

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1437

By: Mazzei

4
5
6 AS INTRODUCED

7 An Act relating to income tax; amending 68 O.S. 2011,
8 Sections 2355 and 2355.1A, which relate to income tax
9 rates; modifying individual income tax rates and
10 brackets for specified time periods; deleting
11 reference to certain contingent rate change; making
12 certain rate change contingent upon specified
13 determination; modifying corporate income tax rate
14 for specified time period; modifying reference for
15 conformity; modifying amount of contingent rate
16 change; deleting requirement for preliminary
17 determination at specified meeting; modifying year
18 for certain determination; modifying basis year for
19 certain comparison; and providing an effective date.

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

21 SECTION 1. AMENDATORY 68 O.S. 2011, Section 2355, is
22 amended to read as follows:

23 Section 2355. A. Individuals. For all taxable years beginning
24 after December 31, 1998 and before January 1, 2006, a tax is hereby
imposed upon the Oklahoma taxable income of every resident or
nonresident individual, which tax shall be computed at the option of
the taxpayer under one of the two following methods:

1. METHOD 1.

- 1 a. Single individuals and married individuals filing
2 separately not deducting federal income tax:
- 3 (1) 1/2% tax on first \$1,000.00 or part thereof,
4 (2) 1% tax on next \$1,500.00 or part thereof,
5 (3) 2% tax on next \$1,250.00 or part thereof,
6 (4) 3% tax on next \$1,150.00 or part thereof,
7 (5) 4% tax on next \$1,300.00 or part thereof,
8 (6) 5% tax on next \$1,500.00 or part thereof,
9 (7) 6% tax on next \$2,300.00 or part thereof, and
10 (8) (a) for taxable years beginning after December
11 31, 1998, and before January 1, 2002, 6.75%
12 tax on the remainder,
13 (b) for taxable years beginning on or after
14 January 1, 2002, and before January 1, 2004,
15 7% tax on the remainder, and
16 (c) for taxable years beginning on or after
17 January 1, 2004, 6.65% tax on the remainder.
- 18 b. Married individuals filing jointly and surviving
19 spouse to the extent and in the manner that a
20 surviving spouse is permitted to file a joint return
21 under the provisions of the Internal Revenue Code and
22 heads of households as defined in the Internal Revenue
23 Code not deducting federal income tax:
24 (1) 1/2% tax on first \$2,000.00 or part thereof,

- 1 (2) 1% tax on next \$3,000.00 or part thereof,
- 2 (3) 2% tax on next \$2,500.00 or part thereof,
- 3 (4) 3% tax on next \$2,300.00 or part thereof,
- 4 (5) 4% tax on next \$2,400.00 or part thereof,
- 5 (6) 5% tax on next \$2,800.00 or part thereof,
- 6 (7) 6% tax on next \$6,000.00 or part thereof, and
- 7 (8) (a) for taxable years beginning after December
- 8 31, 1998, and before January 1, 2002, 6.75%
- 9 tax on the remainder,
- 10 (b) for taxable years beginning on or after
- 11 January 1, 2002, and before January 1, 2004,
- 12 7% tax on the remainder, and
- 13 (c) for taxable years beginning on or after
- 14 January 1, 2004, 6.65% tax on the remainder.

15 2. METHOD 2.

16 a. Single individuals and married individuals filing
17 separately deducting federal income tax:

- 18 (1) 1/2% tax on first \$1,000.00 or part thereof,
- 19 (2) 1% tax on next \$1,500.00 or part thereof,
- 20 (3) 2% tax on next \$1,250.00 or part thereof,
- 21 (4) 3% tax on next \$1,150.00 or part thereof,
- 22 (5) 4% tax on next \$1,200.00 or part thereof,
- 23 (6) 5% tax on next \$1,400.00 or part thereof,
- 24 (7) 6% tax on next \$1,500.00 or part thereof,

- 1 (8) 7% tax on next \$1,500.00 or part thereof,
- 2 (9) 8% tax on next \$2,000.00 or part thereof,
- 3 (10) 9% tax on next \$3,500.00 or part thereof, and
- 4 (11) 10% tax on the remainder.

