

1                                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2   STATE OF OKLAHOMA

3   2nd Session of the 56th Legislature (2018)

4   ENGROSSED SENATE  
5   BILL NO. 1198

  By: Stanislawski of the Senate

  and

  West (Tammy) of the House

6  
7  
8  
9                   An Act relating to the Public School Classroom  
10                   Support Revolving Fund; amending 70 O.S. 2011,  
11                   Section 1-122, which relates to contributions to the  
12                   Public School Classroom Support Revolving Fund;  
13                   reauthorizing income tax checkoff; providing an  
14                   effective date; and declaring an emergency.

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

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

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

1 accepting additional payment from the taxpayer by the amount  
2 designated, whichever is appropriate.

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

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

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

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 July 1, 2018.

5        SECTION 3. It being immediately necessary for the preservation  
6 of the public peace, health or safety, an emergency is hereby  
7 declared to exist, by reason whereof this act shall take effect and  
8 be in full force from and after its passage and approval.

9  
10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
11 04/10/2018 - DO PASS.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24