

3 **Senate Bill No. 1780**
4 **As Amended**

5 SENATE BILL NO. 1780 - By: RABON of the Senate and WALKER of the
6 House.

7 [revenue and taxation - modifying limit on specified sales
8 tax rebate - effective date -
9 emergency]

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

11 SECTION 1. AMENDATORY 68 O.S. 2001, Section 1356, as
12 last amended by Section 1, Chapter 296, O.S.L. 2005 (68 O.S. Supp.
13 2005, Section 1356), is amended to read as follows:

14 Section 1356. There are hereby specifically exempted from the
15 tax levied by Section 1350 et seq. of this title:

16 1. Sale of tangible personal property or services to the United
17 States government or to the State of Oklahoma, any political
18 subdivision of this state or any agency of a political subdivision
19 of this state; provided, all sales to contractors in connection with
20 the performance of any contract with the United States government,
21 State of Oklahoma or any of its political subdivisions shall not be
22 exempted from the tax levied by Section 1350 et seq. of this title,
23 except as hereinafter provided;

24 2. Sales of property to agents appointed by or under contract
25 with agencies or instrumentalities of the United States government

1 if ownership and possession of such property transfers immediately
2 to the United States government;

3 3. Sales of property to agents appointed by or under contract
4 with a political subdivision of this state if the sale of such
5 property is associated with the development of a qualified federal
6 facility, as provided in the Oklahoma Federal Facilities Development
7 Act, and if ownership and possession of such property transfers
8 immediately to the political subdivision or the state;

9 4. Sales made directly by county, district or state fair
10 authorities of this state, upon the premises of the fair authority,
11 for the sole benefit of the fair authority or sales of admission
12 tickets to such fairs or fair events at any location in the state
13 authorized by county, district or state fair authorities; provided,
14 the exemption provided by this paragraph for admission tickets to
15 fair events shall apply only to any portion of the admission price
16 that is retained by or distributed to the fair authority. As used
17 in this paragraph, "fair event" shall be limited to an event held on
18 the premises of the fair authority in conjunction with and during
19 the time period of a county, district or state fair;

20 5. Sale of food in cafeterias or lunch rooms of elementary
21 schools, high schools, colleges or universities which are operated
22 primarily for teachers and pupils and are not operated primarily for
23 the public or for profit;

1 6. Dues paid to fraternal, religious, civic, charitable or
2 educational societies or organizations by regular members thereof,
3 provided, such societies or organizations operate under what is
4 commonly termed the lodge plan or system, and provided such
5 societies or organizations do not operate for a profit which inures
6 to the benefit of any individual member or members thereof to the
7 exclusion of other members and dues paid monthly or annually to
8 privately owned scientific and educational libraries by members
9 sharing the use of services rendered by such libraries with students
10 interested in the study of geology, petroleum engineering or related
11 subjects;

12 7. Sale of tangible personal property or services to or by
13 churches, except sales made in the course of business for profit or
14 savings, competing with other persons engaged in the same or a
15 similar business or sale of tangible personal property or services
16 by an organization exempt from federal income tax pursuant to
17 Section 501(c)(3) of the Internal Revenue Code of 1986, as amended,
18 made on behalf of or at the request of a church or churches if the
19 sale of such property is conducted not more than once each calendar
20 year for a period not to exceed three (3) days by the organization
21 and proceeds from the sale of such property are used by the church
22 or churches or by the organization for charitable purposes;

1 8. The amount of proceeds received from the sale of admission
2 tickets which is separately stated on the ticket of admission for
3 the repayment of money borrowed by any accredited state-supported
4 college or university or any public trust of which a county in this
5 state is the beneficiary, for the purpose of constructing or
6 enlarging any facility to be used for the staging of an athletic
7 event, a theatrical production, or any other form of entertainment,
8 edification or cultural cultivation to which entry is gained with a
9 paid admission ticket. Such facilities include, but are not limited
10 to, athletic fields, athletic stadiums, field houses, amphitheaters
11 and theaters. To be eligible for this sales tax exemption, the
12 amount separately stated on the admission ticket shall be a
13 surcharge which is imposed, collected and used for the sole purpose
14 of servicing or aiding in the servicing of debt incurred by the
15 college or university to effect the capital improvements
16 hereinbefore described;