5 b. Married individuals filing jointly and surviving
6 spouse to the extent and in the manner that a
7 surviving spouse is permitted to file a joint return
8 under the provisions of the Internal Revenue Code and
9 heads of households as defined in the Internal Revenue
10 Code deducting federal income tax:

- 11 (1) 1/2% tax on the first \$2,000.00 or part thereof,
- 12 (2) 1% tax on the next \$3,000.00 or part thereof,
- 13 (3) 2% tax on the next \$2,500.00 or part thereof,
- 14 (4) 3% tax on the next \$1,400.00 or part thereof,
- 15 (5) 4% tax on the next \$1,500.00 or part thereof,
- 16 (6) 5% tax on the next \$1,600.00 or part thereof,
- 17 (7) 6% tax on the next \$1,250.00 or part thereof,
- 18 (8) 7% tax on the next \$1,750.00 or part thereof,
- 19 (9) 8% tax on the next \$3,000.00 or part thereof,
- 20 (10) 9% tax on the next \$6,000.00 or part thereof, and
- 21 (11) 10% tax on the remainder.

22 B. 1. Individuals. For all taxable years beginning on or
23 after January 1, 2008, and before January 1, 2012, a tax is hereby
24

1 imposed upon the Oklahoma taxable income of every resident or
2 nonresident individual, which tax shall be computed as follows:

3 ~~1.~~

4 a. Single individuals and married individuals filing
5 separately:

6 ~~(a)~~

7 (1) 1/2% tax on first \$1,000.00 or part thereof,

8 ~~(b)~~

9 (2) 1% tax on next \$1,500.00 or part thereof,

10 ~~(c)~~

11 (3) 2% tax on next \$1,250.00 or part thereof,

12 ~~(d)~~

13 (4) 3% tax on next \$1,150.00 or part thereof,

14 ~~(e)~~

15 (5) 4% tax on next \$2,300.00 or part thereof,

16 ~~(f)~~

17 (6) 5% tax on next \$1,500.00 or part thereof, and

18 ~~(g)~~

19 (7) 5.50% tax on the remainder for the 2008 tax year

20 ~~and any subsequent~~ through the 2011 tax year

21 ~~unless the rate prescribed by subparagraph (h) of~~

22 ~~this paragraph is in effect, and~~

23 ~~(h) 5.25% tax on the remainder for the 2009 and~~

24 ~~subsequent tax years. The decrease in the top~~

1 ~~marginal individual income tax rate otherwise~~
2 ~~authorized by this subparagraph shall be~~
3 ~~contingent upon the determination required to be~~
4 ~~made by the State Board of Equalization pursuant~~
5 ~~to Section 2355.1A of this title.~~

6 ~~2.~~

7 b. Married individuals filing jointly and surviving
8 spouse to the extent and in the manner that a
9 surviving spouse is permitted to file a joint return
10 under the provisions of the Internal Revenue Code and
11 heads of households as defined in the Internal Revenue
12 Code:

13 ~~(a)~~

14 (1) 1/2% tax on first \$2,000.00 or part thereof,

15 ~~(b)~~

16 (2) 1% tax on next \$3,000.00 or part thereof,

17 ~~(c)~~

18 (3) 2% tax on next \$2,500.00 or part thereof,

19 ~~(d)~~

20 (4) 3% tax on next \$2,300.00 or part thereof,

21 ~~(e)~~

22 (5) 4% tax on next \$2,400.00 or part thereof,

23 ~~(f)~~

24 (6) 5% tax on next \$2,800.00 or part thereof, and

1 ~~(g)~~

2 (7) 5.50% tax on the remainder for the 2008 tax year
3 ~~and any subsequent through the 2011 tax year~~
4 ~~unless the rate prescribed by subparagraph (h) of~~
5 ~~this paragraph is in effect, and~~

6 ~~(h) 5.25% tax on the remainder for the 2009 and~~
7 ~~subsequent tax years. The decrease in the top~~
8 ~~marginal individual income tax rate otherwise~~
9 ~~authorized by this subparagraph shall be~~
10 ~~contingent upon the determination required to be~~
11 ~~made by the State Board of Equalization pursuant~~
12 ~~to Section 2355.1A of this title.~~

13 2. Individuals. For the taxable year beginning on January 1,
14 2012, a tax is hereby imposed upon the Oklahoma taxable income of
15 every resident or nonresident individual, which tax shall be
16 computed as follows:

17 a. Single individuals and married individuals filing
18 separately:

19 (1) 1/2% tax on first \$1,000.00 or part thereof,

20 (2) 1% tax on next \$1,500.00 or part thereof,

21 (3) 2% tax on next \$1,250.00 or part thereof,

22 (4) 3% tax on next \$1,150.00 or part thereof,

23 (5) 4% tax on next \$2,300.00 or part thereof,

24 (6) 5% tax on next \$1,500.00 or part thereof, and

1 (7) 5.25% tax on the remainder.

