STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

HOUSE BILL 2296 By: Pittman

AS INTRODUCED

An Act relating to historical tourism; creating the Oklahoma Freedom Trail Act; designating the Oklahoma Historical Society responsible for purposes of planning and administration; stating purpose of the Freedom Trail; requiring specific agencies to work in cooperation; providing for coalition of historians and scholars; requiring creation of an electronic map and brochures; providing for marketing and advertising by the Oklahoma Tourism and Recreation Department; providing for selection of sites by the Oklahoma Historical Society; providing for system of markers placed by the Department of Transportation; providing for features of markers; making implementation contingent upon funding; providing for taxpayer donation from income tax refund for the Oklahoma Freedom Trail; providing for distribution of funds; designating certain revolving fund; providing for expenditures from fund; providing procedures for refund of donation in error; providing for codification; providing for noncodification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 411 of Title 53, unless there is created a duplication in numbering, reads as follows:

Sections 2 through 4 of this act shall be known and may be cited as the "Oklahoma Freedom Trail Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 412 of Title 53, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Historical Society is hereby designated as the entity responsible for planning and providing administration for the Oklahoma Freedom Trail.

B. The purpose of the Oklahoma Freedom Trail shall be to recognize, document and mark sites in this state that are associated with the history and movement towards freedom of its African-American citizens.

C. The Oklahoma Historical Society, the Oklahoma Tourism and Recreation Department and the Department of Transportation shall work in a cooperative partnership to establish, maintain and promote the Oklahoma Freedom Trail.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 413 of Title 53, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Historical Society shall promote the formation of a distinguished coalition of historians and scholars to develop an inventory of the most notable sites to feature and highlight as part of the Oklahoma Freedom Trail.

B. The Oklahoma Tourism and Recreation Department shall be responsible for creating a detailed Oklahoma Freedom Trail electronic map and brochure to promote the Oklahoma Freedom Trail.

C. The Oklahoma Tourism and Recreation Department shall have primary responsibility for the marketing and advertising of the Oklahoma Freedom Trail within the state as well as nationally and internationally through the use of a website, press releases and any other appropriate manner.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 414 of Title 53, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Freedom Trail shall consist of a number of specific site locations, to be selected by the Oklahoma Historical Society, which highlight, recognize, document and mark sites in this state that are associated with the history and movement towards freedom of its African-American citizens.

B. Each site along the Oklahoma Freedom Trail may be designated with a marker, the design of which shall be selected by the Oklahoma Historical Society, memorializing the person, place or event selected for inclusion along the Trail. A suitable permanent marker may be placed on a highway by the Department of Transportation. The Department of Transportation may provide for the placement and maintenance of suitable permanent markers while doing normal

maintenance or replacement procedures and shall do so utilizing existing funds.

C. The markers may include any features the Oklahoma Historical Society deems to be the most effective in promoting public interest in and support of the Oklahoma Freedom Trail.

SECTION 5. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The implementation of the provisions of the Oklahoma Freedom Trail Act shall be contingent upon the availability of funding.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2368.27 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. Each state individual income tax return form for tax years which begin after December 31, 2013, and each state corporate tax return form for tax years beginning after December 31, 2013, shall contain a provision to allow a donation from a tax refund for the purpose of supporting the Oklahoma Freedom Trail as administered by the Oklahoma Historical Society as provided for in the Oklahoma Freedom Trail Act.

B. Except as otherwise provided for in this section, all monies generated pursuant to subsection A of this section shall be paid to the State Treasurer by the Oklahoma Tax Commission and placed to the credit of the Historical Society Revolving Fund, as established in Section 1.10 of Title 53 of the Oklahoma Statutes.

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

SECTION 7. This act shall become effective November 1, 2013.

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