

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3085

By: Kelley

AS INTRODUCED

An Act relating to revenue and taxation; amending 68 O.S. 2021, Section 1370.9, which relates to lodging taxes; modifying provisions related to applicability of tax; and providing an effective date.

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

SECTION 1. AMENDATORY 68 O.S. 2021, Section 1370.9, is amended to read as follows:

Section 1370.9. Lodging tax - Approval by voters - Designation of purpose - Revolving funds.

A. In addition to any other sales tax levied by a county pursuant to the provisions of Section 1350 et seq. of this title, any county of this state having a population of less than Two Hundred Thousand (200,000), according to the latest Federal Decennial Census, may levy a lodging tax, not to exceed five percent (5%), upon the gross proceeds or gross receipts derived from the service of furnishing of rooms by hotel, apartment hotel, or motel

1 and for the furnishing of any other facility for public lodging,
2 except campsites. Before such a tax may be levied by the county,
3 the imposition of the tax shall first be approved by a majority of
4 the registered voters of the county voting thereon at a special
5 election called by the board of county commissioners or by
6 initiative petition signed by not less than five percent (5%) of the
7 registered voters of the county who were registered at the time of
8 the last general election. However, if a majority of the registered
9 voters of a county voting fail to approve such a tax, the board of
10 county commissioners shall not call another special election for
11 such purpose for six (6) months. Any tax levied or any change in
12 the rate of a tax levied pursuant to the provisions of this section
13 shall become effective on the first day of the calendar quarter
14 following approval by the voters of the county unless another
15 effective date, which shall also be on the first day of a calendar
16 quarter, is specified in the ordinance or resolution levying the tax
17 or changing the rate of tax.

18 B. Any tax which may be levied by a county pursuant to the
19 provisions of this section shall be ~~inapplicable~~ applicable to the
20 furnishing of public lodging in the corporate limits of any
21 municipality in the county which has levied a lodging tax.

22 C. Any tax which may be levied by a county pursuant to the
23 provisions of this section shall be designated for a particular
24 purpose. The proceeds of any tax levied by a county pursuant to the

1 provisions of this section shall be deposited in the general revenue
2 or a lodging tax revolving fund of the county pursuant to subsection
3 E of this section.

4 D. The tax may be limited or unlimited in duration. The county
5 shall identify the duration of the tax when it is presented to the
6 voters pursuant to the provisions of subsection A of this section.

7 E. There are hereby created one or more county lodging tax
8 revolving funds in each county which levies a tax pursuant to the
9 provisions of this section if any or all of the proceeds of such tax
10 are not to be deposited in the general revenue fund of the county.
11 Each such revolving fund shall be designated for a particular
12 purpose and shall consist of all monies generated by such tax which
13 are designated for such purpose. Monies in such funds shall only be
14 expended for the purposes specifically designated as required by
15 this section. A county lodging tax revolving fund shall be a
16 continuing fund, not subject to fiscal year limitations.

17 F. 1. The particular purpose required by subsection C of this
18 section shall be presumed to include the following:

19 a. advertising the particular purpose within or without
20 this state, and

21 b. investing the funds and later expending the funds or
22 any earnings or both for the particular purpose.

23 2. The provisions of this subsection shall apply to any levy in
24 effect on or after July 1, 2009.

SECTION 2. This act shall become effective November 1, 2026.

60-2-14584 MAH 12/15/25