

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 1165

By: Corn

4  
5  
6 AS INTRODUCED

7 An Act relating to revenue and taxation and state  
8 government; amending 68 O.S. 2001, Sections 1625,  
9 1625.1 and 1626, which relate to fireworks; modifying  
10 administration of consumer fireworks; providing for  
11 recodification; and providing an effective date.

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

13 SECTION 1. AMENDATORY 68 O.S. 2001, Section 1625, is  
14 amended to read as follows:

15 Section 1625. The following license fees shall be due and  
16 payable on or before March 1 of each and every year beginning March  
17 1, 1981, to the ~~Oklahoma Tax Commission~~ State Fire Marshal  
18 Commission.

19 ~~(a)~~ 1. A license fee of One Thousand Dollars (\$1,000.00)  
20 annually shall be charged for the license to do business within this  
21 state as a manufacturer. Provided no manufacturer's license shall  
22 be issued without: ~~(1)~~

1           a. proof of inspection by the State Fire Marshal pursuant  
2           to Section ~~1633~~ 324.34 of ~~this title~~ Title 74 of the  
3           Oklahoma Statutes; and ~~(2)~~

4           b. without proof of workers' compensation coverage  
5           pursuant to the provisions of Title 85 of the Oklahoma  
6           Statutes.

7           ~~(b)~~ 2. A license fee of One Thousand Dollars (\$1,000.00)  
8           annually shall be charged for the license to do business within this  
9           state as a distributor;

10           ~~(e)~~ 3. A license fee of Five Hundred Dollars (\$500.00) annually  
11           shall be charged for the license to do business within this state as  
12           a wholesaler;

13           ~~(d)~~ 4. Any person operating a retail location where fireworks  
14           are sold directly to the consumer shall be required to purchase a  
15           retail fireworks license. The retail license fee shall be Ten  
16           Dollars (\$10.00) annually and may be purchased from any licensed  
17           wholesaler, manufacturer or distributor. These serially numbered  
18           licenses shall be made available at any time to the licensed  
19           wholesalers, manufacturers or distributors in books of twenty (20)  
20           licenses to a book. Retail licenses which are unsold may be  
21           exchanged for new licenses. Any person purchasing a retail  
22           fireworks license pursuant to this paragraph shall, at the time of  
23           purchasing such license, sign an affidavit attesting to the fact  
24           that the name, mailing address and telephone number of the purchaser

1 as it appears on such license is correct and that the purchaser  
2 operates a retail location where fireworks are sold directly to the  
3 consumer. Said affidavit shall be an integral but easily detachable  
4 part of the application form for a retail fireworks license. Any  
5 person who signs said affidavit as required by this paragraph when  
6 such person knows that it is not true, upon conviction, shall be  
7 guilty of the felony of perjury and shall be punished as provided  
8 for by law.

9 SECTION 2. AMENDATORY 68 O.S. 2001, Section 1625.1, is  
10 amended to read as follows:

11 Section 1625.1 A. Any wholesaler, manufacturer or distributor  
12 who sells retail fireworks licenses, pursuant to paragraph ~~(d)~~ 4 of  
13 Section ~~1625~~ 324.26 of Title ~~68~~ 74 of the Oklahoma Statutes, shall  
14 deliver to the ~~Tax Commission~~ State Fire Marshal Commission on  
15 January 31 and July 31 of each calendar year all copies of retail  
16 fireworks licenses which such wholesaler, manufacturer or  
17 distributor has issued during the preceding six-month period.

18 B. If the license copies are not delivered to the ~~Tax~~  
19 ~~Commission~~ State Fire Marshal Commission on January 31 and July 31  
20 of each calendar year, an additional penalty of Five Dollars (\$5.00)  
21 shall accrue for each day thereafter that said license copies are  
22 not delivered pursuant to the provisions of this section.

23 SECTION 3. AMENDATORY 68 O.S. 2001, Section 1626, is  
24 amended to read as follows:

1 Section 1626. All license fees specified in Section ~~1625~~ 324.26  
2 of ~~this title~~ Title 74 of the Oklahoma Statutes shall be collected  
3 by the ~~Oklahoma Tax Commission~~ State Fire Marshal Commission and  
4 shall be paid to the State Treasurer of the State of Oklahoma, to be  
5 placed to the credit of the ~~General Revenue Fund of the State~~  
6 Treasury State Fire Marshal Revolving Fund.

7 SECTION 4. RECODIFICATION 68 O.S. 2001, Sections 1621,  
8 1622, 1623, 1624, 1625, as amended by Section 1 of this act, 1625.1,  
9 as amended by Section 2 of this act, 1626, as amended by Section 3  
10 of this act, 1627, 1628, 1629, 1630, 1631, 1633 and 1634, shall be  
11 recodified as Sections 324.22, 324.23, 324.24, 324.25, 324.26,  
12 324.27, 324.28, 324.29, 324.30, 324.31, 324.32, 324.33, 324.34 and  
13 324.35, respectively, of Title 74 of the Oklahoma Statutes, unless  
14 there is created a duplication in numbering.

15 SECTION 6. This act shall become effective November 1, 2009.

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17 52-1-162 MRB 3/6/2009 2:03:50 AM  
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