

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 629

By: Bullard

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6 AS INTRODUCED

7 An Act relating to reservoirs; creating the Reservoir
8 Capital Investment Fund; providing sources of the
9 fund; stating purpose of fund; requiring investment
10 of funds by the State Treasurer; requiring the
11 liquidation of assets and deposit of funds over
12 certain value; requiring notification; creating the
13 Water Sustainability Revolving Fund; providing for
14 expenditures from the fund; requiring public water
15 supply systems to establish certain fee; requiring
16 apportionment of fee; providing for termination of
17 fee; amending 63 O.S. 2011, Section 4021, which
18 relates to the Oklahoma Vessel and Motor Registration
19 Act; establishing fee; requiring apportionment of
20 fee; stating fee shall be a prerequisite to
21 registration; providing for termination of fee;
22 providing for codification; and providing an
23 effective date.

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

25 SECTION 1. NEW LAW A new section of law to be codified
26 in the Oklahoma Statutes as Section 89.12 of Title 62, unless there
27 is created a duplication in numbering, reads as follows:

28 A. There is hereby created in the State Treasury a revolving
29 fund to be designated the "Reservoir Capital Investment Fund". The
30 fund shall be a continuing fund, not subject to fiscal year

1 limitations, and shall consist of all monies received by the fees
2 provided for in Sections 3 and 4 of this act, appropriations,
3 apportionments, federal grants, or gifts and donations. All monies
4 accruing to the credit of the fund and shall be invested by the
5 State Treasurer according to the provisions of Section 89.2 of Title
6 62 of the Oklahoma Statutes.

7 B. Once the combined assets of the fund reach a total value of
8 One Billion Six Hundred Million Dollars (\$1,600,000,000.00) the
9 State Treasurer shall, at the end of each fiscal year, liquidate any
10 necessary assets within the fund in order to deposit an amount equal
11 to the amount of value of the fund above One Billion Six Hundred
12 Million Dollars (\$1,600,000,000.00) and deposit those funds in the
13 Oklahoma Water Sustainability Revolving Fund created pursuant to
14 Section 2 of this act.

15 C. The State Treasurer shall notify the Department of
16 Environmental Quality and The Oklahoma Tax Commission that the value
17 of the fund is sufficient to cease the imposition of the fees
18 provided for in Sections 3 and 4 of this act.

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1085.7D of Title 82, unless
21 there is created a duplication in numbering, reads as follows:

22 There is hereby created in the State Treasury a revolving fund
23 for the Oklahoma Water Resources Board to be designated the "Water
24 Sustainability Revolving Fund". The fund shall be a continuing

1 fund, not subject to fiscal year limitations, and shall consist of
2 all monies received by the Water Resource Board from the Reservoir
3 Capital Investment Fund, in addition to any appropriations or
4 federal funds to the Board for the purpose of reservoir
5 construction. All monies accruing to the credit of the fund are
6 hereby appropriated and may be budgeted and expended by the Oklahoma
7 Water Resource Board for the purpose of planning, preconstruction
8 and construction of reservoirs including, but not limited to, land
9 acquisition, design, and environmental impact statements.

10 Expenditures from the fund shall be made upon warrants issued by the
11 State Treasurer against claims filed as prescribed by law with the
12 Director of the Office of Management and Enterprise Services for
13 approval and payment.

14 SECTION 3. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 2-6-306.1 of Title 27A, unless
16 there is created a duplication in numbering, reads as follows:

17 A. In addition to any other fee that may be authorized by law,
18 public water supply systems shall impose a fee of One Dollar and
19 thirty-cents (\$1.30) for every one thousand (1,000) gallons of water
20 each residential customer uses over ten thousand (10,000) gallons in
21 each billing cycle.

22 B. Revenue from the fee authorized in subsection A of this
23 Section shall be deposited into the Reservoir Capital Investment
24 Fund created pursuant to Section 1 of this act.

1 C. Upon notice of the State Treasurer stating that the combined
2 assets of the fund have reached a total value of One Billion Six
3 Hundred Million Dollars (\$1,600,000,000.00), the imposition of this
4 fee shall cease.

5 SECTION 4. AMENDATORY 63 O.S. 2011, Section 4021, is
6 amended to read as follows:

7 Section 4021. A. The application required for the initial and
8 subsequent registration of a vessel or a motor shall be accompanied
9 by payment of the following fees:

10 1. Where the manufacturer's factory delivered price, or in the
11 absence of such price being published in a recognized publication
12 for the use of marine dealers and/or for purposes of insurance and
13 financing firms, where the provable original or new cost of all
14 materials, is One Hundred Fifty Dollars (\$150.00) or less, the
15 registration and license fee for the first and for each succeeding
16 year's registration shall be One Dollar (\$1.00);

