

1 **SENATE FLOOR VERSION**

2 February 27, 2023

3 SENATE BILL NO. 395

By: Haste of the Senate

4 and

5 Miller of the House

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7
8 An Act relating to income tax refund donations;
9 authorizing donation from income tax refund for
10 Recovering Oklahomans After Disaster Revolving Fund;
11 creating Recovering Oklahomans After Disaster
12 Revolving Fund and providing for deposit of monies
13 thereto; authorizing specified funds to be expended
14 for certain purpose; providing procedures for refund
15 under specified circumstances; providing for
16 codification; and providing an effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 2368.33 of Title 68, unless
20 there is created a duplication in numbering, reads as follows:

21 A. Each state individual income tax return form for tax year
22 2024 and subsequent tax years, and each state corporate tax return
23 form for tax year 2024 and subsequent tax years, shall contain a
24 provision to allow a donation from a tax refund for the benefit of
Recovering Oklahomans After Disaster.

1 B. Except as otherwise provided for in this section, all monies
2 generated pursuant to subsection A of this section shall be paid to
3 the State Treasurer by the Oklahoma Tax Commission and placed to the
4 credit of the Recovering Oklahomans After Disaster Revolving Fund
5 created in subsection C of this section.

6 C. There is hereby created in the State Treasury a revolving
7 fund to be designated the "Recovering Oklahomans After Disaster
8 Revolving Fund" and administered by the State Treasurer. The fund
9 shall be a continuing fund, not subject to fiscal year limitations,
10 and shall consist of all the monies received by the State Treasurer
11 pursuant to the provisions of subsection A of this section. All
12 monies accruing to the credit of the fund are appropriated and may
13 be budgeted and expended by the State Treasurer at the beginning of
14 each fiscal year for the purpose of providing grants to Recovering
15 Oklahomans After Disaster for purposes of serving disaster survivors
16 by providing free home repairs in this state. Expenditures from the
17 fund shall be made upon warrants issued by the State Treasurer
18 against claims filed as prescribed by law with the Director of the
19 Office of Management and Enterprise Services for approval and
20 payment.

21 D. If a taxpayer makes a donation pursuant to subsection A of
22 this section in error, such taxpayer may file a claim for refund at
23 any time within three (3) years from the due date of the tax return.
24 Such claims shall be filed pursuant to the provisions of Section

1 2373 of this title. Prior to the apportionment set forth in this
2 section, an amount equal to the total amount of refunds made
3 pursuant to this subsection during any one (1) year shall be
4 deducted from the total donations received pursuant to this section
5 during the following year and such amount deducted shall be paid to
6 the State Treasurer and placed to the credit of the Income Tax
7 Withholding Refund Account.

8 SECTION 2. This act shall become effective November 1, 2023.

9 COMMITTEE REPORT BY: COMMITTEE ON FINANCE
10 February 27, 2023 - DO PASS
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