

1                   **SENATE FLOOR VERSION**

2                   April 23, 2025

3 ENGROSSED HOUSE  
4 BILL NO. 2758

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

5  
6                   and

7                   Haste of the Senate

8  
9 [ transportation - financing - Preserving and  
10 Advancing County Transportation Fund - provisions -  
allocations - methodologies - ratio - apportionment -  
taxes - codification - effective date -  
11                   emergency ]

12  
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14                 SECTION 1.        NEW LAW        A new section of law to be codified  
15         in the Oklahoma Statutes as Section 508 of Title 69, unless there is  
16         created a duplication in numbering, reads as follows:

17                 A. There is hereby created in the State Treasury a revolving  
18         fund to be designated as the "Preserving and Advancing County  
19         Transportation Fund" (PACT Fund). The fund shall be a continuing  
20         fund, not subject to fiscal year limitations, and shall consist of  
21         all monies directed for deposit to the fund by law including, but  
22         not limited to, apportionments made pursuant to paragraph 10 of  
23         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

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

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

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

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

15 | Section 1004. A. As used in this section:

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

22        2. "Moving five-year average amount for oil" means, for  
23 purposes of the apportionments prescribed by this section, the  
24 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

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

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

c. before any other apportionment of revenue has been made pursuant to this paragraph, seven and fourteen one-hundredths percent (7.14%) 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

d. before any other apportionment of revenue has been 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

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

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

13                  a. fifty percent (50%) of the sum collected from natural  
14                 gas and/or casinghead gas shall be paid to the various  
15                 county treasurers to be credited to the County Highway  
16                 Fund as follows: Each county shall receive a  
17                 proportionate share of the funds available based upon  
18                 the proportion of the total value of production from  
19                 such county in the corresponding month of the  
20                 preceding year, and

21                  b. fifty percent (50%) shall be allocated to each county  
22                 as provided for in subparagraph a of this paragraph  
23                 and shall be apportioned, on an average daily  
24                 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

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       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:

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

b. before any other apportionment of revenue has been made pursuant to this paragraph, twenty-five and seventy-two one-hundredths percent (25.72%) shall be paid to the State Treasurer to be placed in the Common Education Technology Revolving Fund created in Section 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

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, seven and fourteen one-hundredths percent (7.14%) 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 of production from such county in the corresponding month of the preceding year,

h. before any other apportionment of revenue has been made pursuant to this paragraph, seven and fourteen one-hundredths percent (7.14%) shall be allocated to each county as provided in subparagraph g 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

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

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

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

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

(a) thirty-three and one-third percent (33 1/3%)  
to the Oklahoma Tourism and Recreation  
Department Capital Expenditure Revolving

1 Fund created pursuant to Section 2254.1 of  
2 Title 74 of the Oklahoma Statutes,

3 (b) thirty-three and one-third percent (33 1/3%)  
4 to the Oklahoma Conservation Commission  
5 Infrastructure Revolving Fund created  
6 pursuant to Section 3-2-110 of Title 27A of  
7 the Oklahoma Statutes, and

8 (c) thirty-three and one-third percent (33 1/3%)  
9 to the Community Water Infrastructure  
10 Development Revolving Fund created pursuant  
11 to Section 1085.7A of Title 82 of the  
12 Oklahoma Statutes, and

13 (2) the Oklahoma Water Resources Board Rural Economic  
14 Action Plan Water Projects Fund for the fiscal  
15 year beginning July 1, 2027, and for each fiscal  
16 year thereafter,

17 g. before any other apportionment of revenue has been  
18 made pursuant to this paragraph, twelve and one-half  
19 percent (12.5%) of the sum collected from oil shall be  
20 paid to the various county treasurers, to be credited  
21 to the County Highway Fund as follows: Each county  
22 shall receive a proportionate share of the funds  
23 available based upon the proportion of the total value  
24

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:

- a. fifty percent (50%) of the sum collected 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 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;

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:

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

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

- b. until the apportionment to the General Revenue Fund equals the moving five-year average amount for oil as prescribed by paragraph 2 of subsection A of this section, fifty percent (50%) shall be paid to the State Treasurer to be placed in the General Revenue Fund of the state and used for the general expense of state government, to be paid out pursuant to direct appropriation by the Legislature,
  - c. before any other apportionment of revenue has been made pursuant to this paragraph, twenty-five percent (25%) 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 of production from such county in the corresponding month of the preceding year, and
  - d. before any other apportionment of revenue has been made pursuant to this paragraph, twenty-five percent (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. 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

Education Capital Revolving Fund created in Section 34.91 of Title 62 of the Oklahoma Statutes,

d. before any other apportionment of revenue has been made pursuant to this paragraph, twenty-three and seventy-five one-hundredths percent (23.75%) shall be paid to the State Treasurer to be placed in the Oklahoma Student Aid Revolving Fund created in Section 34.92 of Title 62 of the Oklahoma Statutes,

e. before any other apportionment of revenue has been made pursuant to this paragraph, three and twenty-eight one-hundredths percent (3.28%) shall be distributed to the various counties of the state for deposit into the County Bridge and Road Improvement Fund of each county based on a formula developed by the Department of Transportation and approved by the Department of Transportation County Advisory Board created pursuant to Section 302.1 of Title 69 of the Oklahoma Statutes to be used for the purposes set forth in the County Bridge and Road Improvement Act. The formula shall be similar to the formula currently used for the distribution of monies in the County Bridge Program funds, but shall also take into consideration the effect of the terrain and traffic

volume as related to county road improvement and  
maintenance costs,

f. before any other apportionment of revenue has been  
made pursuant to this paragraph, five percent (5%)  
shall be paid to the State Treasurer to be apportioned  
to:

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

(a) thirty-three and one-third percent (33 1/3%)  
to the Oklahoma Tourism and Recreation  
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, ten percent (10%) 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 of production from such county in the corresponding month of the preceding year,

h. before any other apportionment of revenue has been made pursuant to this paragraph, ten percent (10%) shall be allocated to each county as provided in subparagraph g 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

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.

1 SECTION 4. It being immediately necessary for the preservation  
2 of the public peace, health or safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

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

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