SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

_____

No. _____

_____
(Date)

Mr./Madame President:

I move to amend Senate Bill No. 660, by striking the title, enacting clause and entire body of the bill and substituting the attached floor substitute.

Submitted by:

_____

Senator Mazzei

Mazzei-JCR-FS-Req#1572
2/25/2013 4:47 PM

STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

FLOOR SUBSTITUTE
FOR
SENATE BILL NO. 660

By: Mazzei and Paddack of the Senate

and

Sears of the House

FLOOR SUBSTITUTE

[sales tax – manufacturer – exemption – Tax Commission – effective date]

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

SECTION 1. AMENDATORY 68 O.S. 2011, Section 1359.2, is amended to read as follows:

Section 1359.2. A. In order to qualify for the exemption authorized in paragraph 1 of Section 1359 of ~~Title 68 of the Oklahoma Statutes~~ this title, at the time of sale, the person to whom the sale is made, provided the purchaser is a resident of this state, shall be required to furnish the vendor proof of eligibility for the exemption as required by this section. All vendors shall honor the proof of eligibility for sales tax exemption as authorized under this section, and sales to a person providing such proof shall

be exempt from the tax levied by Section 1350 et seq. of ~~Title 68 of the Oklahoma Statutes~~ this title.

B. Each resident manufacturer wishing to claim the exemption authorized in paragraph 1 of Section 1359 of ~~Title 68 of the Oklahoma Statutes~~ this title shall be required to secure from the Oklahoma Tax Commission a manufacturer exemption permit, the size and design of which shall be prescribed by the Tax Commission. This permit shall constitute proof of eligibility for the exemption provided in paragraph 1 of Section 1359 of ~~Title 68 of the Oklahoma Statutes~~ this title. Each such manufacturer shall file with the Tax Commission an application for an exemption permit, setting forth such information as the Tax Commission may require. The application shall be signed by the owner of the business or representative of the business entity and as a natural person, and, in the case of a corporation, as a legally constituted officer thereof.

C. Each manufacturer exemption permit issued shall be valid for a period of three (3) years from the date of issuance. If a manufacturer applying for a manufacturer exemption permit is already the holder of a manufacturer's sales tax permit issued under Section 1364 of ~~Title 68 of the Oklahoma Statutes~~ this title at the time of initial application, the manufacturer exemption permit shall be issued with an expiration date which corresponds with the expiration date of the manufacturer's sales tax permit. Thereafter, the Tax Commission shall issue the exemption permits at the same time of

issuance or renewal of the manufacturer's sales tax permit issued under Section 1364 of ~~Title 68 of the Oklahoma Statutes~~ this title.

D. The Tax Commission shall honor all manufacturer's limited exemption certificates issued prior to ~~the effective date of this act~~ November 1, 1998. However, holders of such certificates shall apply for a manufacturer exemption permit pursuant to the provisions of this section at the same time they apply for issuance or renewal of a manufacturer's sales tax permit.

E. The Tax Commission shall not deny an application for a manufacturer exemption permit for any applicant who produces tangible personal property to the special order of the customer if the applicant otherwise qualifies pursuant to paragraph 14 of Section 1352 of this title.

SECTION 2. This act shall become effective November 1, 2013.

54-1-1572 JCR 2/25/2013 4:47:06 PM