

1 ENGROSSED SENATE AMENDMENTS
TO

2 ENGROSSED HOUSE
3 BILL NO. 1825

By: Martin of the House

and

Standridge of the Senate

4
5
6
7 An Act relating to revenue and taxation; amending 68
8 O.S. 2011, Section 205.2, as last amended by Section
9 1, Chapter 266, O.S.L. 2013 (68 O.S. Supp. 2014,
10 Section 205.2), which relates to claims by certain
11 governmental entities; modifying provisions related
12 to claims for certain health care service costs; and
13 declaring an emergency.

14 AUTHOR: Add the following Senate Coauthor: David

15 AMENDMENT 1. Page 1, substitute the following for the title,
16 enacting clause, the emergency clause and the
17 entire body of the bill:

18 "An Act relating to revenue and taxation; amending 68
19 O.S. 2011, Section 205.2, as last amended by Section
20 1, Chapter 266, O.S.L. 2013 (68 O.S. Supp. 2014,
21 Section 205.2), which relates to claims by certain
22 governmental entities; modifying provisions related
23 to claims for certain health care service costs; and
24 declaring an emergency.

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

1 SECTION 1. AMENDATORY 68 O.S. 2011, Section 205.2, as
2 last amended by Section 1, Chapter 266, O.S.L. 2013 (68 O.S. Supp.
3 2014, Section 205.2), is amended to read as follows:

4 Section 205.2 A. For purposes of this section, a "qualifying
5 entity" shall mean a:

- 6 1. State agency;
- 7 2. Municipal court;
- 8 3. District court;
- 9 4. Public housing authority operating pursuant to Section 1062
10 of Title 63 of the Oklahoma Statutes;

11 5. District attorney seeking to collect unpaid court-ordered
12 monetary obligations; or

13 6. The designee of an entity described in paragraphs 1 through
14 5 of this subsection.

15 B. A state agency, a municipal court, a district court or a
16 public housing authority operating pursuant to Section 1062 of Title
17 63 of the Oklahoma Statutes qualified entity seeking to collect a
18 debt, unpaid fines and cost or final judgment of at least Fifty
19 Dollars (\$50.00) from an individual who has filed a state income tax
20 return may file a claim with the Oklahoma Tax Commission requesting
21 that the amount owed to the agency, a municipal court, a district
22 court or a public housing authority operating pursuant to Section
23 1062 of Title 63 of the Oklahoma Statutes qualified entity be
24 deducted from any state income tax refund due to that individual.

1 The claim shall be filed electronically in a form prescribed by the
2 Tax Commission and shall contain information necessary to identify
3 the person owing the debt, including the full name and Social
4 Security number of the debtor.

5 1. Upon receiving a claim from a ~~state agency, the municipal~~
6 ~~court, a district court or a public housing authority operating~~
7 ~~pursuant to Section 1062 of Title 63 of the Oklahoma Statutes~~
8 qualified entity, the Tax Commission shall deduct the claim amount,
9 plus collection expenses as provided in this section, from the tax
10 refund due to the debtor and transfer the amount to the ~~municipal~~
11 ~~court, the district court, the agency or the public housing~~
12 ~~authority~~ qualified entity. Provided, the Tax Commission need not
13 report available funds of less than Fifty Dollars (\$50.00).

14 2. The ~~state agency, the municipal court, a district court or a~~
15 ~~public housing authority operating pursuant to Section 1062 of Title~~
16 ~~63 of the Oklahoma Statutes~~ qualified entity shall send notice to
17 the debtor by regular mail at the last-known address of the debtor
18 as shown by the records of the Tax Commission when seeking to
19 collect a debt not reduced to final judgment. The ~~state agency, the~~
20 ~~municipal court, a district court or a public housing authority~~
21 ~~operating pursuant to Section 1062 of Title 63 of the Oklahoma~~
22 ~~Statutes~~ qualified entity shall send notice to the judgment debtor
23 or municipal court defendant by first-class mail at the last-known
24 address of the judgment debtor or municipal court defendant as shown

