

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2758 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Trey Caldwell

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

PROPOSED
COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2758

By: Caldwell (Trey)

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to transportation financing; creating the Preserving and Advancing County Transportation Fund; establishing fund nature; providing revolving fund provisions; authorizing and limiting certain allocations, budgeting, and expenditure of funds; providing funds be distributed in certain proportions utilizing certain methodologies; establishing certain target ratio; requiring certain practice for depositing of funds; providing for certain use; amending 68 O.S. 2021, Section 1004, as amended by Section 1, Chapter 111, O.S.L. 2022 (68 O.S. Supp. 2024, Section 1004), which relates to the apportionment of gross production taxes; modifying certain apportionment; creating apportionment to Preserving and Advancing County Transportation Fund; limiting apportionment; providing for codification; providing an effective date; and declaring an emergency.

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

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

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

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

- 16 a. to the various counties in a manner that increases a
17 county's per county mile highway construction and
18 maintenance ratio to a target ratio of Four Thousand
19 Dollars (\$4,000.00) per county road mile, prioritizing
20 counties with the lowest such ratio, until all of the
21 various counties reach such target ratio, and
- 22 b. any remaining amounts as follows:
 - 23 (1) fifty percent (50%) shall be allocated to the
 - 24 various counties in the proportion which the

1 certified county road miles of each county bears
2 to the sum of county road miles in the state, and
3 (2) fifty percent (50%) shall be allocated to the
4 various counties in the proportion which the
5 number of county bridges in each county according
6 to the most recent ODOT Bridge Summary Report for
7 County Bridges bears to the total sum of county
8 bridges in the state according to such report,
9 and

10 2. One-third (1/3) of the monies deposited to the credit of the
11 PACT Fund shall be allocated to the various counties in the
12 proportion which the number of county bridges in each county
13 according to the most recent ODOT Bridge Summary Report for County
14 Bridges bears to the total sum of county bridges in the state
15 according to such report.

16 Each county treasurer shall deposit such funds to the county's
17 county highway fund and such funds shall be used for constructing
18 and maintaining the county highway system.

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

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

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

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

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

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

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

16 a. eighty-five and seventy-two one-hundredths percent
17 (85.72%) shall be paid to the State Treasurer of the
18 state to be placed in the General Revenue Fund of the
19 state and used for the general expense of state
20 government, to be paid out pursuant to direct
21 appropriation by the Legislature,

22 b. seven and fourteen one-hundredths percent (7.14%) of
23 the sum collected from natural gas and/or casinghead
24 gas or asphalt or ores bearing uranium, lead, zinc,

1 jack, gold, silver or copper shall be paid to the
2 various county treasurers to be credited to the County
3 Highway Fund as follows: Each county shall receive a
4 proportionate share of the funds available based upon
5 the proportion of the total value of production from
6 such county in the corresponding month of the
7 preceding year, and

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

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

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

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

11 b. until the apportionment to the General Revenue Fund
12 equals the moving five-year average amount for gas as
13 prescribed by paragraph 1 of subsection A of this
14 section, eighty-five and seventy-two one-hundredths
15 percent (85.72%) shall be paid to the State Treasurer
16 of the state to be placed in the General Revenue Fund
17 of the state and used for the general expense of state
18 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, seven and fourteen
22 one-hundredths percent (7.14%) of the sum collected
23 from natural gas and/or casinghead gas shall be paid
24 to the various county treasurers to be credited to the

1 County Highway Fund as follows: Each county shall
2 receive a proportionate share of the funds available
3 based upon the proportion of the total value of
4 production from such county in the corresponding month
5 of the preceding year, and

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

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

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

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

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

19 c. before any other apportionment of revenue has been
20 made pursuant to this paragraph, twelve and one-half
21 percent (12.5%) of the sum collected from natural gas
22 and/or casinghead gas shall be paid to the various
23 county treasurers to be credited to the County Highway
24 Fund as follows: Each county shall receive a

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

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

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

- 20 a. fifty percent (50%) of the sum collected from natural
21 gas and/or casinghead gas shall be paid to the various
22 county treasurers to be credited to the County Highway
23 Fund as follows: Each county shall receive a
24 proportionate share of the funds available based upon

1 the proportion of the total value of production from
2 such county in the corresponding month of the
3 preceding year, and

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

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

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

- Fund created by 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 natural gas and/or casinghead 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 by paragraph 1 of subsection A of this section, fifty percent (50%) shall be paid to the State Treasurer 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, twenty-five percent (25%) of the sum collected from natural gas and/or casinghead gas shall be paid to the various county treasurers to be credited to the County Highway Fund as follows: Each county shall receive a proportionate share of the funds available based upon the proportion of the total value of production from such county in the corresponding month of the preceding year, and
- d. before any other apportionment of revenue has been made pursuant to this paragraph, twenty-five percent

(25%) 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;