17 9. Sales of tangible personal property or services to the
18 council organizations or similar state supervisory organizations of
19 the Boy Scouts of America, Girl Scouts of U.S.A. and the Campfire
20 Boys and Girls;

21 10. Sale of tangible personal property or services to any
22 county, municipality, rural water district, public school district,
23 the institutions of The Oklahoma State System of Higher Education,

1 the Grand River Dam Authority, the Northeast Oklahoma Public
2 Facilities Authority, the Oklahoma Municipal Power Authority, City
3 of Tulsa-Rogers County Port Authority, Muskogee City-County Port
4 Authority, the Oklahoma Department of Veterans Affairs, the Broken
5 Bow Economic Development Authority, Ardmore Development Authority,
6 Durant Industrial Authority, Oklahoma Ordnance Works Authority or to
7 any person with whom any of the above-named subdivisions or agencies
8 of this state has duly entered into a public contract pursuant to
9 law, necessary for carrying out such public contract or to any
10 subcontractor to such a public contract. Any person making
11 purchases on behalf of such subdivision or agency of this state
12 shall certify, in writing, on the copy of the invoice or sales
13 ticket to be retained by the vendor that the purchases are made for
14 and on behalf of such subdivision or agency of this state and set
15 out the name of such public subdivision or agency. Any person who
16 wrongfully or erroneously certifies that purchases are for any of
17 the above-named subdivisions or agencies of this state or who
18 otherwise violates this section shall be guilty of a misdemeanor and
19 upon conviction thereof shall be fined an amount equal to double the
20 amount of sales tax involved or incarcerated for not more than sixty
21 (60) days or both;

22 11. Sales of tangible personal property or services to private
23 institutions of higher education and private elementary and

1 secondary institutions of education accredited by the State
2 Department of Education or registered by the State Board of
3 Education for purposes of participating in federal programs or
4 accredited as defined by the Oklahoma State Regents for Higher
5 Education which are exempt from taxation pursuant to the provisions
6 of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3),
7 including materials, supplies, and equipment used in the
8 construction and improvement of buildings and other structures owned
9 by the institutions and operated for educational purposes.

10 Any person, firm, agency or entity making purchases on behalf of
11 any institution, agency or subdivision in this state, shall certify
12 in writing, on the copy of the invoice or sales ticket the nature of
13 the purchases, and violation of this paragraph shall be a
14 misdemeanor as set forth in paragraph 10 of this section;

15 12. Tuition and educational fees paid to private institutions
16 of higher education and private elementary and secondary
17 institutions of education accredited by the State Department of
18 Education or registered by the State Board of Education for purposes
19 of participating in federal programs or accredited as defined by the
20 Oklahoma State Regents for Higher Education which are exempt from
21 taxation pursuant to the provisions of the Internal Revenue Code, 26
22 U.S.C., Section 501(c)(3);

23 13. a. Sales of tangible personal property made by:

- 1 (1) a public school,
- 2 (2) a private school offering instruction for grade
- 3 levels kindergarten through twelfth grade,
- 4 (3) a public school district,
- 5 (4) a public or private school board,
- 6 (5) a public or private school student group or
- 7 organization,
- 8 (6) a parent-teacher association or organization
- 9 other than as specified in subparagraph b of this
- 10 paragraph, or
- 11 (7) public or private school personnel for purposes
- 12 of raising funds for the benefit of a public or
- 13 private school, public school district, public or
- 14 private school board or public or private school
- 15 student group or organization, or

16 b. Sales of tangible personal property made by or to
17 nonprofit parent-teacher associations or organizations
18 exempt from taxation pursuant to the provisions of the
19 Internal Revenue Code, 26 U.S.C., Section 501(c)(3).

20 The exemption provided by this paragraph for sales made by a
21 public or private school shall be limited to those public or private
22 schools accredited by the State Department of Education or
23 registered by the State Board of Education for purposes of

1 participating in federal programs. Sale of tangible personal
2 property in this paragraph shall include sale of admission tickets
3 and concessions at athletic events;

4 14. Sales of tangible personal property by:

- 5 a. local 4-H clubs,
- 6 b. county, regional or state 4-H councils,
- 7 c. county, regional or state 4-H committees,
- 8 d. 4-H leader associations,
- 9 e. county, regional or state 4-H foundations, and
- 10 f. authorized 4-H camps and training centers.

