

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1665

By: Murdock

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5  
6 AS INTRODUCED

7 An Act relating to Medicaid funding; creating the Low  
8 Income Adult Medicaid Fund; designating nature of the  
9 fund; requiring the fund to be interest bearing;  
10 declaring fund monies appropriated; authorizing  
11 purposes of budget and expenditures from fund;  
12 requiring authorization of Legislature for  
13 expenditure amount; requiring certain expenditure  
14 procedures; defining terms; amending 68 O.S. 2021,  
15 Section 1353, which relates to apportionment of sales  
16 tax revenues; providing apportionment to the Low  
17 Income Adult Medicaid Fund; providing for  
18 codification; declaring an emergency; and providing  
19 an effective date.

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

21 SECTION 1. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 5020B of Title 63, unless there  
23 is created a duplication in numbering, reads as follows:

24 A. There is hereby created in the State Treasury a fund to be  
known as the "Low Income Adult Medicaid Fund". The fund shall be a  
continuing fund, not subject to fiscal year limitations, be interest  
bearing, and shall consist of all appropriations and transfers made  
by the Oklahoma Legislature. All monies accruing to the credit of

1 the fund are hereby appropriated and may be budgeted and expended by  
2 the Oklahoma Health Care Authority for the purposes authorized by  
3 subsection B of this section in amounts as authorized by the  
4 Oklahoma Legislature. Expenditures from the fund shall be made upon  
5 warrants issued by the State Treasurer against claims filed as  
6 prescribed by law with the Director of the Office of Management and  
7 Enterprise Services for approval and payment.

8 B. The monies accruing to the fund specified in subsection A of  
9 this section shall be expended by the Oklahoma Health Care Authority  
10 for the sole purpose of providing medical assistance under  
11 Oklahoma's Medicaid program to Low Income Adults as provided in  
12 Section 2 of Article 25-A of the Oklahoma Constitution.

13 C. As used in this section "medical assistance" and "Low Income  
14 Adults" shall have the same meaning as provided in Section 1 of  
15 Article 25-A of the Oklahoma Constitution.

16 SECTION 2. AMENDATORY 68 O.S. 2021, Section 1353, is  
17 amended to read as follows:

18 Section 1353. A. It is hereby declared to be the purpose of  
19 the Oklahoma Sales Tax Code to provide funds for the financing of  
20 the program provided for by the Oklahoma Social Security Act and to  
21 provide revenues for the support of the functions of the state  
22 government of Oklahoma, and for this purpose it is hereby expressly  
23 provided that, revenues derived pursuant to the provisions of the  
24 Oklahoma Sales Tax Code, subject to the apportionment requirements

1 for the Oklahoma Tax Commission and Office of Management and  
2 Enterprise Services Joint Computer Enhancement Fund provided by  
3 Section 265 of this title, shall be apportioned as follows:

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

8 Fiscal Year	Amount
9 FY 2003 and FY 2004	86.04%
10 FY 2005	85.83%
11 FY 2006	85.54%
12 FY 2007	85.04%
13 FY 2008 through FY 2022	83.61%
14 FY 2023 through FY 2027	83.36%
15 FY 2028 and each fiscal year thereafter	83.61%;

16 2. The following amounts shall be paid to the State Treasurer  
17 to be placed to the credit of the Education Reform Revolving Fund of  
18 the State Department of Education:

- 19 a. for FY 2003, FY 2004 and FY 2005, ten and forty-two  
20 one-hundredths percent (10.42%),
- 21 b. for FY 2006 through FY 2020, ten and forty-six one-  
22 hundredths percent (10.46%),
- 23 c. for FY 2021:
- 24

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

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

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

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

13 Fiscal Year	Amount
14 FY 2003 and FY 2004	3.54%
15 FY 2005	3.75%
16 FY 2006	4.0%
17 FY 2007	4.5%
18 FY 2008 through FY 2020	5.0%
19 FY 2021:	

20 a. for the month beginning July  
21 1, 2020, through the month  
22 ending August 31, 2020 5.0%

23 b. for the month beginning  
24 September 1, 2020, through

1 the month ending June 30,

2 2021 3.5%

3 FY 2022 5.0%

4 FY 2023 through FY 2027 5.25%

5 FY 2028 and each fiscal year thereafter 5.0%;

6 4. a. except as otherwise provided in subparagraph b of this  
7 paragraph, for the fiscal year beginning July 1, 2015,  
8 and for each fiscal year thereafter, eighty-seven one-  
9 hundredths percent (0.87%) shall be paid to the State  
10 Treasurer to be further apportioned as follows:

11 (1) thirty-six percent (36%) shall be placed to the  
12 credit of the Oklahoma Tourism Promotion  
13 Revolving Fund, but in no event shall such  
14 apportionment exceed Five Million Dollars  
15 (\$5,000,000.00) in any fiscal year, and

16 (2) sixty-four percent (64%) shall be placed to the  
17 credit of the Oklahoma Tourism Capital  
18 Improvement Revolving Fund, but in no event shall  
19 such apportionment exceed Nine Million Dollars  
20 (\$9,000,000.00) in any fiscal year, and

21 b. any amounts which exceed the limitations of  
22 subparagraph a of this paragraph shall be placed to  
23 the credit of the General Revenue Fund; and  
24

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

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

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

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

23               a. Nine Million Six Hundred Thousand Dollars

24                       (\$9,600,000.00) to the credit of the State Highway  
25

1 Construction and Maintenance Fund created in Section  
2 1501 of Title 69 of the Oklahoma Statutes, and

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

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

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

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

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

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

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

1 4. For the month ending November 30, 2019:

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

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

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

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

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

19 D. For fiscal year 2023, and each subsequent fiscal year,  
20 before any other apportionment otherwise required by this section is  
21 made to the General Revenue Fund, there shall be apportioned to the  
22 State Public Common School Building Equalization Fund an amount, if  
23 any, as required pursuant to Section 3-104 of Title 70 of the  
24 Oklahoma Statutes, not to exceed the state sales tax generated by



1 medical marijuana sales in the preceding fiscal year as reported by  
2 the Oklahoma Tax Commission.

3 E. For the month beginning July 1, 2022, and each subsequent  
4 month, before any other apportionment otherwise required by this  
5 section is made to the General Revenue Fund, there shall be  
6 apportioned monthly to the Low Income Adult Medicaid Fund, as  
7 created in Section 1 of this act, an amount equal to thirty-two and  
8 fifteen one-hundredths percent (32.15%) of the revenue derived in  
9 the preceding month from the tax on retail medical marijuana sales  
10 pursuant to Section 426 of Title 63 of the Oklahoma Statutes.

11 SECTION 3. This act shall become effective July 1, 2022.

12 SECTION 4. It being immediately necessary for the preservation  
13 of the public peace, health or safety, an emergency is hereby  
14 declared to exist, by reason whereof this act shall take effect and  
15 be in full force from and after its passage and approval.

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