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February 22, 2017

**AS AMENDED**

SENATE BILL NO. 558

By: Newhouse of the Senate

and

Proctor of the House

[ motor fuel tax - tax credit - effective date ]

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

SECTION 1. AMENDATORY 68 O.S. 2011, Section 500.10-1, is amended to read as follows:

Section 500.10-1. A. As used in this section:

1. "Ethanol" means a blend of gasoline and ethyl alcohol consisting of not more than fifteen percent (15%) ethyl alcohol by volume; and

2. "Retail dealer" means the type of dealer described by paragraph ~~53~~ 55 of Section 500.3 of ~~Title 68 of the Oklahoma Statutes~~ this title.

B. Unless the federal government mandates the use of reformulated fuel in an area within the State of Oklahoma in nonattainment with the National Ambient Air Quality Standards, there shall be allowed as a credit against the tax levy imposed pursuant

1 to paragraph 1 of subsection A of Section 500.4 of ~~Title 68 of the~~  
2 ~~Oklahoma Statutes~~ this title in the amount of one and six-tenths  
3 cents (\$0.016) for each gallon of ethyl alcohol which is contained  
4 in ethanol sold by a retail dealer. The exemption provided pursuant  
5 to this subsection shall expire on July 1, 2022, unless reauthorized  
6 by the Oklahoma Legislature.

7 C. Notwithstanding any other provision of the Oklahoma Motor  
8 Fuel Tax Code to the contrary, the retail dealer described by  
9 subsection A of this section may make the claim for refund from the  
10 Oklahoma Tax Commission. The refund claim process for the credit  
11 authorized by this section shall be substantially the same as the  
12 refund claims process authorized by the Motor Fuel Tax Code for  
13 other refunds provided by law.

14 D. Each claim for refund filed pursuant to this section shall  
15 be accompanied by such documentation as may be required by the Tax  
16 Commission that the retail dealer reduced the retail price for each  
17 gallon of ethyl alcohol which is contained in ethanol sold, and for  
18 which the credit authorized by this section is claimed, by one and  
19 six-tenths cents (\$0.016) and that such cost savings was  
20 economically provided to the purchaser of the ethanol fuel.

21 SECTION 2. This act shall become effective November 1, 2017.

22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
23 February 22, 2017 - DO PASS AS AMENDED  
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