6. For all monies collected from the tax levied on oil at a tax rate of seven percent (7%) 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 prescribed by subsection C of this section has been deposited to the funds therein specified, the amount of revenue, if any, which would otherwise be apportioned to the General Revenue Fund and which exceeds the moving five-year average amount for oil as

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

3 b. before any other apportionment of revenue has been
4 made pursuant to this paragraph, twenty-five and
5 seventy-two one-hundredths percent (25.72%) shall be
6 paid to the State Treasurer to be placed in the Common
7 Education Technology Revolving Fund created in Section
8 34.90 of Title 62 of the Oklahoma Statutes,

9 c. before any other apportionment of revenue has been
10 made pursuant to this paragraph, twenty-five and
11 seventy-two one-hundredths percent (25.72%) shall be
12 paid to the State Treasurer to be placed in the Higher
13 Education Capital Revolving Fund created in Section
14 34.91 of Title 62 of the Oklahoma Statutes,

15 d. before any other apportionment of revenue has been
16 made pursuant to this paragraph, twenty-five and
17 seventy-two one-hundredths percent (25.72%) shall be
18 paid to the State Treasurer to be placed in the
19 Oklahoma Student Aid Revolving Fund created in Section
20 34.92 of Title 62 of the Oklahoma Statutes,

21 e. before any other apportionment of revenue has been
22 made pursuant to this paragraph, three and seven
23 hundred forty-five one-thousandths percent (3.745%)
24 shall be distributed to the various counties of the

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

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

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

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

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, seven and fourteen
one-hundredths percent (7.14%) 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

- 1 of the total value of production from such county in
2 the corresponding month of the preceding year,
- 3 h. before any other apportionment of revenue has been
4 made pursuant to this paragraph, seven and fourteen
5 one-hundredths percent (7.14%) shall be allocated to
6 each county as provided in subparagraph g of this
7 paragraph and shall be apportioned, on an average
8 daily attendance per capita distribution basis, as
9 certified by the State Superintendent of Public
10 Instruction, to the school districts of the county
11 where such pupils attend school regardless of
12 residence of such pupil, provided the school district
13 makes an ad valorem tax levy of fifteen (15) mills for
14 the current year and maintains twelve (12) years of
15 instruction, and
- 16 i. before any other apportionment of revenue has been
17 made pursuant to this paragraph, five hundred thirty-
18 five one-thousandths percent (0.535%) of the levy
19 shall be transmitted by the Oklahoma Tax Commission to
20 the Statewide Circuit Engineering District Revolving
21 Fund as created in Section 687.2 of Title 69 of the
22 Oklahoma Statutes;
- 23
24

1 7. For all monies collected from the tax levied on oil at a tax
2 rate of four percent (4%) pursuant to the provisions of subsection B
3 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, after the applicable maximum amount
9 prescribed by subsection C of this section has been
10 deposited to the funds therein specified, the amount
11 of revenue, if any, which would otherwise be
12 apportioned to the General Revenue Fund and which
13 exceeds the moving five-year average amount for oil as
14 defined pursuant to paragraph 2 of subsection A of
15 this section,

16 b. before any other apportionment of revenue has been
17 made pursuant to this paragraph, twenty-two and one-
18 half percent (22.5%) shall be paid to the State
19 Treasurer to be placed in the Common Education
20 Technology Revolving Fund created in Section 34.90 of
21 Title 62 of the Oklahoma Statutes,

22 c. before any other apportionment of revenue has been
23 made pursuant to this paragraph, twenty-two and one-
24 half percent (22.5%) shall be paid to the State

1 Treasurer to be placed in the Higher Education Capital
2 Revolving Fund created in Section 34.91 of Title 62 of
3 the Oklahoma Statutes,

4 d. before any other apportionment of revenue has been
5 made pursuant to this paragraph, twenty-two and one-
6 half percent (22.5%) shall be paid to the State
7 Treasurer to be placed in the Oklahoma Student Aid
8 Revolving Fund created in Section 34.92 of Title 62 of
9 the Oklahoma Statutes,

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

1 volume as related to county road improvement and
2 maintenance costs,

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

7 (1) the following sources and in the following
8 amounts through the fiscal year ending June 30,
9 2027:

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

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

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

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

5 g. 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 oil shall be
8 paid to the various county treasurers, to be credited
9 to the County Highway Fund as follows: Each county
10 shall receive a proportionate share of the funds
11 available based upon the proportion of the total value
12 of production from such county in the corresponding
13 month of the preceding year,

14 h. before any other apportionment of revenue has been
15 made pursuant to this paragraph, twelve and one-half
16 percent (12.5%) shall be allocated to each county as
17 provided in subparagraph g of this paragraph and shall
18 be apportioned on an average daily attendance per
19 capita distribution basis, as certified by the State
20 Superintendent of Public Instruction, to the school
21 districts of the county where such pupils attend
22 school regardless of residence of such pupil, provided
23 the school district makes an ad valorem tax levy of
24