11 The exemption provided by this paragraph shall be limited to
12 sales for the purpose of raising funds for the benefit of such
13 organizations. Sale of tangible personal property exempted by this
14 paragraph shall include sale of admission tickets;

15 15. The first Seventy-five Thousand Dollars (\$75,000.00) each
16 year from sale of tickets and concessions at athletic events by each
17 organization exempt from taxation pursuant to the provisions of the
18 Internal Revenue Code, 26 U.S.C., Section 501(c)(4);

19 16. Items or services which are subsequently given away by the
20 Oklahoma Tourism and Recreation Department as promotional items
21 pursuant to Section 1834 of Title 74 of the Oklahoma Statutes;

22 17. Sales of tangible personal property or services to fire
23 departments organized pursuant to Section 592 of Title 18 of the

1 Oklahoma Statutes which items are to be used for the purposes of the
2 fire department. Any person making purchases on behalf of any such
3 fire department shall certify, in writing, on the copy of the
4 invoice or sales ticket to be retained by the vendor that the
5 purchases are made for and on behalf of such fire department and set
6 out the name of such fire department. Any person who wrongfully or
7 erroneously certifies that the purchases are for any such fire
8 department or who otherwise violates the provisions of this section
9 shall be deemed guilty of a misdemeanor and upon conviction thereof,
10 shall be fined an amount equal to double the amount of sales tax
11 involved or incarcerated for not more than sixty (60) days, or both;

12 18. Complimentary or free tickets for admission to places of
13 amusement, sports, entertainment, exhibition, display or other
14 recreational events or activities which are issued through a box
15 office or other entity which is operated by a state institution of
16 higher education with institutional employees or by a municipality
17 with municipal employees;

18 19. The first Fifteen Thousand Dollars (\$15,000.00) each year
19 from sales of tangible personal property by fire departments
20 organized pursuant to Titles 11, 18, or 19 of the Oklahoma Statutes
21 for the purposes of raising funds for the benefit of the fire
22 department. Fire departments selling tangible personal property for
23 the purposes of raising funds shall be limited to no more than six

1 (6) days each year to raise such funds in order to receive the
2 exemption granted by this paragraph;

3 20. Sales of tangible personal property or services to any Boys
4 & Girls Clubs of America affiliate in this state which is not
5 affiliated with the Salvation Army and which is exempt from taxation
6 pursuant to the provisions of the Internal Revenue Code, 26 U.S.C.,
7 Section 501(c)(3);

8 21. Sales of tangible personal property or services to any
9 organization, which takes court-adjudicated juveniles for purposes
10 of rehabilitation, and which is exempt from taxation pursuant to the
11 provisions of the Internal Revenue Code, 26 U.S.C., Section
12 501(c)(3), provided that at least fifty percent (50%) of the
13 juveniles served by such organization are court adjudicated and the
14 organization receives state funds in an amount less than ten percent
15 (10%) of the annual budget of the organization;

16 22. Sales of tangible personal property or services to:

17 a. any federally qualified community health center as
18 defined in Section 254c of Title 42 of the United
19 States Code,

20 b. any migrant health center as defined in Section 254b
21 of Title 42 of the United States Code,

22 c. any clinic receiving disbursements of state monies
23 from the Indigent Health Care Revolving Fund pursuant

1 to the provisions of Section 66 of Title 56 of the
2 Oklahoma Statutes, and

3 d. any community based health center which meets all of
4 the following criteria:

5 (1) provides primary care services at no cost to the
6 recipient, and

7 (2) is exempt from taxation pursuant to the
8 provisions of Section 501(c)(3) of the Internal
9 Revenue Code, 26 U.S.C., Section 501(c)(3);

10 23. Dues or fees, including free or complimentary dues or fees
11 which have a value equivalent to the charge that could have
12 otherwise been made, to YMCAs, YWCAs or municipally-owned recreation
13 centers for the use of facilities and programs;

14 24. The first Fifteen Thousand Dollars (\$15,000.00) each year
15 from sales of tangible personal property or services to or by a
16 cultural organization established to sponsor and promote
17 educational, charitable and cultural events for disadvantaged
18 children, and which organization is exempt from taxation pursuant to
19 the provisions of the Internal Revenue Code, 26 U.S.C., Section
20 501(c)(3);

21 25. Sales of tangible personal property or services to museums
22 or other entities which have been accredited by the American
23 Association of Museums. Any person making purchases on behalf of

