

**STATE BOARD OF EQUALIZATION**

**February 16, 2021**

**10:00 AM**

**Governor's Conference Room  
Second Floor – State Capitol Building**

**MINUTES**

The State Board of Equalization met on February 16, 2021 at 10:00 a.m. in the Governor's Conference Room on the second floor of the State Capitol building. The members were notified by e-mail.

**Members present were:**

Governor J. Kevin Stitt  
Lt. Governor Matt Pinnell  
Joy Hofmeister, Superintendent of Public Instruction  
Mike Hunter, Attorney General  
Randy McDaniel, State Treasurer

**Members absent:**

Cindy Byrd, State Auditor and Inspector  
Blayne Arthur, Chairman of the Board of Agriculture

**Guests who took part in discussion:**

John Gilbert, Budget and Revenue Analyst, Office of Management and Enterprise Services  
Jay Doyle – Executive Director, Oklahoma Tax Commission

**Agenda Item #1 – Call to Order**

Governor Stitt called the meeting to order.

**Agenda Item #2 – Roll Call and announcement of quorum**

The roll was called to establish a quorum.

**Agenda Item #3 – Announcement of filing of regular meeting notice and posting of the agenda in accordance with the Open Meeting Act**

**Agenda Item #4 – Disposition of December 18, 2020 minutes**

**MR. HUNTER MOVED TO ACCEPT THE MINUTES AS PRESENTED.** Mr. McDaniel seconded the motion. Roll call was taken and all members present voted “aye”. Motion carried

**Agenda Item #5 - Determination and certification of limit on growth of appropriations for fiscal year ending June 30, 2022**

John Gilbert made a presentation regarding certification. The Constitution requires a certification of maximum appropriations for the fiscal year 2022.

**LT. GOVERNOR PINNELL MOVED THAT THE LIMIT ON APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2022 BE SET AT \$7,908,933,430.** Mr. McDaniel seconded the motion. Roll call was taken and all members present voted “aye”. Motion carried.

**Agenda Item #6 – Determination as to whether expenditures from the ROADS Fund are used to "enhance or supplant" state funding for the Department of Transportation as required by 69 O.S. § 1521.**

**MS. HOFMEISTER MOVED THE BOARD FINDS THE ROADS FUND WAS USED TO ENHANCE TRANSPORTATION FUNDING FOR FY2021.** Mr. Hunter seconded the motion. Roll call was taken and all members present voted “aye”. Motion carried

**Agenda Item # 7 – Report from the Office of Management and Enterprise Services and possible action regarding appropriations from the Oklahoma Education Lottery Trust Fund as required by Article X § 41 of the Oklahoma Constitution and Title 3A O.S., § 713.**

**MS. HOFMEISTER MOVED THE BOARD FINDS THAT APPROPRIATIONS FROM THE OKLAHOMA EDUCATION LOTTERY TRUST FUND ENHANCED EDUCATION FUNDING IN FY2021.** Lt. Governor Pinnell seconded the motion. Roll call was taken and all members present voted “aye”. Motion carried

**Agenda Item #8 - Report from the Office of Management and Enterprise Services and possible action regarding certification of the following, pursuant to 62 O.S. 2016 § 34.103:**

A.1. For the revenue derived from the tax levies on oil pursuant to Section 1001 of Title 68...the average annual amount of actual revenue apportioned to the General Revenue Fund for the immediately preceding five (5) complete fiscal years.

**MR. HUNTER MOVED TO CERTIFY THE 5-YEAR AVERAGE OF ACTUAL ANNUAL REVENUE APPORTIONED TO THE GENERAL REVENUE FUND FROM THE TAX ON OIL PURSUANT TO § 1001 OF TITLE 68 IS \$157,807,265.** Mr. McDaniel seconded the motion. Roll call was taken and all members present voted “aye”. Motion carried

A.2. For the revenue derived from the tax levied on natural gas pursuant to Section 1001 of Title 68...the average annual amount of actual revenue apportioned to the General Revenue Fund for the previous five (5) years.

