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Jun. 09, 2013

OKLAHOMA CITY — Oklahoma City attorney Jerry Fent challenged a highly touted tax-cut bill Thursday.

Fent filed suit with the Oklahoma Supreme Court alleging that House Bill 2032 violates the state Constitution because it contains more than one subject.

HB 2032, which Gov. Mary Fallin signed into law, reduces the state's top tax rate a quarter of a percentage point to 5 percent in 2015 with prospects for an additional cut to 4.85 percent in 2016 if there is sufficient growth revenue to pay for it.

The measure also provides \$120 million for repairs to the state Capitol, which is plagued by electrical, plumbing and infrastructure problems.

Fent said the bill also failed to secure the three-fourths support in both legislative chambers that is required of revenue bills.

Fallin and state Treasurer Ken Miller are named as defendants in the lawsuit.

"It is common practice when crafting a bill affecting taxes and revenue to include provisions concerning revenue allocation and reapportionment," said Alex Weintz, a spokesman for the governor. "This is what this income tax cut measure does. It is the opinion of the governor and her legal counsel that the law is constitutional and similar to many other laws affecting revenue."

Fent has lodged several successful challenges to legislation in the past. A Supreme Court referee is set to hear oral arguments in the case July 9.

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