OKLAHOMA TAX COMMISSION

FISCAL IMPACT STATEMENT AND/OR ADMINISTRATIVE IMPACT STATEMENT FIRST REGULAR SESSION, FIFTY-THIRD OKLAHOMA LEGISLATURE

DATE OF IMPACT STATEMENT: March 2, 2011

BILL NUMBER: SB 0730 **STATUS AND DATE OF BILL:** Engrossed 02/28/2011

AUTHORS: House Dank Senate Mazzei

TAX TYPE (S): Various **SUBJECT:** Administrative

PROPOSAL: Amendatory

Section 1 proposes amendment to Section 228.1 of Title 68 providing when current collections from the same source are insufficient to pay refunds, available cash funds from the unclassified taxes account may be used.

Section 2 provides authorization for the Tax Commission to refer to collection agencies withholding tax accounts with two or more delinquent no file returns conditioned upon prior notification to the taxpayer.

EFFECTIVE DATE: November 1, 2011

REVENUE IMPACT:

Insert dollar amount (plus or minus) of the expected change in state revenues due to this proposed legislation.

FY 12: None
FY 13: None

ADMINISTRATIVE IMPACT:

Insert the estimated cost or savings to the Tax Commission due to this proposed legislation.

FY 12: None

3/7/11 — Dawn Elizabeth Cash
DATE — DIVISION DIRECTOR

cjc

3/8/11 — Reece Womack
DATE — REECE WOMACK, ECONOMIST

3/8/11
DATE — FOR THE COMMISSION

ATTACHMENT TO FISCAL IMPACT SB 0730 [Engrossed] Prepared March 2, 2011.

Section 1 proposes amendment to Section 228.1 of Title 68 which provides that tax refund claims are to be paid from collections of the same tax type as those claimed. The amendment addresses the circumstances when the Tax Commission must pay refund claims for taxes e.g., estate and franchise, that it no longer collects and provides that when current collections from the same source are insufficient to pay refunds, available cash funds from the unclassified taxes account may be used.

Section 2 proposes amendment to Section 255 of Title 68 which in accordance with the passage of HB 2359 [2010] provides for referral to collection agencies of sales tax accounts with two or more consecutive delinquent sales tax returns prior to the establishment of the tax liability, but only after the Commission has notified the taxpayer. The proposed amendment provides authorization for the Tax Commission to refer to collection agencies withholding tax accounts with two or more delinquent no file returns conditioned upon prior notification to the taxpayer. These amendments are requested to further expedite the collection of trust fund taxes owed the State of Oklahoma.

There is no revenue impact associated with the provisions of this measure.