

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SUBCOMMITTEE RECOMMENDATION
4 FOR

5 HOUSE BILL NO. 4478

6 By: Deck

7 SUBCOMMITTEE RECOMMENDATION

8 An Act relating to schools; amending 70 O.S. 2021,
9 Section 5-129, which relates to the school activity
10 fund; removing requirement to deposit certain funds
11 by end of the next business day; eliminating
12 reference to deposits for less than one hundred
13 dollars; requiring deposit when funds reach five
14 hundred dollars; requiring certain funds to be
15 deposited at least once per business week; providing
16 an effective date; and declaring an emergency.

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

18 SECTION 1. AMENDATORY 70 O.S. 2021, Section 5-129, is
19 amended to read as follows:

20 Section 5-129. A. The board of education of each school
21 district shall exercise control over all funds and revenues on hand
22 or hereafter received or collected, as herein provided, from student
23 or other extracurricular activities or other revenue-generating
24 sources listed in subsection B of this section that are conducted in
the school district. Such funds shall be deposited to the credit of
the account maintained for the benefit of the particular activity

1 within the school activity fund. Deposits of funds subject to the
2 requirements of this section shall be made ~~by the end of the next~~
3 ~~business day; however, if the deposit for a day totals less than One~~
4 ~~Hundred Dollars (\$100.00), a school district may accumulate monies~~
5 ~~required to be deposited into the fund on a daily basis until when~~
6 the total accumulated balance of deposits equals or exceeds ~~One~~
7 ~~Hundred Dollars (\$100.00)~~ Five Hundred Dollars (\$500.00). Provided,
8 a school district shall deposit accumulated monies into the fund not
9 less than one (1) time per business week, regardless of whether the
10 monies total ~~One Hundred Dollars (\$100.00)~~ Five Hundred Dollars
11 (\$500.00). Disbursements from each of the activity accounts shall
12 be by check countersigned by the school activity fund custodian and
13 shall not be used for any purpose other than that for which the
14 account was originally created. The board of education, at the
15 beginning of each fiscal year and as needed during each fiscal year,
16 shall approve all school activity fund subaccounts, all subaccount
17 fund-raising activities and all purposes for which the monies
18 collected in each subaccount can be expended. Provided, the board
19 of education may direct by written resolution that any balance in
20 excess of the amount needed to fulfill the function or purpose for
21 which an account was established may be transferred to another
22 account by the custodian.

23 B. The board of education of each school district may designate
24 that any of the following revenue be deposited for the use of

1 specific school activity accounts, or to a general activity fund
2 within the school activity fund:

3 1. Admissions to athletic contests, school or class plays,
4 carnivals, parties, dances and promenades;

5 2. Sale of student activity tickets;

6 3. Concession sales, including funds received from vending
7 concession contracts and school picture contracts approved by the
8 district board of education, and cafeteria or luncheon collections;

9 4. Dues, fees and donations to student clubs or other
10 organizations, provided that membership in such clubs or
11 organizations shall not be mandatory;

12 5. Income or revenue resulting from the operation of student
13 organizations or club projects, provided, such revenue is not
14 derived from the lease, rental or sale of property, supplies,
15 products or other assets belonging to the school district. When
16 approved by the board of education, student organizations or club
17 projects may include fund-raising activities, the revenues from
18 which may be used for the purpose of purchasing goods or services
19 otherwise considered to be general fund expenditures;

20 6. Deposits for or collections for the purchase of class
21 pictures, rings, pins, announcements, calling cards, annuals,
22 banquets, student insurance and other such personal items; provided
23 the cost of such items shall not be charged against other school
24 funds; and

1 7. Other income collected for use by school personnel and other
2 school-related adult functions.

