

1 ENGROSSED HOUSE
2 BILL NO. 1010

By: Watson of the House

and

Marlatt of the Senate

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7 An Act relating to revenue and taxation; amending 68
8 O.S. 2011, Sections 2825 and 2875, as amended by
9 Section 1, Chapter 142, O.S.L. 2015 (68 O.S. Supp.
10 2016, Section 2875), which relate to the Ad Valorem
11 Tax Code; providing for use of certain schedules;
12 requiring adherence to rules, regulations, schedules
13 and guides; requiring uniform application of certain
14 schedule; providing an exception; imposing
15 requirement with respect to valuation of personal
16 property; and providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 68 O.S. 2011, Section 2825, is
19 amended to read as follows:

20 Section 2825. The Oklahoma Tax Commission shall make and
21 publish such rules, regulations, schedules and guides which it
22 determines are needed for the ~~general guidance and~~ assistance of
23 county assessors. Each assessor is hereby directed and required to
24 value property in accordance with the standards established by law
and shall adhere to the aforementioned rules, regulations, schedules
and guides as published by the Oklahoma Tax Commission. Utilization
of the Oklahoma Tax Commission Business Personal Property Schedule

1 shall be uniformly applied statewide in all counties. The mandatory
2 application of the Oklahoma Tax Commission Business Personal
3 Property Schedule shall not apply to property classified as
4 agriculture-related personal property.

5 SECTION 2. AMENDATORY 68 O.S. 2011, Section 2875, as
6 amended by Section 1, Chapter 142, O.S.L. 2015 (68 O.S. Supp. 2016,
7 Section 2875), is amended to read as follows:

8 Section 2875. A. There is hereby created within the Oklahoma
9 Tax Commission the Ad Valorem Division. The Ad Valorem Division
10 shall have the authority and it shall be its duty to:

11 1. Confer with and assist county assessors and county boards of
12 equalization in the performance of their duties, to the end that all
13 assessments of property be made relative, just and uniform and that
14 real property and tangible personal property may be assessed at its
15 fair cash value estimated at the price it would bring at a fair
16 voluntary sale;

17 2. Prescribe forms with numbers ascribed thereto for the county
18 assessors' use in assessment procedure, including property
19 classification and appraisal forms;

20 3. Provide technical assistance to county assessors and county
21 boards of equalization in the services of appraisal engineers;

22 4. Provide from year to year schedules of values of personal
23 property ~~to aid~~ that shall be used by county assessors in the
24 assessment of personal property;

1 5. Conduct training schools, institutes, conferences and
2 meetings for the purpose of improving the qualifications of county
3 assessors and their deputies as required by law;

4 6. Prepare and furnish from time to time to county assessors an
5 assessors' manual. Such manual shall include, but not be limited
6 to, valuation methodologies for property in a county for which no
7 comparable property exists in order for a county assessor to
8 establish a value for ad valorem tax purposes. The manual shall
9 include information concerning valuation of hazardous waste disposal
10 facilities and such other types of facilities as may be requested by
11 the county assessor for which the assessor does not have adequate
12 data to value such property;

13 7. Render such other assistance as may be conducive to the
14 proper assessment of property for ad valorem taxation;

15 8. Recommend rules to the Tax Commission establishing uniform
16 procedures and standards for the appraisal of real property by
17 county assessors;

18 9. Develop assessment manuals for the valuation of manufactured
19 homes and periodic updates for such manuals for use by county
20 assessors; and

21 10. Promptly notify county assessors, county treasurers and
22 members of county excise and equalization boards of any changes to
23 the laws relating to ad valorem taxation.

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1 B. The county assessors shall not use any form not prescribed
2 or approved by the Ad Valorem Division.

3 C. Each county assessor shall comply with all the rules,
4 regulations, schedules and guides adopted by the Oklahoma Tax
5 Commission.

6 D. The Ad Valorem Division, upon request of any county
7 assessor, shall furnish to the county assessor any information shown
8 by its files and records as to any real and personal property,
9 subject to taxation, including income and expense data as shown by
10 income tax returns, to the end that no property shall escape
11 taxation, and this information is to be furnished notwithstanding
12 any statute that such files and records shall be confidential and
13 privileged.

14 E. The Ad Valorem Division shall be authorized to obtain
15 information relating to the ownership, location, taxable status or
16 valuation for purposes of ad valorem taxation of real or personal
17 property from any state agency, board, commission, department,
18 authority or other division of state government if necessary to
19 respond to a request by a county assessor as provided by subsection
20 D of this section. Such information shall be confidential and
21 privileged and shall only be released to a county assessor in order
22 to locate, discover and correctly value taxable property as required
23 by law.

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