ENGROSSED HOUSE
BILL NO. 1696

By: Hamilton, Staggs, Pruett, Dorman, Nance, Askins, Auffet, Blackwell, Braddock, Brannon, Brown, Covey, Deutschendorf, Gilbert, Glenn, Harrison, Hilliard, Lindley, McCarter, McMullen, McPeak, Morrissette, Nations, Shelton, Shumate, Smithson, Sweeden, Turner, Walker and Wesselhoft of the House

and

Corn of the Senate

(revenue and taxation - Domestic Abuse Prevention Taxpayer Support Fund - effective date)

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 2368.14 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Tax Commission shall include on each state individual tax return form for tax years beginning after December 31, 2005, and each state corporate tax return form for tax years beginning after December 31, 2005, an opportunity for the taxpayer to designate a portion of the tax liability of the taxpayer not to exceed Twenty-five Dollars ($25.00) to be placed in the Domestic Abuse Prevention Taxpayer Support Fund created in subsection C of this section.

B. The monies generated from donations made pursuant to subsection A of this section shall be collected by the Tax Commission and placed to the credit of the Domestic Abuse Prevention Taxpayer Support Fund created in subsection C of this section.

C. There is hereby created in the State Treasury a revolving fund to be designated the "Domestic Abuse Prevention Taxpayer Support Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies transferred to the fund pursuant to subsection A of this section.

D. All monies accruing to the credit of the Domestic Abuse Prevention Taxpayer Support Fund are hereby appropriated and may be budgeted and expended by the Department of Human Services in a pro rata share to all organizations in this state that provide shelter for victims of domestic violence or that operate rape crisis centers.

E. To apply for and receive the funds available through the Domestic Abuse Prevention Taxpayer Support Program, an organization must deliver to the Department of Human Services an affidavit signed by a duly appointed representative of the organization that states the following:

1. The organization is a nonprofit organization;

2. The organization does not discriminate for any reason including, but not limited to, race, marital status, gender, religion, national origin, handicap or age;

3. The organization provides shelter for women who have been the victim of domestic violence or provide support services or counseling for women who have been the victim of a rape;

4. The organization does not charge women for any services received; and

5. The organization understands that no funds may be used for administrative expenses, legal expenses, or capital expenditures.

F. Expenditures from the Domestic Abuse Prevention Taxpayer Support Fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2368.15 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Tax Commission shall include on each state individual tax return form for tax years beginning after December 31, 2005, and each state corporate tax return form for tax years beginning after December 31, 2005, an opportunity for the taxpayer to designate a portion of the tax liability of the taxpayer not to exceed Twenty-five Dollars ($25.00) to be placed in the Crisis Pregnancy and Abortion Prevention Taxpayer Support Fund created in subsection C of this section.

B. The monies generated from donations made pursuant to subsection A of this section shall be collected by the Tax Commission and placed to the credit of the Crisis Pregnancy and Abortion Prevention Taxpayer Support Fund created in subsection C of this section.

C. There is hereby created in the State Treasury a revolving fund to be designated the "Crisis Pregnancy and Abortion Prevention Taxpayer Support Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies transferred to the fund pursuant to subsection A of this section.

D. All monies accruing to the credit of the Crisis Pregnancy and Abortion Prevention Taxpayer Support Fund are hereby appropriated and may be budgeted and expended by the Department of Human Services in a pro rata share to all organizations in this state that provide crisis counseling and care for women facing crisis pregnancies that are exploring alternatives to abortion.

E. To apply for and receive the funds available through the Crisis Pregnancy and Abortion Prevention Taxpayer Support Program, an organization must deliver to the Department of Human Services an affidavit signed by a duly appointed representative of the organization that states the following:

1. The organization is a nonprofit organization;

2. The organization does not discriminate for any reason including, but not limited to, race, marital status, gender, religion, national origin, handicap or age;

3. The organization counsels pregnant women who are committed to placing their children for adoption;

4. The organization is not involved or associated with any abortion activities, including counseling for or referrals to abortion clinics, providing medical abortion-related procedures, or pro-abortion advertising;

5. The organization does not charge women for any services received; and

6. The organization understands that no funds may be used for administrative expenses, legal expenses, or capital expenditures.

F. Expenditures from the Crisis Pregnancy and Abortion Prevention Taxpayer Support Fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 3. This act shall become effective January 1, 2006.

Passed the House of Representatives the 11th day of March, 2005.

_____
Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2005.

_____
Presiding Officer of the Senate