

DATE: June 17, 2011

NUMBER: 11-14

SUBJECT: 2011 LEGISLATIVE CHANGES

TO: COUNTY ASSESSORS
COUNTY TREASURERS
COUNTY EXCISE BOARD MEMBERS
COUNTY EQUALIZATION BOARD MEMBERS

Oklahoma Tax Commission, Ad Valorem Division is required to notify county assessors, county treasurers and members of county excise and equalization boards of changes in the law directly relating to Ad Valorem taxation. This is found in 68 O.S. 2001, Section 2875.

Enclosed is a recap of the 2011 session concerning legislation affecting Ad Valorem taxation which has been signed by the Governor. The document provided is a brief overview of the legislation outlining general topics and changes and is for reference purposes only. We recommend that you request a copy of any specific legislation, which may be of interest, from the Office of Bill Distribution, 310 State Capitol Building.

These legislative changes will be published in the Oklahoma Session Laws 2011 and Oklahoma Statutes 2011 Supplement. Publications should be available in your county law library in fall 2011. The text of bills is currently available on the Oklahoma Legislative website at www.lsb.state.ok.us.

If the Ad Valorem Division can be of assistance concerning legislative changes or other related Ad Valorem issues, please contact us at (405) 319-8200.

Sincerely,

OKLAHOMA TAX COMMISSION

Jeff Spelman, CAE, Director
Ad Valorem Division

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Enclosure

**SUMMARY OF 2011 LEGISLATION
AD VALOREM TAX**

House Bills:

HB-1903 Postmark, Date of Delivery

New Law: 68 O.S. § 2802.2. Any document or payment required to be filed with the county assessor the date of the postmark stamped on the envelope shall be deemed the date of delivery. The postmark date must fall within the prescribed period or on or before the prescribed date for filing. If the date for filing falls on a legal holiday, then the date shall be extended until the end of the next regular business day.

Effective: November 1, 2011.

HJR-1002 Real Property Valuation Limitation from 5% to 3%

Amending: Oklahoma Constitution Article 10 § 8B. Changing the current five percent increase in value for real property from five percent to three percent for homestead property and agricultural land. This will not be in effect unless approved by vote of the people.

Effective: If approved by a statewide vote the effective date will be January 1, 2013.

Senate Bills:

SB-13 Tax Increment Finance Districts, Definitions and Date of Creation

Amending: 62 O.S. § 853 and 856. Provides for a change in the definition of “Increment District” and adds language which allows the increment revenue generation from sales tax to be collected from point of sale when located within a sales tax TIF district. It also adds a deferment of the start date of the district for up to ten years after the plan approval date.

Effective: August 26, 2011.

SB-104 Tax Statement by Electronic Mail

Amending: 68 O.S. § 2915. At the county treasurer’s option, in lieu of regular mailing, the treasurer may send the tax statement to the taxpayer by e-mail provided the taxpayer has submitted a written request to the county treasurer to do so.

Effective: August 26, 2011.

SB-105 County Assessor Fee Schedule

Amending: 68 O.S. § 2864. The State Board of Equalization shall set a schedule of fees to be used by all county assessors for search, production and copying of various records of the county assessor. The board shall set the schedule of fees at the December 1 meeting each year. The fee schedule shall be reviewed each year by the board and make any necessary adjustments. Compliance with the fee schedule will be considered when the county assessment examination is preformed.

Effective: November 1, 2011.

SB-935 Exempt Manufacturing, Payroll Reduction Provision

Amending: 68 O.S. § 2902. An entity that has been granted an exemption which included calendar year 2009 but did not meet the payroll qualification shall be allowed an exemption beginning January 1, after the effective date of this act for calendar year 2009 to include the number of eligible years remaining provided the entity attains or increases the baseline qualifying payroll.

Effective: January 1, 2012.