

BILL SUMMARY
2nd Session of the 59th Legislature

Bill No.:	HB3027
Version:	INT
Request Number:	9363
Author:	Maynard
Date:	2/26/2024
Impact:	OAG: \$261,000/yr
	State budget: Revenue negative

Research Analysis

HB3207 establishes a definition for *specie*, which is considered gold or silver coins or refined gold and silver bullion that is coined, stamped or imprinted with its weight and valued primarily based on its metal content.

Specie is considered legal tender when it is issued by the U.S. government or deemed by an Oklahoma court to be legal tender. It can be recognized to pay debts; however, no person can be compelled accept specie as legal tender unless agreed to through a contract. The measure provides that species cannot be considered personal property for taxation or regulatory purposes and no person should be subject to tax when exchanging, selling or purchasing specie.

Prepared By: Quyen Do

Fiscal Analysis

This measure directs the Office of the Attorney General (OAG) to enforce provisions related to certain legal tender. Officials with the OAG estimate that one attorney and one support staff would be needed at a cost of \$261,000, and the agency would seek appropriations to defray these costs.

Furthermore, officials with the Oklahoma Tax Commission have provided the following information:

TAX TYPE(S): Income, Sales and Other **SUBJECT:** Other

PROPOSAL: Amendatory

HB 3027 proposes to amend 62 O.S. § 4500, providing that specie¹ or legal tender will not be characterized as personal property for taxation or regulatory purposes. Further, the exchange of one type or form of legal tender for another type or form of legal tender will not give rise to any tax liability, and the purchase, sale, or exchange of any type or form of specie will not give rise to any tax liability.

EFFECTIVE DATE: November 1, 2024

REVENUE IMPACT:

Data is not available to determine the volume of sales or exchanges of gold and silver in Oklahoma.

FY 25: Unknown decrease in income and sales tax revenue.

FY 26: Unknown decrease in income and sales tax revenue.

In its current form, HB3027 creates an estimated total cost to the OAG of \$261,000 and will result in an unknown decrease in income and sales tax revenue for the state budget.

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.