

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 606

BY: HERBERT of the SENATE

and

SEIKEL of the HOUSE

COMMITTEE SUBSTITUTE AN ACT RELATING TO AD VALOREM TAXATION; AMENDING
68 O.S. 1991, SECTIONS 2925 AND 2929, WHICH RELATE TO COLLECTION AND
PAYMENT OF AD VALOREM TAXES; MODIFYING PROCEDURES FOR PAYING TAXES
ON CERTAIN SALES OF PERSONAL PROPERTY; MODIFYING AMOUNT REQUIRED TO
BE PAID FROM CERTAIN SALE OF PERSONAL PROPERTY; MODIFYING LIEN
PROCEDURES ON PERSONAL PROPERTY FOR AD VALOREM TAX PURPOSES;
REPEALING 68 O.S. 1991, SECTIONS 2927 AND 2928, WHICH RELATE TO
COLLECTION AND PAYMENT OF AD VALOREM TAXES ON PERSONAL PROPERTY; AND
DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 68 O.S. 1991, Section 2925, is
amended to read as follows:

Section 2925. Whenever personal property within the State of
Oklahoma is sold at public sale or under order of a court after the
first day of January of that year, it shall be the duty of ~~the clerk~~
~~of the sale,~~ the administrator, executor, referee in bankruptcy,
receiver, or agent ~~or other person~~ making such property available
for sale to pay into the county treasury of the county in which ~~said~~

~~sale takes place~~ the personal property was originally domiciled, the amount of any and all taxes, interest and costs due on said personal property ~~for that year~~.

SECTION 2. AMENDATORY 68 O.S. 1991, Section 2929, is amended to read as follows:

Section 2929. If any person or entity in this state, after ~~his~~ their personal property is assessed and before the tax, interest and costs thereon is paid, shall sell ~~all of the same to any one person~~, and not retain sufficient money to pay ~~the~~ all taxes, interest and costs thereon, the ~~tax for that year~~ taxes, interest and costs shall be a lien thereon, or if such property is about to be sold at auction, or about to be sold at cost, then in either such event ~~the tax~~ all taxes, interest and costs thereon shall at once become due and payable, and the county treasurer shall at once issue a tax warrant for the collection thereof, and the sheriff shall forthwith collect it as in other cases. The ~~one~~ person or entity owing such tax, interest and costs shall be civilly liable to any purchaser of such property for any tax ~~he owes~~, interest and costs owing thereon, but the property so purchased shall be liable in the hands of the purchaser for such tax, interest and costs. If the property is sold in the ordinary course of retail trade, it shall not be so liable in the hands of the purchaser.

SECTION 3. REPEALER 68 O.S. 1991, Sections 2927 and 2928, are hereby repealed.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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