1 by the records of the Tax Commission when seeking to collect a final
2 judgment or unpaid municipal fines and cost. The Tax Commission
3 shall provide in an agreed electronic format to the Department of
4 Human Services the amount withheld by the Tax Commission, the home
5 address and the Social Security number of the taxpayer. The notice
6 shall state:

7 a. that a claim has been filed with the Tax Commission
8 for any portion of the tax refund due to the debtor or
9 municipal court defendant which would satisfy the
10 debt, unpaid municipal fines and cost, or final
11 judgment in full or in part,

12 b. the basis for the claim,

13 c. that the Tax Commission has deducted an amount from
14 the refund and remitted it to such ~~state agency,~~
15 ~~municipal court, district court or public housing~~
16 ~~authority~~ qualified entity,

17 d. that the debtor or municipal court defendant has the
18 right to contest the claim by sending a written
19 request to the ~~state agency, the municipal court, the~~
20 ~~district court or the public housing authority~~
21 qualified entity for a hearing to protest the claim,
22 and if the debtor or municipal court defendant fails
23 to apply for a hearing within sixty (60) days after
24 the date of the mailing of the notice, the debtor or

1 municipal court defendant shall be deemed to have
2 waived his or her opportunity to contest the claim.
3 Provided, if the claim was filed by the Department of
4 Human Services, the notice shall state that the debtor
5 must contest the claim by sending a written request to
6 the Department within thirty (30) days after the date
7 of the mailing of the notice, and

8 e. that a collection expense of five percent (5%) of the
9 gross proceeds owed to the ~~state agency, municipal~~
10 ~~court or district court~~ qualified entity has been
11 charged to the debtor or municipal court defendant and
12 withheld from the refund.

13 3. If the ~~state agency, municipal court, district court or~~
14 ~~public housing authority~~ qualified entity determines that a refund
15 is due to the taxpayer, the ~~state agency, municipal court, district~~
16 ~~court or public housing authority~~ qualified entity shall reimburse
17 the amount claimed plus the five-percent collection expense to the
18 taxpayer. The ~~state agency, municipal court, district court or~~
19 ~~public housing authority~~ qualified entity may request reimbursement
20 of the two-percent collection expense retained by the Tax
21 Commission. Such request must be made within ninety (90) days of
22 reimbursement to the taxpayer. If timely requested, the Tax
23 Commission shall make such reimbursement to the ~~state agency,~~

1 ~~municipal court, district court or public housing authority~~
2 qualified entity within ninety (90) days of the request.

3 4. In the case of a joint return, the notice shall state:

4 a. the name of any taxpayer named in the return against
5 whom no debt, no unpaid fines and cost, or final
6 judgment is claimed,

7 b. the fact that a debt, unpaid municipal fines and cost,
8 or final judgment is not claimed against the taxpayer,

9 c. the fact that the taxpayer is entitled to receive a
10 refund if it is due regardless of the debt, municipal
11 fines and cost, or final judgment asserted against the
12 debtor or municipal court defendant,

13 d. that in order to obtain the refund due, the taxpayer
14 must apply, in writing, for a hearing with the
15 ~~municipal court, district court, the agency or the~~
16 ~~public housing authority~~ qualified entity named in the
17 notice within sixty (60) days after the date of the
18 mailing of the notice. Provided, if the claim was
19 filed by the Department of Human Services, the notice
20 shall state that the taxpayer must apply, in writing,
21 for a hearing with the Department within thirty (30)
22 days after the date of the mailing of the notice, and
23 e. if the taxpayer against whom no debt, no unpaid
24 municipal fines and cost, or final judgment is claimed

1 fails to apply in writing for a hearing within sixty
2 (60) days after the mailing of the notice, the
3 taxpayer shall have waived his or her right to a
4 refund. Provided, if the claim was filed by the
5 Department of Human Services, the notice shall state
6 that if the taxpayer fails to apply in writing for a
7 hearing with the Department within thirty (30) days
8 after the date of the mailing of the notice, the
9 taxpayer shall have waived his or her right to a
10 refund.

