

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 674 By: Pugh of the Senate
3 and
4 Caldwell (Chad) of the
5 House
6
7

8 An Act relating to municipal zoning; amending 11 O.S.
9 2021, Section 43-106, which relates to additional
10 notice requirements for proposed zoning changes and
11 reclassifications; providing certain exception;
12 allowing charter schools to submit certain charter
school site plan; requiring certain municipal body to
take certain action; providing certain exemption;
updating statutory language; providing for
codification; and providing an effective date.

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16 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill
17 and insert:
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19 "An Act relating to charter schools; amending 70 O.S.
20 2021, Section 3-144, as amended by Section 13,
21 Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2024, Section
22 3-144), which relates to the Charter Schools
23 Incentive Fund; renaming fund; adding source of fund;
24 adding purpose of fund; amending 70 O.S. 2021,
Section 3-142, as last amended by Section 1, Chapter
396, O.S.L. 2024 (70 O.S. Supp. 2024, Section 3-142),
which relates to state funding for charter schools;
modifying certain calculation of weighted average
daily membership; modifying revolving fund to which

1 certain payments are to be made; directing the
2 Statewide Charter School Board to transfer certain
3 remaining balance upon certain date to certain fund;
4 and updating statutory references.
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6 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

7 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-144, as
8 amended by Section 13, Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2024,
9 Section 3-144), is amended to read as follows:

10 Section 3-144. A. There is hereby created in the State
11 Treasury a fund to be designated the "Charter Schools Incentive and
12 Closure Reimbursement Fund". The fund shall be a continuing fund,
13 not subject to fiscal year limitations, and shall consist of all
14 monies appropriated by the Legislature, gifts, grants, devises, and
15 donations from any public or private source, and all monies received
16 by the Statewide Charter School Board from charter schools pursuant
17 to subsection G of Section 3-142 of this title. The Statewide
18 Charter School Board shall administer the fund for the purpose of
19 providing financial support to charter school and virtual charter
20 school applicants and, charter schools and virtual charter schools
21 for start-up costs and, costs associated with renovating or
22 remodeling existing buildings and structures for use by a charter
23 school, and for paying expenditures incurred due to closure of a
24 charter school. The Statewide Charter School Board is authorized to

1 allocate funds on a per-pupil basis for purposes of providing
2 matching funds for the federal State Charter School Facilities
3 Incentive Grants Program created pursuant to the No Child Left
4 Behind Act of 2001, 20 ~~USCA~~ U.S.C., Section 7221d.

5 B. The Statewide Charter School Board shall adopt rules to
6 implement the provisions of this section including application and
7 notification requirements.

8 SECTION 2. AMENDATORY 70 O.S. 2021, Section 3-142, as
9 last amended by Section 1, Chapter 396, O.S.L. 2024 (70 O.S. Supp.
10 2024, Section 3-142), is amended to read as follows:

11 Section 3-142. A. The student membership and attendance of a
12 charter school shall be considered separate from the student
13 membership and attendance of the sponsor for the purpose of
14 calculating enrollment and funding including weighted average daily
15 membership pursuant to Section 18-201.1 of this title and State Aid
16 pursuant to Section 18-200.1 of this title. A charter school shall
17 receive the State Aid allocation, federal funds to which it is
18 eligible and qualifies for, and any other state-appropriated revenue
19 generated by its students for the applicable year. Not more than
20 three percent (3%) of the State Aid allocation may be charged by the
21 sponsor as a fee for administrative services rendered if the sponsor
22 is a school district, a comprehensive or regional institution of
23 higher education, a two-year college, a private institution of
24 higher learning accredited pursuant to Section 4103 of this title,

1 or a federally recognized Indian tribe pursuant to Section 3-132 of
2 this title. The Statewide Charter School Board shall not charge any
3 charter school or virtual charter school a fee for administrative or
4 other services. The State Department of Education shall determine
5 the policy and procedure for making payments to a charter school or
6 virtual charter school. The fee for administrative services as
7 authorized in this subsection shall only be assessed on the State
8 Aid allocation amount and shall not be assessed on any other
9 appropriated amounts. A sponsor of a charter school shall not
10 charge any additional State Aid allocation or charge the charter
11 school any additional fee above the amounts allowed by this
12 subsection unless the additional fees are for additional services
13 rendered. The charter school sponsor shall provide to the State
14 Department of Education financial records documenting any state
15 funds charged by the sponsor for administrative services rendered
16 for the previous year.

