

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 67

By: Frix

AS INTRODUCED

An Act relating to roads and bridges; amending 69 O.S. 2021, Section 1521, which relates to the Rebuilding Oklahoma Access and Driver Safety Fund; modifying apportionment calculations and amounts for certain fiscal years; updating statutory language; updating statutory 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 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 F 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

1 filed as prescribed by law with the Director of the Office of
2 Management and Enterprise Services for approval and payment.

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

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

16 a. for the fiscal year beginning July 1, 2021, and for
17 each fiscal year thereafter, Eighty Million Dollars
18 (\$80,000,000.00), which shall be allocated and used by
19 the Department of Transportation first for the purpose
20 of making any required payments for principal,
21 interest, or other costs of borrowing with respect to
22 the obligations issued pursuant to Section 341 of
23 Title 73 of the Oklahoma Statutes and after any such
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- 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, ~~and~~
- (2) Five Hundred Ninety Million Dollars (\$590,000,000.00) for the fiscal year beginning July 1, 2022, ~~and~~
- (3) Six Hundred Forty Million Dollars (\$640,000,000.00) for the fiscal year beginning July 1, 2025,

1 (4) Six Hundred Ninety Million Dollars
2 (\$690,000,000.00) for the fiscal year beginning
3 July 1, 2026,

4 (5) Seven Hundred Forty Million Dollars
5 (\$740,000,000.00) for the fiscal year beginning
6 July 1, 2027,

7 (6) Seven Hundred Ninety Million Dollars
8 (\$790,000,000.00) for the fiscal year beginning
9 July 1, 2028,

10 (7) Eight Hundred Forty Million Dollars
11 (\$840,000,000.00) for the fiscal year beginning
12 July 1, 2029,

13 (8) Eight Hundred Ninety Million Dollars
14 (\$890,000,000.00) for the fiscal year beginning
15 July 1, 2030,

16 (9) Nine Hundred Forty Million Dollars
17 (\$940,000,000.00) for the fiscal year beginning
18 July 1, 2031,

19 (10) Nine Hundred Ninety Million Dollars
20 (\$990,000,000.00) for the fiscal year beginning
21 July 1, 2032, and

22 (11) One Billion Dollars (\$1,000,000,000.00) for the
23 fiscal year beginning July 1, 2033, and for each
24 fiscal year thereafter.

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

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

9 a. the next Two Million Dollars (\$2,000,000.00) shall be
10 apportioned to the Oklahoma Tourism and Passenger Rail
11 Revolving Fund created pursuant to Section 325 of
12 Title 66 of the Oklahoma Statutes to be used for
13 capital and operating costs for the "Heartland Flyer"
14 rail project, and

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

20 All amounts apportioned pursuant to this paragraph shall be
21 divided into twelve equal amounts to be apportioned each month
22 during the fiscal year.
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1 C. The monies apportioned to the Rebuilding Oklahoma Access and
2 Driver Safety Fund shall not be used to supplant or replace existing
3 state funds used for transportation purposes.

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

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

8 1. Subparagraph a of paragraph 1 of subsection B of this
9 section, only to the extent that the amount is not required for debt
10 service related to the obligations authorized pursuant to Section
11 341 of Title 73 of the Oklahoma Statutes, Section 350 of Title 73 of
12 the Oklahoma Statutes, ~~and Section 1 of Enrolled House Bill No. 2896~~
13 ~~of the 1st Session of the 58th Oklahoma Legislature~~ Section 350.1 of
14 Title 73 of the Oklahoma Statutes;

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

17 3. Subparagraphs a and b of paragraph 2 of subsection B of this
18 section,
19 shall be reduced by a percentage equal to that required of the
20 General Revenue Fund appropriations to state agencies and such
21 reductions shall occur during the entire fiscal year and for any
22 month during which such reductions are required by the Office of
23 Management and Enterprise Services and by the same percentage as
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1 that required of the agencies for such General Revenue Fund
2 appropriations.

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

5 1. The construction and maintenance of state roads, bridges,
6 and 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~~ Section 350.1 of
24 Title 73 of the Oklahoma Statutes.

1 G. From the monies allocated pursuant to the provisions of
2 subparagraph a of paragraph 1 of subsection B of this section each
3 fiscal year, the Department of Transportation shall make payments
4 required for the payment of principal, interest, and other costs
5 related to the obligations issued by the Oklahoma Capitol
6 Improvement Authority as authorized by Section 341 of Title 73 of
7 the Oklahoma Statutes, Section 350 of Title 73 of the Oklahoma
8 Statutes, and ~~Section 1 of Enrolled House Bill No. 2896 of the 1st~~
9 ~~Session of the 58th Oklahoma Legislature~~ Section 350.1 of Title 73
10 of the Oklahoma Statutes, and such payments shall be made by the
11 Department each fiscal year before such monies are used for any
12 other purpose.

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

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

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