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April 23, 2025

ENGROSSED HOUSE  
BILL NO. 2758

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

and

## Haste of the Senate

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

A. There is hereby created in the State Treasury a revolving fund to be designated as the "Preserving and Advancing County Transportation Fund" (PACT Fund). The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies directed for deposit to the fund by law including, but not limited to, apportionments made pursuant to paragraph 10 of subsection B of Section 1004 of Title 68 of the Oklahoma Statutes.

1 All monies accruing to the credit of said fund are hereby  
2 appropriated and may be allocated, budgeted, and expended pursuant  
3 to subsection B of this section. Expenditures from said fund shall  
4 be made upon warrants issued by the State Treasurer against claims  
5 filed as prescribed by law with the Director of the Office of  
6 Management and Enterprise Services for approval and payment.

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

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

15 b. any remaining amounts as follows:

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

20 (2) fifty percent (50%) shall be allocated to the  
21 various counties in the proportion which the  
22 number of county bridges in each county according  
23 to the most recent ODOT Bridge Summary Report for  
24

County Bridges bears to the total sum of county bridges in the state according to such report.

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

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

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

Section 1004. A. As used in this section:

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

2. "Moving five-year average amount for oil" means, for purposes of the apportionments prescribed by this section, the amount of gross production tax on oil collected for each of the five

1 (5) complete fiscal years, as computed by the State Board of  
2 Equalization pursuant to Section 34.103 of Title 62 of the Oklahoma  
3 Statutes.

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

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

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

10 (85.72%) shall be paid to the State Treasurer of the

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

12 state and used for the general expense of state

13 government, to be paid out pursuant to direct

14 appropriation by the Legislature,

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

16 the sum collected from natural gas and/or casinghead

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

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

19 various county treasurers to be credited to the County

20 Highway Fund as follows: Each county shall receive a

21 proportionate share of the funds available based upon

22 the proportion of the total value of production from

23 such county in the corresponding month of the

24 preceding year, and

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

12           2.   For all monies collected from the tax levied on natural gas  
13           and/or casinghead gas at a tax rate of seven percent (7%) pursuant  
14           to the provisions of subsection B of Section 1001 of 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 natural gas and/or casinghead  
22               gas to the Revenue Stabilization Fund created by  
23               Section 34.102 of Title 62 of the Oklahoma Statutes,  
24               the amount of revenue, if any, which exceeds the

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

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

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

23 d. before any other apportionment of revenue has been  
24 made pursuant to this paragraph, seven and fourteen

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

12          3. For all monies collected from the tax levied on natural gas  
13          and/or casinghead gas at a tax rate of four percent (4%) pursuant to  
14          the provisions of subsection B of Section 1001 of 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 natural gas and/or casinghead  
22           gas to the Revenue Stabilization Fund created pursuant  
23           to Section 34.102 of Title 62 of the Oklahoma  
24           Statutes, the amount of revenue, if any, which exceeds

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

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

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

22 d. before any other apportionment of revenue has been  
23 made pursuant to this paragraph, twelve and one-half  
24 percent (12.5%) 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;

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

a. fifty percent (50%) 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

b. fifty percent (50%) shall be allocated to each county as provided for in subparagraph a of this paragraph and shall be apportioned, on an average daily attendance per capita distribution basis, as certified

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

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

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

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

- 7 c. before any other apportionment of revenue has been  
8 made pursuant to this paragraph, twenty-five percent  
9 (25%) of the sum collected from natural gas and/or  
10 casinghead gas shall be paid to the various county  
11 treasurers to be credited to the County Highway Fund  
12 as 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, twenty-five percent  
18 (25%) shall be allocated to each county as provided  
19 for in subparagraph c 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 6. For all monies collected from the tax levied on oil at a tax  
5 rate of seven percent (7%) pursuant to the provisions of subsection  
6 B of Section 1001 of this title:

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

19 b. 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 Common  
23 Education Technology Revolving Fund created in Section  
24 34.90 of Title 62 of the Oklahoma Statutes,

