

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 2267

By: Miller

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5
6 AS INTRODUCED

7 An Act relating to transportation; amending 69 O.S.
8 2021, Section 1521, which relates to the Rebuilding
9 Oklahoma Access and Driver Safety Fund; modifying
10 total apportionment amount for certain fund; updating
11 statutory reference; providing an effective date; and
12 declaring an emergency.

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

14 SECTION 1. AMENDATORY 69 O.S. 2021, Section 1521, is
15 amended to read as follows:

16 Section 1521. A. There is hereby created in the State Treasury
17 a fund to be known as the "Rebuilding Oklahoma Access and Driver
18 Safety Fund". The fund shall be a continuing fund, not subject to
19 fiscal year limitations, and shall consist of all appropriations and
20 transfers made by the Legislature. All monies accruing to the
21 credit of the fund are hereby appropriated and may be budgeted and
22 expended by the Department of Transportation for the purposes
23 authorized by subsection F of this section in amounts as authorized
24 by the Oklahoma Legislature. Expenditures from the fund shall be

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

4 B. Beginning July 1, 2021, except for an amount equivalent to
5 the amount of revenue apportioned to the Rebuilding Oklahoma Access
6 and Driver Safety Fund pursuant to Section 500.4B of Title 68 of the
7 Oklahoma Statutes and Section 1104 of Title 47 of the Oklahoma
8 Statutes and from other sources apportioned to the Fund by law,
9 there shall be apportioned to the funds specified in this subsection
10 from the monies that would otherwise be apportioned to the General
11 Revenue Fund by Section 2352 of Title 68 of the Oklahoma Statutes
12 from the revenues derived pursuant to subsections A, B and E of
13 Section 2355 of Title 68 of the Oklahoma Statutes amounts as
14 follows:

15 1. Subject to any reductions required by subsection E of this
16 section, there shall be apportioned to the Rebuilding Oklahoma
17 Access and Driver Safety Fund:

18 a. for the fiscal year beginning July 1, 2021, and for
19 each fiscal year thereafter, Eighty Million Dollars
20 (\$80,000,000.00), which shall be allocated and used by
21 the Department of Transportation first for the purpose
22 of making any required payments for principal,
23 interest or other costs of borrowing with respect to
24 the obligations issued pursuant to Section 341 of

1 Title 73 of the Oklahoma Statutes and after any such
2 required payment has been made then for the purposes
3 otherwise authorized by this section, plus

4 b. the total amount apportioned to the Rebuilding
5 Oklahoma Access and Driver Safety Fund for the
6 preceding fiscal year which, except for the amount
7 prescribed by subparagraph a of this paragraph, shall
8 be apportioned before any other amount is apportioned
9 pursuant to Section 2352 of Title 68 of the Oklahoma
10 Statutes, plus

11 c. an additional amount that is required in order for the
12 total apportionment to the Rebuilding Oklahoma Access
13 and Driver Safety Fund from all sources for such
14 fiscal year to equal:

15 ~~(1) Five Hundred Seventy-five Million Dollars~~
16 ~~(\$575,000,000.00) for the fiscal year beginning~~
17 ~~July 1, 2021, and~~

18 ~~(2) Five Hundred Ninety Million Dollars~~
19 ~~(\$590,000,000.00) Six Hundred and Fifty Million~~
20 Dollars (\$650,000,000.00) for the fiscal year
21 beginning July 1, ~~2022~~ 2025, and for each fiscal
22 year thereafter.

23 All amounts apportioned pursuant to this paragraph shall be
24 divided into twelve equal amounts to be apportioned each month

1 during the fiscal year except the amount specified in subparagraph a
2 of this paragraph which amount shall be allocated in its full amount
3 in cash not later than July 30 each year or such later date as may
4 be required in order for the amount to be allocated in cash; and

5 2. For each fiscal year after the apportionments required by
6 paragraph 1 of this subsection have been made:

7 a. the next Two Million Dollars (\$2,000,000.00) shall be
8 apportioned to the Oklahoma Tourism and Passenger Rail
9 Revolving Fund created pursuant to Section 325 of
10 Title 66 of the Oklahoma Statutes to be used for
11 capital and operating costs for the "Heartland Flyer"
12 rail project, and

13 b. the next Three Million Dollars (\$3,000,000.00) shall
14 be apportioned to the Public Transit Revolving Fund
15 created pursuant to Section 4031 of this title to be
16 used for purposes authorized by law other than the
17 purpose described by subparagraph a of this paragraph.

18 All amounts apportioned pursuant to this paragraph shall be
19 divided into twelve equal amounts to be apportioned each month
20 during the fiscal year.