17 2. Where the manufacturer's factory delivered price, or in the
18 absence of such price being published as provided in paragraph 1 of
19 this section, where the value of such vessel or motor is determined
20 and fixed as above required and, is in excess of One Hundred Fifty
21 Dollars (\$150.00), there shall be added to the fee of One Dollar
22 (\$1.00), the sum of One Dollar (\$1.00) for each One Hundred Dollars
23 (\$100.00) or any fraction thereof, in excess of One Hundred Fifty
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1 Dollars (\$150.00) provided such fee shall not exceed One Hundred
2 Fifty Dollars (\$150.00);

3 3. After the first year's registration in this state under the
4 Oklahoma Vessel and Motor Registration Act of any new vessel or new
5 motor under paragraph 2 of this subsection, the registration for the
6 second year shall be ninety percent (90%) of the fee computed and
7 assessed hereunder for the first year, and thereafter, such fee
8 shall be computed and assessed at ninety percent (90%) of the
9 previous year's fee and shall be so computed and assessed for the
10 next nine (9) successive years provided such fee shall not exceed
11 One Hundred Fifty Dollars (\$150.00);

12 4. The initial and subsequent registration fee for any vessel
13 which is a part of a fleet used for lodging and for which a rental
14 fee and sales tax are collected shall be Forty Dollars (\$40.00) in
15 lieu of the fees required by paragraphs 1 through 3 of this
16 subsection. For the purpose of this paragraph, "fleet" means twenty
17 or more vessels operated by a business organization from a single
18 anchorage. The fee provided for in this paragraph may be reduced
19 annually to zero until the total reduction equals the difference
20 between the sum of the fees paid pursuant to paragraphs 1 through 3
21 of this subsection for the two registration years preceding January
22 1, 1990, and the fee provided for in this paragraph;

23 5. For any vessel or motor owned and numbered, registered or
24 licensed prior to January 1, 1990, in this or any other state, or in

1 the absence of such registration upon proof of the year, model and
2 age of same, the registration fee shall be computed and assessed at
3 the rate hereinabove provided for a new vessel or motor based on the
4 value thereof determined as provided in this subsection, but reduced
5 as though same had been registered for each prior year of its
6 existence. Except as provided in paragraph 1 of this subsection,
7 the registration fee for the eleventh year computed in accordance
8 with the provisions of this subsection shall be the amount of the
9 fee to be assessed for such eleventh year and shall be the minimum
10 annual registration fee for such vessel or motor for any subsequent
11 year; and

12 6. The initial and subsequent registration fee for any vessel
13 or motor which is not being used in a trade or business or for any
14 commercial purpose and is owned by:

- 15 a. a nonresident member of the Armed Forces of the United
16 States assigned to duty in this state in compliance
17 with official military or naval orders,
- 18 b. a resident member of the Armed Forces of the United
19 States assigned to duty in this state in compliance
20 with official military or naval orders,
- 21 c. the spouse, who resides in Oklahoma, of a resident or
22 nonresident member of the Armed Forces of the United
23 States serving in a foreign country, or

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1 d. any Oklahoma resident who is stationed out of state
2 due to an official assignment of the Armed Forces of
3 the United States,

4 shall be the lesser of either a Fifteen Dollar (\$15.00) registration
5 fee or the fee computed and assessed for vessels or motors of
6 similar age and model pursuant to this section.

7 B. As used in this section, the term "manufacturer's factory
8 delivered price" shall represent the recommended retail selling
9 price and shall not mean the wholesale price to a dealer.

10 C. The Oklahoma Tax Commission shall assess the registration
11 fees and penalties for the year or years a vessel or motor was not
12 registered as provided in the Oklahoma Vessel and Motor Registration
13 Act. For vessels or motors not registered for two (2) or more
14 years, the registration fees and penalties shall be due only for the
15 current year and one (1) previous year.

16 D. Upon each vessel or motor repossessed by a mortgagee, a fee
17 of Forty-six Dollars (\$46.00) shall be assessed. This fee shall be
18 in lieu of any applicable vessel or motor excise tax and
19 registration fees. Each motor license agent accepting applications
20 for certificates of title for such vessel or motors shall receive
21 Seven Dollars (\$7.00) to be deducted from the license fee specified
22 in this paragraph for each application accepted.

23 E. All vessels or motors owned by the State of Oklahoma, its
24 agencies or departments, or political subdivisions thereof, or which

1 under the law would be exempt from direct ad valorem taxation, shall
2 be registered pursuant to the provisions of the Oklahoma Vessel and
3 Motor Registration Act for an annual fee of Two Dollars and twenty-
4 five cents (\$2.25) irrespective of whether registered by a motor
5 license agent or the Tax Commission.

