

1 **SENATE FLOOR VERSION**

2 February 10, 2025

3 SENATE BILL NO. 287

By: Pugh of the Senate

4 and

5 Miller and Pae of the House

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7  
8 An Act relating to income tax; amending 68 O.S. 2021,  
9 Sections 2357.302, 2357.303, and 2357.304, as amended  
10 by Section 2, Chapter 313, O.S.L. 2024 (68 O.S. Supp.  
11 2024, Section 2357.304), which relate to income tax  
12 credit for qualified employers and employees in the  
13 aerospace sector; modifying tax years for which  
14 credit may be claimed; and providing an effective  
15 date.

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

17 SECTION 1. AMENDATORY 68 O.S. 2021, Section 2357.302, is  
18 amended to read as follows:

19 Section 2357.302. A. Except as provided in subsection F of  
20 this section, for ~~taxable years beginning after December 31, 2008,~~  
21 ~~and ending before January 1, 2026~~ tax years 2009 through 2031, a  
22 qualified employer shall be allowed a credit against the tax imposed  
23 pursuant to Section 2355 of this title for tuition reimbursed to a  
24 qualified employee.

1 B. The credit authorized by subsection A of this section may be  
2 claimed only if the qualified employee has been awarded an  
3 undergraduate or graduate degree within one (1) year of commencing  
4 employment with the qualified employer.

5 C. The credit authorized by subsection A of this section shall  
6 be in the amount of fifty percent (50%) of the tuition reimbursed to  
7 a qualified employee for the first through fourth years of  
8 employment. In no event shall this credit exceed fifty percent  
9 (50%) of the average annual amount paid by a qualified employee for  
10 enrollment and instruction in a qualified program at a public  
11 institution in Oklahoma.

12 D. The credit authorized by subsection A of this section shall  
13 not be used to reduce the tax liability of the qualified employer to  
14 less than zero (0).

15 E. No credit authorized by this section shall be claimed after  
16 the fourth year of employment.

17 F. No credit otherwise authorized by the provisions of this  
18 section may be claimed for any event, transaction, investment,  
19 expenditure or other act occurring on or after July 1, 2010, for  
20 which the credit would otherwise be allowable. The provisions of  
21 this subsection shall cease to be operative on July 1, 2011.  
22 Beginning July 1, 2011, the credit authorized by this section may be  
23 claimed for any event, transaction, investment, expenditure or other  
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1 act occurring on or after July 1, 2011, according to the provisions  
2 of this section.

3 SECTION 2. AMENDATORY 68 O.S. 2021, Section 2357.303, is  
4 amended to read as follows:

5 Section 2357.303. A. Except as provided in subsection F of  
6 this section, for ~~taxable years beginning after December 31, 2008,~~  
7 ~~and ending before January 1, 2026~~ tax years 2009 through 2031, a  
8 qualified employer shall be allowed a credit against the tax imposed  
9 pursuant to Section 2355 of this title for compensation paid to a  
10 qualified employee.

11 B. The credit authorized by subsection A of this section shall  
12 be in the amount of:

13 1. Ten percent (10%) of the compensation paid for the first  
14 through fifth years of employment in the aerospace sector if the  
15 qualified employee graduated from an institution located in this  
16 state; or

17 2. Five percent (5%) of the compensation paid for the first  
18 through fifth years of employment in the aerospace sector if the  
19 qualified employee graduated from an institution located outside  
20 this state.

21 C. The credit authorized by this section shall not exceed  
22 Twelve Thousand Five Hundred Dollars (\$12,500.00) for each qualified  
23 employee annually.

24

1 D. The credit authorized by this section shall not be used to  
2 reduce the tax liability of the qualified employer to less than zero  
3 (0).

4 E. No credit authorized pursuant to this section shall be  
5 claimed after the fifth year of employment.

6 F. No credit otherwise authorized by the provisions of this  
7 section may be claimed for any event, transaction, investment,  
8 expenditure or other act occurring on or after July 1, 2010, for  
9 which the credit would otherwise be allowable. The provisions of  
10 this subsection shall cease to be operative on July 1, 2011.

11 Beginning July 1, 2011, the credit authorized by this section may be  
12 claimed for any event, transaction, investment, expenditure or other  
13 act occurring on or after July 1, 2011, according to the provisions  
14 of this section.

15 SECTION 3. AMENDATORY 68 O.S. 2021, Section 2357.304, as  
16 amended by Section 2, Chapter 313, O.S.L. 2024 (68 O.S. Supp. 2024,  
17 Section 2357.304), is amended to read as follows:

18 Section 2357.304. A. Except as provided in subsection D of  
19 this section, for ~~taxable years beginning after December 31, 2008,~~  
20 ~~and ending before January 1, 2026~~ tax years 2009 through 2031, a  
21 qualified employee shall be allowed a credit against the tax imposed  
22 pursuant to Section 2355 of this title of up to Five Thousand  
23 Dollars (\$5,000.00) per tax year for a period of time not to exceed  
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1 five (5) years during the lifetime of the qualified employee. This  
2 credit may be claimed in nonconsecutive tax years.

3 B. The credit authorized by this section shall not be used to  
4 reduce the tax liability of the taxpayer to less than zero (0).

5 C. Any credit claimed, but not used, may be carried over, in  
6 order, to each of the five (5) subsequent taxable years.

7 D. No credit otherwise authorized by the provisions of this  
8 section may be claimed for any event, transaction, investment,  
9 expenditure or other act occurring on or after July 1, 2010, for  
10 which the credit would otherwise be allowable. The provisions of  
11 this subsection shall cease to be operative on July 1, 2011.  
12 Beginning July 1, 2011, the credit authorized by this section may be  
13 claimed for any event, transaction, investment, expenditure or other  
14 act occurring on or after July 1, 2011, according to the provisions  
15 of this section.

16 SECTION 4. This act shall become effective November 1, 2025.

17 COMMITTEE REPORT BY: COMMITTEE ON REVENUE AND TAXATION  
18 February 10, 2025 - DO PASS  
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