

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.:	HB1279
Version:	POLPCS1
Request Number:	12423
Author:	Rep. Caldwell (Chad)
Date:	2/19/2025
Impact:	\$0

Research Analysis

The proposed policy committee substitute for HB1279 establishes procedures and timelines for submitting and settling a written protest for denial of a tax credit from the Oklahoma Parental Choice Tax Credit Program. The measure gives a taxpayer 15 days after notice to file a protest or else the denial is final. If an oral hearing is requested by the taxpayer, the Oklahoma Tax Commission (OTC) must give the taxpayer at least 10 days of lead time from the mailing date to appear before the OTC and present in support of their protest.

The OTC has 60 days to rule on the protest, which is final unless the taxpayer decides to appeal the order directly with the Oklahoma Supreme Court (OSC). Appeals to the OSC must be filed within 30 days from the date a certified copy of the order is mailed to the taxpayer.

Prepared By: Quyen Do

Fiscal Analysis

In its current form, HB1279 proposes to create a process through which taxpayers who have been denied a credit under the Parental Choice Tax Credit Act can protest. This measure is not expected to impact state revenue or state appropriations.

The Oklahoma Tax Commission has provided the following analysis:

ESTIMATED REVENUE IMPACT: This measure is not expected to impact state income tax revenue.

FY26: \$0

FY27: \$0

ANALYSIS: The Proposed Policy Committee Substitute for HB 1279¹ proposes to amend the Uniform Tax Procedure Code (68 O.S. § 221), establishing a protest process for taxpayers who have been denied a credit under the Parental Choice Tax Credit Act (70 O.S. § 28-101).

After receiving electronic notification of a credit denial, taxpayers have 15 days to file a written protest with the Oklahoma Tax Commission (OTC), using a form prescribed by the OTC. If no protest is filed within the 15-day window, the denial becomes final and absolute. When a taxpayer requests an oral hearing in their written protest, the OTC must schedule one and provide written notice of the time and place at least 10 days before the hearing date. The OTC is required to issue a written order within 60 days after the protest is filed and mail a copy to the taxpayer. The taxpayer has the right to appeal this order as provided in 68 O.S. § 225². However, if they choose not to appeal, the order becomes final 30 days after the certified copy is mailed to the taxpayer.

This measure also amends subsection C of Section 221, authorizing the OTC to prescribe a form to be used by all taxpayers filing a protest to a proposed assessment for all tax types.

Prepared By: House Fiscal Staff

Other Considerations

None.