

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 214

BY: WEEDN

AS INTRODUCED

AN ACT RELATING TO REVENUE AND TAXATION; REQUIRING
THAT STATE TAX FORMS CONTAIN CERTAIN DESIGNATION;
PROVIDING FOR PAYMENT OF MONIES COLLECTED THEREBY;
CREATING OKLAHOMA SILVER-HAIRED LEGISLATURE FUND;
PROVIDING FOR APPROPRIATION AND EXPENDITURE OF
MONIES IN FUND; SPECIFYING PURPOSE; PROVIDING
PROCEDURE FOR REFUND; PROVIDING FOR CODIFICATION;
AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2368.1 of Title 68, unless there
is created a duplication in numbering, reads as follows:

A. Each state individual income tax return form for tax years
which begin after December 31, 1990, and each state corporate tax
return form for tax years beginning after December 31, 1990, shall
contain a designation as follows or shall contain similar wording as
space allows on the tax return form:

Oklahoma Silver-Haired Legislature. Check if you wish to donate
from your tax refund: () \$2, () \$5, or () \$_____.

B. Except as otherwise provided for in this section, all monies generated pursuant to subsection A of this section shall be paid to the State Treasurer by the Oklahoma Tax Commission and placed to the credit of the Oklahoma Silver-Haired Legislature.

C. There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Human Services to be designated the "Oklahoma Silver-Haired Legislature Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Department of Human Services under the provisions of this section. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Department of Human Services for the purpose of funding the Oklahoma Silver-Haired Legislature. The balance of the fund shall not exceed Sixty Thousand Dollars (\$60,000.00). All monies in excess of such balance shall be apportioned to the General Revenue Fund. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

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

SECTION 2. This act shall become effective September 1, 1991.

43-1-479

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