

1 ENGROSSED SENATE
BILL NO. 586

By: Jech of the Senate

2
3 and

4 Pfeiffer of the House

5
6 [game and fish - Wildlife Diversity Fund - effective
7 date]
8

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

10 SECTION 1. AMENDATORY 29 O.S. 2011, Section 3-310, as
11 amended by Section 118, Chapter 304, O.S.L. 2012 (29 O.S. Supp.
12 2016, Section 3-310), is amended to read as follows:

13 Section 3-310. A. The Oklahoma Tax Commission shall include on
14 each state individual income tax return form for tax years beginning
15 after December 31, 2001, and each state corporate tax return form
16 for tax years beginning after December 31, 2001, an opportunity for
17 the taxpayer to donate from a tax refund for the benefit of the
18 Oklahoma Wildlife Diversity Program.

19 B. For purposes of this section, "nongame wildlife" means any
20 species of wildlife not legally classified as a game species or
21 furbearer by statute or by rule adopted pursuant to statute.

22 C. Except as otherwise provided for in this section, all monies
23 generated pursuant to subsection A of this section shall be paid to
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1 the State Treasurer and placed to the credit of the Wildlife
2 Diversity Fund.

3 D. There is hereby created in the State Treasury a revolving
4 fund for the Oklahoma Wildlife Conservation Commission to be
5 designated the "Wildlife Diversity Fund". The fund shall be a
6 continuing fund, not subject to fiscal year limitations, and shall
7 consist of all monies received under the provisions of paragraph 2
8 of subsection C of this section by the Oklahoma Wildlife
9 Conservation Commission. The Oklahoma Wildlife Conservation
10 Commission is hereby authorized to invest all or part of the monies
11 of ~~said~~ the fund in any investment permitted by a written investment
12 policy adopted by the Wildlife Conservation Commission; provided,
13 all investments shall be made in accordance with the Oklahoma
14 Uniform Prudent Investor Act. Any interest or dividends accruing
15 from such investments shall be deposited in the Wildlife Diversity
16 Fund. All monies accruing to the credit of ~~said~~ the fund are hereby
17 appropriated and may be budgeted and expended by the Oklahoma
18 Wildlife Conservation Commission for the purpose of preserving,
19 protecting, perpetuating and enhancing nongame wildlife in this
20 state. Any monies withdrawn from ~~said~~ the fund by the Oklahoma
21 Wildlife Conservation Commission for investment pursuant to this
22 section shall be deemed to be for the purpose of preserving,
23 protecting, perpetuating and enhancing nongame wildlife in this
24 state. Expenditures from ~~said~~ the fund shall be made upon warrants

1 issued by the State Treasurer against claims filed as prescribed by
2 law with the Director of the Office of Management and Enterprise
3 Services for approval and payment.

4 E. If a taxpayer makes a donation pursuant to subsection A of
5 this section in error, such taxpayer may file a claim for refund at
6 any time within three (3) years from the due date of the tax return.
7 Such claims shall be filed pursuant to the provisions of Section
8 2373 of Title 68 of the Oklahoma Statutes and, if allowed, shall be
9 paid pursuant to the provisions of ~~said~~ the section. Prior to the
10 apportionment set forth in subsection C of this section, an amount
11 equal to the total amount of refunds made pursuant to this
12 subsection during any one (1) year shall be deducted from the total
13 donations received pursuant to this section during the following
14 year and such amount deducted shall be paid to the State Treasurer
15 and placed to the credit of the Income Tax Withholding Refund
16 Account.

17 F. Pursuant to Section 2368.18 of Title 68 of the Oklahoma
18 Statutes, the income tax checkoff contained in this section is
19 hereby reauthorized effective January 1, 2018.

20 SECTION 2. This act shall become effective November 1, 2017.
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