1 any such museum or other entity shall certify, in writing, on the
2 copy of the invoice or sales ticket to be retained by the vendor
3 that the purchases are made for and on behalf of such museum or
4 other entity and set out the name of such museum or other entity.
5 Any person who wrongfully or erroneously certifies that the
6 purchases are for any such museum or other entity or who otherwise
7 violates the provisions of this paragraph shall be deemed guilty of
8 a misdemeanor and, upon conviction thereof, shall be fined an amount
9 equal to double the amount of sales tax involved or incarcerated for
10 not more than sixty (60) days, or by both such fine and
11 incarceration;

12 26. Sales of tickets for admission by any museum accredited by
13 the American Association of Museums. In order to be eligible for
14 the exemption provided by this paragraph, an amount equivalent to
15 the amount of the tax which would otherwise be required to be
16 collected pursuant to the provisions of Section 1350 et seq. of this
17 title shall be separately stated on the admission ticket and shall
18 be collected and used for the sole purpose of servicing or aiding in
19 the servicing of debt incurred by the museum to effect the
20 construction, enlarging or renovation of any facility to be used for
21 entertainment, edification or cultural cultivation to which entry is
22 gained with a paid admission ticket;

1 27. Sales of tangible personal property or services occurring
2 on or after June 1, 1995, to children's homes which are supported or
3 sponsored by one or more churches, members of which serve as
4 trustees of the home;

5 28. Sales of tangible personal property or services to the
6 organization known as the Disabled American Veterans, Department of
7 Oklahoma, Inc., and subordinate chapters thereof;

8 29. Sales of tangible personal property or services to youth
9 camps which are supported or sponsored by one or more churches,
10 members of which serve as trustees of the organization;

11 30. Transfer of tangible personal property made pursuant to
12 Section 3226 of Title 63 of the Oklahoma Statutes by the University
13 Hospitals Trust;

14 31. Sales of tangible personal property or services to a
15 municipality, county or school district pursuant to a lease or
16 lease-purchase agreement executed between the vendor and a
17 municipality, county or school district. A copy of the lease or
18 lease-purchase agreement shall be retained by the vendor;

19 32. Sales of tangible personal property or services to any
20 spaceport user, as defined in the Oklahoma Space Industry
21 Development Act;

22 33. The sale, use, storage, consumption, or distribution in
23 this state, whether by the importer, exporter, or another person, of

1 any satellite or any associated launch vehicle, including components
2 of, and parts and motors for, any such satellite or launch vehicle,
3 imported or caused to be imported into this state for the purpose of
4 export by means of launching into space. This exemption provided by
5 this paragraph shall not be affected by:

- 6 a. the destruction in whole or in part of the satellite
7 or launch vehicle,
- 8 b. the failure of a launch to occur or be successful, or
- 9 c. the absence of any transfer or title to, or possession
10 of, the satellite or launch vehicle after launch;

11 34. The sale, lease, use, storage, consumption, or distribution
12 in this state of any space facility, space propulsion system or
13 space vehicle, satellite, or station of any kind possessing space
14 flight capacity, including components thereof;

15 35. The sale, lease, use, storage, consumption, or distribution
16 in this state of tangible personal property, placed on or used
17 aboard any space facility, space propulsion system or space vehicle,
18 satellite, or station possessing space flight capacity, which is
19 launched into space, irrespective of whether such tangible property
20 is returned to this state for subsequent use, storage, or
21 consumption in any manner;

22 36. The sale, lease, use, storage, consumption, or distribution
23 in this state of tangible personal property meeting the definition

1 of "section 38 property" as defined in Sections 48(a)(1)(A) and
2 (B)(i) of the Internal Revenue Code of 1986, that is an integral
3 part of and used primarily in support of space flight; however,
4 section 38 property used in support of space flight shall not
5 include general office equipment, any boat, mobile home, motor
6 vehicle, or other vehicle of a class or type required to be
7 registered, licensed, titled, or documented in this state or by the
8 United States government, or any other property not specifically
9 suited to supporting space activity. The term "in support of space
10 flight", for purposes of this paragraph, means the altering,
11 monitoring, controlling, regulating, adjusting, servicing, or
12 repairing of any space facility, space propulsion systems or space
13 vehicle, satellite, or station possessing space flight capacity,
14 including the components thereof;

