

# OKLAHOMA TAX COMMISSION

## REVENUE IMPACT STATEMENT AND/OR ADMINISTRATIVE IMPACT STATEMENT SECOND REGULAR SESSION, FIFTY-NINTH OKLAHOMA LEGISLATURE

**DATE OF IMPACT STATEMENT:** March 20, 2023

**BILL NUMBER:** HB 2350 **STATUS AND DATE OF BILL:** Engrossed 03/14/2022

**AUTHORS:** House: Dempsey Senate: Kidd

**TAX TYPE (S):** Sales Tax **SUBJECT:** Exemption

**PROPOSAL:** Amendatory

The measure amends 68 O.S. § 1358 by expanding the agricultural sales tax exemption by including timber as an "agricultural product", the production of timber, seedling production, and forestry management as "farming or farm" and the breeding of game animals which are animals bred to be hunted for sport and food as "livestock".

**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: See Attached

FY 25: See Attached

<u>Mar. 20, 2023</u>	<u>Rick Miller</u>	<u>msm</u>
DATE	DIVISION DIRECTOR	
<u>3/20/2023</u>	<u>Huan Gong</u>	
DATE	HUAN GONG, ECONOMIST	
<u>3/24/2023</u>	<u>Joseph P Gappa</u>	
DATE	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 HB 2350 [Engrossed] Prepared 03/20/23**

The measure amends 68 O.S. § 1358 by expanding the agricultural sales tax exemption by including timber as an agricultural product, the production of timber, seedling production, and forestry management as “farming or farm” and the breeding of game animals which are animals bred to be hunted for sport and food as “livestock”.

As of January 1, 2022, sales of commercial forestry service equipment, limited to forwarders, fellers, bunchers, track skidders, wheeled skidders, hydraulic excavators, delimbers, soil compactors and skid steer loaders, to businesses engaged in logging, timber and tree farming were made exempt pursuant to the passage of HB 1588. Therefore, a large portion of heavy equipment associated with the timber industry is already exempt from sales tax. However, the amount of land that is currently being used for timber production, seedling production, and forestry management is unknown as are the number of new agricultural permit holders that are to be exempted by this measure. Consequently, an unknown decrease in state sales tax revenues is estimated for FY 24 and FY 25.

Based upon information previously received from industry sources, there are an estimated 50 establishments in Oklahoma dedicated solely to the commercial production of deer. Each of these groups on average sell 12 deer per year at an average cost of \$3,637 per deer which results in annual sales of 600 deer with a combined sales price of \$2,182,200. Application of the state sales tax rate results in an estimated decrease of \$98,199 in state sales tax revenues for FY 23.

Industry sources also indicate that the average annual expenditures per farm is \$19,741. Multiplying 50 new farms by the average expenditures per farm, results in total estimated taxable expenditures of \$987,050. Application of the state sales tax rate equals an estimated decrease in state sales tax revenues of \$44,417 for FY 23.

The measure provides for an effective date of November 1, 2023. Application of inflation rate adjustments<sup>1</sup> of 2.2% for FY 24 and 2% for FY 25 results in an estimated decrease of \$85,023 in states sales tax revenues for FY 24 and an estimated decrease of \$148,669 in state sales tax revenues for FY 25.

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<sup>1</sup> IHS Markit