- 1           c.   before any other apportionment of revenue has been  
2           made pursuant to this paragraph, twenty-five and  
3           seventy-two one-hundredths percent (25.72%) shall be  
4           paid to the State Treasurer to be placed in the Higher  
5           Education Capital Revolving Fund created in Section  
6           34.91 of Title 62 of the Oklahoma Statutes,
- 7           d.   before any other apportionment of revenue has been  
8           made pursuant to this paragraph, twenty-five and  
9           seventy-two one-hundredths percent (25.72%) shall be  
10          paid to the State Treasurer to be placed in the  
11          Oklahoma Student Aid Revolving Fund created in Section  
12          34.92 of Title 62 of the Oklahoma Statutes,
- 13          e.   before any other apportionment of revenue has been  
14          made pursuant to this paragraph, three and seven  
15          hundred forty-five one-thousandths percent (3.745%)  
16          shall be distributed to the various counties of the  
17          state for deposit into the County Bridge and Road  
18          Improvement Fund of each county based on a formula  
19          developed by the Department of Transportation and  
20          approved by the Department of Transportation County  
21          Advisory Board created pursuant to Section 302.1 of  
22          Title 69 of the Oklahoma Statutes to be used for the  
23          purposes set forth in the County Bridge and Road  
24          Improvement Act. The formula shall be similar to the

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

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

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

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

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

23 (c) thirty-three and one-third percent (33 1/3%)  
24 to the Community Water Infrastructure

1 Development Revolving Fund created pursuant  
2 to Section 1085.7A of Title 82 of the  
3 Oklahoma Statutes, and

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

8 g. before any other apportionment of revenue has been  
9 made pursuant to this paragraph, seven and fourteen  
10 one-hundredths percent (7.14%) of the sum collected  
11 from oil shall be paid to the various county  
12 treasurers, to be credited to the County Highway Fund  
13 as 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,

17 h. before any other apportionment of revenue has been  
18 made pursuant to this paragraph, seven and fourteen  
19 one-hundredths percent (7.14%) shall be allocated to  
20 each county as provided in subparagraph g of this  
21 paragraph and shall be apportioned, on an average  
22 daily attendance per capita distribution basis, as  
23 certified by the State Superintendent of Public  
24 Instruction, to the school districts of the county

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

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

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

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



1 exceeds the moving five-year average amount for oil as  
2 defined pursuant to paragraph 2 of subsection A of  
3 this section,

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

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

16 d. 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 Oklahoma Student Aid  
20 Revolving Fund created in Section 34.92 of Title 62 of  
21 the Oklahoma Statutes,

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

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

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

19 (1) the following sources and in the following  
20 amounts through the fiscal year ending June 30,  
21 2027:

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

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

3 h. before any other apportionment of revenue has been  
4 made pursuant to this paragraph, twelve and one-half  
5 percent (12.5%) shall be allocated to each county as  
6 provided in subparagraph g of this paragraph and shall  
7 be apportioned on an average daily attendance per  
8 capita 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 8. For all monies collected from the tax levied on oil at a tax  
22 rate of one percent (1%) pursuant to the provisions of subsection B  
23 of Section 1001 of this title:  
24

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

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

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

21          a.   there shall be apportioned from the gross production  
22          tax levy imposed pursuant to Section 1001 of this  
23          title on oil to the Revenue Stabilization Fund created  
24          by Section 34.102 of Title 62 of the Oklahoma

1 Statutes, the amount of revenue, if any, which exceeds  
2 the moving five-year average amount for oil as defined  
3 pursuant to paragraph 2 of subsection A of this  
4 section,

5 b. until the apportionment to the General Revenue Fund  
6 equals the moving five-year average amount for oil as  
7 prescribed by paragraph 2 of subsection A of this  
8 section, fifty percent (50%) shall be paid to the  
9 State Treasurer to be placed in the General Revenue  
10 Fund of the state and used for the general expense of  
11 state government, to be paid out pursuant to direct  
12 appropriation by the Legislature,

