

**Adopted
AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1217

BY: Representative Reeves

1 **AMEND** on lines 8 and 77, by inserting before the word "**With**",
2 the following: "**Through June 30, 2008,**"

3 **AMEND further** after line 146, by inserting the following:

4 "**[From and after July 1, 2008, with regard to any county**
5 **which is exempt from the provisions of Section 19-2-3, this**
6 **section shall read as follows:]**

7 27-25-505. All taxes herein levied and collected by the
8 State Tax Commission shall be paid into the State Treasury on the
9 same day collected. The commissioner shall apportion all such tax
10 collections to the state and to the county in which the oil was
11 produced, in accordance with the following schedule and so certify
12 such apportionment to the State Treasurer at the end of each
13 month:

14 On the first Six Hundred Thousand Dollars (\$600,000.00) or
15 any part thereof, sixty-six and two-thirds percent (66-2/3%) to
16 the state and thirty-three and one-third percent (33-1/3%) to the
17 county.

18 On the next Six Hundred Thousand Dollars (\$600,000.00) or any
19 part thereof, ninety percent (90%) to the state and ten percent
20 (10%) to the county through June 30, 1989; eighty-five percent
21 (85%) to the state and fifteen percent (15%) to the county from
22 July 1, 1989, through June 30, 1990; and eighty percent (80%) to

23 the state and twenty percent (20%) to the county for each fiscal
24 year thereafter.

25 Above and exceeding One Million Two Hundred Thousand Dollars
26 (\$1,200,000.00), ninety-five percent (95%) to the state and five
27 percent (5%) to the county through June 30, 1989; ninety percent
28 (90%) to the state and ten percent (10%) to the county from July
29 1, 1989, through June 30, 1990; and eighty-five percent (85%) to
30 the state and fifteen percent (15%) to the county for each fiscal
31 year thereafter.

32 The state's share of all oil severance taxes collected
33 pursuant to this section shall be deposited as provided for in
34 Section 27-25-506.

35 The State Treasurer shall remit the county's share of said
36 funds on or before the twentieth day of the month next succeeding
37 the month in which such collections were made, for division among
38 the municipalities and taxing districts of the county. He shall
39 accompany his remittance with a report to the county receiving
40 such funds prepared by the commissioner showing from whom said tax
41 was collected. Upon receipt of said funds, the board of
42 supervisors of said county shall allocate the same to the
43 municipalities and to the various maintenance and bond and
44 interest funds of the county, school districts, supervisors
45 districts and road districts, as hereinafter provided.

46 When there shall be any oil producing properties within the
47 corporate limits of any municipality, then such municipality shall
48 participate in the division of the tax returned to the county in
49 which the municipality is located, in the proportion which the tax
50 on production of oil from any properties located within the
51 municipal corporate limits bears to the tax on the total
52 production of oil in the county. In no event, however, shall the
53 amount allocated to municipalities exceed one-third (1/3) of the
54 tax produced in the municipality and returned to the county. Any

55 amount received by any municipality as a result of the allocation
56 herein provided shall be used only for such purposes as are
57 authorized by law.

58 The balance remaining of any amount of tax returned to the
59 county after the allocation to municipalities shall be divided
60 among the various maintenance and bond interest funds of the
61 county, school districts, supervisors districts and road
62 districts, in the discretion of the board of supervisors, and such
63 board shall make the division in consideration of the needs of the
64 various taxing districts. The funds so allocated shall be used
65 only for purposes as are authorized by law.

66 **[From and after July 1, 2008, with regard to any county which**
67 **is required to operate on a countywide system of road**
68 **administration as described in Section 19-2-3, this section shall**
69 **read as follows:]**

70 27-25-505. All taxes herein levied and collected by the
71 State Tax Commission shall be paid into the State Treasury on the
72 same day collected. The commissioner shall apportion all such tax
73 collections to the state and to the county in which the oil was
74 produced, in accordance with the following schedule and so certify
75 such apportionment to the State Treasurer at the end of each
76 month:

77 On the first Six Hundred Thousand Dollars (\$600,000.00) or
78 any part thereof, sixty-six and two-thirds percent (66-2/3%) to
79 the state and thirty-three and one-third percent (33-1/3%) to the
80 county.

81 On the next Six Hundred Thousand Dollars (\$600,000.00) or any
82 part thereof, ninety percent (90%) to the state and ten percent
83 (10%) to the county through June 30, 1989; eighty-five percent
84 (85%) to the state and fifteen percent (15%) to the county from
85 July 1, 1989, through June 30, 1990; and eighty percent (80%) to

86 the state and twenty percent (20%) to the county for each fiscal
87 year thereafter.

88 Above and exceeding One Million Two Hundred Thousand Dollars
89 (\$1,200,000.00), ninety-five percent (95%) to the state and five
90 percent (5%) to the county through June 30, 1989; ninety percent
91 (90%) to the state and ten percent (10%) to the county from July
92 1, 1989, through June 30, 1990; and eighty-five percent (85%) to
93 the state and fifteen percent (15%) to the county for each fiscal
94 year thereafter.

95 The state's share of all oil severance taxes collected
96 pursuant to this section shall be deposited as provided for in
97 Section 27-25-506.

98 The State Treasurer shall remit the county's share of said
99 funds on or before the twentieth day of the month next succeeding
100 the month in which such collections were made, for division among
101 the municipalities and taxing districts of the county. He shall
102 accompany his remittance with a report to the county receiving
103 such funds prepared by the commissioner showing from whom said tax
104 was collected. Upon receipt of said funds, the board of
105 supervisors of said county shall allocate the same to the
106 municipalities and to the various maintenance and bond and
107 interest funds of the county and school districts, as hereinafter
108 provided.

109 When there shall be any oil producing properties within the
110 corporate limits of any municipality, then such municipality shall
111 participate in the division of the tax returned to the county in
112 which the municipality is located, in the proportion which the tax
113 on production of oil from any properties located within the
114 municipal corporate limits bears to the tax on the total
115 production of oil in the county. In no event, however, shall the
116 amount allocated to municipalities exceed one-third (1/3) of the
117 tax produced in the municipality and returned to the county. Any

118 amount received by any municipality as a result of the allocation
119 herein provided shall be used only for such purposes as are
120 authorized by law.

121 The balance remaining of any amount of tax returned to the
122 county after the allocation to municipalities shall be divided
123 among the various maintenance and bond interest funds of the
124 county and school districts, in the discretion of the board of
125 supervisors, and such board shall make the division in
126 consideration of the needs of the various taxing districts. The
127 funds so allocated shall be used only for purposes as are
128 authorized by law."