

ENGROSSED SENATE AMENDMENTS
TO
ENGROSSED HOUSE
BILL NO. 1889

By: Ellis, Askins, Blackburn,
Bonny, Boren, Braddock,
Brannon, Carey,
Deutschendorf, Easley,
Eddins, Gilbert, Hamilton,
Harrison, Hefner,
Hutchison, Lamons, Mass,
McCarter, McClain,
McIntyre, Miller (Ray),
Morgan (Danny), Nations,
Piatt, Plunk, Pope, Roan,
Roberts, Smith, Smithson,
Staggs, Sweeden, Taylor,
Turner, Tyler, Walker,
Wells and Wilson of the
House

and

Helton of the Senate

An Act relating to the Oklahoma Charity Games Act;
amending 3A O.S. 2001, Sections 421 and 422, which
relate to taxes levied pursuant to the Oklahoma
Charity Games Act; exempting items purchased by
certain organizations from taxation; requiring
distributors to submit to the Oklahoma Tax Commission
copies of invoices to exempt organizations; and
providing an effective date.

AUTHORS: Remove Helton as Senate Author and substitute Rabon as
Senate Author, retain Helton and add Gumm

AUTHORS: Add the following House Coauthors: Covey and Kirby

AMENDMENT NO. 1. Page 5, line 5 1/2, insert a new SECTION 3
to read

"SECTION 3. AMENDATORY 68 O.S. 2001, Section 1355, is
amended to read as follows:

Section 1355. Exemptions - Subject to other tax.

There are hereby specifically exempted from the tax levied
pursuant to the provisions of this article:

1. Sale of gasoline, motor fuel, methanol, "M-85" which is a
mixture of methanol and gasoline containing at least eighty-five
percent (85%) methanol, compressed natural gas, liquefied natural

gas, or liquefied petroleum gas on which the Motor Fuel Tax, Gasoline Excise Tax, Special Fuels Tax or the fee in lieu of Special Fuels Tax levied in Article 5, 6, or 7 of this title has been, or will be paid;

2. Sale of motor vehicles or any optional equipment or accessories attached to motor vehicles on which the Oklahoma Motor Vehicle Excise Tax levied in Article 21 of this title has been, or will be paid;

3. Sale of crude petroleum or natural or casinghead gas and other products subject to gross production tax pursuant to the provisions of Articles 10 and 11 of this title. This exemption shall not apply when such products are sold to a consumer or user for consumption or use, except when used for injection into the earth for the purpose of promoting or facilitating the production of oil or gas. This paragraph shall not operate to increase or repeal the gross production tax levied by the laws of this state;

4. Sale of aircraft on which the tax levied pursuant to the provisions of Sections 6001 through 6004 of this title has been, or will be paid or which are specifically exempt from such tax pursuant to the provisions of Section 6003 of this title;

5. Sales from coin-operated devices on which the fee imposed by Sections 1501 through 1513 of this title has been paid;

6. Leases of twelve (12) months or more of motor vehicles in which the owners of the vehicles have paid the vehicle excise tax levied by Section 2103 of this title;

7. Sales of charity game equipment on which a tax is levied pursuant to the Oklahoma Charity Games Act, Section 401 et seq. of Title 3A of the Oklahoma Statutes, or which is sold to an organization that is a veterans' organization exempt from taxation pursuant to the provisions of paragraph (4), (7), (8), (10) or (19) of subsection (c) of Section 501 of the United States Internal Revenue Code of 1986, as amended;

8. Sales of cigarettes or tobacco products to:

- a. a federally recognized Indian tribe or nation which has entered into a compact with the State of Oklahoma pursuant to the provisions of subsection C of Section 346 of this title or to a licensee of such a tribe or nation, upon which the payment in lieu of taxes required by the compact has been paid, or
- b. a federally recognized Indian tribe or nation or to a licensee of such a tribe or nation upon which the tax levied pursuant to the provisions of Section 349 or Section 426 of this title has been paid;

9. Leases of aircraft upon which the owners have paid the aircraft excise tax levied by Section 6001 et seq. of this title or which are specifically exempt from such tax pursuant to the provisions of Section 6003 of this title; and

10. The sale of low-speed electrical vehicles on which the Oklahoma Motor Vehicle Excise Tax levied in Article 21 of this title has been or will be paid."

and renumber subsequent section

AMENDMENT NO. 2. Page 1, strike the title to read

[Oklahoma Charity Games Act - exemption from taxes -
effective date]

Passed the Senate the 5th day of April, 2004.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2004.

Presiding Officer of the House
of Representatives