SENATE FLOOR VERSION
February 9, 2026

SENATE BILL NO. 1309 By: Jech of the Senate

and

Johns of the House

An Act relating to roads and bridges; amending 69 O.S. 2021, Section 1521, as amended by Section 1, Chapter 460, O.S.L. 2025 (69 O.S. Supp. 2025, Section 1521), which relates to the Rebuilding Oklahoma Access and Driver Safety Fund; modifying certain apportionment for certain fiscal years; updating statutory language; 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, as amended by Section 1, Chapter 460, O.S.L. 2025 (69 O.S. Supp. 2025, 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" <u>(ROADS Fund)</u>. The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all appropriations and transfers made by the Legislature. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Department of Transportation for the purposes authorized by subsection D of this section in amounts as authorized by the ~~Oklahoma~~ Legislature. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

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

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

a. for the fiscal year beginning July 1, ~~2021~~ 2026, and for each fiscal year thereafter, ~~Eighty~~ One Hundred Million Dollars ~~($80,000,000.00)~~ ($100,000,000.00), which shall be allocated and used by the Department of Transportation first for the purpose of making any required payments for principal, interest, or other costs of borrowing with respect to the obligations issued for the Department pursuant to Section ~~341~~ 151 et seq. of Title 73 of the Oklahoma Statutes and after any such required payment has been made then for the purposes otherwise authorized by this section, plus

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

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

(1) Five Hundred Seventy-five Million Dollars ($575,000,000.00) for the fiscal year beginning July 1, 2021,

(2) Five Hundred Ninety Million Dollars ($590,000,000.00) for the fiscal year beginning July 1, 2022, and

(3) Six Hundred Ten Million Dollars ($610,000,000.00) for the fiscal year beginning July 1, 2025, and for each fiscal year thereafter.

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

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

a. the next Two Million Dollars ($2,000,000.00) shall be apportioned to the Oklahoma Tourism and Passenger Rail Revolving Fund created pursuant to Section 325 of Title 66 of the Oklahoma Statutes to be used for capital and operating costs for the ~~“Heartland Flyer”~~ <u>Heartland Flyer</u> rail project, and

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

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

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

1. Subparagraph a of paragraph 1 of subsection B of this section, only to the extent that the amount is not required for debt service related to the obligations authorized pursuant to Section ~~341~~ 151 et seq. of Title 73 of the Oklahoma Statutes~~, Section 350 of Title 73 of the Oklahoma Statutes and Section 1 of Enrolled House Bill No. 2896 of the 1st Session of the 58th Oklahoma Legislature~~;

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

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

shall be reduced by a percentage equal to that required of the General Revenue Fund appropriations to state agencies and such reductions shall occur during the entire fiscal year and for any month during which such reductions are required by the Office of

Management and Enterprise Services and by the same percentage as that required of the agencies for such General Revenue Fund appropriations.

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

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

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

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

4. Matching federal funds;

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

6. Debt service incurred prior to January 1, 2006, for ~~Capital Improvement Program~~ Oklahoma Capitol Improvement Authority bonds sold pursuant to Section 2001 of this title;

7. Debt service incurred by the Department on or after July 1, 2009, with respect to obligations authorized to be issued pursuant to Section ~~341~~ 151 et seq. of Title 73 of the Oklahoma Statutes~~,~~ ~~Section 350 of Title 73 of the Oklahoma Statutes and Section 1 of~~

~~Enrolled House Bill No. 2896 of the 1st Session of the 58th Oklahoma Legislature~~; and

8. For fiscal years beginning on or after July 1, 2025, and ending on or prior to June 30, 2033, Twenty Million Dollars ($20,000,000.00) per fiscal year for the construction, repair, and maintenance of weigh stations on the state highway system.

E. From the monies allocated pursuant to the provisions of subparagraph a of paragraph 1 of subsection B of this section each fiscal year, the Department of Transportation shall make payments required for the payment of principal, interest, and other costs related to the obligations issued by the Oklahoma Capitol Improvement Authority for the Department as authorized by Section ~~341~~ 151 et seq. of Title 73 of the Oklahoma Statutes~~, Section 350 of Title 73 of the Oklahoma Statutes and Section 1 of Enrolled House Bill No. 2896 of the 1st Session of the 58th Oklahoma Legislature,~~ and such payments shall be made by the Department each fiscal year before such monies are used for any other purpose.

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

SECTION 3. 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 AERONAUTICS AND TRANSPORTATION
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