

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 3083

6 By: Hilbert

7 COMMITTEE SUBSTITUTE

8 An Act relating to public health and safety; amending
9 63 O.S. 2021, Section 426, which relates to taxes on
10 medical marijuana retail sales; modifying
11 apportionment of tax proceeds; providing an effective
12 date; and declaring an emergency.

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

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

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

19 B. This tax will be collected at the point of sale. Except as
20 provided for in ~~subsection~~ subsections C and D, tax proceeds ~~will be~~
21 ~~applied primarily to finance the regulatory office~~ shall be
22 appropriated in amounts as authorized by the Oklahoma Legislature.

23 C. ~~Except as provided for in subsection D, if~~ For the fiscal
24 year beginning July 1, 2022, and each subsequent fiscal year,

1 proceeds from the levy authorized by subsection A of this section
2 ~~exceed the budgeted amount for running the regulatory office, any~~
3 ~~surplus shall be apportioned with seventy five percent (75%) going~~
4 ~~to the General Revenue Fund and may only be expended for common~~
5 ~~education including~~ as follows:

6 1. Fifty-five percent (55%) of the total proceeds of the levy
7 to operating the Oklahoma Medical Marijuana Authority, but in no
8 event shall the total amount apportioned in any fiscal year pursuant
9 to this paragraph exceed Forty-two Million Dollars (\$42,000,000.00);

10 2. Thirty-three and three-quarters percent (33.75%) of the
11 total proceeds of the levy to the State Public Common School
12 Building Equalization Fund for the purpose of funding redbud school
13 grants pursuant to Section 3-104 of Title 70 of the Oklahoma
14 Statutes. ~~Twenty five percent (25%) shall be apportioned,~~ but in no
15 event shall the total amount apportioned in any fiscal year pursuant
16 to this paragraph exceed the amount of redbud school grant funds
17 awarded pursuant to subsection B of Section 3-104 of Title 70 of the
18 Oklahoma Statutes; and

19 3. Eleven and one-quarter percent (11.25%) of the total
20 proceeds of the levy to the ~~Oklahoma State~~ Department of Mental
21 Health and Substance Abuse Services and earmarked for drug and
22 alcohol rehabilitation, but in no event shall the total amount
23 apportioned in any fiscal year pursuant to this paragraph exceed
24 Seven Million Five Hundred Thousand Dollars (\$7,500,000.00).

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

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

5 a. fifty-nine and twenty-three hundredths percent
6 (59.23%) to the State Public Common School Building
7 Equalization Fund,

8 b. thirty-four and sixty-two hundredths percent (34.62%)
9 to the Oklahoma Medical Marijuana Authority, a
10 division within the Oklahoma State Department of
11 Health, and

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

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

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

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20
21
22
23
24

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3

4 58-2-10873 JM 03/02/22

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24