17 B. The fee for administrative services authorized by subsection
18 A of this section shall be used by the sponsor to provide oversight
19 and services to the charter schools it sponsors. The State
20 Department of Education shall develop data codes for the Oklahoma
21 Cost Accounting System which shall be used to comply with the
22 administrative services reporting required by this section. A
23 charter school sponsor shall publish a detailed report on its
24 website and present the report in a public meeting of the charter

1 school governing board and the charter school sponsor governing
2 board. The report shall provide sponsor performance and stewardship
3 including compliance with all applicable laws, regulations, and
4 terms of the charter contract and listing expenses related to
5 oversight and services provided by the sponsor to the charter
6 schools it sponsors.

7 C. For the purpose of calculating weighted average daily
8 membership pursuant to Section 18-201.1 of this title and State Aid
9 pursuant to Section 18-200.1 of this title, the weighted average
10 daily membership for the first year of operation of a new charter
11 school site or grade level or full-time statewide virtual charter
12 school shall be determined initially by multiplying the actual
13 enrollment of students as of August 1 by 1.333. The charter school
14 or virtual charter school shall receive revenue equal to that which
15 would be generated by the estimated weighted average daily
16 membership calculated pursuant to this subsection. At midyear, the
17 allocation for the charter school or virtual charter school shall be
18 adjusted using the first quarter weighted average daily membership
19 for the charter school or virtual charter school calculated pursuant
20 to subsection A of this section. For each subsequent school year,
21 weighted average daily membership shall be calculated as provided
22 for in Section 18-201.1 of this title, and State Aid shall be
23 calculated as provided for in Section 18-200.1 of this title.

1 D. Except as explicitly authorized by state law, a charter
2 school or virtual charter school shall not be eligible to receive
3 state-dedicated, local, or county revenue; provided, a charter
4 school or virtual charter school may be eligible to receive any
5 other aid, grants, or revenues allowed to other schools. A charter
6 school or virtual charter school shall be considered a local
7 education agency for purposes of funding.

8 E. Any unexpended funds received by a charter school or virtual
9 charter school may be reserved and used for future purposes. The
10 governing board of a charter school or virtual charter school shall
11 not levy taxes or issue bonds. If otherwise allowed by law, the
12 governing board of a charter school or virtual charter school may
13 enter into private contracts for the purposes of borrowing money
14 from lenders. If the governing board of the charter school or
15 virtual charter school borrows money, the charter school or virtual
16 charter school shall be solely responsible for repaying the debt,
17 and the state or the sponsor shall not in any way be responsible or
18 obligated to repay the debt.

19 F. Any charter school or virtual charter school which chooses
20 to lease property shall be eligible to receive current government
21 lease rates.

22 G. Except as otherwise provided in this subsection, each
23 charter school shall pay to the Charter ~~School~~ Schools Incentive and
24 Closure Reimbursement Revolving Fund created in ~~subsection H~~ Section

1 3-144 of this ~~section~~ title an amount equal to Five Dollars (\$5.00)
2 per student based on average daily membership, as defined by
3 paragraph 2 of Section 18-107 of this title, during the first nine
4 (9) weeks of the school year. Each charter school shall complete
5 the payment every school year within thirty (30) days after the
6 first nine (9) weeks of the school year. If the Charter ~~School~~
7 Schools Incentive and Closure Reimbursement ~~Revolving~~ Fund has a
8 balance of One Million Dollars (\$1,000,000.00) or more on July 1, no
9 payment shall be required the following school year.

10 H. ~~There is hereby created in the State Treasury a revolving~~
11 ~~fund for~~ Upon the effective date of this act, the Statewide Charter
12 School Board ~~to be designated the "Charter School Closure~~
13 ~~Reimbursement Revolving Fund". The fund shall be a continuing fund,~~
14 ~~not subject to fiscal year limitations, and shall consist of all~~
15 ~~monies received by the Statewide Charter School Board from charter~~
16 ~~schools as provided in subsection C of this section. All monies~~
17 ~~accruing to the credit of the fund are hereby appropriated and may~~
18 ~~be budgeted and expended by the Statewide Charter School Board for~~
19 ~~the purpose of paying for expenditures incurred due to the closure~~
20 ~~of a charter school. Expenditures from the fund shall be made upon~~
21 ~~warrants issued by the State Treasurer against claims filed as~~
22 ~~prescribed by law with the Director of the Office of Management and~~
23 ~~Enterprise Services for approval and payment~~ shall transfer all
24 funds remaining in the balance of the Charter School Closure

1 Reimbursement Revolving Fund to the Charter Schools Incentive and
2 Closure Reimbursement Fund created pursuant to Section 3-144 of this
3 title."

