

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE BILL HB2455:

Pope

AS INTRODUCED

An Act relating to revenue and taxation; amending 68 O.S. 2001, Sections 303 and 404, which relate to cigarette and tobacco products taxes; clarifying language; and providing an effective date.

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

SECTION 1. AMENDATORY 68 O.S. 2001, Section 303, is amended to read as follows:

Section 303. The sale, gift, barter, or exchange of cigarettes, or the having possession of cigarettes for consumption, is hereby declared to be subject to taxation authorized by Section 12 of Article X of the Oklahoma Constitution, and it is the purpose and intention of the State of Oklahoma, and it is the purpose and intention of this article, to provide revenue for the expense of the state government. The revenues, including interest and penalties, collected under this article shall be paid monthly by the Tax Commission to the State Treasurer to be apportioned as follows: Of the amounts specified by law to be used for the payment and discharge of the interest on and the principal of the bonds issued pursuant to the provisions of Sections 57.31 through 57.43, 57.61 through 57.73, 57.81 through 57.92, 57.101 through 57.112, 57.121 through 57.135 and 57.300 through 57.313 of Title 62 of the Oklahoma Statutes or any other law providing for ~~such~~ payment and discharge, any amount in excess of the amount necessary for ~~such~~ payment and discharge shall be deposited in the General Revenue Fund of this

state, to be paid out only on direct appropriations of the Legislature of the State of Oklahoma.

SECTION 2. AMENDATORY 68 O.S. 2001, Section 404, is amended to read as follows:

Section 404. The sale, barter or exchange of tobacco products or possession of tobacco products for consumption, is hereby declared to be subject to taxation authorized by Section 12 of Article X of the Oklahoma Constitution, and it is the purpose and intention of ~~this article~~ Sections 401 through 423 of this title to provide revenue for the expense of the state government. The revenue, including interest and penalties, collected ~~under this article~~ pursuant to Sections 401 through 423 of this title shall be paid monthly by the Tax Commission to the State Treasurer to be placed in the General Revenue Fund, to be paid out pursuant to direct appropriation by the Legislature.

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

49-2-7473 ARE 01/18/04