

**BILL SUMMARY**  
2nd Session of the 53rd Legislature

<b>Bill No.:</b>	<b>SJR 52</b>
<b>Version:</b>	<b>ENGR</b>
<b>Request Number:</b>	<b>NA</b>
<b>Author:</b>	<b>Rep. Dank</b>
<b>Date:</b>	<b>3/27/2012</b>
<b>Impact:</b>	<b>State Question to Clarify Intangible Personal Property Tax Commission Estimate: \$0 Revenue Impact</b>

**Research Analysis**

Engrossed SJR52 directs the Secretary of State to refer to the people a proposed amendment to the Oklahoma Constitution exempting all intangible personal property from ad valorem taxation.

Prepared By: Aron Storck

**Fiscal Analysis**

In *Southwestern Bell Telephone Co. v. Oklahoma State Board of Equalization*, the Oklahoma Supreme Court held that intangible personal property exempt from ad valorem taxation was limited to specifically listed intangible personal property set forth in the Oklahoma Constitution. Under this holding, intangible property also was subject to local assessment.

The resolution amends the Oklahoma Constitution to expressly exempt locally assessed entities from paying taxes on intangible personal property while public service corporations, air carriers and railroads would pay taxes on intangible personal property not otherwise exempted by Section 6A of Article X of the Constitution.

The resolution, according to the Tax Commission, is consistent with current treatment of locally assessed entities and public service corporations, air carriers and railroads regarding intangible personal property. Therefore, no impact (\$0.00) to local revenue occurs as a result of the resolution.

Prepared By: Mark Tygret

**Other Considerations**

The provisions take effect upon approval of the state question by voters.