

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 3544

By: Caldwell (Chad)

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5  
6 AS INTRODUCED

7 An Act relating to public health and safety; amending  
8 63 O.S. 2021, Section 426, which relates to the  
9 apportionment of the excise tax on medical marijuana;  
10 modifying apportionment for specified fiscal year;  
11 providing for apportionments to Oklahoma State  
University College of Osteopathic Medicine Revolving  
Fund and the Trauma Care Assistance Revolving Fund;  
providing an effective date; and declaring an  
emergency.

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

15 SECTION 1. AMENDATORY 63 O.S. 2021, Section 426, is  
16 amended to read as follows:

17 Section 426. A. The tax on retail medical marijuana sales will  
18 be established at seven percent (7%) of the gross amount received by  
19 the seller.

20 B. This tax will be collected at the point of sale. Except as  
21 provided for in subsection D, tax proceeds will be applied primarily  
22 to finance the regulatory office.

23 C. Except as provided for in subsection D or E of this section,  
24 if proceeds from the levy authorized by subsection A of this section

1 exceed the budgeted amount for running the regulatory office, any  
2 surplus shall be apportioned with seventy-five percent (75%) going  
3 to the General Revenue Fund and may only be expended for common  
4 education including funding redbud school grants pursuant to Section  
5 3-104 of Title 70 of the Oklahoma Statutes. Twenty-five percent  
6 (25%) shall be apportioned to the Oklahoma State Department of  
7 Health and earmarked for drug and alcohol rehabilitation.

8 D. For fiscal year 2022, proceeds from the levy authorized by  
9 subsection A of this section shall be apportioned as follows:

10 1. The first Sixty-five Million Dollars (\$65,000,000.00) shall  
11 be apportioned as follows:

12 a. fifty-nine and twenty-three hundredths percent  
13 (59.23%) to the State Public Common School Building  
14 Equalization Fund,

15 b. thirty-four and sixty-two hundredths percent (34.62%)  
16 to the Oklahoma Medical Marijuana Authority, a  
17 division within the Oklahoma State Department of  
18 Health, and

19 c. six and fifteen hundredths percent (6.15%) to the  
20 Oklahoma State Department of Health and earmarked for  
21 drug and alcohol rehabilitation; and

22 2. Any surplus collections shall be apportioned to the General  
23 Revenue Fund of the State Treasury.

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1 E. For the fiscal year ending June 30, 2023, before any  
2 apportionment is made to the General Revenue Fund, there shall be  
3 apportioned:

4 1. Three Million Dollars (\$3,000,000.00) to the Oklahoma State  
5 University College of Osteopathic Medicine Revolving Fund created in  
6 Section 160.2 of Title 62 of the Oklahoma Statutes; and

7 2. Three Million Dollars (\$3,000,000.00) to the Trauma Care  
8 Assistance Revolving Fund created in Section 1-2530.9 of Title 63 of  
9 the Oklahoma Statutes.

10 SECTION 2. This act shall become effective July 1, 2022.

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

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16 58-2-9818 MAH 01/17/22  
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