2 b. Married individuals filing jointly and surviving
3 spouse to the extent and in the manner that a
4 surviving spouse is permitted to file a joint return
5 under the provisions of the Internal Revenue Code and
6 heads of households as defined in the Internal Revenue
7 Code:

8 (1) 1/2% tax on first \$2,000.00 or part thereof,

9 (2) 1% tax on next \$3,000.00 or part thereof,

10 (3) 2% tax on next \$2,500.00 or part thereof,

11 (4) 3% tax on next \$2,300.00 or part thereof,

12 (5) 4% tax on next \$2,400.00 or part thereof,

13 (6) 5% tax on next \$2,800.00 or part thereof, and

14 (7) 5.25% tax on the remainder.

15 3. Individuals. For the taxable year beginning on January 1,
16 2013, a tax is hereby imposed upon the Oklahoma taxable income of
17 every resident or nonresident individual, which tax shall be
18 computed as follows:

19 a. Single individuals and married individuals filing
20 separately:

21 (1) 1/2% tax on first \$1,000.00 or part thereof,

22 (2) 1% tax on next \$1,500.00 or part thereof,

23 (3) 2% tax on next \$1,250.00 or part thereof,

24 (4) 3% tax on next \$1,150.00 or part thereof,

1 (5) 4% tax on next \$2,300.00 or part thereof, and

2 (6) 5% tax on the remainder.

3 b. Married individuals filing jointly and surviving
4 spouse to the extent and in the manner that a
5 surviving spouse is permitted to file a joint return
6 under the provisions of the Internal Revenue Code and
7 heads of households as defined in the Internal Revenue
8 Code:

9 (1) 1/2% tax on first \$2,000.00 or part thereof,

10 (2) 1% tax on next \$3,000.00 or part thereof,

11 (3) 2% tax on next \$2,500.00 or part thereof,

12 (4) 3% tax on next \$2,300.00 or part thereof,

13 (5) 4% tax on next \$2,400.00 or part thereof, and

14 (6) 5% tax on the remainder.

15 4. Individuals. For the taxable year beginning on January 1,
16 2014, a tax is hereby imposed upon the Oklahoma taxable income of
17 every resident or nonresident individual, which tax shall be
18 computed as follows:

19 a. Single individuals and married individuals filing
20 separately:

21 (1) 1/2% tax on first \$1,000.00 or part thereof,

22 (2) 1% tax on next \$1,500.00 or part thereof,

23 (3) 2% tax on next \$1,250.00 or part thereof,

24 (4) 3% tax on next \$1,150.00 or part thereof,

1 (5) 4% tax on next \$2,300.00 or part thereof,

2 (6) 4.75% tax on the remainder for the 2014 tax year
3 and any subsequent tax year unless the rate
4 prescribed by division (7) of this subparagraph
5 is in effect, and

6 (7) 4.5% tax on the remainder for the 2016 tax year
7 and subsequent tax years. The decrease in the
8 top marginal individual income tax rate otherwise
9 authorized by this division shall be contingent
10 upon the determination required to be made by the
11 State Board of Equalization pursuant to Section
12 2355.1A of this title.

13 b. Married individuals filing jointly and surviving
14 spouse to the extent and in the manner that a
15 surviving spouse is permitted to file a joint return
16 under the provisions of the Internal Revenue Code and
17 heads of households as defined in the Internal Revenue
18 Code:

19 (1) 1/2% tax on first \$2,000.00 or part thereof,

20 (2) 1% tax on next \$3,000.00 or part thereof,

21 (3) 2% tax on next \$2,500.00 or part thereof,

22 (4) 3% tax on next \$2,300.00 or part thereof,

23 (5) 4% tax on the next \$2,400.00 or part thereof,

24

1 (6) 4.75% tax on the remainder for the 2016 tax year
2 and any subsequent tax year unless the rate
3 prescribed by division (7) of this subparagraph
4 is in effect, and

5 (7) 4.5% tax on the remainder for the 2015 tax year
6 and subsequent tax years. The decrease in the
7 top marginal individual income tax rate otherwise
8 authorized by this division shall be contingent
9 upon the determination required to be made by the
10 State Board of Equalization pursuant to Section
11 2355.1A of this title.

