

ENGROSSED SENATE
BILL NO. 1122

By: Rabon of the Senate
and
Pope of the House

[revenue and taxation - modifying date on which taxes
and reports are due under the Oklahoma Tourism
Promotion Act -
effective date]

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

SECTION 1. AMENDATORY 68 O.S. 2001, Section 50013, is amended to read as follows:

Section 50013. A. The tax levied pursuant to the provisions of the Oklahoma Tourism Promotion Act shall be due and payable by the taxpayer on the first day of each month immediately following the month of receipt, except as provided in this section.

B. For the purpose of ascertaining the amount of the tax payable pursuant to the provisions of the Oklahoma Tourism Promotion Act, it shall be the duty of all taxpayers, on or before the ~~15th~~ 20th day of each month, to deliver to the Oklahoma Tax Commission, upon forms prescribed and furnished by it, tourism promotion gross receipts tax reports signed under oath, which shall include:

1. The name of the taxpayer;
2. The taxpayer's permit number issued pursuant to the Oklahoma Sales Tax Code;
3. Gross receipts from all sales, as specified in Section 50012 of this title, during the preceding calendar month; and
4. Such further information as the ~~Oklahoma~~ Tax Commission may require to enable it to compute correctly and collect the tax levied pursuant to the Oklahoma Tourism Promotion Act.

C. In addition to the information required on reports, the ~~Oklahoma~~ Tax Commission may request and the taxpayer shall furnish any information deemed necessary for a correct computation of the tax levied pursuant to the Oklahoma Tourism Promotion Act.

D. Such taxpayer shall compute and pay to the ~~Oklahoma~~ Tax Commission the required tax due for the preceding calendar month, the payment of the tax to accompany the reports required pursuant to this section. If the payment of such tax is not postmarked or delivered to the ~~Oklahoma~~ Tax Commission on or before the ~~15th~~ 20th of such month, the tax shall be delinquent from such date.

E. It shall be the duty of every taxpayer required to make a tourism promotion gross receipts tax report and pay any tax pursuant to the provisions of the Oklahoma Tourism Promotion Act to keep and preserve suitable records of the gross sales and other pertinent records and documents which may be necessary to determine the amount of tax due as will substantiate and prove the accuracy of such reports. All such records shall be preserved for a period of three (3) years, unless the ~~Oklahoma~~ Tax Commission, in writing, has authorized their destruction or disposal at an earlier date, and shall be open to examination at any time by the ~~Oklahoma~~ Tax Commission or by any of its authorized employees.

F. If the amount of tax due pursuant to the provisions of Section 50012 of this title is Six Hundred Dollars (\$600.00) or less for the preceding calendar year, the taxpayer may file semiannual reports and remit the taxes due thereunder to the Tax Commission on or before January ~~15~~ 20 and July ~~15~~ 20 of each year for the preceding six-month period. If not paid on or before the ~~fifteenth~~ twentieth day of such month, the tax shall be delinquent.

SECTION 2. This act shall become effective November 1, 2004.

Passed the Senate the 9th day of March, 2004.

Presiding Officer of the Senate

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

Presiding Officer of the House
of Representatives