

# OKLAHOMA TAX COMMISSION

## REVENUE IMPACT STATEMENT FIRST REGULAR SESSION, FIFTY-NINTH OKLAHOMA LEGISLATURE

**DATE OF IMPACT STATEMENT:** January 17, 2023

**BILL NUMBER:** SB 135 **STATUS AND DATE OF BILL:** Introduced 1/4/2023

**AUTHORS:** House n/a Senate Bullard

**TAX TYPE (S):** Income Tax **SUBJECT:** Administrative

**PROPOSAL:** Repealer

SB 135 proposes to repeal 68 O.S. § 238.1, which requires a person holding a state license to be in compliance with Oklahoma income tax laws.

**EFFECTIVE DATE:** November 1, 2023

### REVENUE IMPACT:

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

FY 24: Estimated decrease in income tax revenue of \$4.4 million.

FY 25: Estimated decrease in income tax revenue of \$6.6 million.

Jan. 20, 2023  
DATE

Rick Miller  
DIVISION DIRECTOR

bf

1/25/2023  
DATE

Huan Gong  
HUAN GONG, ECONOMIST

1/30/2023  
DATE

Joseph P. Hays  
FOR THE COMMISSION

***The revenue impact provided herein is an estimate of the potential impact on the collection or apportionment of tax revenues affected by the proposed legislation. It is not intended to be an estimate of the overall fiscal impact on the state budget if the proposed legislation is enacted.***

## ATTACHMENT TO REVENUE IMPACT - SB 135 [Introduced] Prepared 1/17/2023

SB 135 proposes to repeal 68 O.S. § 238.1, which requires a person holding a state license to be in compliance with Oklahoma income tax laws.

Currently, each licensing entity must provide the Oklahoma Tax Commission (OTC) a list of all its licensees and any required identifying information. The OTC must provide notification to any licensee who is not in compliance with Oklahoma income tax laws, including a statement that the licensee's license will not be renewed or reissued until the taxpayer is deemed by the OTC to be in compliance with Oklahoma income tax laws. If a licensee does not respond to such notification or fails to come into compliance with Oklahoma income tax laws after an assessment has been made final or after the OTC determines that every reasonable effort has been made to assist the licensee to come into compliance, the OTC will notify the applicable licensing agency, which shall not renew or reissue the licensee's license at such time it is subject to renewal or thereafter and will notify the applicant of the reason for nonrenewal or failure to reissue.

For FY 2022, the OTC notified 39,618 licensees that compliance could not be determined:

Return Status	Count	Amount
No Return/Missing Return	34,434	\$ -
Return Filed with a Balance Due	3,854	11,295,580.52
Missing Return and Balance Due for Another Tax Period	1,330	3,370,361.38
<i>Totals</i>	39,618	\$ 14,665,941.90

As a result of these efforts, the OTC collected approximately \$6.6 million from delinquent licensees for FY 2022. Assuming similar activity, the revenue impact of this proposal is an estimated decrease of \$4.4 million for FY 2024 (November 2023 through June 2024) and \$6.6 million for FY 2025.