

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1331

By: Bullard

AS INTRODUCED

An Act relating to water and water rights; creating the Water and Wastewater Grant Program; providing for certain priority scoring; providing for rescission of funds; creating the Water and Wastewater Grant Program Revolving Fund; stating purpose of fund; establishing fund source; providing for allocation of certain funds; amending 68 O.S. 2021, Section 1353, as 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 revenue; providing apportionment to the Water and Wastewater Grant Program Revolving Fund; providing for codification; 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 to be codified in the Oklahoma Statutes as Section 1085.66 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. 1. The Oklahoma Water Resources Board shall establish and administer a Water and Wastewater Grant Program. The Program shall include development of competitive grants to be awarded to counties and municipalities seeking to develop and implement water or wastewater improvement projects. The Board shall promulgate rules

1 to effectuate the provisions of this section and award criteria for
2 the grant program.

3 2. Grant applicants providing means for matching funds, either
4 through the entity or a third-party source shall be awarded a higher
5 score in the grant awards process established by the Board.

6 B. All grant awards authorized pursuant to the provisions of
7 this section shall include a clawback provision. For purposes of
8 this subsection, a "clawback provision" shall mean a condition
9 precedent to participate in the Program whereby a grant recipient
10 formally agrees to reimburse the Program all or part of a grant
11 award upon the failure of the recipient to fulfill contract terms
12 included in the grant award.

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 1085.67 of Title 82, unless
15 there is created a duplication in numbering, reads as follows:

16 A. There is hereby created in the State Treasury a revolving
17 fund for the Oklahoma Water Resources Board to be designated the
18 "Water and Wastewater Grant Program Revolving Fund". The fund shall
19 be a continuing fund, not subject to fiscal year limitations, and
20 shall consist of all monies apportioned pursuant to subsection D of
21 Section 1353 of Title 68 of the Oklahoma Statutes. All monies
22 accruing to the credit of the fund are hereby appropriated and may
23 be budgeted and expended by the Board for the purposes provided in
24 this act. Expenditures from the fund shall be made upon warrants

1 issued by the State Treasurer against claims filed as prescribed by
2 law with the Director of the Office of Management and Enterprise
3 Services for approval and payment.

4 B. Of the monies appropriated to the fund, allocations to
5 participating counties and municipalities within the grant program
6 shall be based on the last Federal Decennial Census and shall be as
7 follows:

8 1. Twenty-five percent (25%) of the allocated funds shall be
9 for approved projects with a population of more than four hundred
10 thousand (400,000);

11 2. Twenty-five percent (25%) of the allocated funds shall be
12 for approved projects with a population that is greater than thirty
13 thousand (30,000), but less than four hundred thousand (400,000);
14 and

15 3. Fifty percent (50%) of the allocated funds shall be for
16 approved projects with a population that is less than thirty
17 thousand (30,000).

18 SECTION 3. AMENDATORY 68 O.S. 2021, Section 1353, as
19 amended by Section 2, Chapter 290, O.S.L. 2023 (68 O.S. Supp. 2023,
20 Section 1353), is amended to read as follows:

21 Section 1353. A. It is hereby declared to be the purpose of
22 the Oklahoma Sales Tax Code to provide funds for the financing of
23 the program provided for by the Oklahoma Social Security Act and to
24 provide revenues for the support of the functions of the state

1 government of Oklahoma, and for this purpose it is hereby expressly
2 provided that, revenues derived pursuant to the provisions of the
3 Oklahoma Sales Tax Code, subject to the apportionment requirements
4 for the Oklahoma Tax Commission and Office of Management and
5 Enterprise Services Joint Computer Enhancement Fund provided by
6 Section 265 of this title, shall be apportioned as follows:

7 1. Except as provided in ~~subsection~~ subsections C and D of this
8 section, the following amounts shall be paid to the State Treasurer
9 to be placed to the credit of the General Revenue Fund to be paid
10 out pursuant to direct appropriation by the Legislature:

Fiscal Year	Amount
FY 2003 and FY 2004	86.04%
FY 2005	85.83%
FY 2006	85.54%
FY 2007	85.04%
FY 2008 through FY 2022	83.61%
FY 2023 through FY 2027	83.36%
FY 2028 and each fiscal year thereafter	83.61%;

19 2. The following amounts shall be paid to the State Treasurer
20 to be placed to the credit of the Education Reform Revolving Fund of
21 the State Department of Education:

- 22 a. for FY 2003, FY 2004 and FY 2005, ten and forty-two
23 one-hundredths percent (10.42%),
24
25

1 b. for FY 2006 through FY 2020, ten and forty-six one-
2 hundredths percent (10.46%),

3 c. for FY 2021:

4 (1) for the month beginning July 1, 2020, through the
5 month ending August 31, 2020, ten and forty-six
6 one-hundredths percent (10.46%), and

7 (2) for the month beginning September 1, 2020,
8 through the month ending June 30, 2021, eleven
9 and ninety-six one-hundredths percent (11.96%),

10 d. for FY 2022 and each fiscal year thereafter, ten and
11 forty-six one-hundredths percent (10.46%);

12 3. The following amounts shall be paid to the State Treasurer
13 to be placed to the credit of the Teachers' Retirement System

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

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

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

(3) thirty-two percent (32%) shall be placed to the credit of the Oklahoma Route 66 Commission

1 Revolving Fund, but in no event shall such
2 apportionment exceed Six Million Six Hundred
3 Thousand Dollars (\$6,600,000.00) in any fiscal
4 year, and

5 b. any amounts which exceed the limitations of
6 subparagraph a of this paragraph shall be placed to
7 the credit of the General Revenue Fund; and

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

16 B. Provided, for the fiscal year beginning July 1, 2007, and
17 every fiscal year thereafter, an amount of revenue shall be
18 apportioned to each municipality or county which levies a sales tax
19 subject to the provisions of Section 1357.10 of this title and
20 subsection F of Section 2701 of this title equal to the amount of
21 sales tax revenue of such municipality or county exempted by the
22 provisions of Section 1357.10 of this title and subsection F of
23 Section 2701 of this title. The Oklahoma Tax Commission shall

1 promulgate and adopt rules necessary to implement the provisions of
2 this subsection.

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

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

7 a. Nine Million Six Hundred Thousand Dollars
8 (\$9,600,000.00) to the credit of the State Highway
9 Construction and Maintenance Fund created in Section
10 1501 of Title 69 of the Oklahoma Statutes, and

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

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

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

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

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

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;

9 4. For the month ending November 30, 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; and

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

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

23 b. Two Million Dollars (\$2,000,000.00) to the credit of
24 the Oklahoma Railroad Maintenance Revolving Fund

1 created in Section 309 of Title 66 of the Oklahoma
2 Statutes.

3 D. For fiscal year 2025 and subsequent fiscal years, before any
4 other apportionment otherwise required by this section is made to
5 the General Revenue Fund, there shall be apportioned to the Water
6 and Wastewater Grant Program Revolving Fund created pursuant to
7 Section 2 of this act the amount of Two Hundred Fifty Million
8 Dollars (\$250,000,000.00).

9 SECTION 4. This act shall become effective July 1, 2024.

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

14
15 59-2-2560 RD 12/14/2023 1:36:07 PM
16
17
18
19
20
21
22
23
24
25