

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE  
FOR  
5 HOUSE BILL NO. 2758

By: Caldwell (Trey)

6

7

8                   COMMITTEE SUBSTITUTE

9                   [ transportation - financing - Fund - provisions -  
10                   allocations - methodologies - ratio - apportionment  
11                   - taxes - codification - effective date -  
12                   emergency ]

13

14

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

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

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

1 subsection B of Section 1004 of Title 68 of the Oklahoma Statutes.  
2 All monies accruing to the credit of said fund are hereby  
3 appropriated and may be allocated, budgeted, and expended pursuant  
4 to subsection B of this section. Expenditures from said fund shall  
5 be made upon warrants issued by the State Treasurer against claims  
6 filed as prescribed by law with the Director of the Office of  
7 Management and Enterprise Services for approval and payment.

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

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

16           b. any remaining amounts as follows:

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

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

1                   County Bridges bears to the total sum of county  
2                   bridges in the state according to such report,  
3                   and

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

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

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

16                  Section 1004. A. As used in this section:

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

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

1 amount of gross production tax on oil collected for each of the five  
2 (5) complete fiscal years, as computed by the State Board of  
3 Equalization pursuant to Section 34.103 of Title 62 of the Oklahoma  
4 Statutes.

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

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

a. 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,

b. seven and fourteen one-hundredths percent (7.14%) of the sum collected from natural gas and/or casinghead gas or asphalt or ores bearing uranium, lead, zinc, jack, gold, silver or copper 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

c. seven and fourteen one-hundredths percent (7.14%) shall be allocated to each county as provided for in subparagraph b 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;

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

a. after the total revenue apportioned to the General Revenue Fund as prescribed by subparagraph b of this paragraph equals the moving five-year average amount for gas as defined by paragraph 1 of subsection A of this section, there shall be apportioned from the gross production tax levy imposed pursuant to Section 1001 of this title on natural gas and/or casinghead gas to the Revenue Stabilization Fund created by

1                   Section 34.102 of Title 62 of the Oklahoma Statutes,  
2                   the amount of revenue, if any, which exceeds the  
3                   moving five-year average amount for gas as defined  
4                   pursuant to paragraph 1 of subsection A of this  
5                   section,

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

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

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

14                 3. For all monies collected from the tax levied on natural gas

15                 and/or casinghead gas at a tax rate of four percent (4%) pursuant to  
16                 the provisions of subsection B of Section 1001 of this title:

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

1                   to Section 34.102 of Title 62 of the Oklahoma  
2                   Statutes, the amount of revenue, if any, which exceeds  
3                   the moving five-year average amount for gas as defined  
4                   pursuant to paragraph 1 of subsection A of this  
5                   section,

6                   b. until the apportionment to the General Revenue Fund  
7                   equals the moving five-year average amount for gas as  
8                   prescribed by paragraph 1 of subsection A of this  
9                   section, seventy-five percent (75%) shall be paid to

10                  the State Treasurer of the state to be placed in the  
11                  General Revenue Fund of the state and used for the  
12                  general expense of state government, to be paid out  
13                  pursuant to direct appropriation by the Legislature,

14                  c. before any other apportionment of revenue has been  
15                  made pursuant to this paragraph, twelve and one-half  
16                  percent (12.5%) of the sum collected from natural gas

17                  and/or casinghead gas shall be paid to the various  
18                  county treasurers to be credited to the County Highway

19                  Fund as follows: Each county shall receive a

20                  proportionate share of the funds available based upon

21                  the proportion of the total value of production from

22                  such county in the corresponding month of the

23                  preceding year, and

1                   d. before any other apportionment of revenue has been  
2                   made pursuant to this paragraph, twelve and one-half  
3                   percent (12.5%) shall be allocated to each county as  
4                   provided for in subparagraph c of this paragraph and  
5                   shall be apportioned, on an average daily attendance  
6                   per capita distribution basis, as certified by the  
7                   State Superintendent of Public Instruction to the  
8                   school districts of the county where such pupils  
9                   attend school regardless of residence of such pupil,  
10                  provided the school district makes an ad valorem tax  
11                  levy of fifteen (15) mills for the current year and  
12                  maintains twelve (12) years of instruction;

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

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

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

11                 5. For all monies collected from the tax levied on natural gas

12                 and/or casinghead gas at a tax rate of two percent (2%) pursuant to

13                 the provisions of paragraph 3 of subsection B of Section 1001 of