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

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

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

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

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

1           pursuant to paragraph 1 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 gas as  
5               prescribed by paragraph 1 of subsection A of this  
6               section, ~~eighty percent (80%)~~ sixty percent (60%)  
7               shall be paid to the State Treasurer of the state to  
8               be placed in the General Revenue Fund of the state and  
9               used for the general expense of state government, to  
10              be paid out pursuant to direct appropriation by the  
11              Legislature,

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

21           d.   before any other apportionment of revenue has been  
22               made pursuant to this paragraph, ten percent (10%)  
23               shall be allocated to each county as provided for in  
24               subparagraph c of this paragraph and shall be



1           apportioned, on an average daily attendance per capita  
2           distribution basis, as certified by the State  
3           Superintendent of Public Instruction to the school  
4           districts of the county where such pupils attend  
5           school regardless of residence of such pupil, provided  
6           the school district makes an ad valorem tax levy of  
7           fifteen (15) mills for the current year and maintains  
8           twelve (12) years of instruction, and

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

22           11. On or after June 28, 2018, the gross production tax on oil  
23           levied at the rate of five percent (5%) provided for in paragraph 3  
24

1 of subsection B of Section 1001 of this title shall be apportioned  
2 as follows:

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

15           b.   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 Common  
19               Education Technology Revolving Fund created in Section  
20               34.90 of Title 62 of the Oklahoma Statutes,

21           c.   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 Higher

1 Education Capital Revolving Fund created in Section  
2 34.91 of Title 62 of the Oklahoma Statutes,  
3 d. 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  
7 Oklahoma Student Aid Revolving Fund created in Section  
8 34.92 of Title 62 of the Oklahoma Statutes,  
9 e. before any other apportionment of revenue has been  
10 made pursuant to this paragraph, three and twenty-  
11 eight one-hundredths percent (3.28%) shall be  
12 distributed to the various counties of the state for  
13 deposit into the County Bridge and Road Improvement  
14 Fund of each county based on a formula developed by  
15 the Department of Transportation and approved by the  
16 Department of Transportation County Advisory Board  
17 created pursuant to Section 302.1 of Title 69 of the  
18 Oklahoma Statutes to be used for the purposes set  
19 forth in the County Bridge and Road Improvement Act.  
20 The formula shall be similar to the formula currently  
21 used for the distribution of monies in the County  
22 Bridge Program funds, but shall also take into  
23 consideration the effect of the terrain and traffic  
24

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, five percent (5%)  
5 shall be paid to the State Treasurer to be apportioned  
6 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, ten percent (10%) of  
7           the sum collected from oil shall be paid to the  
8           various county treasurers, to be credited to the  
9           County Highway Fund as follows: Each county shall  
10          receive a proportionate share of the funds available  
11          based upon the proportion of the total value of  
12          production from such county in the corresponding month  
13          of the preceding year,

14          h. before any other apportionment of revenue has been  
15          made pursuant to this paragraph, ten percent (10%)  
16          shall be allocated to each county as provided in  
17          subparagraph g of this paragraph and shall be  
18          apportioned on an average daily attendance per capita  
19          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           C.   Provided, notwithstanding any other provision of this  
10          section, the total amounts deposited to the Common Education  
11          Technology Revolving Fund, the Higher Education Capital Revolving  
12          Fund, the Oklahoma Student Aid Revolving Fund, the Rural Economic  
13          Action Plan Water Projects Fund, the Oklahoma Tourism and Recreation  
14          Department Capital Expenditure Revolving Fund, the Oklahoma  
15          Conservation Commission Infrastructure Revolving Fund and the  
16          Community Water Infrastructure Development Revolving Fund pursuant  
17          to paragraphs 6, 7 and 11 of subsection B of this section shall not  
18          exceed One Hundred Fifty Million Dollars (\$150,000,000.00) in any  
19          fiscal year. Except as otherwise provided in this subsection, all  
20          sums in excess of One Hundred Fifty Million Dollars  
21          (\$150,000,000.00) in any fiscal year which would otherwise be  
22          deposited in such funds shall be apportioned by the Oklahoma Tax  
23          Commission to the General Revenue Fund of the state.

24          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 declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
April 23, 2025 - DO PASS