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

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

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

- 12 a. fifty percent (50%) of the sum collected shall be paid
13 to the various county treasurers, to be credited to
14 the 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, and

- 19 b. fifty percent (50%) shall be allocated to each county
20 as provided for in subparagraph a of this paragraph
21 and shall be apportioned on an average daily
22 attendance per capita distribution basis, as certified
23 by the State Superintendent of Public Instruction, to
24 the school districts of the county where such pupils

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

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

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

16 b. until the apportionment to the General Revenue Fund
17 equals the moving five-year average amount for oil as
18 prescribed by paragraph 2 of subsection A of this
19 section, fifty percent (50%) shall be paid to the
20 State Treasurer to be placed in the General Revenue
21 Fund of the state and used for the general expense of
22 state government, to be paid out pursuant to direct
23 appropriation by the Legislature,
24

- 1 c. before any other apportionment of revenue has been
2 made pursuant to this paragraph, twenty-five percent
3 (25%) of the sum collected from oil shall be paid to
4 the various county treasurers, to be credited to the
5 County Highway Fund as follows: Each county shall
6 receive a proportionate share of the funds available
7 based upon the proportion of the total value of
8 production from such county in the corresponding month
9 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 in
13 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 10. On or after June 28, 2018, the gross production tax levied
23 on natural gas or casinghead gas at the rate of five percent (5%)
24

1 provided for in paragraph 3 of subsection B of Section 1001 of this
2 title shall be apportioned as follows:

- 3 a. after the total revenue apportioned to the General
4 Revenue Fund as prescribed by subparagraph b of this
5 paragraph equals the moving five-year average amount
6 for gas as defined by paragraph 1 of subsection A of
7 this section, there shall be apportioned from the
8 gross production tax levy imposed pursuant to Section
9 1001 of this title on natural gas and/or casinghead
10 gas to the Revenue Stabilization Fund created pursuant
11 to Section 34.102 of Title 62 of the Oklahoma
12 Statutes, the amount of revenue, if any, which exceeds
13 the moving five-year average amount for gas as defined
14 pursuant to paragraph 1 of subsection A of this
15 section,
- 16 b. until the apportionment to the General Revenue Fund
17 equals the moving five-year average amount for gas as
18 prescribed by paragraph 1 of subsection A of this
19 section, ~~eighty percent (80%)~~ sixty percent (60%)
20 shall be paid to the State Treasurer of the state to
21 be placed in the General Revenue Fund of the state and
22 used for the general expense of state government, to
23 be paid out pursuant to direct appropriation by the
24 Legislature,

- 1 c. before any other apportionment of revenue has been
2 made pursuant to this paragraph, ten percent (10%) of
3 the sum collected from natural gas and/or casinghead
4 gas shall be paid to the various county treasurers to
5 be credited to the County Highway Fund as follows:
6 Each county shall receive a proportionate share of the
7 funds available based upon the proportion of the total
8 value of production from such county in the
9 corresponding month of the preceding year, ~~and~~
- 10 d. before any other apportionment of revenue has been
11 made pursuant to this paragraph, ten percent (10%)
12 shall be allocated to each county as provided for in
13 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, and
- 22 e. before any other apportionment of revenue has been
23 made pursuant to this paragraph, twenty percent (20%)
24 shall be remitted to the State Treasurer to be

1 credited to the Preserving and Advancing County
2 Transportation Fund created in Section 1 of this act,
3 but in no event shall the total amount apportioned in
4 any fiscal year pursuant to this subparagraph exceed
5 Seventy-five Million Dollars (\$75,000,000.00). Any
6 amounts in excess of Seventy-five Million Dollars
7 (\$75,000,000.00) shall be placed in the General
8 Revenue Fund of the state and used for the general
9 expense of state government, to be paid out pursuant
10 to direct appropriation by the Legislature; and

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

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

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

3 b. 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 Common
7 Education Technology Revolving Fund created in Section
8 34.90 of Title 62 of the Oklahoma Statutes,

9 c. 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 Higher
13 Education Capital Revolving Fund created in Section
14 34.91 of Title 62 of the Oklahoma Statutes,

15 d. before any other apportionment of revenue has been
16 made pursuant to this paragraph, twenty-three and
17 seventy-five one-hundredths percent (23.75%) shall be
18 paid to the State Treasurer to be placed in the
19 Oklahoma Student Aid Revolving Fund created in Section
20 34.92 of Title 62 of the Oklahoma Statutes,

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

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

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

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

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

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, ten percent (10%) 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

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

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

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

21 C. Provided, notwithstanding any other provision of this
22 section, the total amounts deposited to the Common Education
23 Technology Revolving Fund, the Higher Education Capital Revolving
24 Fund, the Oklahoma Student Aid Revolving Fund, the Rural Economic

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

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

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

17

18 60-1-13052 JM 03/03/25

19

20

21

22

23

24