

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB4147

By: Schreiber of the House and Pugh of the Senate

Title: Revenue and taxation; income tax credit; childcare; employer; qualified childcare worker; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

- 1. That the House concurs in the Senate amendment; and
- 2. By adopting the following conference committee amendment to restore the title to read as follows:

An Act relating to revenue and taxation; providing income tax credit for certain expenses related to provision of childcare services; defining terms; specifying credit amount; prescribing limit on credit amounts; prohibiting reduction of income tax liability to less than zero; providing for carryover; providing income tax credit for certain expenses related to provision of childcare services; specifying credit amount; prescribing limit on credit amounts; providing for refundability of tax credit; providing for codification; and providing an effective date.

Respectfully submitted,

SENATE CONFEREES: GCCA (must be signed out at a Senate GCCA meeting)

Brooks _____

Burns _____

Dugger _____

Floyd _____

Green _____

Hall _____

Haste _____

Hicks _____

Howard _____

Jech _____

Kirt _____

Matthews _____

Newhouse _____

Prieto _____

Pugh _____

Rader _____

Stephens _____

Thompson (Kristen) _____

Woods _____

Rosino _____

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 4147

By: Schreiber, Lawson,
Cantrell, Menz, Deck,
Ranson, Talley, Hefner, and
Caldwell (Chad) of the
House

and

Pugh of the Senate

[revenue and taxation - income tax credit -
childcare - effective date]

AUTHOR: Add the following House Coauthor: Provenzano

AMENDMENT NO. 1. Page 4, line 13 through Page 5, line 19 delete
Section 2 and renumber the subsequent section

1 Passed the Senate the 17th day of April, 2024.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2024.

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8 _____
9 Presiding Officer of the House
10 of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 4147

By: Schreiber, Lawson,
Cantrell, Menz, Deck,
Ranson, Talley, Hefner, and
Caldwell (Chad) of the
House

and

Pugh of the Senate

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9 [revenue and taxation - income tax credit -
10 childcare - effective date]
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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 2357.231 of Title 68, unless
17 there is created a duplication in numbering, reads as follows:

18 A. As used in this section:

19 1. "Child" means an individual who is five (5) years of age or
20 less;

21 2. "Childcare and education provider" means a person who owns
22 or operates an eligible program;

23 3. "Childcare expense" means the cost of locating safe and
24 dependable services for the care of a minor child of an employee;

1 4. "Eligible program" means an applicable childcare and early
2 childhood education program that has applied to participate in the
3 quality rating and improvement system and has been assigned a
4 quality scale rating;

5 5. "Eligible staff member" means an individual who is employed
6 with, or who is a self-employed individual providing childcare and
7 early childhood education for, an eligible program for at least six
8 (6) months of the taxable year. Eligible staff member does not
9 include certificated teaching and administrative staff employed by
10 programs established pursuant to applicable provisions of law;

11 6. "Employee" means a person to whom wages or other
12 compensation is paid by an employer;

13 7. "Employer" means any sole proprietor or lawfully recognized
14 business entity engaged in lawful business activity;

15 8. "Licensed childcare facility" means a person or entity
16 lawfully authorized to provide childcare services within the state
17 and which is enrolled in Oklahoma's Quality Rating and Improvement
18 System (QRIS);

19 9. "Qualified childcare worker" means a person employed for at
20 least eight (8) consecutive months during the calendar year
21 corresponding to the income tax year for which the credit authorized
22 by this section is claimed and who performs classroom services for a
23 licensed childcare facility and who is enrolled in Oklahoma's
24 Professional Development Ladder (PDL); and

1 10. "Quality scale rating" means the rating of an eligible
2 program under which the rating is expressed in terms of stars.

3 B. For taxable years beginning on or after January 1, 2025, and
4 ending not later than December 31, 2029, subject to the limitations
5 prescribed by this subsection and subsection D of this section,
6 there shall be allowed as a credit against the tax imposed pursuant
7 to Section 2355 of Title 68 of the Oklahoma Statutes, an amount
8 equal to:

9 1. Thirty percent (30%) of the amount expended by an employer
10 for assistance provided by the employer to an employee for the
11 employee's direct expenses of childcare;

12 2. Thirty percent (30%) of the amount expended by an employer
13 for the cost of operating or contracting to operate a childcare
14 facility primarily used by dependents of the employees of such
15 employer or group of employees in the area, excluding any payments
16 made by the parent or guardian of such dependent such as tuition or
17 fees; or

18 3. Thirty percent (30%) of the amount expended by an employer
19 to contract with a childcare facility to reserving spots for its
20 employees.

21 C. The total credit amount which may be claimed by an employer
22 pursuant to the provisions of this section shall not exceed Thirty
23 Thousand Dollars (\$30,000.00) for credits claimed pursuant to
24 subsection B of this section for any taxable year.

1 D. The credits authorized pursuant to the provisions of this
2 section shall not be used to reduce the income tax liability of the
3 taxpayer to less than zero (0).

4 E. To the extent not used the credits authorized by this
5 section may be carried over, in order, to each of the succeeding
6 five (5) tax years.

7 F. The total amount of credits authorized to be used to reduce
8 income tax liabilities pursuant to the provisions of this section
9 shall not exceed Five Million Dollars (\$5,000,000.00) each fiscal
10 year.

11 G. The provisions of this section shall cease to have the force
12 and effect of law on January 1, 2030.

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 2357.232 of Title 68, unless
15 there is created a duplication in numbering, reads as follows:

16 A. As used in this section:

17 1. "Child" means a person less than five (5) years of age;

18 2. "Licensed childcare facility" means a person or entity
19 lawfully authorized to provide childcare services within the state
20 and which is enrolled in Oklahoma's Quality Rating and Improvement
21 System (QRIS); and

22 3. "Qualified childcare worker" means a person employed for at
23 least eight (8) consecutive months during the calendar year
24 corresponding to the income tax year for which the credit authorized

1 by this section is claimed and who performs classroom services for a
2 licensed childcare facility and who is enrolled in Oklahoma's
3 Professional Development Ladder (PDL) and has earned a minimum of
4 twelve (12) credit hours.

5 B. For taxable years beginning January 1, 2025, and ending not
6 later than December 31, 2029, there shall be allowed a credit
7 against the tax imposed pursuant to Section 2355 of Title 68 of the
8 Oklahoma Statutes in the amount of One Thousand Dollars (\$1,000.00)
9 for a qualified childcare worker.

10 C. The credit authorized by this section shall be refundable.
11 The credit shall first be applied to income tax liability, if any,
12 for the income tax year for which the credit is claimed and the
13 balance shall be refunded to the taxpayer.

14 D. The total amount of credits authorized to be used to reduce
15 income tax liabilities pursuant to the provisions of this section
16 shall not exceed Fourteen Million Dollars (\$14,000,000.00) each
17 fiscal year.

18 E. The provisions of this section shall cease to have the force
19 and effect of law on January 1, 2030.

20 SECTION 3. This act shall become effective January 1, 2025.

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1 Passed the House of Representatives the 12th day of March, 2024.

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3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2024.

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8 _____
9 Presiding Officer of the Senate