

BILL SUMMARY

MEASURE: HB 3357 (Committee Substitute)

AUTHOR: Rep. Terrill

SUBJECT: Tax Commission Clarifying Language, Returned Check Purchasers, Florist Destination Requirements

PROVISIONS:

Section 1: Relates to a purchaser's responsibility for a prior owner's returned check. Currently, a purchaser is only exempt from penalties. This measure exempts the purchaser from tax, fees or penalty resulting from a dishonored check of the prior owner of a vehicle.

Section 2: Replaces the present reference to the Interstate Commerce Commission with the more accurate designation of the Federal Motor Carrier Safety Administration.

Section 3: Grants owners of noncommercial boats and utility-type trailers the option of purchasing a \$1 private trailer registration. Currently, there is no requirement to title or register these types of trailers and often owners have issues when traveling in other states.

Section 4: Expands the confidentiality exception currently applicable only to contractors to include all persons with whom OTC contracts.

Section 5: Clarifies that the Tax Commission, at its sole discretion, may share reports and records with law enforcement officials of the State of Oklahoma.

Section 6: Extends the application of administrative fines to retailers. This modification is clarification of longstanding OTC policy and practice.

Section 7: Moves the application of destination sourcing to florists back 1 year. Florists will be required to comply January 1, 2010 instead of January 1, 2009. This section maintains compliance with the Streamlines Sales and Use Tax Agreement.

Section 8: Provides an Effective Date

Section 9: Declares an Emergency

EFFECTIVE

DATE: July 1, 2008

PREPARED BY: Jonathan Small II, Research Analyst

DATE: 3-10-08