

1 STATE OF OKLAHOMA

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

3 SENATE BILL 905

By: Sykes

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5
6 AS INTRODUCED

7 An Act relating to revenue and taxation; amending 68
8 O.S. 2001, Section 2902.1, as amended by Section 12,
9 Chapter 447, O.S.L. 2004 (68 O.S. Supp. 2008, Section
10 2902.1), which relates to ad valorem taxes;
11 clarifying reference; and providing an effective
12 date.

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

14 SECTION 1. AMENDATORY 68 O.S. 2001, Section 2902.1, as
15 amended by Section 12, Chapter 447, O.S.L. 2004 (68 O.S. Supp. 2008,
16 Section 2902.1), is amended to read as follows:

17 Section 2902.1 In order to administer subsection C of Section
18 2902 of ~~this title~~ Title 68 of the Oklahoma Statutes, the following
19 dates and activities shall apply:

20 1. Any person, firm or corporation claiming the exemption
21 herein provided pursuant to subsection C of Section 2902 of this
22 title shall file, each year for which the exemption is claimed, an
23 application therefor with the county assessor of the county in which
24 the new, expanded or acquired facility is located. Such application

1 shall be on a form or forms prescribed by the Oklahoma Tax
2 Commission and shall be filed before July 1, 1993; and, thereafter
3 subsequent years of application for the exemption shall be filed on
4 or before March 15 of the calendar year in which the facility
5 desires to take the exemption.

6 Provided, for those person, firms or corporations qualifying
7 pursuant to subsection C of Section 2902 of this title, the
8 exemption from ad valorem taxes shall continue in effect for the
9 four (4) following years upon application as long as all
10 requirements in subsection C of Section 2902 of this title are met;
11 and

12 2. Such application shall be examined by the county assessor
13 and approved or rejected by the county assessor in the same manner
14 as provided by law for approval or rejection of claims for homestead
15 exemptions. Any applicants rejected by the county assessor whose
16 applications were received before July 1, 1993, may protest any
17 rejection to the county equalization board which shall conduct
18 hearings to protest in the manner prescribed pursuant to Title 68 of
19 the Oklahoma Statutes. In the event the county equalization board
20 has adjourned and so is unable to conduct a review of the county
21 assessor's rejection in tax year 1993, the board shall hear the
22 protest in 1994. Provided, applicants must appeal within thirty
23 (30) days of rejection. The applicant shall not be required to pay
24 the tax until appeal is heard by the county equalization board. In

1 the event payment is determined to be due by the county equalization
2 board, the company shall pay ~~said~~ the tax, but no interest or
3 penalty shall be assessed or due. Approved applications shall be
4 filed by the county assessor with the Tax Commission no later than
5 August 1, 1993. Incomplete applications and applications filed
6 after such date will be declared null and void by the Tax
7 Commission.

8 SECTION 2. This act shall become effective November 1, 2009.

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