3 C. The board of education of each district may establish petty
4 cash accounts to be used only for the purpose of making small cash
5 expenditures, such as postage, freight or express charges; provided,
6 no single expenditure from a petty cash account shall be made in
7 excess of Seventy-five Dollars (\$75.00), and the total expenditures
8 during any one (1) fiscal year shall not exceed Two Thousand Five
9 Hundred Dollars (\$2,500.00) per school building. The school
10 activity fund custodian shall initiate petty cash accounts by filing
11 a claim against the general fund of the school district for the
12 authorized amount of each petty cash account which shall not exceed
13 Two Hundred Dollars (\$200.00) per school building. The general fund
14 warrants issued in payment of said claim shall be deposited in a
15 "Petty Cash Account" in the school activity fund.

16 All disbursements from the petty cash accounts shall be made in
17 the same manner as other disbursements from the school activity
18 fund, except no disbursement shall be made from a petty cash account
19 unless a prenumbered, dated receipt be obtained and signed by the
20 person receiving payment. A school board may designate a petty cash
21 custodian to countersign petty cash checks in place of the activity
22 fund custodian. The school activity fund custodian shall file
23 claims against the general fund of the school district for
24 reimbursement of a petty cash account whenever the need shall arise.

1 Such claims shall be itemized in the same manner as other claims
2 filed against the general fund and shall have attached thereto the
3 receipts covering each of the expenditures claimed for
4 reimbursement. The total of a petty cash account balance and the
5 receipts on hand awaiting reimbursement should equal at all times
6 the authorized amount of a petty cash account.

7 None of the provisions pertaining to a petty cash account shall
8 be construed to authorize the use of one (1) fiscal year's fund to
9 pay obligations of another fiscal year. Any remaining balance in
10 each petty cash account shall be transferred to the general fund on
11 or before June 30 of each year.

12 D. The State Board of Education shall adopt appropriate rules
13 and regulations and design standard forms for the proper conduct of
14 the various school activity accounts.

15 E. The school activity fund custodian and the petty cash
16 custodian shall be appointed by the board of education of the school
17 district. The school activity fund custodian and the petty cash
18 custodian shall give a surety bond in an amount determined by the
19 board of education, but not less than One Thousand Dollars
20 (\$1,000.00). The premium of the surety bond shall be paid from the
21 school activity fund or the general fund.

22 F. The local board of education is hereby authorized to invest
23 activity funds as it determines appropriate. Upon direction of the
24 local board of education, the custodian of the activity fund shall

1 invest activity funds in any or all of the investments permitted and
2 listed in Section 5-115 of this title.

3 G. The board of education of a school district may establish,
4 by board resolution, a general fund refund subaccount within the
5 school activity fund. The balance in the subaccount shall be
6 determined by need, and it shall be funded by refunds and
7 reimbursements received, including but not limited to, rental
8 income, reimbursements for lost and damaged textbooks, summer school
9 and adult tuition, overpayments and tax refunds, as well as
10 transfers, by treasurer's check, from the school district general
11 fund. The subaccount may be expended only for the refund of
12 revenues previously received and deposited either into the
13 subaccount or directly into the general fund. Any remaining balance
14 in the refund subaccount shall be transferred to the school district
15 general fund on or before June 30 of each year.

16 H. The board of education of a school district may authorize
17 the custodian of the school activity funds to provide cash advances
18 to the sponsors for travel expenses on behalf of school district
19 students and sponsors of certain school activities. The cash
20 advances may only come from the school activity fund subaccount
21 directly involved in the travel of such students or sponsor and only
22 if the travel is one of the stated functions or purposes for the
23 establishment of the subaccount. Receipts for all expenditures of
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1 the cash advances shall be kept and turned in to the custodian of
2 the school activity fund following said trip.

3 I. Any invoice submitted to a school district which is to be
4 paid from a school activity fund and is for payment of an authorized
5 expenditure in an amount equal to or greater than the threshold
6 amount stated in Section 310.9 of Title 62 of the Oklahoma Statutes
7 shall conform to the requirements set forth in that section.

8 SECTION 2. This act shall become effective July 1, 2026.

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

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