

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

I move to amend House Bill No. 2671, by adding a new Section 3 as attached, by renumbering subsequent sections and by amending the title to conform.

Submitted by:

Senator Floyd

Floyd-JCR-CA-HB2671
9/30/2019 9:29 AM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

1 "SECTION 3. AMENDATORY 68 O.S. 2011, Section 2368.16,
2 as last amended by Section 86, Chapter 15, O.S.L. 2013 (68 O.S.
3 Supp. 2018, Section 2368.16), is amended to read as follows:

4 Section 2368.16.

5
6 A. Each state individual income tax return form for tax years
7 which begin after December 31, 2007, and each state corporate tax
8 return form for tax years beginning after December 31, 2007, shall
9 contain a provision to allow a donation from a tax refund for the
10 benefit of any regional food bank in this state. For purposes of
11 this section, "regional food bank" means a nonprofit charitable
12 organization exempt from taxation pursuant to the provisions of the
13 Internal Revenue Code, 26 U.S.C., Section 501(c)(3), which as a
14 part of a food bank network, maintains a food distribution
15 operation providing food to other nonprofit entities that offer
16 groceries or meals to people in need of food assistance. The
17 provision to allow donation shall read as follows:

18 Support of programs for regional food banks in this state.
19 Check if you wish to donate from your tax refund: () \$2, () \$5,
20 or () \$____.

21 B. Except as otherwise provided for in this section, all
22 monies generated pursuant to subsection A of this section shall be
23 paid to the State Treasurer by the Oklahoma Tax Commission and
24 placed to the credit of the Income Tax Checkoff Revolving Fund for
25 Oklahoma Regional Food Banks created in subsection C of this
26 section.

27 C. There is hereby created in the State Treasury a revolving
28 fund for the Department of Human Services to be designated the
29 "Income Tax Checkoff Revolving Fund for Oklahoma Regional Food
30 Banks". The fund shall be a continuing fund, not subject to fiscal
31 year limitations, and shall consist of all monies apportioned to
32 the fund pursuant to the provisions of this section. All monies
33 accruing to the credit of the fund are hereby appropriated and may
34 be budgeted and expended by the Department of Human Services for
35 the purpose of providing funding for all regional food banks in
36 this state. Expenditures from the fund shall be made upon warrants
37 issued by the State Treasurer against claims filed as prescribed by
38 law with the Director of the Office of Management and Enterprise
39 Services for approval and payment.

40 D. If a taxpayer makes a donation pursuant to subsection A of
41 this section in error, such taxpayer may file a claim for refund at
42 any time within three (3) years from the due date of the tax
43 return. Such claims shall be filed pursuant to the provisions of
44 Section 2373 of this title. Prior to the apportionment set forth
45 in this section, an amount equal to the total amount of refunds
46 made pursuant to this subsection during any one (1) year shall be

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1 deducted from the total donations received pursuant to this section
2 during the following year and such amount deducted shall be paid to
3 the State Treasurer and placed to the credit of the Income Tax
4 Withholding Refund Account.

5 E. Pursuant to Section 2368.18 of this title, the income tax
6 checkoff contained in this section is hereby reauthorized effective
7 ~~January 1, 2014~~ January 1, 2019."

(Floor Amendments Only) Date and Time Filed: _____

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