12 No deduction for federal income taxes paid shall be allowed to
13 any taxpayer to arrive at taxable income.

14 C. Nonresident aliens. In lieu of the rates set forth in
15 subsection A ~~above~~ of this section, there shall be imposed on
16 nonresident aliens, as defined in the Internal Revenue Code, a tax
17 of eight percent (8%) instead of thirty percent (30%) as used in the
18 Internal Revenue Code, with respect to the Oklahoma taxable income
19 of such nonresident aliens as determined under the provision of the
20 Oklahoma Income Tax Act.

21 Every payer of amounts covered by this subsection shall deduct
22 and withhold from such amounts paid each payee an amount equal to
23 eight percent (8%) thereof. Every payer required to deduct and
24 withhold taxes under this subsection shall for each quarterly period

1 on or before the last day of the month following the close of each
2 such quarterly period, pay over the amount so withheld as taxes to
3 the Tax Commission, and shall file a return with each such payment.
4 Such return shall be in such form as the Tax Commission shall
5 prescribe. Every payer required under this subsection to deduct and
6 withhold a tax from a payee shall, as to the total amounts paid to
7 each payee during the calendar year, furnish to such payee, on or
8 before January 31, of the succeeding year, a written statement
9 showing the name of the payer, the name of the payee and the payee's
10 social security account number, if any, the total amount paid
11 subject to taxation, and the total amount deducted and withheld as
12 tax and such other information as the Tax Commission may require.
13 Any payer who fails to withhold or pay to the Tax Commission any
14 sums herein required to be withheld or paid shall be personally and
15 individually liable therefor to the State of Oklahoma.

16 D. Corporations. For all taxable years beginning after
17 December 31, 1989 and ending on or before December 31, 2012, a tax
18 is hereby imposed upon the Oklahoma taxable income of every
19 corporation doing business within this state or deriving income from
20 sources within this state in an amount equal to six percent (6%)
21 thereof. For all taxable years beginning on or after January 1,
22 2013, a tax is hereby imposed upon the Oklahoma taxable income of
23 every corporation doing business within this state or deriving
24

1 income from sources within this state in an amount equal to five
2 percent (5%) thereof.

3 There shall be no additional Oklahoma income tax imposed on
4 accumulated taxable income or on undistributed personal holding
5 company income as those terms are defined in the Internal Revenue
6 Code.

7 E. Certain foreign corporations. In lieu of the tax imposed in
8 the first paragraph of subsection C of this section, for all taxable
9 years beginning after December 31, 1989, there shall be imposed on
10 foreign corporations, as defined in the Internal Revenue Code, a tax
11 of six percent (6%) instead of thirty percent (30%) as used in the
12 Internal Revenue Code, where such income is received from sources
13 within Oklahoma, in accordance with the provisions of the Internal
14 Revenue Code and the Oklahoma Income Tax Act.

15 Every payer of amounts covered by this subsection shall deduct
16 and withhold from such amounts paid each payee an amount equal to
17 six percent (6%) thereof. Every payer required to deduct and
18 withhold taxes under this subsection shall for each quarterly period
19 on or before the last day of the month following the close of each
20 such quarterly period, pay over the amount so withheld as taxes to
21 the Tax Commission, and shall file a return with each such payment.
22 Such return shall be in such form as the Tax Commission shall
23 prescribe. Every payer required under this subsection to deduct and
24 withhold a tax from a payee shall, as to the total amounts paid to

1 each payee during the calendar year, furnish to such payee, on or
2 before January 31, of the succeeding year, a written statement
3 showing the name of the payer, the name of the payee and the payee's
4 social security account number, if any, the total amounts paid
5 subject to taxation, the total amount deducted and withheld as tax
6 and such other information as the Tax Commission may require. Any
7 payer who fails to withhold or pay to the Tax Commission any sums
8 herein required to be withheld or paid shall be personally and
9 individually liable therefor to the State of Oklahoma.

