

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 2772

By: Caldwell (Trey) and Kane of
the House

and

Hall and Haste of the
Senate

COMMITTEE SUBSTITUTE

An Act relating to roads and bridges; amending 69
O.S. 2021, Section 1521, which relates to the
Rebuilding Oklahoma Access and Driving Safety Fund;
increasing apportionment to ROADS Fund; providing for
certain utilization of certain annual amounts for
certain purposes involving weigh stations;
eliminating certain limitation on appropriation
authority; eliminating certain duty of the State
Board of Equalization; clarifying and updating
references; providing an effective date; and
declaring an emergency.

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

SECTION 1. AMENDATORY 69 O.S. 2021, Section 1521, is
amended to read as follows:

Section 1521. A. There is hereby created in the State Treasury
a fund to be known as the "Rebuilding Oklahoma Access and Driver
Safety Fund". The fund shall be a continuing fund, not subject to

1 fiscal year limitations, and shall consist of all appropriations and
2 transfers made by the Legislature. All monies accruing to the
3 credit of the fund are hereby appropriated and may be budgeted and
4 expended by the Department of Transportation for the purposes
5 authorized by subsection ~~F~~ D of this section in amounts as
6 authorized by the Oklahoma Legislature. Expenditures from the fund
7 shall be made upon warrants issued by the State Treasurer against
8 claims filed as prescribed by law with the Director of the Office of
9 Management and Enterprise Services for approval and payment.

10 B. Beginning July 1, 2021, except for an amount equivalent to
11 the amount of revenue apportioned to the Rebuilding Oklahoma Access
12 and Driver Safety Fund pursuant to Section 500.4B of Title 68 and
13 Section 1104 of Title 47 of the Oklahoma Statutes and from other
14 sources apportioned to the Fund by law, there shall be apportioned
15 to the funds specified in this subsection from the monies that would
16 otherwise be apportioned to the General Revenue Fund by Section 2352
17 of Title 68 of the Oklahoma Statutes from the revenues derived
18 pursuant to subsections A, B and E of Section 2355 of Title 68 of
19 the Oklahoma Statutes amounts as follows:

20 1. Subject to any reductions required by subsection E of this
21 section, there shall be apportioned to the Rebuilding Oklahoma
22 Access and Driver Safety Fund:

- 23 a. for the fiscal year beginning July 1, 2021, and for
24 each fiscal year thereafter, Eighty Million Dollars

1 (\$80,000,000.00), which shall be allocated and used by
2 the Department of Transportation first for the purpose
3 of making any required payments for principal,
4 interest or other costs of borrowing with respect to
5 the obligations issued pursuant to Section 341 of
6 Title 73 of the Oklahoma Statutes and after any such
7 required payment has been made then for the purposes
8 otherwise authorized by this section, plus

9 b. the total amount apportioned to the Rebuilding
10 Oklahoma Access and Driver Safety Fund for the
11 preceding fiscal year which, except for the amount
12 prescribed by subparagraph a of this paragraph, shall
13 be apportioned before any other amount is apportioned
14 pursuant to Section 2352 of Title 68 of the Oklahoma
15 Statutes, plus

16 c. an additional amount that is required in order for the
17 total apportionment to the Rebuilding Oklahoma Access
18 and Driver Safety Fund from all sources for such
19 fiscal year to equal:

20 (1) Five Hundred Seventy-five Million Dollars
21 (\$575,000,000.00) for the fiscal year beginning
22 July 1, 2021, ~~and~~
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1 (2) Five Hundred Ninety Million Dollars

2 (\$590,000,000.00) for the fiscal year beginning
3 July 1, 2022, and

4 (3) Six Hundred Ten Million Dollars (\$610,000,000.00)

5 for the fiscal year beginning July 1, 2025, and
6 for each fiscal year thereafter.

7 All amounts apportioned pursuant to this paragraph shall be
8 divided into twelve equal amounts to be apportioned each month
9 during the fiscal year except the amount specified in subparagraph a
10 of this paragraph which amount shall be allocated in its full amount
11 in cash not later than July 30 each year or such later date as may
12 be required in order for the amount to be allocated in cash; and

13 2. For each fiscal year after the apportionments required by
14 paragraph 1 of this subsection have been made:

15 a. the next Two Million Dollars (\$2,000,000.00) shall be
16 apportioned to the Oklahoma Tourism and Passenger Rail
17 Revolving Fund created pursuant to Section 325 of
18 Title 66 of the Oklahoma Statutes to be used for
19 capital and operating costs for the "Heartland Flyer"
20 rail project, and

21 b. the next Three Million Dollars (\$3,000,000.00) shall
22 be apportioned to the Public Transit Revolving Fund
23 created pursuant to Section 4031 of this title to be
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1 used for purposes authorized by law other than the
2 purpose described by subparagraph a of this paragraph.

3 All amounts apportioned pursuant to this paragraph shall be
4 divided into twelve equal amounts to be apportioned each month
5 during the fiscal year.

