

EHB 1661

THE STATE SENATE
Monday, April 6, 2009

ENGROSSED

House Bill No. 1661

As Amended

ENGROSSED HOUSE BILL NO. 1661 - By: Williams and Dorman of the House and Leftwich of the Senate.

[revenue and taxation - income tax checkoff for Y.M.C.A. - creating Oklahoma Youth and Government Revolving Fund - codification - 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 2368.17 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. Each state individual income tax return form for tax years which begin after December 31, 2009, and each state corporate tax return form for tax years beginning after December 31, 2009, shall contain a provision to allow a donation not to exceed Twenty-five Dollars (\$25.00) from a tax refund for the benefit of the Oklahoma chapter of the Y.M.C.A. Youth and Government program.

B. Except as otherwise provided for in this section, all monies generated pursuant to subsection A of this section shall be paid to the State Treasurer by the Oklahoma Tax Commission and placed to the credit of the Oklahoma Youth and Government Revolving Fund created in subsection C of this section.

1 C. There is hereby created in the State Treasury a revolving
2 fund to be designated the "Oklahoma Youth and Government Revolving
3 Fund" administered by the State Department of Education. The fund
4 shall be a continuing fund, not subject to fiscal year limitations,
5 and shall consist of all the monies received by the State Department
6 of Education pursuant to the provisions of subsection A of this
7 section. All monies accruing to the credit of the fund are
8 appropriated and may be budgeted and expended by the State
9 Department of Education at the beginning of each fiscal year for the
10 purpose of providing grants to the Oklahoma Chapter of the Y.M.C.A.
11 Youth and Government program for purposes of educating young people
12 regarding government and the legislative process. Expenditures from
13 the fund shall be made upon warrants issued by the State Treasurer
14 against claims filed as prescribed by law with the Director of State
15 Finance for approval and payment.

16 D. If a taxpayer makes a donation pursuant to subsection A of
17 this section in error, such taxpayer may file a claim for a refund
18 at any time within three (3) years from the due date of the tax
19 return. Such claims shall be filed pursuant to the provisions of
20 Section 2373 of Title 68 of the Oklahoma Statutes. Prior to the
21 apportionment set forth in this section, an amount equal to the
22 total amount of refunds made pursuant to this subsection during any
23 one (1) year shall be deducted from the total donations received

1 pursuant to this section during the following year and such amount
2 deducted shall be paid to the State Treasurer and placed to the
3 credit of the Income Tax Withholding Refund Account.

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 2368.18 of Title 68, unless
6 there is created a duplication in numbering, reads as follows:

7 All income tax checkoffs provided for in state statute shall
8 expire four (4) years after enactment, unless reauthorized by the
9 Legislature.

10 SECTION 3. This act shall become effective January 1, 2010.

11 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 3-31-09 - DO PASS,
12 As Amended.