10 F. Fiduciaries. A tax is hereby imposed upon the Oklahoma
11 taxable income of every trust and estate at the same rates as are
12 provided in subsection B of this section for single individuals.
13 Fiduciaries are not allowed a deduction for any federal income tax
14 paid.

15 G. Tax rate tables. For all taxable years beginning after
16 December 31, 1991, in lieu of the tax imposed by subsection A or B
17 of this section, as applicable there is hereby imposed for each
18 taxable year on the taxable income of every individual, whose
19 taxable income for such taxable year does not exceed the ceiling
20 amount, a tax determined under tables, applicable to such taxable
21 year which shall be prescribed by the Tax Commission and which shall
22 be in such form as it determines appropriate. In the table so
23 prescribed, the amounts of the tax shall be computed on the basis of
24 the rates prescribed by subsections A and B of this section. For

1 purposes of this subsection, the term "ceiling amount" means, with
2 respect to any taxpayer, the amount determined by the Tax Commission
3 for the tax rate category in which such taxpayer falls.

4 SECTION 2. AMENDATORY 68 O.S. 2011, Section 2355.1A, is
5 amended to read as follows:

6 Section 2355.1A. A. The provisions of this section shall be
7 applicable with respect to the implementation of the decreases in
8 the top marginal rate of individual income tax otherwise authorized
9 pursuant to the provisions of ~~subparagraph (h) of paragraphs 1 and 2~~
10 ~~of subsection B of Section 2355 of this title~~ division (7) of
11 subparagraphs a and b of paragraph 4 of subsection B of Section 2355
12 of this title which shall be contingent upon a determination by the
13 State Board of Equalization made by a comparison of the revenue
14 computations described by this section which shall be conducted
15 until the income tax rate of ~~five and twenty-five hundredths percent~~
16 ~~(5.25%)~~ four and one-half percent (4.50%) is effective.

17 B. ~~In addition to any other duties prescribed by law, at the~~
18 ~~meeting required by paragraph 1 of Section 23 of Article X of the~~
19 ~~Oklahoma Constitution to be held in December 2008, and for any~~
20 ~~subsequent December meeting of the State Board of Equalization if~~
21 ~~the top marginal income tax rate prescribed by subparagraph (h) of~~
22 ~~paragraphs 1 and 2 of subsection B of Section 2355 of this title has~~
23 ~~not become effective, the State Board of Equalization shall~~
24 ~~determine:~~

1 ~~1. The amount of revenue growth in the General Revenue Fund of~~
2 ~~the State Treasury by comparing the fiscal year General Revenue Fund~~
3 ~~estimate for the fiscal year beginning on the next ensuing July 1~~
4 ~~date to the revised General Revenue Fund estimate for the then~~
5 ~~current fiscal year; and~~

6 ~~2. The amount by which the income tax revenue for the tax year~~
7 ~~which will begin on the second January 1 date following such~~
8 ~~December meeting is estimated to be reduced by the increase in the~~
9 ~~standard deduction provided in paragraph 2 of subsection E of~~
10 ~~Section 2358 of this title, plus an amount equal to four percent~~
11 ~~(4%) of the revised General Revenue Fund estimate for the then~~
12 ~~current fiscal year in order for a top marginal income tax rate of~~
13 ~~five and twenty-five hundredths percent (5.25%) to be effective.~~

14 ~~If the amount determined pursuant to the provisions of paragraph~~
15 ~~1 of this subsection is equal to or greater than the amount~~
16 ~~determined pursuant to the provisions of paragraph 2 of this~~
17 ~~subsection, the Board shall make a preliminary finding that the~~
18 ~~Board anticipates that a finding will be made at the February~~
19 ~~meeting immediately subsequent to the December meeting that~~
20 ~~applicable revenue growth in the state will authorize the~~
21 ~~implementation of the provisions of subparagraph (h) of paragraphs 1~~
22 ~~and 2 of subsection B of Section 2355 of this title beginning on the~~
23 ~~second January 1 following such December meeting.~~

