

CS for EHB 2072

1 THE STATE SENATE  
2 Tuesday, April 2, 2002

3 Committee Substitute for  
4 ENGROSSED  
5 House Bill No. 2072

6 COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 2072 - By: MADDUX,  
7 NANCE and POPE (Clay) of the House and LAUGHLIN of the Senate.

8 An Act relating to revenue and taxation; amending 68 O.S.  
9 2001, Section 219, which relates to compromise of  
10 controversies with Oklahoma Tax Commission; requiring Tax  
11 Commission to compromise controversy under certain  
12 circumstances; providing an effective date; and declaring an  
13 emergency.

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

15 SECTION 1. AMENDATORY 68 O.S. 2001, Section 219, is  
16 amended to read as follows:

17 Section 219. The Oklahoma Tax Commission is authorized to enter  
18 into an agreement to compound, settle or compromise any controversy  
19 relating to taxes collectible by the ~~Oklahoma~~ Tax Commission, or any  
20 admitted or established tax liability as to any tax collectible  
21 under any state law in the following cases:

22 ~~(1)~~ 1. In cases of controversy arising over the amount of tax  
23 due, ~~or;~~ or

24 ~~(2)~~ 2. In case of inability to pay, resulting from insolvency  
25 of the taxpayer.

1 Provided, if the Internal Revenue Service has compromised a  
2 controversy pursuant to the provisions of Section 7122 of the  
3 Internal Revenue Code, 26 U.S.C. Section 7122, and the Tax  
4 Commission has been requested by the taxpayer to enter into an  
5 agreement pursuant to the provisions of this section with respect to  
6 the same controversy, the Tax Commission shall be required to enter  
7 into such an agreement under terms not less favorable to the  
8 taxpayer than those agreed to by the Internal Revenue Service,  
9 within the limitations provided in the Oklahoma Constitution.

10 In any case where the amount of any tax liability which has been  
11 admitted or established exceeds ~~Fifteen Hundred Dollars (\$1,500.00)~~  
12 Five Thousand Dollars (\$5,000.00), no agreement to compound, settle  
13 or compromise such tax liability shall be effective until the  
14 settlement thereof shall have been approved by judgment of one of  
15 the judges of the district court of Oklahoma County, after a full  
16 hearing thereon.

17 SECTION 2. This act shall become effective July 1, 2002.

18 SECTION 3. It being immediately necessary for the preservation  
19 of the public peace, health and safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

22 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 3-26-02 - DO PASS,  
23 As Amended.