction;

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

- 21 a. after the total revenue apportioned to the General  
22 Revenue Fund as prescribed by subparagraph b of this  
23 paragraph equals the moving five-year average amount  
24 for gas as defined by paragraph 1 of subsection A of

1           this section, there shall be apportioned from the  
2           gross production tax levy imposed pursuant to Section  
3           1001 of this title on natural gas and/or casinghead  
4           gas to the Revenue Stabilization Fund created pursuant  
5           to Section 34.102 of Title 62 of the Oklahoma  
6           Statutes, the amount of revenue, if any, which exceeds  
7           the moving five-year average amount for gas as defined  
8           pursuant to paragraph 1 of subsection A of this  
9           section,

10          b.   until the apportionment to the General Revenue Fund  
11               equals the moving five-year average amount for gas as  
12               prescribed by paragraph 1 of subsection A of this  
13               section, ~~eighty percent (80%)~~ sixty percent (60%)  
14               shall be paid to the State Treasurer of the state to  
15               be placed in the General Revenue Fund of the state and  
16               used for the general expense of state government, to  
17               be paid out pursuant to direct appropriation by the  
18               Legislature,

19          c.   before any other apportionment of revenue has been  
20               made pursuant to this paragraph, ten percent (10%) of  
21               the sum collected from natural gas and/or casinghead  
22               gas shall be paid to the various county treasurers to  
23               be credited to the County Highway Fund as follows:  
24               Each county shall receive a proportionate share of the



1 funds available based upon the proportion of the total  
2 value of production from such county in the  
3 corresponding month of the preceding year, ~~and~~  
4 d. before any other apportionment of revenue has been  
5 made pursuant to this paragraph, ten percent (10%)  
6 shall be allocated to each county as provided for in  
7 subparagraph c of this paragraph and shall be  
8 apportioned, on an average daily attendance per capita  
9 distribution basis, as certified by the State  
10 Superintendent of Public Instruction to the school  
11 districts of the county where such pupils attend  
12 school regardless of residence of such pupil, provided  
13 the school district makes an ad valorem tax levy of  
14 fifteen (15) mills for the current year and maintains  
15 twelve (12) years of instruction, and  
16 e. before any other apportionment of revenue has been  
17 made pursuant to this paragraph, twenty percent (20%)  
18 shall be remitted to the State Treasurer to be  
19 credited to the Preserving and Advancing County  
20 Transportation Fund created in Section 1 of this act,  
21 but in no event shall the total amount apportioned in  
22 any fiscal year pursuant to this subparagraph exceed  
23 Seventy-five Million Dollars (\$75,000,000.00). Any  
24 amounts in excess of Seventy-five Million Dollars

1           (\$75,000,000.00) shall be placed in the General  
2           Revenue Fund of the state and used for the general  
3           expense of state government, to be paid out pursuant  
4           to direct appropriation by the Legislature; and

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

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

21           b. before any other apportionment of revenue has been  
22           made pursuant to this paragraph, twenty-three and  
23           seventy-five one-hundredths percent (23.75%) shall be  
24           paid to the State Treasurer to be placed in the Common

- 1 Education Technology Revolving Fund created in Section  
2 34.90 of Title 62 of the Oklahoma Statutes,
- 3 c. before any other apportionment of revenue has been  
4 made pursuant to this paragraph, twenty-three and  
5 seventy-five one-hundredths percent (23.75%) shall be  
6 paid to the State Treasurer to be placed in the Higher  
7 Education Capital Revolving Fund created in Section  
8 34.91 of Title 62 of the Oklahoma Statutes,
- 9 d. before any other apportionment of revenue has been  
10 made pursuant to this paragraph, twenty-three and  
11 seventy-five one-hundredths percent (23.75%) shall be  
12 paid to the State Treasurer to be placed in the  
13 Oklahoma Student Aid Revolving Fund created in Section  
14 34.92 of Title 62 of the Oklahoma Statutes,
- 15 e. before any other apportionment of revenue has been  
16 made pursuant to this paragraph, three and twenty-  
17 eight one-hundredths percent (3.28%) shall be  
18 distributed to the various counties of the state for  
19 deposit into the County Bridge and Road Improvement  
20 Fund of each county based on a formula developed by  
21 the Department of Transportation and approved by the  
22 Department of Transportation County Advisory Board  
23 created pursuant to Section 302.1 of Title 69 of the  
24 Oklahoma Statutes to be used for the purposes set

1           forth in the County Bridge and Road Improvement Act.

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

8           f.   before any other apportionment of revenue has been  
9                made pursuant to this paragraph, five percent (5%)  
10              shall be paid to the State Treasurer to be apportioned  
11              to:

12           (1)   the following sources and in the following  
13                amounts through the fiscal year ending June 30,  
14                2027:

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

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

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

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

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

19 h. before any other apportionment of revenue has been  
20 made pursuant to this paragraph, ten percent (10%)  
21 shall be allocated to each county as provided in  
22 subparagraph g of this paragraph and shall be  
23 apportioned on an average daily attendance per capita  
24 distribution basis, as certified by the State

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

- 7 i. before any other apportionment of revenue has been  
8 made pursuant to this paragraph, forty-seven one-  
9 hundredths percent (0.47%) of the levy shall be  
10 transmitted by the Tax Commission to the Statewide  
11 Circuit Engineering District Revolving Fund as created  
12 in Section 687.2 of Title 69 of the Oklahoma Statutes.

13 C. Provided, notwithstanding any other provision of this  
14 section, the total amounts deposited to the Common Education  
15 Technology Revolving Fund, the Higher Education Capital Revolving  
16 Fund, the Oklahoma Student Aid Revolving Fund, the Rural Economic  
17 Action Plan Water Projects Fund, the Oklahoma Tourism and Recreation  
18 Department Capital Expenditure Revolving Fund, the Oklahoma  
19 Conservation Commission Infrastructure Revolving Fund and the  
20 Community Water Infrastructure Development Revolving Fund pursuant  
21 to paragraphs 6, 7 and 11 of subsection B of this section shall not  
22 exceed One Hundred Fifty Million Dollars (\$150,000,000.00) in any  
23 fiscal year. Except as otherwise provided in this subsection, all  
24 sums in excess of One Hundred Fifty Million Dollars

(\$150,000,000.00) in any fiscal year which would otherwise be deposited in such funds shall be apportioned by the Oklahoma Tax Commission to the General Revenue Fund of the state.

SECTION 7. This act shall become effective July 1, 2025.

SECTION 8. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 25th day of March, 2025.

Presiding Officer of the House  
of Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2025.

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Presiding Officer of the Senate