

1 **SENATE FLOOR VERSION**

2 February 19, 2021

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 771

6 By: Stephens

7 **[Tax Collection Modernization Act - certain payment**
8 **schedule - noncodification - effective date]**

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

11 SECTION 1. NEW LAW A new section of law not to be
12 codified in the Oklahoma Statutes reads as follows:

13 This act shall be known and may be cited as the "Tax Collection
14 Modernization Act".

15 SECTION 2. AMENDATORY 68 O.S. 2011, Section 2913, is
16 amended to read as follows:

17 Section 2913. A. ~~All~~ Except as provided in subsection H of
18 this section, taxes levied upon an ad valorem basis for each fiscal
19 year shall become due and payable on the first day of November.

20 Except for mortgage servicers, the exclusive method for payment
21 shall be as follows:

22 1. Unless one-half (1/2) or more of the taxes so levied has
23 been paid before the first day of January, the entire tax levy for
24 ~~such~~ that fiscal year shall become delinquent on that date.

1 2. If the first half or more of the taxes levied upon an ad
2 valorem basis for any ~~such~~ fiscal year has been paid before the
3 first day of January, the ~~second half~~ remainder shall be paid before
4 the first day of April thereafter and if not paid shall become
5 delinquent on that date.

6 ~~In~~ Except as provided for in subsection H of this section, in no
7 event may payment be made in more than two ~~equal~~ installments
8 subject to the provisions of the payment schedule specified in this
9 subsection.

10 B. Mortgage servicers, as defined in 24 C.F.R., part 3500.17,
11 shall pay all accounts which they are servicing in one annual
12 payment before the first day of January or the entire tax levy for
13 ~~such~~ that fiscal year shall become delinquent on that date.

14 C. If the total tax owed is Twenty-five Dollars (\$25.00) or
15 less, then the total amount must be paid before January 1. If the
16 total tax is not paid before January 1, the unpaid balance owing
17 shall become delinquent on the first day of January and shall be
18 subject to delinquent charges as provided for in this section.

19 D. All delinquent taxes shall bear interest at the rate of one
20 and one-half percent (1 1/2%) per month or major fraction thereof
21 until paid. In no event shall ~~such~~ the interest exceed a sum equal
22 to the unpaid principal amount of tax, and when ~~such~~ the interest
23 has accumulated to a sum equivalent to one hundred percent (100%) of
24 the unpaid tax the further accumulation of interest shall cease.

1 E. In addition to any other penalties prescribed by law,
2 delinquent taxes shall be subject to a late payment penalty of five
3 percent (5%) per month or a major fraction thereof until paid. The
4 penalty assessed herein shall only apply to delinquent taxes that
5 are due on property located in a dependent school district in a
6 county with a population of less than seventy-five thousand (75,000)
7 according to the most recent Federal Decennial Census and held by a
8 nonindividual taxpayer when the tax has been paid delinquent for two
9 (2) or more separate and consecutive years and the fair cash value
10 of the property exceeds Five Hundred Thousand Dollars (\$500,000.00).

11 F. The county treasurer shall stamp the date of receipt on each
12 letter received containing funds for payment of taxes and no
13 interest shall be added or charged after the receipt of such letter
14 or the amount due. It shall be the duty of every person subject to
15 taxation according to the law to attend the county treasurer's
16 office and pay his or her taxes. If any person neglects to pay his
17 or her taxes until after they have become delinquent, the county
18 treasurer is directed and required to collect the delinquent tax as
19 provided for by law. The first ~~half~~ installment of taxes payable
20 pursuant to the provisions of this section shall not become
21 delinquent until thirty (30) days after the tax rolls have become
22 completed and filed by the county assessor with the county
23 treasurer.

24

1 G. The county treasurer may waive penalties or interest in any
2 case where it is shown to the county treasurer that ~~such~~ the
3 penalties or interest were incurred through no fault of the
4 taxpayer. Each waiver of penalties or interest shall be audited by
5 the Office of the State Auditor and Inspector each year during the
6 annual audit of the county offices.

7 H. Each county treasurer, in his or her sole discretion, may
8 allow a taxpayer to make payments on the total amount of tax due.
9 These payments shall be held in trust until the amount paid is
10 sufficient to pay the total amount due. The county treasurer may
11 provide a payment schedule for a taxpayer and determine when that
12 taxpayer shall become delinquent.

13 SECTION 3. This act shall become effective November 1, 2021.

14 COMMITTEE REPORT BY: COMMITTEE ON FINANCE
15 February 19, 2021 - DO PASS AS AMENDED
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