

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HB1979**

By: Pittman of the House and Eason McIntyre of the Senate

Title: Tourism and recreation; creating the Oklahoma Freedom Trail Act; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from Amendment No. 1; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

**HOUSE CONFEREES**

Armes \_\_\_\_\_ Sears

Earl Sears

Billy ~~\_\_\_\_\_~~ Walker

Ermy D. Walker

Blackwell \_\_\_\_\_

Brown \_\_\_\_\_

Cox Douglas G. Cox M.P.

Dank David M. Dank

DeWitt Hale DeWitt

Denney Lee Denney

Dorman Joe Dorman

Hoskin Charles Hoskin

Liebmann Ray Liebmann

Martin (Scott) Scott C. Martin

McPeak \_\_\_\_\_

Nelson Lyson Nelson

Peters Jon Peters

HB1979 CCR A

**SENATE CONFEREES**

Eason McIntyre

*Eason McIntyre*

Coates

*Coates*

Allen

*Allen*

Wilson

*Wilson*

Childers

*Childers*

Crain

*Crain*

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 CONFERENCE COMMITTEE  
4 SUBSTITUTE  
5 FOR ENGROSSED  
6 HOUSE BILL NO. 1979

By: Pittman, Shelton, Lockhart  
and Bennett of the House

7 and

Eason McIntyre and Allen of  
the Senate

8  
9  
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to historical tourism; creating the  
12 Oklahoma Freedom Trail Act; designating the Oklahoma  
13 Historical Society responsible for purposes of  
14 planning and administration; stating purpose of the  
15 Freedom Trail; requiring specific agencies to work in  
16 cooperation; providing for coalition of historians  
17 and scholars; requiring creation of an electronic  
18 map and brochures; providing for marketing and  
19 advertising by the Oklahoma Tourism and Recreation  
20 Department; providing for selection of sites by the  
21 Oklahoma Historical Society; providing for system of  
22 markers placed by the Department of Transportation;  
23 providing for features of markers; making  
24 implementation contingent upon funding; providing for  
taxpayer donation from income tax refund for the  
Oklahoma Freedom Trail; providing for distribution of  
funds; designating certain revolving fund; providing  
for expenditures from fund; providing procedures for  
refund of donation in error; providing for  
codification; providing for noncodification; and  
providing an effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 411 of Title 53, unless there is  
3 created a duplication in numbering, reads as follows:

4 Section 2 through 4 of this act shall be known and may be cited  
5 as the "Oklahoma Freedom Trail Act".

6 SECTION 2. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 412 of Title 53, unless there is  
8 created a duplication in numbering, reads as follows:

9 A. The Oklahoma Historical Society is hereby designated as the  
10 entity responsible for planning and providing administration for the  
11 Oklahoma Freedom Trail.

12 B. The purpose of the Oklahoma Freedom Trail shall be to  
13 recognize, document and mark sites in this state that are associated  
14 with the history and movement towards freedom of its African-  
15 American citizens.

16 C. The Oklahoma Historical Society, the Oklahoma Tourism and  
17 Recreation Department and the Department of Transportation shall  
18 work in a cooperative partnership to establish, maintain and promote  
19 the Oklahoma Freedom Trail.

20 SECTION 3. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 413 of Title 53, unless there is  
22 created a duplication in numbering, reads as follows:

23 A. The Oklahoma Historical Society shall promote the formation  
24 of a distinguished coalition of historians and scholars to develop

1 an inventory of the most notable sites to feature and highlight as  
2 part of the Oklahoma Freedom Trail.

3 B. The Oklahoma Tourism and Recreation Department shall be  
4 responsible for creating a detailed Oklahoma Freedom Trail  
5 electronic map and brochure to promote the Oklahoma Freedom Trail.

6 C. The Oklahoma Tourism and Recreation Department shall have  
7 primary responsibility for the marketing and advertising of the  
8 Oklahoma Freedom Trail within the state as well as nationally and  
9 internationally through the use of a website, press releases and any  
10 other appropriate manner.

11 SECTION 4. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 414 of Title 53, unless there is  
13 created a duplication in numbering, reads as follows:

14 A. The Oklahoma Freedom Trail shall consist of a number of  
15 specific site locations, to be selected by the Oklahoma Historical  
16 Society, which highlight, recognize, document and mark sites in this  
17 state that are associated with the history and movement towards  
18 freedom of its African-American citizens.

19 B. Each site along the Oklahoma Freedom Trail may be designated  
20 with a marker, the design of which shall be selected by the Oklahoma  
21 Historical Society, memorializing the person, place or event  
22 selected for inclusion along the Trail. A suitable permanent marker  
23 may be placed on a highway by the Department of Transportation. The  
24 Department of Transportation may provide for the placement and

1 maintenance of suitable permanent markers while doing normal  
2 maintenance or replacement procedures and shall do so utilizing  
3 existing funds.

4 C. The markers may include any features the Oklahoma Historical  
5 Society deems to be in the best interest of promoting public  
6 interest in and support of the Oklahoma Freedom Trail.

7 SECTION 5. NEW LAW A new section of law not to be  
8 codified in the Oklahoma Statutes reads as follows:

9 The implementation of the provisions of the Oklahoma Freedom  
10 Trail Act shall be contingent upon the availability of funding.

11 SECTION 6. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 2368.27 of Title 68, unless  
13 there is created a duplication in numbering, reads as follows:

14 A. Each state individual income tax return form for tax years  
15 which begin after December 31, 2012, and each state corporate tax  
16 return form for tax years beginning after December 31, 2012, shall  
17 contain a provision to allow a donation from a tax refund for the  
18 purpose of supporting the Oklahoma Freedom Trail as administered by  
19 the Oklahoma Historical Society as provided for in the Oklahoma  
20 Freedom Trail Act.

21 B. Except as otherwise provided for in this section, all monies  
22 generated pursuant to subsection A of this section shall be paid to  
23 the State Treasurer by the Oklahoma Tax Commission and placed to the  
24

1 credit of the Historical Society Revolving Fund, as was established  
2 in Section 1.10 of Title 53 of the Oklahoma Statutes.

3 C. If a taxpayer makes a donation pursuant to subsection A of  
4 this section in error, such taxpayer may file a claim for refund at  
5 any time within three (3) years from the due date of the tax return.  
6 Such claims shall be filed pursuant to the provisions of Section  
7 2373 of Title 68 of the Oklahoma Statutes. Prior to the  
8 apportionment set forth in this section, an amount equal to the  
9 total amount of refunds made pursuant to this subsection during any  
10 one (1) year shall be deducted from the total donations received  
11 pursuant to this section during the following year and such amount  
12 deducted shall be paid to the State Treasurer and placed to the  
13 credit of the Income Tax Withholding Refund Account.

14 SECTION 7. This act shall become effective November 1, 2012.

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16 53-2-10293 KB 04/23/12

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