11 ~~B. C.~~ If the ~~municipal court, district court, agency or public~~
12 ~~housing authority operating pursuant to Section 1062 of Title 63 of~~
13 ~~the Oklahoma Statutes~~ qualified entity asserting the claim receives
14 a written request for a hearing from the debtor or taxpayer against
15 whom no debt, no municipal fines and cost, or final judgment is
16 claimed, ~~the agency, the municipal court, the district court or~~
17 ~~public housing authority operating pursuant to Section 1062 of Title~~
18 ~~63 of the Oklahoma Statutes~~ qualified entity shall grant a hearing
19 according to the provisions of the Administrative Procedures Act.
20 It shall be determined at the hearing whether the claimed sum is
21 correct or whether an adjustment to the claim shall be made.
22 Pending final determination at the hearing of the validity of the
23 debt, unpaid fines and cost, or final judgment asserted by the
24 ~~municipal court, the district court, agency or public housing~~

1 ~~authority operating pursuant to Section 1062 of Title 63 of the~~
2 ~~Oklahoma Statutes~~ qualified entity, no action shall be taken in
3 furtherance of the collection of the debt, unpaid fines and cost, or
4 final judgment. Appeals from actions taken at the hearing shall be
5 in accordance with the provisions of the Administrative Procedures
6 Act.

7 ~~E. D.~~ Upon final determination at a hearing, as provided for in
8 subsection ~~B C~~ C of this section, of the amount of the debt, unpaid
9 fines and cost, or final judgment, or upon failure of the debtor or
10 taxpayer against whom no debt, no unpaid fines and cost, or final
11 judgment is claimed to request such a hearing, the ~~municipal court,~~
12 ~~the district court,~~ agency or public housing authority operating
13 ~~pursuant to Section 1062 of Title 63 of the Oklahoma Statutes~~
14 qualified entity shall apply the amount of the claim to the debt
15 owed. Any amounts held by the ~~municipal court, district court,~~
16 ~~agency or public housing authority operating pursuant to Section~~
17 ~~1062 of Title 63 of the Oklahoma Statutes~~ qualified entity in excess
18 of the final determination of the debt and collection expense shall
19 be refunded by the ~~municipal court, district court, agency or public~~
20 ~~housing authority operating pursuant to Section 1062 of Title 63 of~~
21 ~~the Oklahoma Statutes~~ qualified entity to the taxpayer. However, if
22 the tax refund due is inadequate to pay the collection expense and
23 debt, unpaid fines and cost, or final judgment, the balance due the
24 ~~state agency, the municipal court, the district court or public~~

1 ~~housing authority operating pursuant to Section 1062 of Title 63 of~~
2 ~~the Oklahoma Statutes~~ qualified entity shall be a continuing debt or
3 final judgment until paid in full.

4 ~~D.~~ E. Upon receipt of a claim as provided in subsection A of
5 this section, the Tax Commission shall:

6 1. Deduct from the refund five percent (5%) of the gross
7 proceeds owed to the ~~state agency, the municipal court, district~~
8 ~~court or public housing authority operating pursuant to Section 1062~~
9 ~~of Title 63 of the Oklahoma Statutes~~ qualified entity, and
10 distribute it by retaining two percent (2%) and transferring three
11 percent (3%) to the ~~municipal court, the district court, the state~~
12 ~~agency or public housing authority operating pursuant to Section~~
13 ~~1062 of Title 63 of the Oklahoma Statutes~~ qualified entity, as an
14 expense of collection. The two percent (2%) retained by the Tax
15 Commission shall be deposited in the Oklahoma Tax Commission Fund;

16 2. Transfer the amount of the claimed debt, unpaid fines and
17 cost, or final judgment or so much thereof as is available to the
18 ~~state agency, municipal court, the district court or public housing~~
19 ~~authority operating pursuant to Section 1062 of Title 63 of the~~
20 ~~Oklahoma Statutes~~ qualified entity;

21 3. Notify the debtor in writing as to how the refund was
22 applied; and
23
24

1 4. Refund to the debtor any balance remaining after deducting
2 the collection expense and debt, unpaid fines and cost, or final
3 judgment.

