

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE BILL HB2404

By: Young

AS INTRODUCED

An Act relating to revenue and taxation; providing exemption from sales and use taxes for sales to or use by persons based upon age of purchaser; prescribing procedures for exemption; prescribing form and verification; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1354A of Title 68, unless there is created a duplication in numbering, reads as follows:

A. Notwithstanding any other provision of the Oklahoma Sales Tax Code to the contrary, there shall be exempted from the levy of sales tax imposed by Section 1354 of Title 68 of the Oklahoma Statutes, the sale of any tangible personal property or service to a person sixty-two (62) years of age or older.

B. At the time of sale, the person making a purchase shall present to the vendor proof of identity and age together with a statement that the individual is not making the purchase on behalf of any individual who would not otherwise be entitled to the exemption and that the purchase is being made for the personal use of an individual and is not being made on behalf of any business entity or for a business purpose.

C. The Oklahoma Tax Commission shall prescribe a form and verification statement for presentation to vendors as required by subsection B of this section.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1404A of Title 68, unless there is created a duplication in numbering, reads as follows:

A. Notwithstanding any other provision of the Oklahoma Use Tax Code to the contrary, there shall be exempted from the levy of use tax imposed by Section 1404 of Title 68 of the Oklahoma Statutes, the storage, use or consumption of any tangible personal property to a person sixty-two (62) years of age or older.

B. At the time of sale, the person making a purchase shall present to the vendor proof of identity and age together with a statement that the individual is not making the purchase on behalf of any individual who would not otherwise be entitled to the exemption and that the purchase is being made for the personal use of an individual and is not being made on behalf of any business entity or for a business purpose.

C. The Oklahoma Tax Commission shall prescribe a form and verification statement for presentation to vendors as required by subsection B of this section.

SECTION 3. This act shall become effective July 1, 2004.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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