STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1077

By: Benge and Newport of the House

and

Morgan and Crutchfield of the Senate

AS INTRODUCED

An Act relating to the Oklahoma Tax Commission; making an appropriation; stating purpose; directing certain payments; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; providing budgetary limitations; making certain appropriations nonfiscal; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

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

SECTION 1. There is hereby appropriated to the Oklahoma Tax Commission from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2006, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Tax Commission by law.

SECTION 2. From the appropriation made in Section 1 of this act, the Oklahoma Tax Commission shall pay an amount not to exceed _____ Dollars ($0.00) for the personal services and other operating expenses of the Office of the State Auditor and Inspector in performing audits of the Oklahoma Tax Commission and motor license agents as required by law.

SECTION 3. For the fiscal year ending June 30, 2006, the Oklahoma Tax Commission shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Headquarters/Administration	$ 0.00	$ 0.00
Central Processing	0.00	0.00
Taxpayer Services	0.00	0.00
Tax Administration	0.00	0.00
Audit Services	0.00	0.00
Collections	0.00	0.00
Legal Services	0.00	0.00
Motor Vehicle	0.00	0.00
Ad Valorem Programs	0.00	0.00
Management Services	0.00	0.00
Film Rebate Program	0.00	0.00
TOTAL	$0.00	$0.00

SECTION 4. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Tax Commission by law shall be set by the Oklahoma Tax Commission. The Oklahoma Tax Commission for the fiscal year ending June 30, 2006, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

Budgetary Limitation	Amount
Full-time-equivalent Employees	0.0
Lease-Purchase Agreements	$0.00

SECTION 5. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2006 (hereafter FY-06) or may be budgeted for the fiscal year ending June 30, 2007 (hereafter FY-07).

Funds budgeted for FY-06 may be encumbered only through June 30, 2006, and must be expended by November 15, 2006. Any funds remaining after November 15, 2006, and not budgeted for FY-07, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-07 may be encumbered only through June 30, 2007. Any funds remaining after November 15, 2007, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-06, and not required to pay obligations for that fiscal year, may be budgeted for FY-07, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-06 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 6. This act shall become effective July 1, 2005.

SECTION 7. 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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