

1 ENGROSSED HOUSE
2 BILL NO. 3800

By: Frix and Sneed of the House

3 and

4 Allen of the Senate
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7 An Act relating to ad valorem taxes; amending 68 O.S.
8 2011, Section 2913, which relates to payment of
9 taxes; modifying payment amount authorized for
10 payment of taxes in installments; authorizing county
11 treasurer to allow certain payments; requiring
12 payments to be held on trust until full payment of
13 tax amount due; and providing an effective date.

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

15 SECTION 1. AMENDATORY 68 O.S. 2011, Section 2913, is
16 amended to read as follows:

17 Section 2913. A. All taxes levied upon an ad valorem basis for
18 each fiscal year shall become due and payable on the first day of
19 November. Except for mortgage servicers, the exclusive method for
20 payment shall be as follows:

21 1. Unless one-half (1/2) or more of the taxes so levied has
22 been paid before the first day of January, the entire tax levy for
23 such fiscal year shall become delinquent on that date.

24 2. If the first half or more of the taxes levied upon an ad
valorem basis for any such fiscal year has been paid before the

1 first day of January, the second half or remainder shall be paid
2 before the first day of April thereafter and if not paid shall
3 become delinquent on that date.

4 In no event may payment be made in more than two ~~equal~~
5 installments subject to the provisions of the payment schedule
6 specified in this subsection. However, each county treasurer in his
7 or her sole discretion may allow a taxpayer to make payments on the
8 total amount of tax due. These payments shall be held on trust
9 deposit until the amount paid is sufficient to pay the total amount
10 due.

11 B. Mortgage servicers, as defined in 24 C.F.R., part 3500.17,
12 shall pay all accounts which they are servicing in one annual
13 payment before the first day of January or the entire tax levy for
14 such fiscal year shall become delinquent on that date.

15 C. If the total tax owed is Twenty-five Dollars (\$25.00) or
16 less, then the total amount must be paid before January 1. If the
17 total tax is not paid before January 1, the unpaid balance owing
18 shall become delinquent on the first day of January and shall be
19 subject to delinquent charges as provided for in this section.

20 D. All delinquent taxes shall bear interest at the rate of one
21 and one-half percent (1 1/2%) per month or major fraction thereof
22 until paid. In no event shall such interest exceed a sum equal to
23 the unpaid principal amount of tax, and when such interest has
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1 accumulated to a sum equivalent to one hundred percent (100%) of the
2 unpaid tax the further accumulation of interest shall cease.

3 E. In addition to any other penalties prescribed by law,
4 delinquent taxes shall be subject to a late payment penalty of five
5 percent (5%) per month or a major fraction thereof until paid. The
6 penalty assessed herein shall only apply to delinquent taxes that
7 are due on property located in a dependent school district in a
8 county with a population of less than seventy-five thousand (75,000)
9 according to the most recent Federal Decennial Census and held by a
10 nonindividual taxpayer when the tax has been paid delinquent for two
11 (2) or more separate and consecutive years and the fair cash value
12 of the property exceeds Five Hundred Thousand Dollars (\$500,000.00).

13 F. The county treasurer shall stamp the date of receipt on each
14 letter received containing funds for payment of taxes and no
15 interest shall be added or charged after the receipt of such letter
16 or the amount due. It shall be the duty of every person subject to
17 taxation according to the law to attend the county treasurer's
18 office and pay his or her taxes. If any person neglects to pay his
19 or her taxes until after they have become delinquent, the county
20 treasurer is directed and required to collect the delinquent tax as
21 provided for by law. The first ~~half~~ portion of taxes payable
22 pursuant to the provisions of this section shall not become
23 delinquent until thirty (30) days after the tax rolls have become
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1 completed and filed by the county assessor with the county
2 treasurer.

3 G. The county treasurer may waive penalties or interest in any
4 case where it is shown to the county treasurer that such penalties
5 or interest were incurred through no fault of the taxpayer. Each
6 waiver of penalties or interest shall be audited by the Office of
7 the State Auditor and Inspector each year during the annual audit of
8 the county offices.

9 SECTION 2. This act shall become effective January 1, 2021.

10 Passed the House of Representatives the 5th day of March, 2020.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ___ day of _____, 2020.

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Presiding Officer of the Senate

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