1 ~~If the amount determined pursuant to the provisions of paragraph~~
2 ~~1 of this subsection is less than the amount determined pursuant to~~
3 ~~the provisions of paragraph 2 of this subsection, the Board shall~~
4 ~~make a preliminary finding that the Board anticipates that a finding~~
5 ~~will be made at the February meeting immediately subsequent to the~~
6 ~~December meeting that applicable revenue growth in the state will~~
7 ~~not authorize the implementation of the provisions of subparagraph~~
8 ~~(h) of paragraphs 1 and 2 of subsection B of Section 2355 of this~~
9 ~~title beginning on the second January 1 following such December~~
10 ~~meeting.~~

11 ~~C.~~ In addition to any other duties prescribed by law, at the
12 meeting required by paragraph 3 of Section 23 of Article X of the
13 Oklahoma Constitution to be held in February ~~2009~~ 2015, and for any
14 subsequent February meeting of the State Board of Equalization if
15 the top marginal income tax rate prescribed by ~~subparagraph (h) of~~
16 ~~paragraphs 1 and 2~~ division (7) of subparagraphs a and b of
17 paragraph 4 of subsection B of Section 2355 of this title has not
18 become effective the State Board of Equalization shall determine:

19 1. The amount of revenue growth in the General Revenue Fund of
20 the State Treasury by comparing the fiscal year General Revenue Fund
21 estimate for the fiscal year beginning on the next ensuing July 1
22 date to the revised General Revenue Fund estimate for the ~~then~~
23 ~~current~~ fiscal year ending on June 30, 2011; and

24

1 2. The amount by which the income tax revenue for the tax year
2 which will begin on the January 1 date immediately following such
3 February meeting is estimated to be reduced by the increase in the
4 standard deduction provided in paragraph 2 of subsection E of
5 Section 2358 of this title plus an amount equal to four percent (4%)
6 of the revised General Revenue Fund estimate for the ~~then-current~~
7 fiscal year ending on June 30, 2011 in order for a top marginal
8 income tax rate of ~~five and twenty-five hundredths percent (5.25%)~~
9 four and one-half percent (4.50%) to be effective.

10 If the amount determined pursuant to the provisions of paragraph
11 1 of this subsection is equal to or greater than the amount
12 determined pursuant to the provisions of paragraph 2 of this
13 subsection, the Board shall make a finding that applicable revenue
14 growth in the state will authorize the implementation of the
15 provisions of ~~subparagraph (h) of paragraphs 1 and 2~~ division (7) of
16 subparagraphs a and b of paragraph 4 of subsection B of Section 2355
17 of this title beginning on the January 1 date immediately following
18 such February meeting.

19 If the amount determined pursuant to the provisions of paragraph
20 1 of this subsection is less than the amount determined pursuant to
21 the provisions of paragraph 2 of this subsection, the Board shall
22 make a finding that applicable revenue growth in the state does not
23 authorize the implementation of the provisions of ~~subparagraph (h)~~
24 ~~of paragraphs 1 and 2~~ division (7) of subparagraphs a and b of

1 paragraph 4 of subsection B of Section 2355 of this title beginning
2 with the January 1 date immediately following such February meeting.

3 ~~D.~~ C. If the Board makes a finding that applicable revenue
4 growth in the state does not authorize the implementation of the
5 provisions of ~~subparagraph (h) of paragraphs 1 and 2~~ division (7) of
6 subparagraphs a and b of paragraph 4 of subsection B of Section 2355
7 of this title beginning with calendar year ~~2010~~ 2016 pursuant to the
8 provisions of subsection C of this section, the procedures
9 prescribed by ~~subsection A, subsection B, and subsection C~~ of this
10 section shall be repeated by the State Board of Equalization for
11 each successive two-year comparison. Once the income tax rate
12 otherwise authorized pursuant to ~~subparagraph (h) of paragraphs 1~~
13 ~~and 2~~ division (7) of subparagraphs a and b of paragraph 4 of
14 subsection B of Section 2355 of this title has been implemented as a
15 result of the analysis of the General Revenue Fund estimates
16 together with the fiscal impact of the standard deduction as
17 authorized pursuant to paragraph 2 of subsection E of Section 2358
18 of this title, such income tax rate shall be in effect for the tax
19 years as prescribed by ~~subparagraph (h) of paragraphs 1 and 2~~
20 division (7) of subparagraphs a and b of paragraph 4 of subsection B
21 of Section 2355 of this title.

22 SECTION 3. This act shall become effective January 1, 2013.

23

24 53-2-2753 JCR 1/18/2012 1:54:59 PM