15 37. The purchase or lease of machinery and equipment for use at
16 a fixed location in this state, which is used exclusively in the
17 manufacturing, processing, compounding, or producing of any space
18 facility, space propulsion system or space vehicle, satellite, or
19 station of any kind possessing space flight capacity. Provided, the
20 exemption provided for in this paragraph shall not be allowed unless
21 the purchaser or lessee signs an affidavit stating that the item or
22 items to be exempted are for the exclusive use designated herein.
23 Any person furnishing a false affidavit to the vendor for the

1 purpose of evading payment of any tax imposed by Section 1354 of
2 this title shall be subject to the penalties provided by law. As
3 used in this paragraph, "machinery and equipment" means "section 38
4 property" as defined in Sections 48(a)(1)(A) and (B)(i) of the
5 Internal Revenue Code of 1986, which is used as an integral part of
6 the manufacturing, processing, compounding, or producing of items of
7 tangible personal property. Such term includes parts and
8 accessories only to the extent that the exemption thereof is
9 consistent with the provisions of this paragraph;

10 38. The amount of a surcharge or any other amount which is
11 separately stated on an admission ticket which is imposed, collected
12 and used for the sole purpose of constructing, remodeling or
13 enlarging facilities of a public trust having a municipality or
14 county as its sole beneficiary;

15 39. Sales of tangible personal property or services which are
16 directly used in or for the benefit of a state park in this state,
17 which are made to an organization which is exempt from taxation
18 pursuant to the provisions of the Internal Revenue Code, 26 U.S.C.,
19 Section 501(c)(3) and which is organized primarily for the purpose
20 of supporting one or more state parks located in this state;

21 40. The sale, lease or use of parking privileges by an
22 institution of The Oklahoma State System of Higher Education;

1 41. Sales of tangible personal property or services for use on
2 campus or school construction projects for the benefit of
3 institutions of The Oklahoma State System of Higher Education,
4 private institutions of higher education accredited by the Oklahoma
5 State Regents for Higher Education or any public school or school
6 district when such projects are financed by or through the use of
7 nonprofit entities which are exempt from taxation pursuant to the
8 provisions of the Internal Revenue Code, 26 U.S.C., Section
9 501(c)(3);

10 42. Sales of tangible personal property or services by an
11 organization which is exempt from taxation pursuant to the
12 provisions of the Internal Revenue Code, 26 U.S.C., Section
13 501(c)(3), in the course of conducting a national championship
14 sports event, but only if all or a portion of the payment in
15 exchange therefor would qualify as the receipt of a qualified
16 sponsorship payment described in Internal Revenue Code, 26 U.S.C.,
17 Section 513(i). Sales exempted pursuant to this paragraph shall be
18 exempt from all Oklahoma sales, use, excise and gross receipts
19 taxes;

20 43. Sales of tangible personal property or services to or by an
21 organization which:

- 1 a. is exempt from taxation pursuant to the provisions of
2 the Internal Revenue Code, 26 U.S.C., Section
3 501(c) (3),
- 4 b. is affiliated with a comprehensive university within
5 The Oklahoma State System of Higher Education, and
- 6 c. has been organized primarily for the purpose of
7 providing education and teacher training and
8 conducting events relating to robotics;

9 44. The first Fifteen Thousand Dollars (\$15,000.00) each year
10 from sales of tangible personal property by youth athletic teams
11 which are part of an athletic organization exempt from taxation
12 pursuant to the provisions of the Internal Revenue Code, 26 U.S.C.,
13 Section 501(c) (4), for the purposes of raising funds for the benefit
14 of the team;

15 45. Sales of tickets for admission to a collegiate athletic
16 event that is held in a facility owned or operated by a municipality
17 or a public trust of which the municipality is the sole beneficiary
18 and that actually determines or is part of a tournament or
19 tournament process for determining a conference tournament
20 championship, a conference championship, or a national championship;

21 46. Sales of tangible personal property or services to or by an
22 organization which is exempt from taxation pursuant to the
23 provisions of the Internal Revenue Code, 26 U.S.C., Section

1 501(c)(3) and is operating the Oklahoma City National Memorial and
2 Museum, an affiliate of the National Park System;

