

OKLAHOMA LOTTERY – CONSTITUTION PROVISIONS

Oklahoma Constitution Article 10 - Revenue And Taxation - Public Indebtedness

Section Article 10 section 41 - Oklahoma Education Lottery Trust Fund

Cite as: OKCONST O.S. § Article 10 section 41 (OSCN 2005), Public Indebtedness

A. There is hereby created a trust fund to be known as the "Oklahoma Education Lottery Trust Fund". **The trust fund shall consist of the funds transferred to it from the Oklahoma Education Lottery.**

B. Monies in the Oklahoma Education Lottery Trust Fund shall only be expended for the following educational purposes and programs:

1. Kindergarten through twelfth grade public education, including but not limited to compensation and benefits for public school teachers and support employees;
2. Early childhood development programs;
3. Tuition grants, loans and scholarships to citizens of this state to enable such citizens to attend colleges and universities located within this state which are accredited by the Oklahoma State Regents for Higher Education or to attend institutions operated under the authority of the Oklahoma Department of Career and Technology Education;
4. Construction of educational facilities for elementary school districts, independent school districts, the Oklahoma State System of Higher Education, and career and technology education;
5. Capital outlay projects for elementary school districts, independent school districts, the Oklahoma State System of Higher Education, and career and technology education;
6. Technology for public elementary school district, independent school district, state higher education, and career and technology education facilities;
7. Endowed chairs for professors at institutions of higher education operated by the Oklahoma State System of Higher Education;
8. Programs and personnel of the Oklahoma School for the Deaf and the Oklahoma School for the Blind;
9. The School Consolidation and Assistance Fund; and
10. The Teachers' Retirement System Dedicated Revenue Revolving Fund.

C. **The Legislature shall appropriate funds from the Oklahoma Education Lottery Trust Fund** only for the purposes specified in subsection B of this section. Even when the funds from the trust fund are used for these purposes, the Legislature shall not use funds from the trust fund to supplant or replace other state funds supporting common education, higher education, or career and technology education.

D. In order to ensure that the funds from the trust fund are used to enhance and not supplant funding for education, the State Board of Equalization shall examine and investigate appropriations from the trust fund each year. At the meeting of the State Board of Equalization held within five (5) days after the monthly apportionment in February of each year, the State Board of Equalization shall issue a finding and report which shall state whether appropriations from the trust fund were used to enhance or supplant education funding. If the State Board of Equalization finds that education funding was supplanted by funds from the trust fund, the Board shall specify the amount by which education funding was supplanted. In this event, the Legislature shall not make any appropriations for the ensuing fiscal year until an appropriation in that amount is made to replenish the trust fund.

E. The provisions of this section shall not become effective if Enrolled House Bill No. 1278 of the 1st Session of the 49th Oklahoma Legislature is not approved by the people of this state.

Historical Data

Added by Laws 2003, SJR 22, § 1, State Question No. 706, Legis. Ref. No. 331, approved at the general election held November 2, 2004.