

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2755

By: Caldwell (Trey)

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6 AS INTRODUCED

7 An Act relating to revenue and taxation; amending 68
8 O.S. 2021, Section 2357.45, which relates to tax
9 credits for biomedical and cancer research; modifying
10 applicability period for certain tax credit design;
11 creating additional tax credit design for certain
12 applicability period; modifying calculations,
13 amounts, and limitations of certain tax credit;
14 establishing calculations, amounts, and limitations
15 of certain tax credit; and providing an effective
16 date.

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

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

20 Section 2357.45. A. 1. For tax years beginning after December
21 31, 2004, there shall be allowed against the tax imposed by Section
22 2355 of this title, a credit for any taxpayer who makes a donation
23 to an independent biomedical research institute and for tax years
24 beginning after December 31, 2010, a credit for any taxpayer who
makes a donation to a cancer research institute.

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

3 a. (1) ~~for calendar year 2007 and all subsequent years~~
4 tax years 2007 through 2025, the credit
5 percentage, not to exceed fifty percent (50%),
6 shall be adjusted annually so that the total
7 estimate of the credits does not exceed Two
8 Million Dollars (\$2,000,000.00) annually. The
9 formula to be used for the percentage adjusted
10 shall be fifty percent (50%) times One Million
11 Dollars (\$1,000,000.00) divided by the credits
12 claimed in the preceding year for each donation
13 to an independent biomedical research institute
14 and fifty percent (50%) times One Million Dollars
15 (\$1,000,000.00) divided by the credits claimed in
16 the preceding year for each donation to a cancer
17 research institute, and

18 (2) for tax years 2026 and subsequent tax years:

19 (a) a credit percentage not to exceed fifty
20 percent (50%), shall be adjusted annually so
21 that the total estimate of the credits does
22 not exceed One Million Five Hundred Thousand
23 Dollars (\$1,500,000.00) annually for
24 donations to independent biomedical research

1 institutes. The formula to be used for the
2 percentage adjusted shall be fifty percent
3 (50%) times One Million Five Hundred
4 Thousand Dollars (\$1,500,000.00) divided by
5 the credits claimed in the preceding year
6 for each donation to an independent
7 biomedical research institute, and

8 (b) a credit percentage not to exceed fifty
9 percent (50%), shall be adjusted annually so
10 that the total estimate of the credits does
11 not exceed Five Hundred Thousand Dollars
12 (\$500,000.00) annually for donations to
13 cancer research institutes. The formula to
14 be used for the percentage adjusted shall be
15 fifty percent (50%) times Five Hundred
16 Thousand Dollars (\$500,000.00) divided by
17 the credits claimed in the preceding years
18 for each donation to a cancer research
19 institute,

20 b. (1) in no event shall a taxpayer claim more than one
21 credit for a donation to any independent
22 biomedical research institute and one credit for
23 a donation to a cancer research institute in each
24 taxable year nor for tax years 2005 through 2025

1 shall the credit exceed One Thousand Dollars
2 (\$1,000.00) for each taxpayer ~~for each type of~~
3 ~~donation~~ and for tax year 2026 and subsequent tax
4 years, the credit for donating to a cancer
5 research institute shall not exceed One Thousand
6 Dollars (\$1,000.00) for single filers and married
7 filing separate, Two Thousand Dollars (\$2,000.00)
8 for married filing joint, head of household, or
9 qualifying widow, or

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

22 c. ~~for tax year 2011, no more than Fifty Thousand Dollars~~
23 ~~(\$50,000.00) in total tax credits for donations to a~~
24 ~~cancer research institute shall be allowed,~~

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

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

1 donations to an independent biomedical research
2 institute.

3 3. For purposes of this section, "independent biomedical
4 research institute" means an organization in this state which is
5 exempt from taxation pursuant to the provisions of Section 501(c)(3)
6 of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3) whose
7 primary focus is conducting peer-reviewed basic biomedical research.
8 The organization shall:

- 9 a. have a board of directors,
- 10 b. be able to accept grants in its own name,
- 11 c. be an identifiable institute that has its own
12 employees and administrative staff, and
- 13 d. receive at least ~~Fifteen Million Dollars~~
14 ~~(\$15,000,000.00)~~ Twenty Million Dollars
15 (\$20,000,000.00) in National ~~Institute~~ Institutes of
16 Health funding each year.

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

1 peer-reviewed cancer research and education. The tax-exempt
2 organization whose primary focus is raising the standard of cancer
3 clinical care in Oklahoma through peer-reviewed cancer research and
4 education shall:

5 a. either be an independent research institute or a
6 program that is part of a state university which is a
7 member of The Oklahoma State System of Higher
8 Education, and

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

11 B. In no event shall the amount of the credit exceed the amount
12 of any tax liability of the taxpayer.

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

16 D. The Tax Commission shall have the authority to prescribe
17 forms for purposes of claiming the credit authorized by this
18 section.

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

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21 60-1-11006 JM 01/08/25

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