

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 HOUSE BILL 2859

By: West (Tammy)

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6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 1-122, which relates to the Public School
9 Classroom Support Revolving Fund; reauthorizing
10 income tax checkoff; and providing an effective date.

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

13 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-122, is
14 amended to read as follows:

15 Section 1-122. A. Each individual taxpayer required to file a
16 state income tax return and each corporation required to file a
17 corporate tax return who desires to contribute to the Public School
18 Classroom Support Revolving Fund created in Section ~~2~~ 1-123 of this
19 ~~act~~ title may designate the contribution on the appropriate income
20 or corporate tax form. The contribution may not increase or
21 decrease the income or liability of the taxpayer and may be made by
22 reducing the tax refund of a taxpayer by the amount designated or by
23 accepting additional payment from the taxpayer by the amount
24 designated, whichever is appropriate.

1 B. 1. The Oklahoma Tax Commission shall include on each state
2 individual income or corporate tax return form for tax years
3 beginning after December 31, 2011, an opportunity for the taxpayer
4 to donate for the benefit of the Public School Classroom Support
5 Revolving Fund. The instructions accompanying the tax form shall be
6 provided to the Oklahoma Tax Commission by the State Superintendent
7 of Public Instruction and shall contain a description of the purpose
8 for which the Public School Classroom Support Revolving Fund was
9 established and information on the use of monies from the tax
10 contribution.

11 2. Taxpayers who are entitled to refunds shall have the refunds
12 reduced by the amount designated by the taxpayer. The Oklahoma Tax
13 Commission shall annually determine the total amount designated plus
14 the amount received in excess payments and shall report the total
15 amount to the Office of the State Treasurer. The State Treasurer
16 shall credit the total amount to the Public School Classroom Support
17 Revolving Fund created in Section ~~2~~ 1-123 of this ~~act~~ title at the
18 earliest possible time.

19 C. The incremental cost of administration of contributions
20 shall be paid out of the fund to the Oklahoma Tax Commission from
21 amounts received pursuant to this section before funds are expended
22 for the purposes of the fund.

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1 D. Pursuant to Section 2368.18 of Title 68 of the Oklahoma
2 Statutes, the income tax checkoff contained in this section is
3 hereby reauthorized effective January 1, 2019.

4 SECTION 2. This act shall become effective November 1, 2018.

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6 56-2-8791 EK 12/21/17

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