

SHORT TITLE: Revenue and taxation; authorizing State Board of Equalization to appoint committee or designate third party to assist in resolution of disputes between county assessors and Tax Commission; effective date.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1084

By: Helton

AS INTRODUCED

An Act relating to revenue and taxation; amending 68 O.S. 1991, Section 2864, as amended by Section 9, Chapter 304, O.S.L. 1997 (68 O.S. Supp. 1997, Section 2864), which relates to the State Board of Equalization; authorizing State Board to appoint committee or designate third party to assist in resolution of certain disputes; and providing an effective date.

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

SECTION 1. AMENDATORY 68 O.S. 1991, Section 2864, as amended by Section 9, Chapter 304, O.S.L. 1997 (68 O.S. Supp. 1997, Section 2864), is amended to read as follows:

Section 2864. A. The Governor, State Auditor and Inspector, State Treasurer, Lieutenant Governor, Attorney General, Superintendent of Public Instruction and President of the Board of Agriculture shall constitute the State Board of Equalization, and the State Board of Equalization must hold a session at the Capitol of the state, commencing at ~~ten o'clock~~ 10:00 a.m. on December 1, or the first working day thereafter, of each year for the purpose of equalizing the taxable property values of the several counties for the next following assessment year. The State Auditor and Inspector shall notify all other members of the State Board of the time and place of the annual session as herein required. The Governor shall

serve as chair and the State Auditor and Inspector shall serve as secretary of the State Board, and a vice-chair shall be elected from the other members. In case of the absence or failure of the chair and secretary, or either of them, to so act on the statutory meeting date, any four or more members thereof shall proceed on such date to conduct the State Board's session and carry on its work as herein required. Any official action by the State Board shall require approval by a majority of all members of the State Board.

B. It shall be the duty of the State Board to examine the various county assessments and to equalize, correct and adjust the same as between and within the counties by determining the ratio of the aggregate assessed value of the property or any class thereof, in any or all of them, to the fair cash value thereof as herein defined, and to order and direct the assessment rolls of any county in this state to be so corrected as to adjust and equalize the valuation of the real and personal property among the several counties during the next succeeding assessment year. The State Board is hereby authorized to appoint a committee of its members or designate a third party to assist the State Board in the resolution of any dispute between one or more county assessors and the Oklahoma Tax Commission.

C. In determining the assessment ratio for all air carrier property and all railroad property, the State Board shall be subject to the provisions of paragraph 3 of subsection A of Section 8 of Article X of the Oklahoma Constitution.

D. In order to equalize, correct and adjust the various county assessments within the counties as required by this section, the State Board ~~of Equalization~~ shall analyze the relationship between the assessed value and the fair cash value for each use category of real property and separately analyze the relationship between the assessed value and the fair cash value for the agricultural use category, the residential use category and the commercial/industrial

use category. The State Board ~~of Equalization~~ shall order any increase or decrease determined by the State Board ~~of Equalization~~ to be necessary for equalization of property values within the county, including, but not limited to, the authority to require an assessment ratio for a use category bearing a specific relationship to the percentage used to determine taxable value of real property in the county for the applicable assessment year pursuant to the provisions of Section 8 of Article X of the Oklahoma Constitution.

E. The State Board ~~of Equalization~~ shall equalize, correct and adjust the various county assessments as between the counties as required by this section by ordering any increase or decrease required as prescribed by this subsection. The State Board ~~of Equalization~~ shall order any increase or decrease required to comply with the assessment ratio in effect for the applicable assessment year pursuant to the provisions of Section 8 of Article X of the Oklahoma Constitution.

SECTION 2. This act shall become effective November 1, 1998.

46-2-2135

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