4 ~~F.~~ F. The Tax Commission shall deduct from any state tax refund
5 due to a taxpayer the amount of delinquent state tax and penalty and
6 interest thereon, which such taxpayer owes pursuant to any state tax
7 law prior to payment of such refund.

8 ~~F.~~ G. The Tax Commission shall have first priority over all
9 other agencies, ~~municipal courts, district courts or public housing~~
10 ~~authorities operating pursuant to Section 1062 of Title 63 of the~~
11 ~~Oklahoma Statutes~~ qualified entities, when the Tax Commission is
12 collecting a debt, municipal court fines and cost, or final judgment
13 pursuant to the provisions of this section. Subsequent to the Tax
14 Commission priority, a claim filed by the Department of Human
15 Services for the collection of child support and spousal support
16 shall have priority over all other claims filed pursuant to this
17 section. Priority in multiple claims by other agencies,
18 ~~authorities, municipal courts or district courts~~ qualified entities
19 pursuant to the provisions of this section shall be in the order in
20 time, in which the Tax Commission receives the claim from the
21 ~~agencies, authorities, municipal courts and district courts~~
22 qualified entities required by the provisions of subsection A B of
23 this section.

1 ~~G.~~ H. The Tax Commission shall prescribe or approve forms and
2 promulgate rules and regulations for implementing the provisions of
3 this section.

4 ~~H.~~ I. The information obtained by ~~an agency, authority,~~
5 ~~municipal court or by the district court~~ a qualified entity from the
6 Tax Commission pursuant to the provisions of this section shall be
7 used only to aid in collection of the debt, unpaid fines and cost,
8 or final judgment owed to the ~~agency, authority, municipal court or~~
9 ~~a district court~~ qualified entity. Disclosure of the information
10 for any other purpose shall constitute a misdemeanor. Any ~~agency,~~
11 ~~authority or court~~ employee of a qualified entity or person
12 convicted of violating this provision shall be subject to a fine not
13 exceeding One Thousand Dollars (\$1,000.00) or imprisonment in the
14 county jail for a term not exceeding one (1) year, or both fine and
15 imprisonment and, if still employed by the ~~agency, authority or the~~
16 ~~courts~~ qualified entity, shall be dismissed from employment.

17 ~~I.~~ J. The Tax Commission may employ the procedures provided by
18 this section in order to collect a debt owed to the Internal Revenue
19 Service if the Internal Revenue Service requires such procedure as a
20 condition to providing information to the Commission concerning
21 federal income tax.

22 ~~J.~~ K. The provisions of this section shall not apply to claims
23 filed under the provisions of Section 2906 or Section 5011 of this
24 title ~~or to any debt owed to a state agency for health care or~~

1 ~~medical services unless said health care or medical services were~~
2 ~~rendered, induced or otherwise obtained as a result of fraud, breach~~
3 ~~of contract, error, ineligibility or any illegal or unauthorized~~
4 ~~means.~~

5 SECTION 2. REPEALER Section 1, Chapter 47, O.S.L. 2013
6 (68 O.S. Supp. 2014, Section 205.2), is hereby repealed.

7 SECTION 3. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval."

11 Passed the Senate the 22nd day of April, 2015.

12
13 _____
14 Presiding Officer of the Senate

15 Passed the House of Representatives the ____ day of _____,
16 2015.

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18 _____
19 Presiding Officer of the House
20 of Representatives
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2 BILL NO. 1825

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Standridge of the Senate

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10 Section 205.2), which relates to claims by certain
11 governmental entities; modifying provisions related
12 to claims for certain health care service costs; and
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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 68 O.S. 2011, Section 205.2, as
16 last amended by Section 1, Chapter 266, O.S.L. 2013 (68 O.S. Supp.
17 2014, Section 205.2), is amended to read as follows:

18 Section 205.2 A. A state agency, a municipal court, a district
19 court or a public housing authority operating pursuant to Section
20 1062 of Title 63 of the Oklahoma Statutes seeking to collect a debt,
21 unpaid fines and cost or final judgment of at least Fifty Dollars
22 (\$50.00) from an individual who has filed a state income tax return
23 may file a claim with the Oklahoma Tax Commission requesting that
24 the amount owed to the agency, a municipal court, a district court
or a public housing authority operating pursuant to Section 1062 of

1 Title 63 of the Oklahoma Statutes be deducted from any state income
2 tax refund due to that individual. The claim shall be filed
3 electronically in a form prescribed by the Tax Commission and shall
4 contain information necessary to identify the person owing the debt,
5 including the full name and Social Security number of the debtor.

6 1. Upon receiving a claim from a state agency, the municipal
7 court, a district court or a public housing authority operating
8 pursuant to Section 1062 of Title 63 of the Oklahoma Statutes, the
9 Tax Commission shall deduct the claim amount, plus collection
10 expenses as provided in this section, from the tax refund due to the
11 debtor and transfer the amount to the municipal court, the district
12 court, the agency or the public housing authority. Provided, the
13 Tax Commission need not report available funds of less than Fifty
14 Dollars (\$50.00).

15 2. The state agency, the municipal court, a district court or a
16 public housing authority operating pursuant to Section 1062 of Title
17 63 of the Oklahoma Statutes shall send notice to the debtor by
18 regular mail at the last-known address of the debtor as shown by the
19 records of the Tax Commission when seeking to collect a debt not
20 reduced to final judgment. The state agency, the municipal court, a
21 district court or a public housing authority operating pursuant to
22 Section 1062 of Title 63 of the Oklahoma Statutes shall send notice
23 to the judgment debtor or municipal court defendant by first-class
24 mail at the last-known address of the judgment debtor or municipal

1 court defendant as shown by the records of the Tax Commission when
2 seeking to collect a final judgment or unpaid municipal fines and
3 cost. The Tax Commission shall provide in an agreed electronic
4 format to the Department of Human Services the amount withheld by
5 the Tax Commission, the home address and the Social Security number
6 of the taxpayer. The notice shall state:

- 7 a. that a claim has been filed with the Tax Commission
8 for any portion of the tax refund due to the debtor or
9 municipal court defendant which would satisfy the
10 debt, unpaid municipal fines and cost, or final
11 judgment in full or in part,
- 12 b. the basis for the claim,
- 13 c. that the Tax Commission has deducted an amount from
14 the refund and remitted it to such state agency,
15 municipal court, district court or public housing
16 authority,
- 17 d. that the debtor or municipal court defendant has the
18 right to contest the claim by sending a written
19 request to the state agency, the municipal court, the
20 district court or the public housing authority for a
21 hearing to protest the claim, and if the debtor or
22 municipal court defendant fails to apply for a hearing
23 within sixty (60) days after the date of the mailing
24 of the notice, the debtor or municipal court defendant

1 shall be deemed to have waived his or her opportunity
2 to contest the claim. Provided, if the claim was
3 filed by the Department of Human Services, the notice
4 shall state that the debtor must contest the claim by
5 sending a written request to the Department within
6 thirty (30) days after the date of the mailing of the
7 notice, and

8 e. that a collection expense of five percent (5%) of the
9 gross proceeds owed to the state agency, municipal
10 court or district court has been charged to the debtor
11 or municipal court defendant and withheld from the
12 refund.

13 3. If the state agency, municipal court, district court or
14 public housing authority determines that a refund is due to the
15 taxpayer, the state agency, municipal court, district court or
16 public housing authority shall reimburse the amount claimed plus the
17 five-percent collection expense to the taxpayer. The state agency,
18 municipal court, district court or public housing authority may
19 request reimbursement of the two-percent collection expense retained
20 by the Tax Commission. Such request must be made within ninety (90)
21 days of reimbursement to the taxpayer. If timely requested, the Tax
22 Commission shall make such reimbursement to the state agency,
23 municipal court, district court or public housing authority within
24 ninety (90) days of the request.

