

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2839

By: Burns

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6 AS INTRODUCED

7 An Act relating to revenue and taxation; enacting the
8 County Road and Bridge Funding Incentive Act of 2025;
9 providing income tax credit for donations to certain
10 counties; specifying amount of income tax credit;
11 providing for credit percentage based upon county
12 population; providing method for determination of
13 county population; prohibiting reduction of income
14 tax liability to less than specified amount;
15 prohibiting claim of income tax credit by legal
16 entities other than natural persons acting in
17 individual capacity; authorizing carryover; providing
18 for fiscal year limit on total credits available;
19 prescribing procedures for computation of fiscal year
20 limit; providing for noncodification; providing for
21 codification; and providing an effective date.

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

23 SECTION 1. NEW LAW A new section of law not to be
24 codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "County Road and
Bridge Funding Incentive Act of 2025".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2357.901 of Title 68, unless
there is created a duplication in numbering, reads as follows:

1 A. For taxable years beginning on or after January 1, 2026, and
2 ending not later than December 31, 2031, there shall be allowed as a
3 credit against the tax imposed pursuant to Section 2355 of Title 68
4 of the Oklahoma Statutes upon the taxable income of natural persons,
5 for a qualified donation made by a natural person acting in their
6 individual capacity to a county for deposit into its County Road and
7 Bridge Incentive Account of its donation fund as follows:

8 1. One hundred percent (100%) of the amount of the donation to
9 a county with a population of less than twenty-five thousand
10 (25,000) persons;

11 2. Seventy-five percent (75%) of the amount of the donation to
12 a county with a population of at least twenty-five thousand (25,000)
13 persons but not more than fifty thousand (50,000) persons;

14 3. Fifty percent (50%) of the amount of the donation to a
15 county with a population of at least fifty thousand (50,000) persons
16 but not more than seventy-five thousand (75,000) persons; or

17 4. Twenty-five percent (25%) of the amount of the donation to a
18 county with a population of more than seventy-five thousand (75,000)
19 persons, but not more than one hundred thousand (100,000) persons.

20 B. No tax credit otherwise authorized by this section shall be
21 claimed for a donation to a county having a population in excess of
22 one hundred thousand (100,000) persons.

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1 C. All population determinations required by this section shall
2 be governed by the Federal Decennial Census or most recent
3 population estimate based on the date of the donation.

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

6 E. The credit otherwise authorized by this section may only be
7 used by a natural person for a donation made by that natural person
8 in their individual capacity and shall not be claimed by any other
9 legal entity.

10 F. To the extent not used the credit authorized by this section
11 may be carried over, in order, to each of the five (5) succeeding
12 taxable years.

13 G. For tax years beginning on or after January 1, 2026, and
14 ending not later than December 31, 2031, the total amount of credits
15 authorized by this section used to offset tax shall be adjusted
16 annually to limit the annual amount of credits to Twenty-five
17 Million Dollars (\$25,000,000.00). The Tax Commission shall annually
18 calculate and publish a percentage by which the credits authorized
19 by this section shall be reduced so the total amount of credits used
20 to offset tax does not exceed Twenty-five Million Dollars
21 (\$25,000,000.00) per year. The formula to be used for the
22 percentage adjustment shall be Twenty-five Million Dollars
23 (\$25,000,000.00) divided by the credits used to offset tax in the
24 second preceding year.

1 H. Pursuant to subsection G of this section, in the event the
2 total tax credits authorized by this section exceed Twenty-five
3 Million Dollars (\$25,000,000.00) in any calendar year, the Tax
4 Commission shall permit any excess over Twenty-five Million Dollars
5 (\$25,000,000.00), but shall factor such excess into the percentage
6 adjustment formula for subsequent years.

7 I. Each county treasurer of the county to which a donation can
8 be made to qualify for the tax credit authorized by this section
9 shall create within the county donation fund an account to be
10 designated the "County Road and Bridge Incentive Account" and any
11 donation made to the county by a natural person for the purpose of
12 qualifying for the income tax credit authorized by this section
13 shall be credited to such account. No funds in the account may be
14 used to acquire new equipment, but may be used for repairs to
15 existing equipment acquired with other funds of the county or
16 acquired by other methods. The balance of the account may be used
17 by the county for improvements to county roads or bridges in
18 accordance with other requirements of law governing such
19 expenditure.

20 SECTION 3. This act shall become effective January 1, 2026.

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