

ENROLLED SENATE
BILL NO. 606

BY: HERBERT of the SENATE

and

SEIKEL and HEFNER of the
HOUSE

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, ~~agent or other person~~ or owner 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
taxed, 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, except livestock, 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.

Passed the Senate the 19th day of May, 1992.

President of the Senate

Passed the House of Representatives the 28th day of May, 1992.

Speaker of the House of Representatives