

1 ENGROSSED SENATE  
JOINT  
2 RESOLUTION NO. 35

By: Jech of the Senate

3 and

4 Newton of the House

5  
6 [ proposed amendment to the Oklahoma Constitution -  
7 individual income tax collections exceeding certain  
8 amount placed in certain fund - ballot title -  
9 directing filing ]

10 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
11 2ND SESSION OF THE 58TH OKLAHOMA LEGISLATURE:

12 SECTION 1. The Secretary of State shall refer to the people for  
13 their approval or rejection, as and in the manner provided by law,  
14 the following proposed amendment to the Oklahoma Constitution by  
15 adding a new Section 12b to Article X thereof, to read as follows:

16 Section 12b. A. For any income taxes levied upon individuals  
17 pursuant to Section 12 of this Article, if the revenues collected  
18 for any taxable year exceed the average revenues collected from the  
19 previous five (5) years, those excess revenues collected shall be  
20 placed in the Taxpayer Allocation Program Fund by the State  
21 Treasurer.

22 B. In the event the balance of the Taxpayer Allocation Program  
23 Fund exceeds Four Hundred Million Dollars (\$400,000,000.00), that  
24 amount shall be expended for the purpose of providing a refundable

1 credit to Oklahoma residents who file an individual income tax  
2 return for the following tax year. The credit to taxpayers filing  
3 as married filing jointly, surviving spouse, or head of household  
4 shall be equal to two (2) times the credit to taxpayers filing as an  
5 individual or married filing separately.

6 SECTION 2. The Ballot Title for the proposed Constitutional  
7 amendment as set forth in SECTION 1 of this resolution shall be in  
8 the following form:

9 BALLOT TITLE

10 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

11 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

12 This measure amends Article 10 of the Oklahoma Constitution by  
13 adding a new Section 12b. It requires that individual income  
14 tax revenue collections exceeding the average of the previous  
15 five year's revenue collections be deposited into a fund known  
16 as the Taxpayer Allocation Program Fund. Whenever the balance  
17 of the Taxpayer Allocation Program Fund exceeds Four Hundred  
18 Million Dollars (\$400,000,000.00), that amount shall be provided  
19 as an income tax credit for Oklahoma residents the following tax  
20 year. The credit shall be two times the amount for residents  
21 filing as married filing jointly, surviving spouse, or head of  
22 household as those filing as individual or married filing  
23 separately.

24 SHALL THE PROPOSAL BE APPROVED?

1 FOR THE PROPOSAL - YES \_\_\_\_\_

2 AGAINST THE PROPOSAL - NO \_\_\_\_\_

3 SECTION 3. The President Pro Tempore of the Senate shall,  
4 immediately after the passage of this resolution, prepare and file  
5 one copy thereof, including the Ballot Title set forth in SECTION 2  
6 hereof, with the Secretary of State and one copy with the Attorney  
7 General.

8 Passed the Senate the 21st day of March, 2022.

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\_\_\_\_\_  
Presiding Officer of the Senate

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12 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
13 2022.

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Presiding Officer of the House  
of Representatives

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