

An Act

ENROLLED SENATE
BILL NO. 395

By: Haste of the Senate

and

Miller of the House

An Act relating to income tax refund donations; authorizing donation from income tax refund for Recovering Oklahomans After Disaster Revolving Fund; creating Recovering Oklahomans After Disaster Revolving Fund and providing for deposit of monies thereto; authorizing specified funds to be expended for certain purpose; providing procedures for refund under specified circumstances; providing for codification; and providing an effective date.

SUBJECT: Income tax refund donations

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2368.33 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. Each state individual income tax return form for tax year 2024 and subsequent tax years, and each state corporate tax return form for tax year 2024 and subsequent tax years, shall contain a provision to allow a donation from a tax refund for the benefit of Recovering Oklahomans After Disaster.

B. Except as otherwise provided for in this section, all monies generated pursuant to subsection A of this section shall be paid to the State Treasurer by the Oklahoma Tax Commission and placed to the

credit of the Recovering Oklahomans After Disaster Revolving Fund created in subsection C of this section.

C. There is hereby created in the State Treasury a revolving fund to be designated the "Recovering Oklahomans After Disaster Revolving Fund" and administered by the State Treasurer. The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all the monies received by the State Treasurer pursuant to the provisions of subsection A of this section. All monies accruing to the credit of the fund are appropriated and may be budgeted and expended by the State Treasurer at the beginning of each fiscal year for the purpose of providing grants to Recovering Oklahomans After Disaster for purposes of serving disaster survivors by providing free home repairs in this state. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

D. If a taxpayer makes a donation pursuant to subsection A of this section in error, such taxpayer may file a claim for refund at any time within three (3) years from the due date of the tax return. Such claims shall be filed pursuant to the provisions of Section 2373 of this title. Prior to the apportionment set forth in this section, an amount equal to the total amount of refunds made pursuant to this subsection during any one (1) year shall be deducted from the total donations received pursuant to this section during the following year and such amount deducted shall be paid to the State Treasurer and placed to the credit of the Income Tax Withholding Refund Account.

SECTION 2. This act shall become effective November 1, 2023.

Passed the Senate the 7th day of March, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the 19th day of April, 2023.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____