

SHORT TITLE: Public finance; Ad Valorem Reimbursement Fund;
effective date.

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

SENATE BILL NO. 355

By: Wright

AS INTRODUCED

An Act relating to public finance; amending 62 O.S.

1991, Section 193, as amended by Section 1, Chapter 396, O.S.L. 1992 (62 O.S. Supp. 1992, Section 193), which relates to the Ad Valorem Reimbursement Fund; clarifying reference; and providing an effective date.

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

SECTION 1. AMENDATORY 62 O.S. 1991, Section 193, as amended by Section 1, Chapter 396, O.S.L. 1992 (62 O.S. Supp. 1992, Section 193), is amended to read as follows:

Section 193. A. There is hereby created in the State Treasury a revolving fund for the Oklahoma Tax Commission to be designated the "Ad Valorem Reimbursement Fund". The ~~fund~~ Ad Valorem Reimbursement Fund shall be a continuing fund, not subject to fiscal year limitations. Monies apportioned to this fund shall be expended to reimburse counties of this state for loss of revenue due to exemptions of ad valorem taxes for new or expanded manufacturing or research and development facilities. Provided, for each year an exemption is granted pursuant to Section 2902 of Title 68 of the Oklahoma Statutes, reimbursement shall not be made for the amount of ad valorem tax assessed on the increased valuation of the facility which is directly attributable to its construction, acquisition or expansion but shall only be made for an amount equal to the average of the ad valorem tax assessed on the value of the property for the

three (3) tax years immediately preceding the first tax year of the five-year exemption granted for the construction, acquisition or expansion of a facility. Provided further that it shall be the duty of the Oklahoma Tax Commission to assess the valuation of all property for new or expanded manufacturing or research and development facilities which are exempt from ad valorem taxes. Monies apportioned to this fund also may be transferred to other state funds as directed by the Legislature by law.

B. The county commissioners of each county seeking reimbursement for lost revenue from the Ad Valorem Reimbursement Fund shall make one claim for reimbursement on forms prescribed by the Oklahoma Tax Commission prior to April 30 of each year. Provided, the assessed valuation of a school district as stated in the claim for reimbursement shall be the same as reported to the State Department of Education on the Estimate of Need and shall include the total valuation of property exempt from taxation pursuant to Section 2902 of Title 68 of the Oklahoma Statutes. Said claims shall be either approved or disapproved in whole or in part by the Commission by June 15 of each year. If the Commission determines that an exemption has been erroneously or unlawfully granted, it shall notify the appropriate county assessor who shall immediately value and assess the property and place it on the rolls for ad valorem taxation. Disbursements from the fund shall be made on warrants issued by the State Treasurer against claims filed by the Commission with the Office of State Finance for payment. For the fiscal year ending June 30, 1988, and for each fiscal year thereafter, such disbursements shall be exempt from all agency expenditure ceilings. The county treasurer shall apportion or disburse such funds for expenditures in the same manner as other ad valorem tax collections.

C. In the event monies apportioned to the Ad Valorem Reimbursement Fund are insufficient to pay all claims for

reimbursement made pursuant to subsection B of this section, the available funds shall be distributed proportionally among the counties making claims according to the amount of the claim made by each county.

SECTION 2. This act shall become effective September 1, 1993.

44-1-0356

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