6 F. All vessels and motors owned:

7 1. By the Boy Scouts of America, the Girl Scouts of U.S.A., and
8 the Camp Fire USA, devoted exclusively to youth programs emphasizing
9 physical fitness, character development and citizenship training;

10 2. By the Department of Public Safety; and

11 3. By organizations which are exempt from taxation pursuant to
12 the provisions of Section 501(c)(3) of the Internal Revenue Code, 26
13 U.S.C., Section 501(c)(3), and which are primarily devoted to the
14 establishment, development, operation, promotion, and participation
15 in, alone or in conjunction with others, educational and training
16 programs and competitive events to provide knowledge, information,
17 or comprehensive skills related to the sports of sailing, fishing,
18 boating, and other aquatic related activities;

19 are hereby exempt from the payment of registration fees required by
20 this section. Provided all of such vessels or motors shall be
21 registered and shall otherwise comply with the provisions of the
22 Oklahoma Vessel and Motor Registration Act.

1 G. A credit shall be allowed with respect to the fee for
2 registration of any new vessel or new motor, when such new vessel or
3 motor is a replacement for:

4 1. A new original vessel or new original motor which is stolen
5 from the purchaser/registrant within ninety (90) days of the date of
6 purchase of the original vessel or new original motor as certified
7 by a police report or other documentation as required by the Tax
8 Commission; or

9 2. A defective new original vessel or new original motor
10 returned by the purchaser/registrant to the seller within six (6)
11 months of the date of purchase of the defective new original vessel
12 or new original motor as certified by the manufacturer.

13 Such credit shall be in the amount of the fee for registration
14 which was paid for the new original vessel or new original motor and
15 shall be applied to the registration fee for the replacement vessel
16 or motor. In no event will said credit be refunded.

17 H. Upon proper proof of a lost certificate of registration
18 being made to the Tax Commission or one of its motor license agents,
19 accompanied by an application therefor and payment of the fees
20 required by the Oklahoma Vessel and Motor Registration Act, a
21 duplicate certificate of registration shall be issued to the
22 applicant. The charge for such duplicate certificate of
23 registration shall be Two Dollars and twenty-five cents (\$2.25),
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1 which charge shall be in addition to any other fees imposed by
2 Section 4022 of this title for any such vessel or motor.

3 I. In addition to any other fees levied by the Oklahoma Vessel
4 and Motor Registration Act, there is levied and there shall be paid
5 to the Tax Commission, for each year a vessel or motor is
6 registered, a fee of One Dollar (\$1.00) for each vessel or motor for
7 which a registration or license fee is required pursuant to the
8 provisions of this section. The fee shall accrue and shall be
9 collected upon each vessel or motor under the same circumstances and
10 shall be payable in the same manner and times as apply to vessel and
11 motor licenses and registrations under the provisions of the
12 Oklahoma Vessel and Motor Registration Act; provided, the fee shall
13 be paid in full for the then current year at the time any vehicle is
14 first registered in a calendar year.

15 Monies collected pursuant to this subsection shall be
16 apportioned by the Tax Commission to the State Treasurer for deposit
17 in the Trauma Care Assistance Revolving Fund created in Section
18 330.97 of this title.

19 The collection and payment of the fee shall be a prerequisite to
20 license or registration of any vessel or motor.

21 J. In addition to any other fees levied by the Oklahoma Vessel
22 and Motor Registration Act, there is levied and there shall be paid
23 to the Tax Commission, for each year a vessel or motor is
24 registered, a fee of Two Dollars (\$2.00) for each vessel or motor

1 for which a registration or license fee is required pursuant to the
2 provisions of this section. The fee shall accrue and shall be
3 collected upon each vessel or motor under the same circumstances and
4 shall be payable in the same manner and times as apply to vessel and
5 motor licenses and registrations under the provisions of the
6 Oklahoma Vessel and Motor Registration Act; provided, the fee shall
7 be paid in full for the then current year at the time any vehicle is
8 first registered in a calendar year.

9 Monies collected pursuant to this subsection shall be
10 apportioned by the Tax Commission to the State Treasurer for deposit
11 in the Reservoir Capital Investment Fund created in Section 1 of
12 this act.

13 The collection and payment of the fee shall be a prerequisite to
14 license or registration of any vessel or motor.

15 Upon notice of the State Treasurer stating that the combined
16 assets of the fund have reached a total value of One Billion Six
17 Hundred Million Dollars (\$1,600,000,000.00), the imposition of this
18 fee shall cease.

19 K. If a vessel or motor is donated to a nonprofit charitable
20 organization, the nonprofit charitable organization shall be exempt
21 from paying any current or past due registration fees, excise tax,
22 transfer fees, and penalties and interest; provided, subsequent to
23 such donation, if the person, entity or party acting on another's
24 behalf who donated the vessel or motor, purchases the same vessel or

1 motor from the nonprofit charitable organization receiving the
2 original donation, such person, entity or party acting on another's
3 behalf shall be liable for all current and past due registration
4 fees, excise tax, transfer fees, and penalties and interest on such
5 vehicle.

6 SECTION 5. This act shall become effective November 1, 2021.

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8 58-1-142 APW 1/21/2021 8:55:33 AM
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