OKLAHOMA TAX COMMISSION

FISCAL IMPACT STATEMENT AND/OR ADMINISTRATIVE IMPACT STATEMENT
SECOND REGULAR SESSION, FIFTY-SIXTH OKLAHOMA LEGISLATURE

DATE OF IMPACT STATEMENT: May 8, 2018

BILL NUMBER: SB 1439 **STATUS AND DATE OF BILL:** Enrolled 04/26/2018

AUTHORS: House McCall Senate Schultz

TAX TYPE (S): Motor Vehicle **SUBJECT:** Other

PROPOSAL: Amendatory

The measure amends Section 1140 of Title 47 which pertains to the qualification requirements and selection process regarding the location of a motor license agency and appointment of persons applying for a motor license agent position. [See Attached Analysis]

EFFECTIVE DATE: November 1, 2018

REVENUE IMPACT:

Insert dollar amount (plus or minus) of the expected change in state revenues due to this proposed legislation.

FY 19: None
FY 20: None

ADMINISTRATIVE IMPACT:

Insert the estimated cost or savings to the Tax Commission due to this proposed legislation.

FY 19: None

May 9, 2018
DATE

Rick Miller
DIVISION DIRECTOR

cjc

5-10-18
DATE

Reece Womack
REECE WOMACK, ECONOMIST

5-10-18
DATE

FOR THE COMMISSION

ATTACHMENT TO FISCAL IMPACT - SB 1439 - [Enrolled] - Prepared May 8, 2018

The measure amends Section 1140 of Title 47 which pertains to the qualification requirements and selection process regarding the location of a motor license agency and appointment of persons applying for a motor license agent position. The revision provides that the current requirement that the operation of the tax agency be the primary source of the agent's income would only apply in counties with a population in excess of 30,000 persons according to the latest Federal Decennial Census.

The measure further makes amendments to the motor license agent selection process. Under current procedures each motor license agent applicant is required to be interviewed by the Tax Commission. Under the measure, the Tax Commission would have the discretion to select the applicants to be interviewed.

Also, current statutory language mandates that the Tax Commission take the necessary steps to make a determination whether a person and proposed location meets the statutory requirements for purposes of the agent's appointment and if so must appoint that person to service as a motor license agent. Under the amendment, the Tax Commission would be authorized to make such a determination and the appointment of the agent would be within the Commission's discretion. The measure also strikes unnecessary and obsolete language relating to a county or cities population and the Tax Commission's mandate to appoint motor license agents as it deems necessary to carry out the provisions of the Motor Vehicle License and Registration Act. It also removes statutory language regarding the ability of motor license agents which were appointed prior to the effective date of the Act to serve as such until the agent vacates the position.

Revisions have also been made regarding the situation when a motor license agent has been charged with a felony and the mandate that the agency be closed immediately. The requirement that the State Auditor and Inspector conduct an audit of the agency and forward the report to the Tax Commission for its review is stricken. Also removed is the language regarding the Tax Commission's determination whether an agency closed under the stated circumstances should be reopened and operated by the Tax Commission.