

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 602

By: Rader

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5
6 AS INTRODUCED

7 An Act relating to documentary stamp tax revenue
8 apportionment; amending Sections 5, 6 and 7, Chapter
9 260, O.S.L. 2018 (68 O.S. Supp. 2020, Sections
10 2947.1, 2947.2 and 2947.3), which relate to the
11 County Government Education-Technical Revolving Fund;
12 authorizing direct apportionment of revenue to
13 specified entities by changing nature of specified
14 fund; modifying start date for certain
15 apportionments; conforming references; eliminating
16 requirement for specified reserve account; updating
17 reference; requiring Oklahoma Tax Commission to
18 distribute certain revenue under specified
19 circumstances; amending 68 O.S. 2011, Section 3204,
20 as amended by Section 4, Chapter 260, O.S.L. 2018 (68
21 O.S. Supp. 2020, Section 3204), which relates to
22 documentary stamp tax; conforming language; modifying
23 start date for certain apportionment; specifying
24 statutory authority; providing for transfer of
25 specified funds; providing for noncodification; and
26 providing an effective date.

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

31 SECTION 1. AMENDATORY Section 5, Chapter 260, O.S.L.
32 2018 (68 O.S. Supp. 2020, Section 2947.1), is amended to read as
33 follows:
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1 Section 2947.1. There is hereby created in the State Treasury a
2 ~~revolving fund~~ an agency special account for the Oklahoma Tax
3 ~~Commission to be designated the "County Government Education-~~
4 ~~Technical Revolving Fund".~~ The fund shall be a continuing fund, not
5 ~~subject to fiscal year limitations, and shall consist of all monies~~
6 ~~received by the Oklahoma Tax Commission from the apportionment~~ for
7 the collection and distributions of documentary stamp revenues as
8 provided by ~~Section 3204 of Title 68 of the Oklahoma Statutes.~~ All
9 ~~monies accruing to the credit of said fund are hereby appropriated~~
10 ~~and may be budgeted and expended by the Oklahoma State University~~
11 ~~Center for Local Government Technology and the Oklahoma Cooperative~~
12 ~~Extension Service County Training Program for the purpose of~~
13 ~~education, training, research, software and computer modernization.~~
14 ~~The fund shall be subject to the oversight of the Commission on~~
15 ~~County Government Personnel Education and Training.~~ Amounts
16 deposited in any fiscal year shall be distributed by the Oklahoma
17 Tax Commission as provided in Section 6 of this act. Expenditures
18 from said fund shall be made upon warrants issued by the State
19 Treasurer against claims filed as prescribed by law Sections 2947.2
20 and 2947.3 of this title.

21 SECTION 2. AMENDATORY Section 6, Chapter 260, O.S.L.
22 2018 (68 O.S. Supp. 2020, Section 2947.2), is amended to read as
23 follows:
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1 Section 2947.2. A. For the fiscal year ending ~~June 30, 2020~~
2 June 30, 2021, and for each fiscal year thereafter, ten percent
3 (10%) ~~deposited to the County Government Education-Technical~~
4 ~~Revolving Fund in any fiscal year shall be distributed~~ of the
5 revenue collected pursuant to Section 3204 of this title shall be
6 apportioned by the Oklahoma Tax Commission monthly to the Oklahoma
7 Cooperative Extension Service for duties imposed on the Extension
8 Service pursuant to Sections 130.1 through 130.7 and Section 1500 of
9 Title 19 of the Oklahoma Statutes and Section 3006 of ~~Title 68 of~~
10 ~~the Oklahoma Statutes~~ this title.

11 B. For the fiscal year ending ~~June 30, 2020~~ June 30, 2021, and
12 for each fiscal year thereafter, eighty-eight and five-tenths
13 percent (88.5%) ~~deposited to the County Government Education-~~
14 ~~Technical Revolving Fund in any fiscal year shall be distributed~~ of
15 the revenue collected pursuant to Section 3204 of this title shall
16 be apportioned by the Oklahoma Tax Commission monthly to the
17 Oklahoma State University Center for Local Government Technology for
18 duties imposed pursuant to Sections 2816 and 2862 of ~~Title 68 of the~~
19 ~~Oklahoma Statutes~~ this title related to any training, support,
20 professional development, and additional software necessary for
21 county assessors, treasurers and boards of equalization, and the
22 acquisition and administration of a computer-assisted mass appraisal
23 software system for county governments; provided, the Oklahoma State
24 University Center for Local Government Technology may delay the

1 acquisition of such software until such time as sufficient funds are
2 available.

3 C. After the computer-assisted mass appraisal software
4 acquisition is complete and associated costs are paid, any county
5 which elects not to participate in the Oklahoma State University
6 Center for Local Government Technology's computer-assisted mass
7 appraisal software system may apply to the Center for Local
8 Government Technology for a refund up to ten percent (10%) of such
9 county's ~~deposit to the revolving fund annually~~ annual documentary
10 stamp tax revenue apportionment received by the Center for Local
11 Government Technology; provided, if available funds are insufficient
12 for a ten-percent rebate, the percentage shall be adjusted so that
13 rebates may be paid.