4 Passed the House of Representatives the 6th day of May, 2025.

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7 Presiding Officer of the House of
8 Representatives

9 Passed the Senate the ____ day of _____, 2025.

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12 Presiding Officer of the Senate
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1 ENGROSSED SENATE
2 BILL NO. 674

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7 An Act relating to municipal zoning; amending 11 O.S.
8 2021, Section 43-106, which relates to additional
9 notice requirements for proposed zoning changes and
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school site plan; requiring certain municipal body to
take certain action; providing certain exemption;
updating statutory language; providing for
codification; and providing an effective date.

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

15 SECTION 3. AMENDATORY 11 O.S. 2021, Section 43-106, is
16 amended to read as follows:

17 Section 43-106. A. Except as provided in Section 2 of this act
18 and as authorized in subsection B of this section, in addition to
19 the notice requirements provided for in Section 43-104 of this
20 title, notice of a public hearing on any proposed zoning change,
21 except by a municipality acting pursuant to subsection B of this
22 section and as provided in Section 2 of this act, shall be given
23 twenty (20) days prior to the hearing by mailing written notice by
24 the secretary of the planning commission, or by the municipal clerk

1 if there is no planning commission, to all the owners of real
2 property as provided for in Section 43-105 of this title. In
3 addition to the notice required in this subsection, if the zoning
4 change requested permits the use of treatment facilities, multiple
5 family facilities, transitional living facilities, halfway houses,
6 and any housing or facility that may be used for medical or
7 nonmedical detoxification as these terms are defined pursuant to
8 Section 3-403 of Title 43A of the Oklahoma Statutes, the entity
9 proposing the zoning change shall mail a written notice within
10 thirty (30) days of the hearing to all real property owners within
11 one-quarter (1/4) of a mile where the area to be affected is located
12 and shall be responsible for all costs incurred in mailing this
13 notice. The notice shall contain the:

- 14 1. Legal description of the property and the street address or
15 approximate location in the municipality;
- 16 2. Present zoning of the property and the zoning sought by the
17 applicant; and
- 18 3. Date, time, and place of the public hearing.

19 In addition to written notice requirements, notice may also be given
20 by posting notice of the hearing on the affected property at least
21 twenty (20) days before the date of the hearing.

22 For purposes of this subsection, "entity" means any individual,
23 corporation, company, firm, partnership, association, trust, state
24 agency, government instrumentality or agency, institution, county,

1 incorporated municipality or municipal authority or trust in which
2 any governmental entity is a beneficiary, venture, or other legal
3 entity however organized.

4 B. If a municipality proposes zoning reclassifications in order
5 to revise its comprehensive plan or official map or to identify
6 areas which require specific land use development due to topography,
7 geography, or other distinguishing features, including but not
8 limited to floodplain, drainage, historic preservation, and blighted
9 areas, the governing body may require, in addition to the notice
10 requirements provided for in Section 43-104 of this title, a sign to
11 be posted on designated properties within the area affected by the
12 proposed zoning reclassification. The sign and the lettering
13 thereon shall be of sufficient size so as to be clearly visible and
14 legible from the public street or streets toward which it faces.
15 The notice shall state:

- 16 1. The date, time, and place of the public hearing;
- 17 2. Who will conduct the public hearing;
- 18 3. The desired zoning classification;
- 19 4. The proposed use of the property; and
- 20 5. Other information as may be necessary to provide adequate
21 and timely public notice.

22 SECTION 4. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 43-116 of Title 11, unless there
24 is created a duplication in numbering, reads as follows:

1 A. Any charter school that is formed and operated under the
2 provisions of the Oklahoma Charter Schools Act and sponsored by the
3 Statewide Charter School Board shall, after acquiring a building not
4 currently zoned for use as an educational building, submit a charter
5 school site plan to the municipal governing body, municipal zoning
6 commission, or other such body with zoning authority in the
7 municipality where the building is located. Such charter school
8 site plan shall include information demonstrating an intention to
9 utilize the building as a charter school for at least the next five
10 (5) years beginning upon use and a plan that details how the
11 building may be altered or enhanced to facilitate the purpose of the
12 charter school.

13 B. Upon submission and review of such charter school site plan,
14 the municipal governing body, municipal zoning commission, or other
15 such body with zoning authority in the municipality where the
16 building is located shall approve the submitted plan and rezone the
17 building for use as an educational building or disapprove the
18 submitted plan and return such plan to the charter school with a
19 written explanation for the reason for the disapproval with an
20 option for resubmission.

21 C. Any business or entity with a location restricted by a
22 distance requirement to a school shall not be deemed in violation of
23 the distance restriction should a charter school be approved
24 pursuant to this act that otherwise places the business or entity in

noncompliance. If the business or entity ceases to operate or moves locations, any law on distance restriction to the charter school shall apply.

SECTION 5. This act shall become effective November 1, 2025.

Passed the Senate the 11th day of March, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2025.

Presiding Officer of the House
of Representatives