

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3424

By: Archer

AS INTRODUCED

An Act relating to community development; enacting the Community Quality of Life Enhancement Act; making legislative findings; creating the Community Quality of Life Enhancement Revolving Fund; specifying purpose of fund; providing for authorized expenditures; providing for apportionment of revenues; providing for expenditures; amending 68 O.S. 2021, Section 1353, as last amended by Section 2, Chapter 290, O.S.L. 2023 (68 O.S. Supp. 2023, Section 1353), which relates to the apportionment of sales tax; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Community Quality of Life Enhancement Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9101 of Title 62, unless there is created a duplication in numbering, reads as follows:

1 The Legislature finds that communities within the state would
2 benefit from access to additional funding sources to promote a high
3 quality of life. Such funding should be utilized by the communities
4 based on an allocation system using a per capita method.

5 SECTION 3. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 9102 of Title 62, unless there
7 is created a duplication in numbering, reads as follows:

8 Local communities shall establish a board in order to make
9 applications to the Oklahoma Department of Commerce for available
10 funds pursuant to the provisions of this act.

11 SECTION 4. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 9103 of Title 62, unless there
13 is created a duplication in numbering, reads as follows:

14 The monies in the Community Quality of Life Enhancement
15 Revolving Fund may be utilized by eligible communities for:

- 16 1. Infrastructure improvements that impact quality of life;
- 17 2. Parks and recreational facilities;
- 18 3. Public transportation enhancements;
- 19 4. Cultural and community centers;
- 20 5. Public art and beautification; and
- 21 6. Environmental conservation projects.

22 SECTION 5. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 9104 of Title 62, unless there
24 is created a duplication in numbering, reads as follows:

1
2 The expenditures from the Community Qualify of Life Enhancement
3 Revolving Fund and other expenditures governed by this act, if made
4 in accordance with the requirements of this act, shall be construed
5 as an expenditure of public funds in furtherance of governmental
6 functions and for the purpose of conferring general and uniform
7 benefits resulting from the expenditures upon the residents and
8 other legal entities located in eligible communities.

9 SECTION 6. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 9105 of Title 62, unless there
11 is created a duplication in numbering, reads as follows:

12 There is hereby created in the State Treasury a revolving fund
13 for the Oklahoma Department of Commerce to be designated the
14 "Community Quality of Life Enhancement Revolving Fund". The fund
15 shall be a continuing fund, not subject to fiscal year limitations,
16 and shall consist of all monies received by the Oklahoma Department
17 of Commerce from the apportionment of sales tax revenue as provided
18 by Section 7 of this act. All monies accruing to the credit of said
19 fund are hereby appropriated and may be budgeted and expended by the
20 Oklahoma Department of Commerce for the purpose of making
21 allocations to eligible communities to implement the provisions of
22 this act. Expenditures from said fund shall be made upon warrants
23 issued by the State Treasurer against claims filed as prescribed by

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

3 SECTION 7. AMENDATORY 68 O.S. 2021, Section 1353V2, as
4 last amended by Section 2, Chapter 290, O.S.L. 2023 (68 O.S. Supp.
5 2023, Section 1353V2), is amended to read as follows:

6 Section 1353 Purpose of article - Apportionment of revenues.

7 A. It is hereby declared to be the purpose of the Oklahoma
8 Sales Tax Code to provide funds for the financing of the program
9 provided for by the Oklahoma Social Security Act and to provide
10 revenues for the support of the functions of the state government of
11 Oklahoma, and for this purpose it is hereby expressly provided that,
12 revenues derived pursuant to the provisions of the Oklahoma Sales
13 Tax Code, subject to the apportionment requirements for the Oklahoma
14 Tax Commission and Office of Management and Enterprise Services
15 Joint Computer Enhancement Fund provided by Section 265 of this
16 title, after the apportionment of Sixty Million Dollars
17 (\$60,000,000.00) each fiscal year to the Community Quality of Life
18 Enhancement Revolving Fund created pursuant to Section 6 of this act
19 there, shall be apportioned as follows:

20 1. Except as provided in subsection C of this section, the
21 following amounts shall be paid to the State Treasurer to be placed
22 to the credit of the General Revenue Fund to be paid out pursuant to
23 direct appropriation by the Legislature:

24 Fiscal Year Amount
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1	FY 2003 and FY 2004	86.04%
2	FY 2005	85.83%
3	FY 2006	85.54%
4	FY 2007	85.04%
5	FY 2008 through FY 2022	83.61%
6	FY 2023 through FY 2027	83.36%
7	FY 2028 and each fiscal year thereafter	83.61%;

8 2. The following amounts shall be paid to the State Treasurer
9 to be placed to the credit of the Education Reform Revolving Fund of
10 the State Department of Education:

- 11 a. for FY 2003, FY 2004 and FY 2005, ten and forty-two
12 one-hundredths percent (10.42%),
- 13 b. for FY 2006 through FY 2020, ten and forty-six one-
14 hundredths percent (10.46%),
- 15 c. for FY 2021:
 - 16 (1) for the month beginning July 1, 2020, through the
17 month ending August 31, 2020, ten and forty-six
18 one-hundredths percent (10.46%), and
 - 19 (2) for the month beginning September 1, 2020,
20 through the month ending June 30, 2021, eleven
21 and ninety-six one-hundredths percent (11.96%),
- 22 d. for FY 2022 and each fiscal year thereafter, ten and
23 forty-six one-hundredths percent (10.46%);

1 3. The following amounts shall be paid to the State Treasurer
2 to be placed to the credit of the Teachers' Retirement System
3 Dedicated Revenue Revolving Fund:

