

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 311

BY: WEEDN

AS INTRODUCED

AN ACT RELATING TO REVENUE AND TAXATION; AMENDING SECTION 3, CHAPTER 146, O.S.L. 1988 (68 O.S. SUPP. 1990, SECTION 1358.1), WHICH RELATES TO SALES TAX EXEMPTIONS; MODIFYING PROCEDURE TO OBTAIN PROOF OF ELIGIBILITY FOR CERTAIN EXEMPTION; REQUIRING PRESENTATION OF SUCH PROOF WHEN MAKING CERTAIN PURCHASES; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY Section 3, Chapter 146, O.S.L. 1988 (68 O.S. Supp. 1990, Section 1358.1), is amended to read as follows:

Section 1358.1 (A) In order to qualify for any exemption authorized by Section 1358 of ~~Title 68 of the Oklahoma Statutes~~ this title, at the time of sale, the person to whom the sale is made may be required to furnish the vendor proof of eligibility for such exemption as required by this section.

(B) All vendors shall honor the proof of eligibility for sales tax exemption as authorized by this section and sales to a person

providing such proof shall be exempt from the tax levied by this article.

~~(C) For persons holding a valid motor fuel tax exemption permit issued pursuant to Section 509 of Title 68 of the Oklahoma Statutes, such permit shall constitute proof of eligibility for a sales tax exemption as provided by Section 1358 of Title 68 of the Oklahoma Statutes. Upon the expiration of any such permit or if an original application for the exemption is made, the holder may apply for the motor fuel tax exemption and, if the application is approved, a new permit shall be issued indicating the nature of the motor fuel tax exemption and such permit shall contain a statement that the holder of the permit is eligible for sales tax exemptions authorized by Section 1358 of Title 68 of the Oklahoma Statutes.~~

~~(D) For persons who do not hold a motor fuel tax exemption permit as provided by this section, such~~ Any person eligible for the sales tax exemptions authorized by Section 1358 of this title may obtain a card, the size and design of which shall be prescribed by the Oklahoma Tax Commission, which shall constitute proof of eligibility for such sales tax exemptions ~~authorized by Section 1358 of Title 68 of the Oklahoma Statutes.~~ Such card may be obtained by listing personal property used in farming or ranching by such person with the county assessor each year as provided by law. If the assessor determines that such personal property is correctly listed and assessed for ad valorem taxation, the assessor shall certify the assessment upon a form prescribed by the Oklahoma Tax Commission. One (1) copy shall be retained by the assessor, one (1) copy shall be forwarded to the Oklahoma Tax Commission and one (1) copy shall be given to the person listing the personal property. Upon verification by the Commission, the applicant shall be issued a card as prescribed by this section. The card shall constitute proof of eligibility for sales tax exemptions as authorized by Section 1358 of ~~Title 68 of the Oklahoma Statutes~~ this title. The card shall be

renewable annually by providing the certificate of assessment, as provided by this section, to the Oklahoma Tax Commission. The holder of such card shall present the card to the vendor when making any purchase which is exempt from sales tax pursuant to the provisions of Section 1358 of this title.

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

SECTION 3. 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.

43-1-526

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