

SHORT TITLE: Revenue and taxation; providing for refund of certain income tax overpayments by federal retirees; specifying applicable tax years and dates between which amended returns may be filed; codification; effective date; emergency.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 238

By: Maddox

AS INTRODUCED

An Act relating to revenue and taxation; specifying legislative intent; authorizing the Oklahoma Tax Commission to accept certain amended tax returns; providing for refund of certain income tax overpayments to certain taxpayers; limiting refunds to certain tax years; providing a limitation period to file certain amended tax returns; requiring Oklahoma Tax Commission to give certain notice; providing for codification; providing an effective date; and declaring an emergency.

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 2373.1 of Title 68, unless there is created a duplication in numbering, reads as follows:

Notwithstanding any limitation period established by law, it is the intent of the Legislature and the Legislature so declares that all federal retiree taxpayers in this state who were discriminated against prior to 1989 because of an invalid Oklahoma taxing scheme which taxed certain income of federal retirees while exempting similar income of state retirees shall be entitled to their appropriate income tax refunds based on their amended tax returns. Any refunds which may be authorized under this section shall only include overpayment of income taxes for tax years 1985 through 1989.

All federal retiree taxpayers who failed to timely file an amended tax return claiming a refund of overpayment of income tax paid during tax years 1985 through 1989 are hereby authorized, from July 1, 1997, through December 31, 1997, to file amended tax returns requesting the appropriate refunds. No amended tax returns under this section shall be allowed after December 31, 1997. The Oklahoma Tax Commission shall, to the best of its ability, notify in writing all federal retiree taxpayers who failed to timely file amended tax returns of the provisions of this act.

SECTION 2. This act shall become effective July 1, 1997.

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.

46-1-0394

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