

BILL SUMMARY
1st Session of the 60th Legislature

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| Bill No.: | HB2170 |
| Version: | SUBPCS2 |
| Request Number: | 12679 |
| Author: | Rep. Pfeiffer |
| Date: | 2/17/2025 |
| Impact: | No Impact |

Research Analysis

The second subcommittee substitute for HB2170 updates administrative procedures of the Oklahoma Tax Commission (OTC) by:

- giving the OTC discretion on its methodology for determining an annual forecast of gross production tax revenues;
- prohibiting the OTC from waiving penalties for delinquent aircraft excise tax;
- requiring verified claims for refunds to be submitted on a form prescribed by the OTC;
- allowing OTC to charge a fee for reissuing a refund at the request of a taxpayer;
- clarifying that an administrative wage garnishment may be issued after the tax has become 90 days delinquent;
- clarifying that the 1.5 percent fee retained by the OTC for medical marijuana sales tax collect services is a retention fee, rather than a charge; and
- repealing [Title 68, Section 205.5](#), a statute requiring the OTC to post a listing of delinquent tax accounts on the Internet.

Prepared By: Quyen Do

Fiscal Analysis

In its current form, HB 2170 modifies administrative procedures of the Oklahoma Tax Commission (OTC). This measure is not expected to impact state revenue.

The OTC has provided the following analysis:

ESTIMATED REVENUE IMPACT:

FY26: None.

ANALYSIS: HB 2170 amends various sections within Title 68 to enhance the Oklahoma Tax Commission's administration of the tax code. Key changes include:

- 68 O.S. §118: Broadens calculation requirements for a price differential in revenue forecasting and allows OTC to contract with economic consultants for gross production tax forecasting.
- 68 O.S. §220: Removes OTC's ability to waive interest or penalties for aircraft excise taxes, as these are now collected by Service Oklahoma.
- 68 O.S. §227: Clarifies the statute of limitations for claiming a business tax refund as the date of filing a verified claim for refund, rather than filing of an amended return.
- 68 O.S. §228.1: Introduces a \$25 fee for reissuing lost refund checks within 90 days of issuance. The fee is currently paid by OTC. Taxpayers may wait until the 90-day window passes for an automatic void and no fee.
- 68 O.S. §254: Clarifies that a tax warrant does not need to be issued 90 days before wage garnishment, only that it must be issued prior to filing the garnishment.
- 68 O.S. §418: Clarifies that administrative fines for unlawful tobacco sales are sent to the Tobacco Products Tax Enforcement Unit Revolving Fund.
- 68 O.S. §255.2 and 63 O.S. §426: Clarifies that OTC retains the 1.5% fee for collecting medical marijuana taxes before distributing funds to the Oklahoma Medical Marijuana Authority (OMMA). Currently, the OTC receives the 1.5% fee after invoicing OMMA.
- 68 O.S. §205.5¹: Repeals the requirement to post top 100 delinquencies online.

Prepared By: Zach Penrod, House Fiscal Staff

Other Considerations

None.