3 47. Sales of tangible personal property or services to
4 organizations which are exempt from federal taxation pursuant to the
5 provisions of Section 501(c)(3) of the Internal Revenue Code, 26
6 U.S.C., Section 501(c)(3), the memberships of which are limited to
7 honorably discharged veterans, and which furnish financial support
8 to area veterans' organizations to be used for the purpose of
9 constructing a memorial or museum;

10 48. Sales of tangible personal property or services on or after
11 January 1, 2003, to an organization which is exempt from taxation
12 pursuant to the provisions of the Internal Revenue Code, 26 U.S.C.,
13 Section 501(c)(3) that is expending monies received from a private
14 foundation grant in conjunction with expenditures of local sales tax
15 revenue to construct a local public library;

16 49. Sales of tangible personal property or services to a state
17 that borders this state or any political subdivision of that state,
18 but only to the extent that the other state or political subdivision
19 exempts or does not impose a tax on similar sales of items to this
20 state or a political subdivision of this state;

21 50. Effective July 1, 2005, sales of tangible personal property
22 or services to the Career Technology Student Organizations under the

1 direction and supervision of the Oklahoma Department of Career and
2 Technology Education; and

3 51. Sales of tangible personal property to a public trust
4 having either a single city, town or county or multiple cities,
5 towns or counties or combination thereof as beneficiary or
6 beneficiaries or a nonprofit organization which is exempt from
7 taxation pursuant to the provisions of the Internal Revenue Code, 26
8 U.S.C., Section 501(c)(3) for the purpose of constructing
9 improvements to or expanding a hospital or nursing home owned and
10 operated by any such public trust or nonprofit entity prior to ~~the~~
11 ~~effective date of this act~~ July 1, 2005 in counties with a
12 population of less than one hundred thousand (100,000) persons,
13 according to the most recent Federal Decennial Census. As used in
14 this paragraph, "constructing improvements to or expanding" shall
15 not mean any expense for routine maintenance or general repairs and
16 shall require a project cost of at least One Hundred Thousand
17 Dollars (\$100,000.00). For purposes of this paragraph, sales made
18 to a contractor or subcontractor that enters into a contractual
19 relationship with a public trust or nonprofit entity as described by
20 this paragraph shall be considered sales made to the public trust or
21 nonprofit entity. The exemption authorized by this paragraph shall
22 be administered in the form of a refund from the sales tax revenues
23 apportioned pursuant to Section 1353 of this title and the vendor

1 shall be required to collect the sales tax otherwise applicable to
2 the transaction. The purchaser may apply for a refund of the sales
3 tax paid in the manner prescribed by this paragraph. Within thirty
4 (30) days after the end of each fiscal year, any purchaser that is
5 entitled to make application for a refund based upon the exempt
6 treatment authorized by this paragraph may file an application for
7 refund of the sales taxes paid during such preceding fiscal year.
8 The Tax Commission shall prescribe a form for purposes of making the
9 application for refund. The Tax Commission shall determine whether
10 or not the total amount of sales tax exemptions claimed by all
11 purchasers is equal to or less than ~~Six Hundred Fifty Thousand~~
12 ~~Dollars (\$650,000.00)~~ Two Million Dollars (\$2,000,000.00). If such
13 claims are less than or equal to that amount, the Tax Commission
14 shall make refunds to the purchasers in the full amount of the
15 documented and verified sales tax amounts. If such claims by all
16 purchasers are in excess of ~~Six Hundred Fifty Thousand Dollars~~
17 ~~(\$650,000.00)~~ Two Million Dollars (\$2,000,000.00), the Tax
18 Commission shall determine the amount of each purchaser's claim, the
19 total amount of all claims by all purchasers, and the percentage
20 each purchaser's claim amount bears to the total. The resulting
21 percentage determined for each purchaser shall be multiplied by ~~Six~~
22 ~~Hundred Fifty Thousand Dollars (\$650,000.00)~~ Two Million Dollars
23 (\$2,000,000.00) to determine the amount of refundable sales tax to

1 be paid to each purchaser. The pro rata refund amount shall be the
2 only method to recover sales taxes paid during the preceding fiscal
3 year and no balance of any sales taxes paid on a pro rata basis
4 shall be the subject of any subsequent refund claim pursuant to this
5 paragraph.

6 SECTION 2. This act shall become effective July 1, 2006.

7 SECTION 3. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

11 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-14-06 - DO
12 PASS, As Amended and Coauthored.