

1 **SENATE FLOOR VERSION**

2 February 28, 2018

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 SENATE BILL NO. 1166

By: David of the Senate

and

Wallace of the House

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8  
9 [ income tax - donation from tax refund - effective  
10 date ]

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

13 SECTION 1. AMENDATORY 68 O.S. 2011, Section 2368.12, as  
14 amended by Section 1, Chapter 209, O.S.L. 2012 (68 O.S. Supp. 2017,  
15 Section 2368.12), is amended to read as follows:

16 Section 2368.12. A. Each state individual income tax return  
17 form for tax years which begin after December 31, 2003, and each  
18 state corporate tax return form for tax years beginning after  
19 December 31, 2003, shall contain a provision to allow a donation  
20 from a tax refund for the benefit of programs to recruit, train, and  
21 supervise volunteers as Court Appointed Special Advocates, as  
22 follows:  
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1 Support of programs for volunteers to act as Court Appointed  
2 Special Advocates for abused or neglected children. Check if you  
3 wish to donate from your tax refund: ( ) \$2, ( ) \$5, or ( ) \$\_\_\_\_.

4 B. Except as otherwise provided for in this section, all monies  
5 generated pursuant to subsection A of this section shall be paid to  
6 the State Treasurer by the Oklahoma Tax Commission and placed to the  
7 credit of the Income Tax Checkoff Revolving Fund for Court Appointed  
8 Special Advocates created in subsection C of this section.

9 C. There is hereby created in the State Treasury a revolving  
10 fund for the Office of the Attorney General to be designated the  
11 "Income Tax Checkoff Revolving Fund for Court Appointed Special  
12 Advocates". The fund shall be a continuing fund, not subject to  
13 fiscal year limitations, and shall consist of all monies apportioned  
14 to the fund pursuant to the provisions of this section. All monies  
15 accruing to the credit of the fund are hereby appropriated and shall  
16 be budgeted and expended by the Office of the Attorney General for  
17 the purpose of providing grants to the Oklahoma CASA Association for  
18 the purpose of providing support for Court Appointed Special  
19 Advocates for abused and neglected children. Expenditures from the  
20 fund shall be made upon warrants issued by the State Treasurer  
21 against claims filed as prescribed by law with the Director of the  
22 Office of State Finance for approval and payment.

23 D. If a taxpayer makes a donation pursuant to subsection A of  
24 this section in error, the taxpayer may file a claim for refund at

1 any time within three (3) years from the due date of the tax return.  
2 Such claims shall be filed pursuant to the provisions of Section  
3 2373 of this title. Prior to the apportionment set forth in this  
4 section, an amount equal to the total amount of refunds made  
5 pursuant to this subsection during any one (1) year shall be  
6 deducted from the total donations received pursuant to this section  
7 during the following year and such amount deducted shall be paid to  
8 the State Treasurer and placed to the credit of the Income Tax  
9 Withholding Refund Account.

10 E. ~~All Court Appointed Special Advocate programs in the State~~  
11 ~~of Oklahoma shall receive a portion of this money.~~

12 F. Pursuant to Section 2368.18 of this title, the income tax  
13 checkoff contained in this section is hereby reauthorized effective  
14 ~~January 1, 2014~~ January 1, 2018.

15 SECTION 2. This act shall become effective November 1, 2018.

16 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
17 February 28, 2018 - DO PASS AS AMENDED  
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