21 C. The monies apportioned to the Rebuilding Oklahoma Access and
22 Driver Safety Fund shall not be used to supplant or replace existing
23 state funds used for transportation purposes.

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1 D. In order to ensure that the funds from the ROADS Fund are
2 used to enhance and not supplant state funding for the Department of
3 Transportation, the State Board of Equalization shall examine and
4 investigate expenditures from the fund each year. For purposes of
5 this examination, monies used to retire outstanding debt obligations
6 for which the Department of Transportation is responsible shall be
7 excluded. At the meeting of the State Board of Equalization held
8 within five (5) days after the monthly apportionment in February of
9 each year, the State Board of Equalization shall issue a finding and
10 report which shall state whether expenditures from the ROADS Fund
11 were used to enhance or supplant state funding for the Department of
12 Transportation. If the State Board of Equalization finds that state
13 funding for the Department of Transportation was supplanted by funds
14 from the ROADS Fund, the Board shall specify the amount by which
15 such funding was supplanted. In this event, the Legislature shall
16 not make any appropriations for the ensuing fiscal year until an
17 appropriation in that amount is made to replenish state funding for
18 the Department of Transportation.

19 E. In the event that the Director of the Office of Management
20 and Enterprise Services declares a General Revenue Fund revenue
21 failure pursuant to Section 34.49 of Title 62 of the Oklahoma
22 Statutes, and agency allocations are reduced pursuant to the
23 provisions of Section 34.49 of Title 62 of the Oklahoma Statutes,
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1 the amounts that would otherwise be apportioned to the ROADS Fund
2 by:

3 1. Subparagraph a of paragraph 1 of subsection B of this
4 section, only to the extent that the amount is not required for debt
5 service related to the obligations authorized pursuant to Section
6 341 of Title 73 of the Oklahoma Statutes, Section 350 of Title 73 of
7 the Oklahoma Statutes and ~~Section 1 of Enrolled House Bill No. 2896~~
8 ~~of the 1st Session of the 58th Oklahoma Legislature~~ Section 350.1 of
9 Title 73 of the Oklahoma Statutes;

10 2. Subparagraphs b and c of paragraph 1 of subsection B of this
11 section; and

12 3. Subparagraphs a and b of paragraph 2 of subsection B of this
13 section,
14 shall be reduced by a percentage equal to that required of the
15 General Revenue Fund appropriations to state agencies and such
16 reductions shall occur during the entire fiscal year and for any
17 month during which such reductions are required by the Office of
18 Management and Enterprise Services and by the same percentage as
19 that required of the agencies for such General Revenue Fund
20 appropriations.

21 F. The Department of Transportation shall use the monies in the
22 Rebuilding Oklahoma Access and Driver Safety Fund for:

23 1. The construction and maintenance of state roads, bridges and
24 highways;

1 2. The direct expenses of operating and maintaining the state
2 highway system, including bridges;

3 3. Direct expenses incurred in constructing, repairing, and
4 maintaining state highways, farm-to-market roads, county highways
5 and bridges as authorized by law;

6 4. Matching federal funds;

7 5. The purchase of materials, tools, machinery, motor vehicles,
8 and equipment necessary or convenient for the construction and
9 maintenance of the state highway system and bridges;

10 6. Debt service incurred prior to January 1, 2006, for Capital
11 Improvement Program bonds sold pursuant to Section 2001 of this
12 title; and

13 7. Debt service incurred on or after July 1, 2009, with respect
14 to obligations authorized to be issued pursuant to Section 341 of
15 Title 73 of the Oklahoma Statutes, Section 350 of Title 73 of the
16 Oklahoma Statutes and ~~Section 1 of Enrolled House Bill No. 2896 of~~
17 ~~the 1st Session of the 58th Oklahoma Legislature~~ Section 350.1 of
18 Title 73 of the Oklahoma Statutes.

19 G. From the monies allocated pursuant to the provisions of
20 subparagraph a of paragraph 1 of subsection B of this section each
21 fiscal year, the Department of Transportation shall make payments
22 required for the payment of principal, interest and other costs
23 related to the obligations issued by the Oklahoma Capitol
24 Improvement Authority as authorized by Section 341 of Title 73 of

1 the Oklahoma Statutes, Section 350 of Title 73 of the Oklahoma
2 Statutes and ~~Section 1 of Enrolled House Bill No. 2896 of the 1st~~
3 ~~Session of the 58th Oklahoma Legislature~~ Section 350.1 of Title 73
4 of the Oklahoma Statutes, and such payments shall be made by the
5 Department each fiscal year before such monies are used for any
6 other purpose.

7 SECTION 2. This act shall become effective July 1, 2025.

8 SECTION 3. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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