6 ~~C. The monies apportioned to the Rebuilding Oklahoma Access and~~
7 ~~Driver Safety Fund shall not be used to supplant or replace existing~~
8 ~~state funds used for transportation purposes.~~

9 ~~D. In order to ensure that the funds from the ROADS Fund are~~
10 ~~used to enhance and not supplant state funding for the Department of~~
11 ~~Transportation, the State Board of Equalization shall examine and~~
12 ~~investigate expenditures from the fund each year. For purposes of~~
13 ~~this examination, monies used to retire outstanding debt obligations~~
14 ~~for which the Department of Transportation is responsible shall be~~
15 ~~excluded. At the meeting of the State Board of Equalization held~~
16 ~~within five (5) days after the monthly apportionment in February of~~
17 ~~each year, the State Board of Equalization shall issue a finding and~~
18 ~~report which shall state whether expenditures from the ROADS Fund~~
19 ~~were used to enhance or supplant state funding for the Department of~~
20 ~~Transportation. If the State Board of Equalization finds that state~~
21 ~~funding for the Department of Transportation was supplanted by funds~~
22 ~~from the ROADS Fund, the Board shall specify the amount by which~~
23 ~~such funding was supplanted. In this event, the Legislature shall~~
24 ~~not make any appropriations for the ensuing fiscal year until an~~

1 ~~appropriation in that amount is made to replenish state funding for~~
2 ~~the Department of Transportation.~~

3 ~~E.~~ In the event that the Director of the Office of Management
4 and Enterprise Services declares a General Revenue Fund revenue
5 failure pursuant to Section 34.49 of Title 62 of the Oklahoma
6 Statutes, and agency allocations are reduced pursuant to the
7 provisions of Section 34.49 of Title 62 of the Oklahoma Statutes,
8 the amounts that would otherwise be apportioned to the ROADS Fund
9 by:

10 1. Subparagraph a of paragraph 1 of subsection B of this
11 section, only to the extent that the amount is not required for debt
12 service related to the obligations authorized pursuant to Section
13 341 of Title 73 of the Oklahoma Statutes, Section 350 of Title 73 of
14 the Oklahoma Statutes and Section 1 of Enrolled House Bill No. 2896
15 of the 1st Session of the 58th Oklahoma Legislature;

16 2. Subparagraphs b and c of paragraph 1 of subsection B of this
17 section; and

18 3. Subparagraphs a and b of paragraph 2 of subsection B of this
19 section,

20 shall be reduced by a percentage equal to that required of the
21 General Revenue Fund appropriations to state agencies and such
22 reductions shall occur during the entire fiscal year and for any
23 month during which such reductions are required by the Office of
24 Management and Enterprise Services and by the same percentage as

1 that required of the agencies for such General Revenue Fund
2 appropriations.

3 ~~F.~~ D. The Department of Transportation shall use the monies in
4 the Rebuilding Oklahoma Access and Driver Safety Fund for:

5 1. The construction and maintenance of state roads, bridges and
6 highways;

7 2. The direct expenses of operating and maintaining the state
8 highway system, including bridges;

9 3. Direct expenses incurred in constructing, repairing, and
10 maintaining state highways, farm-to-market roads, county highways
11 and bridges as authorized by law;

12 4. Matching federal funds;

13 5. The purchase of materials, tools, machinery, motor vehicles,
14 and equipment necessary or convenient for the construction and
15 maintenance of the state highway system and bridges;

16 6. Debt service incurred prior to January 1, 2006, for Capital
17 Improvement Program bonds sold pursuant to Section 2001 of this
18 title; ~~and~~

19 7. Debt service incurred on or after July 1, 2009, with respect
20 to obligations authorized to be issued pursuant to Section 341 of
21 Title 73 of the Oklahoma Statutes, Section 350 of Title 73 of the
22 Oklahoma Statutes and Section 1 of Enrolled House Bill No. 2896 of
23 the 1st Session of the 58th Oklahoma Legislature; and
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1 8. For fiscal years beginning on or after July 1, 2025, and
2 ending on or prior to June 30, 2033, Twenty Million Dollars
3 (\$20,000,000.00) per fiscal year for the construction, repair, and
4 maintenance of weigh stations on the state highway system.

5 ~~G.~~ E. From the monies allocated pursuant to the provisions of
6 subparagraph a of paragraph 1 of subsection B of this section each
7 fiscal year, the Department of Transportation shall make payments
8 required for the payment of principal, interest and other costs
9 related to the obligations issued by the Oklahoma Capitol
10 Improvement Authority as authorized by Section 341 of Title 73 of
11 the Oklahoma Statutes, Section 350 of Title 73 of the Oklahoma
12 Statutes and Section 1 of Enrolled House Bill No. 2896 of the 1st
13 Session of the 58th Oklahoma Legislature, and such payments shall be
14 made by the Department each fiscal year before such monies are used
15 for any other purpose.

16 SECTION 2. This act shall become effective July 1, 2025.

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

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