

SHORT TITLE: Revenue and taxation; specifying priority of tax liens; effective date.

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

SENATE BILL NO. 847

By: Henry

AS INTRODUCED

An Act relating to revenue and taxation; amending 68 O.S. 1991, Sections 2925 and 2929, as amended by Sections 1 and 2, Chapter 378, O.S.L. 1992 (68 O.S. Supp. 1993, Sections 2925 and 2929), which relate to ad valorem taxes; specifying priority of certain liens; and providing an effective date.

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

SECTION 1. AMENDATORY 68 O.S. 1991, Section 2925, as amended by Section 1, Chapter 378, O.S.L. 1992 (68 O.S. Supp. 1993, 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 administrator, executor, referee in bankruptcy, receiver or owner making such property available for sale to pay into the county treasury of the county in which the personal property was originally taxed, the amount of any and all taxes, interest and costs due on said personal property; provided, the priority of the tax lien shall be as set forth in Sections 3102 and 3103 of this title.

SECTION 2. AMENDATORY 68 O.S. 1991, Section 2929, as amended by Section 2, Chapter 378, O.S.L. 1992 (68 O.S. Supp. 1993, Section 2929), is amended to read as follows:

Section 2929. If any person or entity in this state, after their personal property, except livestock, is assessed and before the tax, interest and costs thereon is paid, shall sell the same, and not retain sufficient money to pay all taxes, interest and costs thereon, the 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 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; provided, the priority of the tax lien shall be as set forth in Sections 3102 and 3103 of this title. The person or entity owing such tax, interest and costs shall be civilly liable to any purchaser of such property for any tax, 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. This act shall become effective September 1, 1994.

44-2-1793

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