**MR. MCDANIEL MOVED TO CERTIFY THE 5-YEAR AVERAGE OF ACTUAL ANNUAL REVENUE APPORTIONED TO THE GENERAL REVENUE FUND FROM THE TAX ON NATURAL GAS PURSUANT TO § 1001 OF TITLE 68 IS \$202,499,688.** Lt. Governor Pinnell seconded the motion. Roll call was taken and all members present voted “aye”. Motion carried

A.3. For the revenue derived from the corporate income tax levied pursuant to Section 2355 of Title 68...the average annual amount of actual revenue apportioned to the General Revenue Fund for the previous five (5) fiscal years.

**MR. MCDANIEL MOVED TO CERTIFY THE 5-YEAR AVERAGE OF ACTUAL ANNUAL REVENUE APPORTIONED TO THE GENERAL REVENUE FUND FROM THE TAX ON CORPORATE INCOME TAX PURSUANT TO § 2355 OF TITLE 68 IS \$212,700,297.** Lt. Governor Pinnell seconded the motion. Roll call was taken and all members present voted “aye”. Motion carried

**Agenda Item #9 –Report from the Office of Management and Enterprise Services and possible action pursuant to O.S. 68 §2355.1B, regarding determination of a new baseline of apportionments to the Oklahoma Teachers Retirement System from the taxes levied pursuant to Sections 1353, 1403 and 2352 of O.S. 68 if it differs from the original baseline determination; and, if a new baseline is determined, five-year average apportionment amounts attributable to each revenue source.**

**A.1) MR. MCDANIEL MOVED THAT SINCE THE NEW 5-YEAR AVERAGE APPORTIONMENTS TO THE OKLAHOMA TEACHERS’ RETIREMENT SYSTEM REVOLVING FUND FROM INCOME TAXES, SALES TAXES AND USE TAXES IS GREATER THAN THE PREVIOUSLY DETERMINED ORIGINAL BASELINE, THE NEW BASELINE FOR SUCH APPORTIONMENTS IN FISCAL YEAR 2022 SHALL BE \$307,445,770.** Lt. Governor Pinnell seconded the motion. Roll call was taken and all members present voted “aye”. Motion carried

**A.2) LT. GOVERNOR PINNELL MOVED THAT THE INDIVIDUAL, 5-YEAR AVERAGE APPORTIONMENT AMOUNTS FOR EACH REVENUE SOURCE BE SET AT \$157,076,687 FOR PERSONAL INCOME TAX COLLECTIONS; \$13,722,600 FOR CORPORATE INCOME TAX COLLECTIONS; \$122,014,273 FOR SALES TAX COLLECTIONS AND \$14,632,211 FOR USE TAX COLLECTIONS FOR FISCAL YEAR 2022.** Mr. Hunter seconded the motion. Roll call was taken and all members present voted “aye”. Motion carried

**Agenda Item #10 – Discussion and possible action to certify the estimate of funds available for appropriation by the legislature for fiscal year ending June 30, 2022.**

**MR. HUNTER MADE A MOTION TO CERTIFY THE FISCAL YEAR 2022 ESTIMATE SUMMATION OF REVENUES FROM CERTIFIED FUNDS OF \$7,063,707,187 AND REVENUES AVAILABLE FOR APPROPRIATION IN THE AMOUNT OF \$6,710,521,829.** Mr. McDaniel seconded the motion. Roll call was taken and all members present voted “aye”. Motion carried

**Agenda Item #11 – Report from BOE subcommittee – Discussion and possible action to suspend audit findings of the County Assessor Performance Audit for 2021.**

No report was given.

**Agenda Item #12** – New Business – No new business

**Agenda Item #13** – Adjournment

**MR. MCDANIEL MADE A MOTION TO ADJOURN.** Lt. Governor Pinnell seconded the motion. Roll call was taken and all members present voted “aye”. Governor Stitt declared the meeting adjourned.

---

J. Kevin Stitt, Governor  
State Board of Equalization

---

Cindy Byrd  
State Auditor and Inspector  
Secretary, State Board of Equalization