1 4. In the case of a joint return, the notice shall state:

2 a. the name of any taxpayer named in the return against
3 whom no debt, no unpaid fines and cost, or final
4 judgment is claimed,

5 b. the fact that a debt, unpaid municipal fines and cost,
6 or final judgment is not claimed against the taxpayer,

7 c. the fact that the taxpayer is entitled to receive a
8 refund if it is due regardless of the debt, municipal
9 fines and cost, or final judgment asserted against the
10 debtor or municipal court defendant,

11 d. that in order to obtain the refund due, the taxpayer
12 must apply, in writing, for a hearing with the
13 municipal court, district court, the agency or the
14 public housing authority named in the notice within
15 sixty (60) days after the date of the mailing of the
16 notice. Provided, if the claim was filed by the
17 Department of Human Services, the notice shall state
18 that the taxpayer must apply, in writing, for a
19 hearing with the Department within thirty (30) days
20 after the date of the mailing of the notice, and

21 e. if the taxpayer against whom no debt, no unpaid
22 municipal fines and cost, or final judgment is claimed
23 fails to apply in writing for a hearing within sixty
24 (60) days after the mailing of the notice, the

1 taxpayer shall have waived his or her right to a
2 refund. Provided, if the claim was filed by the
3 Department of Human Services, the notice shall state
4 that if the taxpayer fails to apply in writing for a
5 hearing with the Department within thirty (30) days
6 after the date of the mailing of the notice, the
7 taxpayer shall have waived his or her right to a
8 refund.

9 B. If the municipal court, district court, agency or public
10 housing authority operating pursuant to Section 1062 of Title 63 of
11 the Oklahoma Statutes asserting the claim receives a written request
12 for a hearing from the debtor or taxpayer against whom no debt, no
13 municipal fines and cost, or final judgment is claimed, the agency,
14 the municipal court, the district court or public housing authority
15 operating pursuant to Section 1062 of Title 63 of the Oklahoma
16 Statutes shall grant a hearing according to the provisions of the
17 Administrative Procedures Act. It shall be determined at the
18 hearing whether the claimed sum is correct or whether an adjustment
19 to the claim shall be made. Pending final determination at the
20 hearing of the validity of the debt, unpaid fines and cost, or final
21 judgment asserted by the municipal court, the district court, agency
22 or public housing authority operating pursuant to Section 1062 of
23 Title 63 of the Oklahoma Statutes, no action shall be taken in
24 furtherance of the collection of the debt, unpaid fines and cost, or

1 final judgment. Appeals from actions taken at the hearing shall be
2 in accordance with the provisions of the Administrative Procedures
3 Act.

4 C. Upon final determination at a hearing, as provided for in
5 subsection B of this section, of the amount of the debt, unpaid
6 fines and cost, or final judgment, or upon failure of the debtor or
7 taxpayer against whom no debt, no unpaid fines and cost, or final
8 judgment is claimed to request such a hearing, the municipal court,
9 the district court, agency or public housing authority operating
10 pursuant to Section 1062 of Title 63 of the Oklahoma Statutes shall
11 apply the amount of the claim to the debt owed. Any amounts held by
12 the municipal court, district court, agency or public housing
13 authority operating pursuant to Section 1062 of Title 63 of the
14 Oklahoma Statutes in excess of the final determination of the debt
15 and collection expense shall be refunded by the municipal court,
16 district court, agency or public housing authority operating
17 pursuant to Section 1062 of Title 63 of the Oklahoma Statutes to the
18 taxpayer. However, if the tax refund due is inadequate to pay the
19 collection expense and debt, unpaid fines and cost, or final
20 judgment, the balance due the state agency, the municipal court, the
21 district court or public housing authority operating pursuant to
22 Section 1062 of Title 63 of the Oklahoma Statutes shall be a
23 continuing debt or final judgment until paid in full.