14 SECTION 3. AMENDATORY Section 7, Chapter 260, O.S.L.
15 2018 (68 O.S. Supp. 2020, Section 2947.3), is amended to read as
16 follows:

17 Section 2947.3. A. ~~Within the County Government Education-~~
18 ~~Technical Revolving Fund there shall be established a reserve~~
19 ~~account. The reserve account shall consist of any~~ Any revenue not
20 otherwise apportioned pursuant to the provisions of subsection A or
21 subsection B of ~~Section 6 of this act~~ Section 2947.2 of this title
22 shall be deposited and maintained in the special agency account
23 created in Section 1 of this act subject to the procedures provided
24 in this section.

1 B. The maximum balance for the ~~reserve~~ agency special account
2 shall never exceed Two Million Dollars (\$2,000,000.00) at the end of
3 each fiscal year.

4 C. The Oklahoma State University Center for Local Government
5 Technology and the Oklahoma Cooperative Extension Service County
6 Training Program may request permission to expend funds in the
7 reserve account from the Commission on County Government Personnel
8 Education and Training. The Oklahoma Tax Commission shall, upon
9 written notification of expenditure approval from the Commission on
10 County Government Personnel Education and Training, distribute from
11 the agency special account the approved amount, if available, to the
12 Oklahoma State University Center for Local Government Technology or
13 the Oklahoma Cooperative Extension Service County Training Program,
14 as applicable.

15 D. The balance in the ~~reserve account of the County Government~~
16 ~~Education Technical Revolving Fund~~ special agency account shall
17 serve as a contingency for adverse conditions if the distributions
18 provided for in subsections A and B of ~~Section 6 of this act~~ Section
19 2947.2 of this title are insufficient to support the purposes of
20 education training, research, software and computer modernization of
21 county governments.

22 E. For any fiscal year ending June 30, the Oklahoma Tax
23 Commission shall transfer any amount of revenue in excess of Two
24 Million Dollars (\$2,000,000.00) remaining in the ~~reserve account of~~

1 ~~the County Government Education-Technical Revolving Fund~~ special
2 agency account to the General Revenue Fund of the State Treasury.

3 SECTION 4. AMENDATORY 68 O.S. 2011, Section 3204, as
4 amended by Section 4, Chapter 260, O.S.L. 2018 (68 O.S. Supp. 2020,
5 Section 3204), is amended to read as follows:

6 Section 3204. A. The Oklahoma Tax Commission shall design such
7 stamps in such denominations as in its judgment it deems necessary
8 for the administration of this tax. The Oklahoma Tax Commission
9 shall distribute the stamps to the county clerks of the counties of
10 this state, and the county clerks shall have the responsibility of
11 selling these stamps and shall have the further duty of accounting
12 for the stamps to the Oklahoma Tax Commission on the last day of
13 each month. Stamp metering machines or rubber stamps as prescribed
14 by the Oklahoma Tax Commission may be used by the county clerk, and
15 the expenses thereof shall be paid by the county concerned. The use
16 of meters or rubber stamps shall be governed by the Oklahoma Tax
17 Commission.

18 B. The county clerks shall account for all collections from the
19 sales of such stamps to the Oklahoma Tax Commission, on the last day
20 of each month. The first fifty-five cents (\$0.55) of each seventy-
21 five cents (\$0.75) collected shall be apportioned as follows:

22 1. The county clerks shall retain five percent (5%) of all
23 monies collected for such stamps as their cost of administration;
24 and

1 2. Of the remaining ninety-five percent (95%) the Oklahoma Tax
2 Commission shall ~~transfer monthly to the County Government~~
3 ~~Education-Technical Revolving Fund created by Section 5 of this act~~
4 apportion for the fiscal year ending ~~June 30, 2020~~ June 30, 2021,
5 and for each fiscal year thereafter, Five Hundred Thousand Dollars
6 (\$500,000.00) plus three percent (3%) of the remainder as provided
7 in Sections 2947.2 and 2947.3 of this title. The remainder of the
8 collections shall be transferred by the Oklahoma Tax Commission to
9 the General Revenue Fund of the State Treasury to be expended
10 pursuant to legislative appropriation.

11 C. The remaining twenty cents (\$0.20) of each seventy-five
12 cents (\$0.75) collected shall be paid into the county general fund.

13 SECTION 5. NEW LAW A new section of law not to be
14 codified in the Oklahoma Statutes reads as follows:

15 On the effective date of this act, all monies remaining in the
16 County Government Education-Technical Revolving Fund shall be
17 transferred to the agency special account created in Section 1 of
18 this act.

19 SECTION 6. This act shall become effective November 1, 2021.

21 58-1-1141 QD 1/21/2022 2:34:12 PM