

1 ENGROSSED SENATE
2 BILL NO. 949

By: Nichols of the Senate

3 and

4 Enns of the House

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6
7 [income tax - creating the Oklahoma Sports Eye
8 Safety Program Act - donate amount of refund -
9 distribution of funds - creating Oklahoma Sports Eye
10 Safety Program Revolving Fund - administration and
11 expenditure - allowing for refund - providing for
12 noncodification - codification - effective date]

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

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SECTION 1. NEW LAW A new section of law not to be

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codified in the Oklahoma Statutes reads as follows:

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This act shall be known and may be cited as the "Oklahoma Sports

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Eye Safety Program Act".

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SECTION 2. NEW LAW A new section of law to be codified

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in the Oklahoma Statutes as Section 2368.22 of Title 68, unless

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there is created a duplication in numbering, reads as follows:

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A. Each state individual income tax return form for tax years

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which begin after December 31, 2011, and each state corporate tax

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return form for tax years beginning after December 31, 2011, shall

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contain a provision to allow a donation of One Dollar (\$1.00) from a

1 tax refund for the benefit of the Oklahoma Sports Eye Safety Program
2 Revolving Fund.

3 B. Except as otherwise provided for in this section, all monies
4 generated pursuant to subsection A of this section shall be paid to
5 the State Treasurer by the Oklahoma Tax Commission and placed to the
6 credit of the Oklahoma Sports Eye Safety Program Revolving Fund
7 created in Section 3 of this act.

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

19 SECTION 3. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 79 of Title 63, unless there is
21 created a duplication in numbering, reads as follows:

22 There is hereby created in the State Treasury a revolving fund
23 to be designated the "Oklahoma Sports Eye Safety Program Revolving
24 Fund" administered by the State Department of Health. The fund

1 shall be a continuing fund, not subject to fiscal year limitations,
2 and shall consist of all the monies received by the State Department
3 of Health pursuant to the provisions of Section 2 of this act, any
4 other section of law and any other monies that may be deposited in
5 the fund to implement the provisions of this act. All monies
6 accruing to the credit of the fund are appropriated and may be
7 budgeted and expended by the State Department of Health for the
8 purposes of:

9 1. Exploring opportunities to utilize nonprofit organizations
10 to provide sports eye safety information or sports eye safety
11 equipment to children age eighteen (18) and under; and

12 2. To establish a sports eye safety grant program for the
13 purchase and distribution of sports eye safety programs and
14 materials to classrooms in this state and sports eye safety
15 protective wear to children age eighteen (18) and under.

16 Expenditures from the fund shall be made upon warrants issued by the
17 State Treasurer against claims filed as prescribed by law with the
18 Director of State Finance for approval and payment.

19 SECTION 4. This act shall become effective November 1, 2011.
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