

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 2087

By: Kane

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5  
6 AS INTRODUCED

7 An Act relating to revenue and taxation; amending 68  
8 O.S. 2021, Section 2357.45, which relates to income  
9 tax credits for donations to certain research  
10 institutes; modifying credit limit for certain  
institute in certain tax years; modifying credit  
amounts; modifying definition; and providing an  
effective date.

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

14 SECTION 1. AMENDATORY 68 O.S. 2021, Section 2357.45, is  
15 amended to read as follows:

16 Section 2357.45. A. 1. For tax years beginning after December  
17 31, 2004, there shall be allowed against the tax imposed by Section  
18 2355 of this title, a credit for any taxpayer who makes a donation  
19 to an independent biomedical research institute and for tax years  
20 beginning after December 31, 2010, a credit for any taxpayer who  
21 makes a donation to a cancer research institute.

22 2. The credit authorized by paragraph 1 of this subsection  
23 shall be limited as follows:  
24

1 a. ~~for calendar year 2007 and all subsequent years~~ tax  
2 years 2007 through 2025, the credit percentage, not to  
3 exceed fifty percent (50%), shall be adjusted annually  
4 so that the total estimate of the credits does not  
5 exceed Two Million Dollars (\$2,000,000.00) annually.  
6 The formula to be used for the percentage adjusted  
7 shall be fifty percent (50%) times One Million Dollars  
8 (\$1,000,000.00) divided by the credits claimed in the  
9 preceding year for each donation to an independent  
10 biomedical research institute and fifty percent (50%)  
11 times One Million Dollars (\$1,000,000.00) divided by  
12 the credits claimed in the preceding year for each  
13 donation to a cancer research institute,

14 b. for tax year 2026 and subsequent tax years, the credit  
15 percentage, not to exceed fifty percent (50%), shall  
16 be adjusted annually so that the total estimate of the  
17 credits does not exceed One Million Five Hundred  
18 Thousand Dollars (\$1,500,000.00) annually for  
19 donations to independent biomedical research  
20 institutes. The formula to be used for the percentage  
21 adjustment shall be fifty percent (50%) times One  
22 Million Five Hundred Thousand Dollars (\$1,500,000.00)  
23 divided by the credits claimed in the second preceding  
24

1           tax year for each donation to an independent  
2           biomedical research institute,  
3       c. for tax year 2026 and subsequent tax years, the credit  
4           percentage, not to exceed fifty percent (50%), shall  
5           be adjusted annually so that the total estimate of the  
6           credits does not exceed Five Hundred Thousand Dollars  
7           (\$500,000.00) annually for donations to cancer  
8           research institutes. The formula to be used for the  
9           percentage adjusted shall be fifty percent (50%) times  
10           Five Hundred Thousand Dollars (\$500,000.00) divided by  
11           the credits claimed in the second preceding year for  
12           each donation to a cancer research institute,  
13       d. (1) in no event shall a taxpayer claim more than one  
14            credit for a donation to any independent  
15            biomedical research institute and one credit for  
16            a donation to a cancer research institute in each  
17            taxable year nor for tax years 2005 through 2025  
18            shall the credit exceed One Thousand Dollars  
19            (\$1,000.00) for each taxpayer ~~for each type of~~  
20            ~~donation,~~ and for tax year 2026 and subsequent  
21            tax years, the credit for donating to a cancer  
22            research institute shall not exceed One Thousand  
23            Dollars (\$1,000.00) for single filers and married  
24            filing separate, or Two Thousand Dollars

1                    (\$2,000.00) for married filing joint, head of  
2                    household, or qualifying widow, or  
3                    (2) for tax year 2026 and subsequent tax years, the  
4                    credit for donations to any independent  
5                    biomedical research institute shall not exceed  
6                    One Thousand Dollars (\$1,000.00) for single  
7                    filers and married filing separate, Two Thousand  
8                    Dollars (\$2,000.00) for married filing joint,  
9                    head of household, and qualifying widow, and  
10                   Twenty-five Thousand Dollars (\$25,000.00) for any  
11                   taxpayer that is a business entity formed under  
12                   the laws of any state, including limited and  
13                   general partnerships, corporations, and limited  
14                   liability companies,

