

OKLAHOMA TAX COMMISSION

**REVENUE IMPACT STATEMENT AND/OR ADMINISTRATIVE IMPACT STATEMENT
FIRST REGULAR SESSION, FIFTY-EIGHTH OKLAHOMA LEGISLATURE**

DATE OF IMPACT STATEMENT: May 26, 2021

BILL NUMBER: SB 463 **STATUS AND DATE OF BILL:** Enrolled 05/25/2021

AUTHORS: House Kannady, et al. Senate Hall

TAX TYPE (S): Motor Vehicle **SUBJECT:** Other

PROPOSAL: Amendatory

Section 1 proposes amendment to Section 1140 of Title 47 to provide that motor license agents shall only be subject to removal by Oklahoma Tax Commission (“OTC”) for cause. Further, the measure provides that any action taken by the Tax Commission to remove a motor license agent from his or her position shall be pursuant to and in accordance with the provisions of the Administrative Procedures Act. The measure also removes Subsection (G) of Section 1140 which allows the OTC to immediately close any motor license agency if the motor license agent has been charged with a felony.

Section 2 amends Section 1142(E) of Title 47 by removing language directing the OTC to immediately discharge any motor license agent who fails, neglects, or refuses to comply with Section 1142 of Title 47.

Section 3 amends Section 1142.1(C) of Title 47 by removing language directing the OTC to immediately discharge any motor license agent that violates the provisions of Section 1142.1 of Title 47.

Section 4 amends Section 250.4 of Title 75 by requiring the OTC to be subject to the provisions of Article II of the Administrative Procedures Act only for matters involving subsection G of Section 1140 of Title 47 of the Oklahoma Statutes.

EFFECTIVE DATE: November 1, 2021

REVENUE IMPACT:

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

FY 22: None

ADMINISTRATIVE IMPACT:

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

FY 22: Unknown at this time.

May 26, 2021
DATE

Rick Miller
DIVISION DIRECTOR

msm

5/26/2021
DATE

Huan Gong
HUAN GONG, ECONOMIST

5/26/21
DATE

[Signature]
FOR THE COMMISSION

The estimated revenue impact provided herein is an estimate of the potential impact on the collection or apportionment of tax revenues affected by the proposed legislation. It is not intended to be an estimate of the overall fiscal impact on the state budget if the proposed legislation is enacted.

Attachment to Revenue Impact – SB 463- [Enrolled] - Prepared 05/25/2021

Section 1 proposes amendment to Section 1140 of Title 47 to provide that motor license agents shall only be subject to removal by Oklahoma Tax Commission (“OTC”) for cause¹. Further, the measure provides that any action taken by the Tax Commission to remove a motor license agent from his or her position shall be pursuant to and in accordance with the provisions of the Administrative Procedures Act. The measure also removes Subsection (G) of Section 1140 which allows the OTC to immediately close any motor license agency if the motor license agent has been charged with a felony.

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Section 4 amends Section 250.4 of Title 75 by requiring the OTC to be subject to the provisions of Article II of the Administrative Procedures Act only for matters involving subsection G of Section 1140 of Title 47 of the Oklahoma Statutes.

The measure will have no impact on motor vehicle revenues. Administrative costs associated with the proposal are unknown at this time.

¹ For purposes of Section 1140 of Title 47 “for cause” is defined as:

1. Repeated violations of written rules, regulations and statutes pertaining to motor license agents after written warning by the Tax Commission and an opportunity to correct such violations;
2. Failure of the motor license agent to promptly remit funds owed to the OTC upon written demand;
3. Being charged with a felony crime involving dishonesty or moral turpitude;
4. Failure to timely file state and federal income tax returns;
5. Any act of official misconduct as set forth in Section 93 of Title 51.