

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 1427

By: Hilbert, Ownbey and Newton
of the House

and

Leewright of the Senate

[revenue and taxation - creating Out-of-State Tax
Collections Enforcement Act of 2017 - out-of-state
field office - staffing levels - effective date]

AUTHOR: Add the following Senate Coauthors: Kidd and Bergstrom

AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause
and entire bill and insert

"An Act relating to revenue and taxation; creating
the Out-of-State Tax Collections Enforcement Act of
2017; stating purposes; authorizing the establishment
and maintenance of a specified division within the
Oklahoma Tax Commission; authorizing employment of
specified persons for specified functions; defining
certain term; requiring submittal of certain report;
providing for codification; and providing an
effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 120 of Title 68, unless there is
created a duplication in numbering, reads as follows:

1 A. This act shall be known and may be cited as the "Out-of-
2 State Tax Collections Enforcement Act of 2017".

3 B. For the purpose of collecting taxes owed to this state, the
4 Tax Commission may establish and maintain a division to be known as
5 the "Out-of-State Tax Collections Enforcement Division". Pursuant
6 to Section 262 of Title 68 of the Oklahoma Statutes, the Tax
7 Commission may contract with out-of-state, private auditors or audit
8 firms and may require any person performing an audit to be first
9 approved by the Tax Commission.

10 C. The Tax Commission may employ full-time, unclassified, out-
11 of-state tax auditors or full-time-equivalent contracted auditors to
12 staff the Division who shall perform audit functions related to
13 enhancing:

14 1. Sales and use tax collections related to sales or
15 transactions involving residents of Oklahoma and out-of-state
16 vendors with a nexus to the State of Oklahoma; and

17 2. Collections of any other unpaid taxes owed the State of
18 Oklahoma by out-of-state individuals, firms and corporations.

19 D. For purposes of this section, the term "audit function"
20 includes but is not limited to the auditing of the books of
21 individuals, firms and corporations which the Tax Commission
22 believes may owe the State of Oklahoma additional tax monies.

23 E. The Tax Commission shall annually submit a report to the
24 Governor, President Pro Tempore of the Senate and Speaker of the

1 House listing the number of individuals, firms and corporations
2 audited, the types of taxes audited, the amount of taxes assessed
3 and the amount of taxes collected as the result of such audits.

4 SECTION 2. This act shall become effective November 1, 2017."
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6 Passed the Senate the 24th day of April, 2017.
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8 _____
9 Presiding Officer of the Senate

10 Passed the House of Representatives the ____ day of _____,
11 2017.

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13 _____
14 Presiding Officer of the House
15 of Representatives
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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 3. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 120 of Title 68, unless there is
16 created a duplication in numbering, reads as follows:

17 A. This act shall be known and may be cited as the "Out-of-
18 State Tax Collections Enforcement Act of 2017".

19 B. For the purpose of collecting taxes owed to this state, the
20 Tax Commission shall establish and maintain not less than one field
21 office in a state other than Oklahoma.

22 C. The Tax Commission shall maintain in full-time employ not
23 less than five out-of-state tax auditors who shall perform audit
24 functions related to enhancing:

1 1. Sales and use tax collections related to sales or
2 transactions involving residents of Oklahoma and out-of-state
3 vendors with a nexus to the State of Oklahoma; and

4 2. Collections of any other unpaid taxes owed the State of
5 Oklahoma by out-of-state individuals, firms and corporations.

6 D. For purposes of this section, the term "audit function"
7 includes but is not limited to the auditing of the books of
8 individuals, firms and corporations which the Tax Commission
9 believes may owe the State of Oklahoma additional tax monies.

10 SECTION 4. This act shall become effective November 1, 2017.

11 Passed the House of Representatives the 14th day of March, 2017.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ____ day of _____, 2017.

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Presiding Officer of the Senate

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