Fiscal Year	Amount
FY 2003 and FY 2004	3.54%
FY 2005	3.75%
FY 2006	4.0%
FY 2007	4.5%
FY 2008 through FY 2020	5.0%
FY 2021:	
a. for the month beginning July 1, 2020, through the month ending August 31, 2020	5.0%
b. for the month beginning September 1, 2020, through the month ending June 30, 2021	3.5%
FY 2022	5.0%
FY 2023 through FY 2027	5.25%
FY 2028 and each fiscal year thereafter	5.0%;

4. a. except as otherwise provided in subparagraph b of this
paragraph, for the fiscal year beginning July 1, 2022,
and for each fiscal year thereafter, eighty-seven one-

1 hundredths percent (0.87%) shall be paid to the State
2 Treasurer to be further apportioned as follows:

3 (1) twenty-four percent (24%) shall be placed to the
4 credit of the Oklahoma Tourism Promotion
5 Revolving Fund, but in no event shall such
6 apportionment exceed Five Million Dollars
7 (\$5,000,000.00) in any fiscal year,

8 (2) forty-four percent (44%) shall be placed to the
9 credit of the Oklahoma Tourism Capital
10 Improvement Revolving Fund, but in no event shall
11 such apportionment exceed Nine Million Dollars
12 (\$9,000,000.00) in any fiscal year, and

13 (3) thirty-two percent (32%) shall be placed to the
14 credit of the Oklahoma Route 66 Commission
15 Revolving Fund, but in no event shall such
16 apportionment exceed Six Million Six Hundred
17 Thousand Dollars (\$6,600,000.00) in any fiscal
18 year, and

19 b. any amounts which exceed the limitations of
20 subparagraph a of this paragraph shall be placed to
21 the credit of the General Revenue Fund; and

22 5. For the fiscal year beginning July 1, 2015, and for each
23 fiscal year thereafter, six one-hundredths percent (0.06%) shall be
24 placed to the credit of the Oklahoma Historical Society Capital
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1 Improvement and Operations Revolving Fund, but in no event shall
2 such apportionment exceed the total amount apportioned pursuant to
3 this paragraph for the fiscal year ending on June 30, 2015. Any
4 amounts which exceed the limitations of this paragraph shall be
5 placed to the credit of the General Revenue Fund.

6 B. Provided, for the fiscal year beginning July 1, 2007, and
7 every fiscal year thereafter, an amount of revenue shall be
8 apportioned to each municipality or county which levies a sales tax
9 subject to the provisions of Section 1357.10 of this title and
10 subsection F of Section 2701 of this title equal to the amount of
11 sales tax revenue of such municipality or county exempted by the
12 provisions of Section 1357.10 of this title and subsection F of
13 Section 2701 of this title. The Oklahoma Tax Commission shall
14 promulgate and adopt rules necessary to implement the provisions of
15 this subsection.

16 C. From the monies that would otherwise be apportioned to the
17 General Revenue Fund pursuant to subsection A of this section, there
18 shall be apportioned the following amounts:

19 1. For the month ending August 31, 2019:

- 20 a. Nine Million Six Hundred Thousand Dollars
21 (\$9,600,000.00) to the credit of the State Highway
22 Construction and Maintenance Fund created in Section
23 1501 of Title 69 of the Oklahoma Statutes, and
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1 b. Two Million Dollars (\$2,000,000.00) to the credit of
2 the Oklahoma Railroad Maintenance Revolving Fund
3 created in Section 309 of Title 66 of the Oklahoma
4 Statutes;

5 2. For the month ending September 30, 2019:

6 a. Twenty Million Dollars (\$20,000,000.00) to the credit
7 of the State Highway Construction and Maintenance Fund
8 created in Section 1501 of Title 69 of the Oklahoma
9 Statutes, and

10 b. Two Million Dollars (\$2,000,000.00) to the credit of
11 the Oklahoma Railroad Maintenance Revolving Fund
12 created in Section 309 of Title 66 of the Oklahoma
13 Statutes;

14 3. For the month ending October 31, 2019:

15 a. Twenty Million Dollars (\$20,000,000.00) to the credit
16 of the State Highway Construction and Maintenance Fund
17 created in Section 1501 of Title 69 of the Oklahoma
18 Statutes, and

19 b. Two Million Dollars (\$2,000,000.00) to the credit of
20 the Oklahoma Railroad Maintenance Revolving Fund
21 created in Section 309 of Title 66 of the Oklahoma
22 Statutes;

23 4. For the month ending November 30, 2019:
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1 a. Twenty Million Dollars (\$20,000,000.00) to the credit
2 of the State Highway Construction and Maintenance Fund
3 created in Section 1501 of Title 69 of the Oklahoma
4 Statutes, and

5 b. Two Million Dollars (\$2,000,000.00) to the credit of
6 the Oklahoma Railroad Maintenance Revolving Fund
7 created in Section 309 of Title 66 of the Oklahoma
8 Statutes; and

9 5. For the month ending December 31, 2019:

10 a. Twenty Million Dollars (\$20,000,000.00) to the credit
11 of the State Highway Construction and Maintenance Fund
12 created in Section 1501 of Title 69 of the Oklahoma
13 Statutes, and

14 b. Two Million Dollars (\$2,000,000.00) to the credit of
15 the Oklahoma Railroad Maintenance Revolving Fund
16 created in Section 309 of Title 66 of the Oklahoma
17 Statutes.

18 SECTION 8. This act shall become effective July 1, 2024.

19 SECTION 9. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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24 59-2-8574 MAH 01/10/24
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