

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1740

By: Moore

AS INTRODUCED

An Act relating to state sovereignty; creating the Task Force on State Taxation Sovereignty Rights; providing for membership of Task Force; requiring selection of officers; specifying quorum requirement; imposing duties on Task Force; requiring periodic reports; providing for codification; 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 295 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created a Task Force on State Taxation Sovereignty Rights.

B. The Task Force shall consist of eleven (11) members appointed or selected as follows:

1. Two appointees of the Governor;

2. Two appointees of the Speaker of the Oklahoma House of Representatives;

1 3. The chairperson of the State-Federal Relations Committee of
2 the Oklahoma House of Representatives;

3 4. Two appointees of the President Pro Tempore of the Oklahoma
4 State Senate;

5 5. The Executive Director of the Oklahoma Tax Commission;

6 6. The U.S. Senators representing the State of Oklahoma, or
7 their designees; and

8 7. The Secretary of State of the State of Oklahoma.

9 C. The Task Force shall hold an organizational meeting not
10 later than December 31, 2015.

11 D. The Task Force shall select from its membership a chair and
12 vice chair.

13 E. The Task Force may take official action based upon an
14 affirmative vote of a majority of the members present and voting at
15 a meeting.

16 F. The Task Force shall be authorized to meet at such times as
17 may be required to perform the duties imposed upon the Task Force
18 pursuant to the provisions of this act.

19 G. The Task Force shall study the following matters:

20 1. The extent to which the Tenth Amendment of the United States
21 Constitution defines the total scope of federal power as being that
22 specifically granted by the Federal Constitution;

23 2. The power of the United States Congress to lay and collect
24 taxes under the Federal Constitution;

1 3. The power and rights of states reserved pursuant to the
2 provisions of the Tenth Amendment to the United States Constitution
3 with emphasis on the ability of states to take actions consistent
4 with their rights under the United States Constitution as contrasted
5 with the powers of the federal government;

6 4. The issue of Congress withholding from the states the
7 benefits of federally imposed taxes through unconstitutional
8 mandates and/or executive orders, administrative rules and
9 regulations;

10 5. The extent to which the State of Oklahoma could act as the
11 collecting agent for one or more federal taxes with emphasis on the
12 federal income tax;

13 6. The benefits to the State of Oklahoma derived from acting as
14 the collecting agent for federal taxes, with emphasis on the federal
15 income tax;

16 7. Investigate the amount and kind of taxation state taxpayers
17 pay, the amount of money the federal government spends in overhead
18 expenses, the amount of federal money Oklahoma receives, the method
19 by which federal money is received and the political or economic
20 influence of direct spending of federal money in Oklahoma; and

21 8. Such other matters related to the rights of states with
22 respect to the power of federal taxation and the rights of states
23 with respect to the flow of funds derived from federally imposed
24 taxes as the Task Force may deem relevant.

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H. The Task Force shall make periodic reports of its findings to the Governor, the Speaker of the Oklahoma House of Representatives and the President Pro Tempore of the Oklahoma State Senate.

I. The Task Force shall make an annual report not later than December 31 each year.

SECTION 2. This act shall become effective November 1, 2015.

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