24

1 D. Upon receipt of a claim as provided in subsection A of this
2 section, the Tax Commission shall:

3 1. Deduct from the refund five percent (5%) of the gross
4 proceeds owed to the state agency, the municipal court, district
5 court or public housing authority operating pursuant to Section 1062
6 of Title 63 of the Oklahoma Statutes, and distribute it by retaining
7 two percent (2%) and transferring three percent (3%) to the
8 municipal court, the district court, the state agency or public
9 housing authority operating pursuant to Section 1062 of Title 63 of
10 the Oklahoma Statutes, as an expense of collection. The two percent
11 (2%) retained by the Tax Commission shall be deposited in the
12 Oklahoma Tax Commission Fund;

13 2. Transfer the amount of the claimed debt, unpaid fines and
14 cost, or final judgment or so much thereof as is available to the
15 state agency, municipal court, the district court or public housing
16 authority operating pursuant to Section 1062 of Title 63 of the
17 Oklahoma Statutes;

18 3. Notify the debtor in writing as to how the refund was
19 applied; and

20 4. Refund to the debtor any balance remaining after deducting
21 the collection expense and debt, unpaid fines and cost, or final
22 judgment.

23 E. The Tax Commission shall deduct from any state tax refund
24 due to a taxpayer the amount of delinquent state tax and penalty and

1 interest thereon, which such taxpayer owes pursuant to any state tax
2 law prior to payment of such refund.

3 F. The Tax Commission shall have first priority over all other
4 agencies, municipal courts, district courts or public housing
5 authorities operating pursuant to Section 1062 of Title 63 of the
6 Oklahoma Statutes, when the Tax Commission is collecting a debt,
7 municipal court fines and cost, or final judgment pursuant to the
8 provisions of this section. Subsequent to the Tax Commission
9 priority, a claim filed by the Department of Human Services for the
10 collection of child support and spousal support shall have priority
11 over all other claims filed pursuant to this section. Priority in
12 multiple claims by other agencies, authorities, municipal courts or
13 district courts pursuant to the provisions of this section shall be
14 in the order in time, in which the Tax Commission receives the claim
15 from the agencies, authorities, municipal courts and district courts
16 required by the provisions of subsection A of this section.

17 G. The Tax Commission shall prescribe or approve forms and
18 promulgate rules and regulations for implementing the provisions of
19 this section.

20 H. The information obtained by an agency, authority, municipal
21 court or by the district court from the Tax Commission pursuant to
22 the provisions of this section shall be used only to aid in
23 collection of the debt, unpaid fines and cost, or final judgment
24 owed to the agency, authority, municipal court or a district court.

1 Disclosure of the information for any other purpose shall constitute
2 a misdemeanor. Any agency, authority or court employee or person
3 convicted of violating this provision shall be subject to a fine not
4 exceeding One Thousand Dollars (\$1,000.00) or imprisonment in the
5 county jail for a term not exceeding one (1) year, or both fine and
6 imprisonment and, if still employed by the agency, authority or the
7 courts, shall be dismissed from employment.

8 I. The Tax Commission may employ the procedures provided by
9 this section in order to collect a debt owed to the Internal Revenue
10 Service if the Internal Revenue Service requires such procedure as a
11 condition to providing information to the Commission concerning
12 federal income tax.

13 J. The provisions of this section shall not apply to claims
14 filed under the provisions of Section 2906 or Section 5011 of this
15 title ~~or to any debt owed to a state agency for health care or~~
16 ~~medical services unless said health care or medical services were~~
17 ~~rendered, induced or otherwise obtained as a result of fraud, breach~~
18 ~~of contract, error, ineligibility or any illegal or unauthorized~~
19 ~~means.~~

20 SECTION 2. It being immediately necessary for the preservation
21 of the public peace, health and safety, an emergency is hereby
22 declared to exist, by reason whereof this act shall take effect and
23 be in full force from and after its passage and approval.

24

1 Passed the House of Representatives the 24th day of February,
2015.

4 _____
Presiding Officer of the House
of Representatives

6 Passed the Senate the ___ day of _____, 2015.

8 _____
Presiding Officer of the Senate