

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 638

By: Price

AS INTRODUCED

An Act relating to revenue and taxation; amending 68 O.S. 1991, Section 1005, as amended by Section 5, Chapter 30, O.S.L. 1992 (68 O.S. Supp. 2000, Section 1005), which relates to gross production taxes; requiring certain reports concerning production of natural gas; and providing an effective date.

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

SECTION 1. AMENDATORY 68 O.S. 1991, Section 1005, as amended by Section 5, Chapter 30, O.S.L. 1992 (68 O.S. Supp. 2000, Section 1005), is amended to read as follows:

Section 1005. ~~(a)~~ A. It shall be the duty of every railroad company, pipeline or transportation company to furnish to the Oklahoma Tax Commission, upon forms prescribed by it, any and all information relative to the transportation of crude oil or gas subject to gross production tax, that may be required to properly enforce the provisions of ~~this article; and such~~ Section 1001 et seq. of this title. Such reports shall contain, along with other information required, the name of shipper, amount of oil and gas transported, point of receipt of shipment and point of destination. The Tax Commission may require any such pipeline or transportation company to install suitable measuring devices to enable such company to include in such reports the quantity of oil or gas transported within, into, out of, or across the State of Oklahoma.

~~(b)~~ B. It shall be the duty of every person engaged in the operation of a refinery for the processing of oil or gas in ~~the State of Oklahoma~~ this state to furnish monthly to the Tax

Commission, upon forms prescribed by it, any and all information relative to the amount of oil or gas subject to gross production tax that has been processed by it during such monthly period, and oil on hand at the close of such period, that may be required to properly enforce the provisions of ~~this article~~ Section 1001 et seq. of this title.

~~(c)~~ C. It shall be the duty of every person engaged in the selling, purchasing, treating or transporting of tank bottoms, pit oil or liquid hydrocarbons from which petroleum oil is extracted, to furnish monthly a report to the Tax Commission, upon forms prescribed by it, any and all information relative to the selling, purchasing, treating or transporting of all tank bottoms, pit oil or liquid hydrocarbons that may be required to properly enforce the provisions of ~~this article~~ Section 1001 et seq. of this title.

~~(d)~~ D. It shall be the duty of every person engaged in the purchasing or storing of oil subject to gross production tax in ~~the State of Oklahoma~~ this state to furnish monthly a report to the Tax Commission, upon forms prescribed by it, showing the amount of such oil in storage, giving, along with other information required, the location, identity, character and capacity of the storage receptacle in which such oil is stored.

E. It shall be the duty of every person engaged in the production of natural or casinghead gas in this state, whether or not such production is subject to gross production tax, to furnish on or before the first day of each calendar quarter a report to the Tax Commission, upon forms prescribed by it, showing the following information concerning gas produced during the second preceding calendar quarter:

1. The gross amount of gas produced that is subject to the gross production tax;

2. The gross amount of gas produced that is exempt from the gross production tax;

3. The wells from which the gas was produced;

4. The names and addresses of the first purchasers of the gas;

and

5. Such other information as the Tax Commission may reasonably require.

The first report required pursuant to this subsection shall be due on or before April 1, 2002, and shall cover the period from October 1, 2001, through December 31, 2001.

~~(e)~~ F. All reports required by ~~this article~~ Section 1001 et seq. of this title shall become due on the first day of each calendar month on all lead, zinc, jack, gold, silver or copper, petroleum oil, tank bottoms, pit oil and liquid hydrocarbons from which petroleum oil is extracted, natural gas or casinghead gas produced in and saved during the preceding monthly period, ~~and if~~ unless another date is specified by law. If such reports are not received on or before the tenth day of the calendar month following the month such reports become due, the reports shall become delinquent. The failure of any person to comply with the provisions of this section shall make any such person liable for a penalty, in accordance with Section 1010 of this title, for each day it shall fail or refuse to furnish such statement or comply with the provisions of ~~this article~~ Section 1001 et seq. of this title. Such penalty may be recovered at the suit of the state, on relation of the Tax Commission and shall be apportioned as other gross production tax penalties.

SECTION 2. This act shall become effective October 1, 2001.