14                 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 gas to the Revenue Stabilization  
22                 Fund created by Section 34.102 of Title 62 of the  
23                 Oklahoma Statutes, the amount of revenue, if any,  
24                 which exceeds the moving five-year average amount for

- 1                   natural gas and/or casinghead gas as defined pursuant  
2                   to paragraph 1 of subsection A of this 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, fifty percent (50%) shall be paid to the  
7                   State Treasurer to be placed in the General Revenue  
8                   Fund of the state and used for the general expense of  
9                   state government, to be paid out pursuant to direct  
10                  appropriation by the Legislature,
- 11       c.       before any other apportionment of revenue has been  
12                  made pursuant to this paragraph, twenty-five percent  
13                  (25%) of the sum collected from natural gas and/or  
14                  casinghead gas shall be paid to the various county  
15                  treasurers to be credited to the County Highway Fund  
16                  as follows: Each county shall receive a proportionate  
17                  share of the funds available based upon the proportion  
18                  of the total value of production from such county in  
19                  the corresponding month of the preceding year, and
- 20       d.       before any other apportionment of revenue has been  
21                  made pursuant to this paragraph, twenty-five percent  
22                  (25%) shall be allocated to each county as provided  
23                  for in subparagraph c of this paragraph and shall be  
24                  apportioned on an average daily attendance per capita

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

8 6. For all monies collected from the tax levied on oil at a tax  
9 rate of seven percent (7%) pursuant to the provisions of subsection  
10 B of Section 1001 of this title:

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

23 b. before any other apportionment of revenue has been  
24 made pursuant to this paragraph, twenty-five and

1                   seventy-two one-hundredths percent (25.72%) shall be  
2                   paid to the State Treasurer to be placed in the Common  
3                   Education Technology Revolving Fund created in Section  
4                   34.90 of Title 62 of the Oklahoma Statutes,  
5                   c. before any other apportionment of revenue has been  
6                   made pursuant to this paragraph, twenty-five and  
7                   seventy-two one-hundredths percent (25.72%) shall be  
8                   paid to the State Treasurer to be placed in the Higher  
9                   Education Capital Revolving Fund created in Section  
10                  34.91 of Title 62 of the Oklahoma Statutes,  
11                  d. before any other apportionment of revenue has been  
12                  made pursuant to this paragraph, twenty-five and  
13                  seventy-two one-hundredths percent (25.72%) shall be  
14                  paid to the State Treasurer to be placed in the  
15                  Oklahoma Student Aid Revolving Fund created in Section  
16                  34.92 of Title 62 of the Oklahoma Statutes,  
17                  e. before any other apportionment of revenue has been  
18                  made pursuant to this paragraph, three and seven  
19                  hundred forty-five one-thousandths percent (3.745%)  
20                  shall be distributed to the various counties of the  
21                  state for deposit into the County Bridge and Road  
22                  Improvement Fund of each county based on a formula  
23                  developed by the Department of Transportation and  
24                  approved by the Department of Transportation County

1                   Advisory Board created pursuant to Section 302.1 of  
2                   Title 69 of the Oklahoma Statutes to be used for the  
3                   purposes set forth in the County Bridge and Road  
4                   Improvement Act. The formula shall be similar to the  
5                   formula currently used for the distribution of monies  
6                   in the County Bridge Program funds, but shall also  
7                   take into consideration the effect of the terrain and  
8                   traffic volume as related to county road improvement  
9                   and maintenance costs,

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

14                 (1) the following sources and in the following  
15                 amounts through the fiscal year ending June 30,  
16                 2027:

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

22                 (b) thirty-three and one-third percent (33 1/3%)  
23                 to the Oklahoma Conservation Commission  
24                 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, 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

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

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

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

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

1                   prescribed by subsection C of this section has been  
2                   deposited to the funds therein specified, the amount  
3                   of revenue, if any, which would otherwise be  
4                   apportioned to the General Revenue Fund and which  
5                   exceeds the moving five-year average amount for oil as  
6                   defined pursuant to paragraph 2 of subsection A of  
7                   this section,

8                   b. before any other apportionment of revenue has been  
9                   made pursuant to this paragraph, twenty-two and one-  
10                  half percent (22.5%) shall be paid to the State  
11                  Treasurer to be placed in the Common Education  
12                  Technology Revolving Fund created in Section 34.90 of  
13                  Title 62 of the Oklahoma Statutes,

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

20                  d. before any other apportionment of revenue has been  
21                  made pursuant to this paragraph, twenty-two and one-  
22                  half percent (22.5%) shall be paid to the State  
23                  Treasurer to be placed in the Oklahoma Student Aid

