

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 HOUSE BILL 1962

 By: Watson

7 AS INTRODUCED

8 An Act relating to revenue and taxation; amending 68
9 O.S. 2011, Section 2807, which relates to definitions
10 of personal property; providing for inclusion of
11 certain tangible personal property for purposes of
 Section 6A of Article X of the Oklahoma Constitution;
 providing for retrospective and prospective effect;
 and declaring an emergency.

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

15 SECTION 1. AMENDATORY 68 O.S. 2011, Section 2807, is
16 amended to read as follows:

17 Section 2807. Personal property, for the purpose of ad valorem
18 taxation, shall be construed to include:

- 19 1. All goods, chattels and effects;
20 2. Except as provided in subsection B of Section 2806 of this

21 title:

- 22 a. all improvements made by others upon lands, the fee of
23 which is vested in the United States or this state,

1 b. all improvements, including elevators and other
2 structures, upon lands, the title to which is vested
3 in any railway company or other corporation whose
4 property is not subject to the same mode and rule of
5 taxation as other property, and

6 c. all improvements on leased lands that do not become a
7 part of the realty;

8 3. The dormant, and other stock of nurserymen, including all
9 trees, shrubs and plants that have been dug and placed in bins or
10 storage, and are ready for sale. The trees, shrubs or plants of a
11 nurseryman shall be "growing crops" within the meaning of Section 6
12 of Article X of the Oklahoma Constitution and exempt from ad valorem
13 taxation, if such trees, shrubs or plants are grown upon the
14 premises of the nurseryman, removed from the earth on such premises
15 prior to any preparation for resale, and if such trees, shrubs or
16 plants are held for resale in a manner that will permit the
17 continued growth or development of the tree, shrub or plant;

18 4. All horses, cattle, mules, asses, sheep, swine, goats and
19 other livestock including poultry, and commercially raised livestock
20 including but not limited to animals of the families bovidae,
21 cervidae and antilocapridae or birds of the ratite group. Such
22 livestock or poultry having a speculative value, by reason of the
23 fact that the same is subject to registration in some recognized
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1 association, shall be assessed on the market value as though the
2 same had no speculative value;

3 5. All household furniture, including gold and silver plate,
4 musical instruments, watches and jewelry;

5 6. Personal, private or professional libraries;

6 7. All wagons, vehicles or carriages and all farm tractors,
7 implements or machinery appertaining to agricultural labor; and all
8 types of motors, feed grinders, pumps for irrigation and other
9 irrigation equipment;

10 8. All machinery and materials used by manufacturers, and all
11 manufactured articles, including all machinery and equipment of
12 cotton gins, cottonseed oil mills, newspaper and printing plants,
13 refineries, gasoline plants, flour and grain mills and elevators,
14 bakeries, ice plants, laundries, automobile assembly plants, repair
15 shops, breweries, radio broadcasting stations, tractors, graders,
16 road machinery and equipment, and all other similar or related
17 plants or industries;

18 9. All goods and capital employed in merchandising;

19 10. All abstractors' books and the records contained therein;
20 and equipment and all other personal property and records and files
21 of mercantile credit reporting organizations;

22 11. All agricultural implements or machinery, goods, wares,
23 merchandise, or other chattels, in this state, in possession of, or
24 under the control of, or held for sale by, any warehouseman, agent,

1 factor or representative in any capacity of any manufacturer, or any
2 dealer or agent of any such manufacturer;

3 12. a. All tanks and containers used to store or hold crude
4 oil or any of its products or byproducts and all tanks
5 and containers used to store or hold gasoline, water,
6 or other liquids or gases,

7 b. All oil, gas, water or other pipelines,

8 c. All telegraph and telephone lines,

9 d. All railroad tracks, and

10 e. All oil and petroleum products in storage; ~~and~~

11 13. All other property, having an actual, constructive or
12 taxable situs in this state, and not included within the definition
13 of real property; and

14 14. For purposes of the Freeport Exemption, as provided for in
15 Section 6A of Article X of the Oklahoma Constitution, the phrase
16 "goods, wares and merchandise" includes all tangible personal
17 property including, but not limited to, tangible personal property
18 listed in this section. The provisions of this paragraph shall have
19 retrospective and prospective application with respect to any timely
20 filed appeals pending in the district court, an appellate court, or
21 the Court of Tax Review at the time this act becomes effective as
22 law.

23 SECTION 2. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
5 02/26/2015 - DO PASS.

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