

ENGROSSED SENATE  
BILL NO. 708

By: Horner of the Senate

and

McCorkell of the House

An Act relating to revenue and taxation; requiring that state tax forms contain certain provision for donation for Oklahoma Higher Learning Access Program; providing for payment of monies collected thereby; 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, 1995, and each state corporate tax return form for tax years beginning after December 31, 1995, shall contain a designation as follows or shall contain similar wording as space allows on the tax return form:

Oklahoma Higher Learning Access Program. 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 Higher Learning Access Trust Fund created in Section 3953.1 of Title 70 of the Oklahoma Statutes.

C. 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 November 1, 1996.

Passed the Senate the 26th day of February, 1996.

President of the Senate

Passed the House of Representatives the \_\_\_\_ day of

\_\_\_\_\_, 1996.

Speaker of the House of Representatives