

1 ENGROSSED SENATE
2 BILL NO. 475

By: Schulz of the Senate

3 and

4 McCall of the House

5
6 [gross production tax - oil from recovered or
7 unknown sources - payment of specified taxes -
certain report -

emergency]

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9
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 68 O.S. 2011, Section 1003, as
12 amended by Section 1, Chapter 114, O.S.L. 2016 (68 O.S. Supp. 2016,
13 Section 1003), is amended to read as follows:

14 Section 1003. A. It shall be the duty of the Oklahoma Tax
15 Commission to collect, in addition to the gross production tax,
16 twelve and one-half percent (12 1/2%) of the gross value of all oil
17 reported to the Tax Commission as recovered from streams, lakes,
18 ponds, ravines and other natural depressions to which oil shall have
19 escaped or therein was found and twelve and one-half percent (12
20 1/2%) of the gross value of all oil which is reported to the Tax
21 Commission and which report does not disclose the actual source of
22 the oil. In the event the rightful owner or owners of the royalty
23 interest therein provide satisfactory proof of mineral ownership to
24 the Tax Commission within twelve (12) months of when the tax payment

1 was received by the Tax Commission, such royalty interest owners
2 shall be paid their proper interest or interests. Otherwise, the
3 Tax Commission shall distribute such sum as provided by law for the
4 distribution of gross production taxes.

5 B. For purposes of this section, "actual source" shall be the
6 well or wells and particular leasehold from which the oil was
7 produced. The well or wells from which salt water or oil was
8 received at a salt water disposal facility, salt water recycling
9 facility or oil recovery reclaiming facility shall be considered the
10 actual source of the oil recovered at facility.

11 C. ~~The operators of salt water disposal facilities shall be~~
12 ~~required to pay to the Tax Commission the fee of twelve and one-half~~
13 ~~percent (12 1/2%) as required by this section on the amount of oil~~
14 ~~recovered in excess of two percent (2%) of the volume of water~~
15 ~~handled~~ The facility operator shall allocate the oil recovered,
16 saved and sold to each source thereof, based upon the barrels of
17 salt water and oil received from a particular source for the month,
18 divided by the total barrels of salt water and oil received by the
19 facility for the month. Utilizing the allocation provided for in
20 this subsection, the facility operator shall file a report with the
21 Tax Commission, and pay the applicable production taxes, reflecting
22 the volume of the oil recovered, saved and sold, and the gross
23 proceeds from the sale thereof, allocated to each of the sources,
24 and shall provide a copy of the report to each operator of the well

1 or wells to which the oil was deemed to have been produced. The
2 production and proceeds allocated to each well pursuant to this
3 subsection shall be considered production and proceeds from the well
4 or wells, subject to the Production Revenue Standards Act.

5 ~~SECTION 2.— It being immediately necessary for the preservation~~
6 ~~of the public peace, health or safety, an emergency is hereby~~
7 ~~declared to exist, by reason whereof this act shall take effect and~~
8 ~~be in full force from and after its passage and approval.~~

9 Passed the Senate the 23rd day of March, 2017.

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11 _____
12 Presiding Officer of the Senate

13 Passed the House of Representatives the ____ day of _____,
14 2017.

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17 Presiding Officer of the House
18 of Representatives
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