1                   Revolving Fund created in Section 34.92 of Title 62 of  
2                   the Oklahoma Statutes,

- 3                   e. before any other apportionment of revenue has been  
4                   made pursuant to this paragraph, three and twenty-  
5                   eight one-hundredths percent (3.28%) shall be  
6                   distributed to the various counties of the state for  
7                   deposit into the County Bridge and Road Improvement  
8                   Fund of each county based on a formula developed by  
9                   the Department of Transportation and approved by the  
10                  Department of Transportation County Advisory Board  
11                  created pursuant to Section 302.1 of Title 69 of the  
12                  Oklahoma Statutes to be used for the purposes set  
13                  forth in the County Bridge and Road Improvement Act.  
14                  The formula shall be similar to the formula currently  
15                  used for the distribution of monies in the County  
16                  Bridge Program funds, but shall also take into  
17                  consideration the effect of the terrain and traffic  
18                  volume as related to county road improvement and  
19                  maintenance costs,

- 20                  f. before any other apportionment of revenue has been  
21                  made pursuant to this paragraph, three and seventy-  
22                  five one-hundredths percent (3.75%) shall be paid to  
23                  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, twelve and one-half

1 percent (12.5%) of the sum collected from oil shall be  
2 paid to the various county treasurers, to be credited  
3 to the County Highway Fund as follows: Each county  
4 shall receive a proportionate share of the funds  
5 available based upon the proportion of the total value  
6 of production from such county in the corresponding  
7 month of the preceding year,

- 8 h. before any other apportionment of revenue has been  
9 made pursuant to this paragraph, twelve and one-half  
10 percent (12.5%) shall be allocated to each county as  
11 provided in subparagraph g of this paragraph and shall  
12 be apportioned on an average daily attendance per  
13 capita distribution basis, as certified by the State  
14 Superintendent of Public Instruction, to the school  
15 districts of the county where such pupils attend  
16 school regardless of residence of such pupil, provided  
17 the school district makes an ad valorem tax levy of  
18 fifteen (15) mills for the current year and maintains  
19 twelve (12) years of instruction, and

- 20 i. before any other apportionment of revenue has been  
21 made pursuant to this paragraph, forty-seven one-  
22 hundredths percent (0.47%) of the levy shall be  
23 transmitted by the Tax Commission to the Statewide

Circuit Engineering District Revolving Fund as created in Section 687.2 of Title 69 of the Oklahoma Statutes;

8. For all monies collected from the tax levied on oil 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 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;

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

- 4           a. there shall be apportioned from the gross production  
5           tax levy imposed pursuant to Section 1001 of this  
6           title on oil to the Revenue Stabilization Fund created  
7           by Section 34.102 of Title 62 of the Oklahoma  
8           Statutes, the amount of revenue, if any, which exceeds  
9           the moving five-year average amount for oil as defined  
10          pursuant to paragraph 2 of subsection A of this  
11          section,
- 12         b. until the apportionment to the General Revenue Fund  
13          equals the moving five-year average amount for oil as  
14          prescribed by paragraph 2 of subsection A of this  
15          section, fifty percent (50%) shall be paid to the  
16          State Treasurer to be placed in the General Revenue  
17          Fund of the state and used for the general expense of  
18          state government, to be paid out pursuant to direct  
19          appropriation by the Legislature,
- 20         c. before any other apportionment of revenue has been  
21          made pursuant to this paragraph, twenty-five percent  
22          (25%) of the sum collected from oil shall be paid to  
23          the various county treasurers, to be credited to the  
24          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 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;

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

a. after the total revenue apportioned to the General Revenue Fund as prescribed by subparagraph b of this paragraph equals the moving five-year average amount for gas as defined by paragraph 1 of subsection A of

1                   this section, there shall be apportioned from the  
2                   gross production tax levy imposed pursuant to Section  
3                   1001 of this title on natural gas and/or casinghead  
4                   gas to the Revenue Stabilization Fund created pursuant  
5                   to Section 34.102 of Title 62 of the Oklahoma  
6                   Statutes, the amount of revenue, if any, which exceeds  
7                   the moving five-year average amount for gas as defined  
8                   pursuant to paragraph 1 of subsection A of this  
9                   section,

