

05/16/2014 03:05:53 PM

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HB2720**

By: Banz of the House and Jolley of the Senate

Title: Revenue and taxation; extending military pay income tax deduction; repealer; 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 its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

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

HB2720 CCR (A)  
HOUSE CONFEREES

Armes, Don

Billy, Lisa J.



Brown, Mike



Christian, Mike

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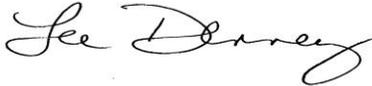
Coody, Ann



Cox, Doug

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Denney, Lee



Dorman, Joe

---

Hoskin, Chuck



Kern, Sally



Martin, Scott



McCullough, Mark



McDaniel, Jeannie



McNiel, Skye

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McPeak, Jerry

Morrisette, Richard

---

Nelson, Jason

Newell, Tom

---

Osborn, Leslie



Ownbey, Pat



Proctor, Eric

Ritze, Mike

---

Roberts, Sean

Sanders, Mike



Schwartz, Colby



Sears, Earl



Sherrer, Ben



Watson, Weldon

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Wesselhoft, Paul

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**SENATE CONFEREES**

Bass \_\_\_\_\_

Branan \_\_\_\_\_

Brinkley \_\_\_\_\_

Coates \_\_\_\_\_

Crain \_\_\_\_\_

David Kendall

Ellis \_\_\_\_\_

Fields Eddie Fields

Ford James Ford

Griffin W. Griffin

Halligan L. Halligan

Holt Dad Holt

Ivester \_\_\_\_\_

C. Johnson \_\_\_\_\_

R. Johnson \_\_\_\_\_

Jolley \_\_\_\_\_

Justice \_\_\_\_\_

Marlatt A. Boyce Marlatt

Mazzei \_\_\_\_\_

Newberry \_\_\_\_\_

Paddack Paddack

Standridge \_\_\_\_\_

Stanislawski \_\_\_\_\_

Sykes Anthony Sykes

Treat Key T

Wyrick \_\_\_\_\_

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**AUTHOR(s)/COAUTHOR(s) CURRENTLY IN THE QUEUE for HB2720**

**As of 5/16/2014 3:02:00 PM**

Add as coauthor Representative Moore

Add as coauthor Representative Denney

Remove Representative Banz as principal House author and substitute with Representative Sears

Add as coauthor Representative Banz

Add as coauthor Representative Jackson

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 CONFERENCE COMMITTEE  
4 SUBSTITUTE  
5 FOR ENGROSSED  
6 HOUSE BILL NO. 2720

By: Banz of the House

and

Jolley, Dahm and Brinkley  
of the Senate

11 CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to revenue and taxation; providing  
13 for legislative action in response to certain  
14 congressional enactments related to sales or use  
15 taxation; stating effect with regard to nexus  
16 pursuant to federal law; providing for contingent  
17 effect based upon enactment of federal law; creating  
18 Marketplace Equalization Fund; providing for  
19 apportionment of certain revenues; providing for  
20 utilization of revenues; providing for codification;  
21 and providing an effective date.

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

23 SECTION 1. NEW LAW A new section of law to be codified  
24 in the Oklahoma Statutes as Section 1354.6A-1 of Title 68, unless  
there is created a duplication in numbering, reads as follows:

A. If the United States Congress enacts the Marketplace  
Fairness Act of 2013, or other similar legislation authorizing

1 states to require sellers that lack a substantial nexus with the  
2 state to pay, collect or remit state sales or use tax, the  
3 Legislature may adopt, before the effective date of such federal  
4 legislation, any conforming amendments required by such federal  
5 legislation requiring the Oklahoma Tax Commission to adopt rules.

6 B. This section is not intended to create a nexus between this  
7 state and remote sellers for any tax other than as authorized  
8 pursuant to federal law.

9 C. The provisions of this section shall not become effective as  
10 law until and unless federal law is amended or enacted in a way that  
11 standardizes the collection of Oklahoma state sales or use tax  
12 already due and would not expand or create a new Oklahoma state  
13 sales or use tax consistent with the requirements of the Commerce  
14 Clause of the United states Constitution.

15 SECTION 2. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 1354.6A-2 of Title 68, unless  
17 there is created a duplication in numbering, reads as follows:

18 There is hereby created a special fund which shall be designated  
19 the "Marketplace Equalization Fund". The fund shall consist of  
20 state sales or use tax revenue collected and remitted by vendors  
21 pursuant to changes enacted in federal law or state law, or both, as  
22 described in Section 1 of this act. The revenues accruing to the  
23 Marketplace Equalization Fund shall be utilized for the purpose of  
24 offsetting revenue losses, if any, resulting from the decrease in

1 the individual income tax rate imposed pursuant to Section 2355 of  
2 Title 68 of the Oklahoma Statutes.

3 SECTION 3. This act shall become effective November 1, 2014.  
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5 54-2-10974 MAH 05/14/2014  
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