STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

SENATE BILL 1275 By: Jolley

AS INTRODUCED

An Act relating to state government; creating the Task Force for the Study of the Oklahoma Sales Tax Code; providing purpose for Task Force and requirements for study; providing for appointment and selection of Task Force members; requiring organizational meeting by specified date; requiring selection of chair and vice-chair; providing requirements for quorum; making number of meetings permissive; requiring travel reimbursement; requiring written report by certain date and specifying contents thereof; subjecting Task Force to certain provisions; providing for staff assistance from specified entities; 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 not to be codified in the Oklahoma Statutes reads as follows:

A. There is hereby created the Task Force for the Study of the Oklahoma Sales Tax Code. The purpose of the Task Force shall be to conduct a comprehensive study of the Oklahoma Sales Tax Code to include, but not be limited to:

1. A review of state and local sales tax rates in Oklahoma and how the state and combined rates compare to other states;

2. A review of the state sales tax base and how that base compares to other states, specifically the extent to which services are included in the tax base;

3. A review of sales tax exemptions in the Sales Tax Code;

4. The impact of Oklahoma's participation in the Streamlined Sales and Use Tax Agreement;

5. The potential impact of Congressional or court action on states' ability to tax sales by vendors without a nexus in the state; and

6. Such other matters related to sales as the Task Force deems relevant.

B. The Task Force shall consist of eleven (11) members, none of whom shall be elected officials. The Governor of the State of Oklahoma shall select two members, and one member each shall be appointed or selected by the following:

1. The State Treasurer;

2. The Lieutenant Governor of the State of Oklahoma;

3. The President Pro Tempore of the Oklahoma State Senate;

4. The Chair of the Appropriations Committee of the Oklahoma State Senate;

5. The Chair of the Senate Finance Committee;

6. The Speaker of the Oklahoma House of Representatives;

7. The Chair of the Appropriations and Budget Committee of the Oklahoma House of Representatives;

8. The Chair of the Revenue and Taxation Subcommittee of the Appropriations and Budget Committee of the Oklahoma House of Representatives; and

9. The Chair of the Oklahoma Tax Commission.

C. The Task Force shall conduct an organizational meeting not later than September 30, 2016. Such meeting shall be called by the member appointed or selected by the Chair of the Oklahoma Tax Commission. A chair and co-chair shall be selected by the members present at the organizational meeting. A majority of the members present at the organizational meeting or any subsequent meeting shall constitute a quorum for the purpose of any action taken, including the preparation and approval of the final report required by this section.

D. The Task Force shall be authorized to meet as necessary in order to perform the duties imposed upon it. Members of the Task Force shall be reimbursed as provided by the appointing authority.

E. The Task Force shall produce a final written report of its findings and any recommendations regarding changes in the Sales Tax Code. The recommendations shall include a draft of a state question to be sent to a vote of the people at the general election which occurs in 2018. The report shall be submitted to the Governor, the President Pro Tempore of the State Senate and the Speaker of the Oklahoma House of Representatives not later than December 1, 2017.

F. The Task Force shall be subject to the provisions of:

1. The Oklahoma Open Meeting Act; and

2. The Oklahoma Open Records Act.

G. Staff assistance for the Task Force shall be provided by the staff of the Oklahoma Tax Commission, Oklahoma State Senate and Oklahoma House of Representatives.

SECTION 2. This act shall become effective September 1, 2016.

55-2-3013 JCR 2/18/2016 6:54:03 PM