10                  b. until the apportionment to the General Revenue Fund  
11                  equals the moving five-year average amount for gas as  
12                  prescribed by paragraph 1 of subsection A of this  
13                  section, ~~eighty percent (80%)~~ sixty percent (60%)  
14                  shall be paid to the State Treasurer of the state to  
15                  be placed in the General Revenue Fund of the state and  
16                  used for the general expense of state government, to  
17                  be paid out pursuant to direct appropriation by the  
18                  Legislature,

19                  c. before any other apportionment of revenue has been  
20                  made pursuant to this paragraph, ten percent (10%) of  
21                  the sum collected from natural gas and/or casinghead  
22                  gas shall be paid to the various county treasurers to  
23                  be credited to the County Highway Fund as follows:  
24                  Each county shall receive a proportionate share of the

1 funds available based upon the proportion of the total  
2 value of production from such county in the  
3 corresponding month of the preceding year, and  
4 d. before any other apportionment of revenue has been  
5 made pursuant to this paragraph, ten percent (10%)  
6 shall be allocated to each county as provided for in  
7 subparagraph c of this paragraph and shall be  
8 apportioned, on an average daily attendance per capita  
9 distribution basis, as certified by the State  
10 Superintendent of Public Instruction to the school  
11 districts of the county where such pupils attend  
12 school regardless of residence of such pupil, provided  
13 the school district makes an ad valorem tax levy of  
14 fifteen (15) mills for the current year and maintains  
15 twelve (12) years of instruction, and  
16 e. before any other apportionment of revenue has been  
17 made pursuant to this paragraph, twenty percent (20%)  
18 shall be remitted to the State Treasurer to be  
19 credited to the Preserving and Advancing County  
20 Transportation Fund created in Section 1 of this act,  
21 but in no event shall the total amount apportioned in  
22 any fiscal year pursuant to this subparagraph exceed  
23 Seventy-five Million Dollars (\$75,000,000.00). Any  
24 amounts in excess of Seventy-five Million Dollars

1                   ~~(\$75,000,000.00) shall be placed in the General~~  
2                   ~~Revenue Fund of the state and used for the general~~  
3                   ~~expense of state government, to be paid out pursuant~~  
4                   ~~to direct appropriation by the Legislature; and~~

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

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

21                   b. 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 Common

Education Technology Revolving Fund created in Section 34.90 of Title 62 of the Oklahoma Statutes,

- c. 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 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

1 forth in the County Bridge and Road Improvement Act.

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

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

12 (1) the following sources and in the following  
13 amounts through the fiscal year ending June 30,  
14 2027:

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

20 (b) thirty-three and one-third percent (33 1/3%)  
21 to the Oklahoma Conservation Commission  
22 Infrastructure Revolving Fund created  
23 pursuant to Section 3-2-110 of Title 27A of  
24 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

1                   Superintendent of Public Instruction, to the school  
2                   districts of the county where such pupils attend  
3                   school regardless of residence of such pupil, provided  
4                   the school district makes an ad valorem tax levy of  
5                   fifteen (15) mills for the current year and maintains  
6                   twelve (12) years of instruction, and  
7                   i. before any other apportionment of revenue has been  
8                   made pursuant to this paragraph, forty-seven one-  
9                   hundredths percent (0.47%) of the levy shall be  
10                  transmitted by the Tax Commission to the Statewide  
11                  Circuit Engineering District Revolving Fund as created  
12                  in Section 687.2 of Title 69 of the Oklahoma Statutes.

13                  C. Provided, notwithstanding any other provision of this  
14                  section, the total amounts deposited to the Common Education  
15                  Technology Revolving Fund, the Higher Education Capital Revolving  
16                  Fund, the Oklahoma Student Aid Revolving Fund, the Rural Economic  
17                  Action Plan Water Projects Fund, the Oklahoma Tourism and Recreation  
18                  Department Capital Expenditure Revolving Fund, the Oklahoma  
19                  Conservation Commission Infrastructure Revolving Fund and the  
20                  Community Water Infrastructure Development Revolving Fund pursuant  
21                  to paragraphs 6, 7 and 11 of subsection B of this section shall not  
22                  exceed One Hundred Fifty Million Dollars (\$150,000,000.00) in any  
23                  fiscal year. Except as otherwise provided in this subsection, all  
24                  sums in excess of One Hundred Fifty Million Dollars

1      (\$150,000,000.00) in any fiscal year which would otherwise be  
2 deposited in such funds shall be apportioned by the Oklahoma Tax  
3 Commission to the General Revenue Fund of the state.

4      SECTION 3. This act shall become effective July 1, 2025.

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

9  
10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
11 03/06/2025 - DO PASS, As Amended.  
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