

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE JOINT
RESOLUTION HJR1046

By: Calvey

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma by adding a new Section 13A to Article X; requiring State Board of Equalization to make certain determination regarding certification of revenues and actual collections; providing for analysis of revenue collections; requiring legislation to provide for adjustments to individual income tax rates and brackets; providing Legislature not prohibited from modifying certain provisions of individual income tax law; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
2ND SESSION OF THE 48TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to the Constitution of the State of Oklahoma by adding a new Section 13A to Article X thereof, to read as follows:

Section 13A. A. For the fiscal year beginning July 1, 2003, and for each fiscal year thereafter, the State Board of Equalization shall determine the amount that the Board certified as the total amount of revenue estimated to accrue to the General Revenue Fund and the other funds of the State of Oklahoma pursuant to Section 23 of Article X of the Oklahoma Constitution. The State Board of Equalization shall compare this certification to the total amount of revenues actually collected during the fiscal year for which such certification was made. If the total collections to all of the

funds identified in such certification are in excess of the amount certified for such fiscal year, the State Board of Equalization shall identify the amount by which the collections exceeded the certification and report this figure to the Oklahoma Tax Commission, the Governor, the Speaker of the Oklahoma House of Representatives and the President Pro Tempore of the State Senate.

B. The amount of revenue which is identified in subsection A of this section shall be analyzed by the Oklahoma Tax Commission for the purpose of reducing individual income tax rates or adjusting individual income tax brackets for the next ensuing individual income taxable year. The Oklahoma Tax Commission shall report its results to the Governor, the Speaker of the Oklahoma House of Representatives and the President Pro Tempore of the State Senate together with a recommendation regarding changes in income tax law. The result of the analysis shall be incorporated into legislation in the first regular or extraordinary session of the Legislature following the State Board of Equalization report and final recommendation of the Oklahoma Tax Commission. The legislation shall make such adjustments in individual income tax rates and brackets in effect for the calendar year beginning on the January 1 date immediately following the calendar year during which the legislation described by this subsection is enacted.

C. No provision of this section shall be interpreted to prohibit other changes in the laws imposing an individual income tax, including but not limited to changes which result in a flat rate of income tax instead of a system using separate rates and income brackets.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It requires the State Board of Equalization to compare certain amounts of money involved in the state budget process. The State Board would compare two amounts each year. The first amount is the revenue which the State Board predicts will be collected in a fiscal year. The second amount is the revenue which is actually collected during that fiscal year. If the second amount is greater than the first amount, the State Board makes a report. The Oklahoma Tax Commission would use the information to recommend changes in the income tax law. The Legislature would be required to change the income tax law. The rates and brackets used to calculate income taxes for individuals would be changed. The Legislature would still be allowed to make other kinds of changes in the income tax law.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

48-2-8300

MAH

6/12/15