

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 2324

 By: Frix and Boatman

7 AS INTRODUCED

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

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

16 SECTION 1. NEW LAW A new section of law not to be
17 codified in the Oklahoma Statutes reads as follows:

18 This act shall be known and may be cited as the "Tax Collection
19 Modernization Act".

20 SECTION 2. AMENDATORY 68 O.S. 2011, Section 2913, is
21 amended to read as follows:

22 Section 2913. A. All taxes levied upon an ad valorem basis for
23 each fiscal year shall become due and payable on the first day of
24

1 November. Except for mortgage servicers, the exclusive method for
2 payment shall be as follows:

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

6 2. If the first half or more of the taxes levied upon an ad
7 valorem basis for any such fiscal year has been paid before the
8 first day of January, the second half or remainder shall be paid
9 before the first day of April thereafter and if not paid shall
10 become delinquent on that date.

11 In no event may payment be made in more than two ~~equal~~
12 installments subject to the provisions of the payment schedule
13 specified in this subsection. However, each county treasurer in his
14 or her sole discretion may allow a taxpayer to make payments on the
15 total amount of tax due. These payments shall be held on trust
16 deposit until the amount paid is sufficient to pay the total amount
17 due.

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

22 C. If the total tax owed is Twenty-five Dollars (\$25.00) or
23 less, then the total amount must be paid before January 1. If the
24 total tax is not paid before January 1, the unpaid balance owing

1 shall become delinquent on the first day of January and shall be
2 subject to delinquent charges as provided for in this section.

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

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

19 F. The county treasurer shall stamp the date of receipt on each
20 letter received containing funds for payment of taxes and no
21 interest shall be added or charged after the receipt of such letter
22 or the amount due. It shall be the duty of every person subject to
23 taxation according to the law to attend the county treasurer's
24 office and pay his or her taxes. If any person neglects to pay his

1 or her taxes until after they have become delinquent, the county
2 treasurer is directed and required to collect the delinquent tax as
3 provided for by law. The first ~~half~~ portion of taxes payable
4 pursuant to the provisions of this section shall not become
5 delinquent until thirty (30) days after the tax rolls have become
6 completed and filed by the county assessor with the county
7 treasurer.

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

14 SECTION 3. This act shall become effective January 1, 2022.

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16 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,
17 dated 02/10/2021 - DO PASS.
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