

1 **SENATE FLOOR VERSION**

2 March 26, 2013

3 **AS AMENDED**

4 ENGROSSED HOUSE
5 BILL NO. 1612

6 By: McPeak, Nelson, Dorman,
7 Sherrer, Denney, Shelton
8 and Cox of the House

9 and

10 Garrison and Treat of the
11 Senate

12 [revenue and taxation - Hearts For Hearing -
13 placement of funds - Department of Health to
14 distribute monies in fund - codification - effective
15 date]

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 2368.27 of Title 68, unless
19 there is created a duplication in numbering, reads as follows:

20 A. Each state individual income tax return form for tax years
21 which begin after December 31, 2012, and each state corporate tax
22 return form for tax years beginning after December 31, 2012, shall
23 contain a provision to allow a donation from a tax refund for the
24 benefit of Hearts For Hearing.

B. Except as otherwise provided for in this section, all monies
generated pursuant to subsection A of this section shall be paid to

1 the State Treasurer by the Oklahoma Tax Commission and placed to the
2 credit of the Hearts For Hearing Revolving Fund created in
3 subsection C of this section.

4 C. There is hereby created in the State Treasury a revolving
5 fund to be designated the "Hearts For Hearing Revolving Fund" and
6 administered by the State Department of Health. The fund shall be a
7 continuing fund, not subject to fiscal year limitations, and shall
8 consist of all the monies received by the State Department of Health
9 pursuant to the provisions of subsection A of this section. All
10 monies accruing to the credit of the fund are appropriated and may
11 be budgeted and expended by the State Department of Health at the
12 beginning of each fiscal year for the purpose of providing grants to
13 Hearts For Hearing for purposes of providing a comprehensive hearing
14 health program for both children and adults offering auditory-verbal
15 therapy as well as an auditory-oral preschool. Expenditures from
16 the fund shall be made upon warrants issued by the State Treasurer
17 against claims filed as prescribed by law with the Director of the
18 Office of Management and Enterprise Services for approval and
19 payment.

20 D. If a taxpayer makes a donation pursuant to subsection A of
21 this section in error, such taxpayer may file a claim for refund at
22 any time within three (3) years from the due date of the tax return.
23 Such claims shall be filed pursuant to the provisions of Section
24 2373 of Title 68 of the Oklahoma Statutes. Prior to the

1 appportionment set forth in this section, an amount equal to the
2 total amount of refunds made pursuant to this subsection during any
3 one (1) year shall be deducted from the total donations received
4 pursuant to this section during the following year and such amount
5 deducted shall be paid to the State Treasurer and placed to the
6 credit of the Income Tax Withholding Refund Account.

7 SECTION 2. This act shall become effective January 1, 2014.

8 COMMITTEE REPORT BY: COMMITTEE ON FINANCE
9 March 26, 2013 - DO PASS AS AMENDED

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