15                   ~~e. for tax year 2011, no more than Fifty Thousand Dollars~~  
16                   ~~(\$50,000.00) in total tax credits for donations to a~~  
17                   ~~cancer research institute shall be allowed,~~

18                   ~~d. in no event shall more than fifty percent (50%) of the~~  
19                   ~~Two Million Dollars (\$2,000,000.00) in total tax~~  
20                   ~~credits authorized by this section, for any calendar~~  
21                   ~~year after the effective date of this act, be~~  
22                   ~~allocated for credits for donations to a cancer~~  
23                   ~~research institute, and~~

1 e. for tax year 2026 and subsequent tax years, in the  
2 event the total tax credits authorized by this section  
3 exceed ~~One Million Dollars (\$1,000,000.00) in any~~  
4 ~~calendar year~~ Five Hundred Thousand Dollars  
5 (\$500,000.00) for ~~either~~ a cancer research institute  
6 or One Million Five Hundred Thousand Dollars  
7 (\$1,500,000.00) for an independent biomedical research  
8 institute, the Oklahoma Tax Commission shall permit  
9 any excess over ~~One Million Dollars (\$1,000,000.00)~~  
10 the applicable limitation amount but shall factor such  
11 excess into the percentage adjustment formula for  
12 subsequent years for ~~that~~ the applicable type of  
13 donation. However, any such adjustment to the formula  
14 for donations to an independent biomedical research  
15 institute shall not affect the formula for donations  
16 to a cancer research institute, and any such  
17 adjustment to the formula for donations to a cancer  
18 research institute shall not affect the formula for  
19 donations to an independent biomedical research  
20 institute.

21 3. For purposes of this section, "independent biomedical  
22 research institute" means an organization in this state which is  
23 exempt from taxation pursuant to the provisions of Section 501(c)(3)  
24 of the Internal Revenue Code of 1986, as amended, 26 U.S.C., Section

1 501(c) (3), whose primary focus is conducting peer-reviewed basic  
2 biomedical research. The organization shall:

- 3 a. have a board of directors,
- 4 b. be able to accept grants in its own name,
- 5 c. be an identifiable institute that has its own  
6 employees and administrative staff, and
- 7 d. receive at least ~~Fifteen Million Dollars~~  
8 ~~(\$15,000,000.00)~~ Twenty Million Dollars  
9 (\$20,000,000.00) in National ~~Institute~~ Institutes of  
10 Health funding each year.

11 4. For purposes of this section, "cancer research institute"  
12 means an organization which is exempt from taxation pursuant to the  
13 Internal Revenue Code of 1986, as amended, and whose primary focus  
14 is raising the standard of cancer clinical care in Oklahoma through  
15 peer-reviewed cancer research and education or a not-for-profit  
16 supporting organization, as that term is defined by the Internal  
17 Revenue Code of 1986, as amended, affiliated with a tax-exempt  
18 organization whose primary focus is raising the standard of cancer  
19 clinical care in Oklahoma through peer-reviewed cancer research and  
20 education. The tax-exempt organization whose primary focus is  
21 raising the standard of cancer clinical care in Oklahoma through  
22 peer-reviewed cancer research and education shall:

- 23 a. either be an independent research institute or a  
24 program that is part of a state university which is a

1 member of The Oklahoma State System of Higher  
2 Education, and

3 b. receive at least Four Million Dollars (\$4,000,000.00)  
4 in National Cancer Institute funding each year.

5 B. In no event shall the amount of the credit exceed the amount  
6 of any tax liability of the taxpayer.

7 C. Any credits allowed but not used in any tax year may be  
8 carried over, in order, to each of the four (4) years following the  
9 year of qualification.

10 D. The Oklahoma Tax Commission shall have the authority to  
11 prescribe forms for purposes of claiming the credit authorized by  
12 this section.

13 SECTION 2. This act shall become effective November 1, 2025.

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15 60-1-10635 AO 01/14/25  
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