

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3083

By: Hilbert of the House

and

Montgomery of the Senate

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10 COMMITTEE SUBSTITUTE

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

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

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

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

22 B. This tax will be collected at the point of sale. Except as
23 provided for in ~~subsection~~ subsections C and D, tax proceeds ~~will be~~

1 ~~applied primarily to finance the regulatory office shall be~~
2 ~~appropriated in amounts as authorized by the Oklahoma Legislature.~~

3 C. ~~Except as provided for in subsection D, if~~ For the fiscal
4 year beginning July 1, 2022, and each subsequent fiscal year,
5 proceeds from the levy authorized by subsection A of this section
6 ~~exceed the budgeted amount for running the regulatory office, any~~
7 ~~surplus shall be apportioned with seventy-five percent (75%) going~~
8 ~~to the General Revenue Fund and may only be expended for common~~
9 ~~education including~~ as follows:

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

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

23 3. Eleven and one-quarter percent (11.25%) of the total
24 proceeds of the levy to the ~~Oklahoma~~ State Department of Mental

1 Health and Substance Abuse Services and earmarked for drug and
2 alcohol rehabilitation, but in no event shall the total amount
3 apportioned in any fiscal year pursuant to this paragraph exceed
4 Seven Million Five Hundred Thousand Dollars (\$7,500,000.00).

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

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

9 a. fifty-nine and twenty-three hundredths percent
10 (59.23%) to the State Public Common School Building
11 Equalization Fund,

12 b. thirty-four and sixty-two hundredths percent (34.62%)
13 to the Oklahoma Medical Marijuana Authority, a
14 division within the Oklahoma State Department of
15 Health, and

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

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

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

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

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4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
5 03/02/2022 - DO PASS, As Amended and Coauthored.

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