

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 469

By: Woods

AS INTRODUCED

An Act relating to the Oklahoma Emission Reduction Technology Rebate Program; amending Section 4, Chapter 346, O.S.L. 2022, as amended by Section 3, Chapter 353, O.S.L. 2024 (68 O.S. Supp. 2024, Section 55009), which relates to the Oklahoma Emission Reduction Technology Incentive Act; modifying eligibility requirements for rebate payment; clarifying statutory language; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 4, Chapter 346, O.S.L. 2022, as amended by Section 3, Chapter 353, O.S.L. 2024 (68 O.S. Supp. 2024, Section 55009), is amended to read as follows:

Section 55009. A. Upon July 1, 2022, there is hereby created the Oklahoma Emission Reduction Technology Rebate Program. There is hereby created a rebate in the amount of up to twenty-five percent (25%) of documented expenditures made in this state directly attributable to the implementation of a qualified Emission Reduction Project.

1 B. The rebate program shall be administered by the Department
2 of Environmental Quality and the Oklahoma Tax Commission, as
3 provided in the Oklahoma Emission Reduction Technology Incentive
4 Act.

5 C. To be eligible for a rebate payment:

6 1. The applicant responsible for the implementation of a
7 qualified Emission Reduction Project in this state shall submit
8 documentation to the Department of Environmental Quality no later
9 than six (6) months after the end of the fiscal year in which the
10 ~~expenditures were made~~ implementation of the qualified Emission
11 Reduction Project was completed, stating the amount of expenditures
12 made in this state directly related to the implementation of the
13 qualified Emission Reduction Project; provided, all applications for
14 rebate payment shall be submitted to the Department no later than
15 six (6) months prior to the date of cessation of the Oklahoma
16 Emission Reduction Technology Rebate Program, as provided in Section
17 55012 of this title. The Department of Environmental Quality shall
18 additionally establish a process whereby an applicant may submit a
19 rebate payment application for preliminary review and approval prior
20 to the expenditure of project funds. Any approval through this
21 alternative process shall be subject to final approval as determined
22 necessary by the Department of Environmental Quality;

23 2. The applicant has filed all Oklahoma tax returns and tax
24 documents which are required by the laws of this state; and

1 3. The applicant shall provide evidence of a certificate of
2 general liability insurance with a minimum coverage of One Million
3 Dollars (\$1,000,000.00) and a workers' compensation policy pursuant
4 to the laws of this state which shall include coverage of employer's
5 liability.

6 D. The Department of Environmental Quality shall approve or
7 disapprove all claims for a rebate payment and shall notify the
8 Oklahoma Tax Commission. The Tax Commission shall, upon
9 notification of final approval from the Department of Environmental
10 Quality, issue a rebate payment for all approved claims from funds
11 in the Oklahoma Emission Reduction Technology Upstream and Midstream
12 Incentive Revolving Fund and the Oklahoma Emission Reduction
13 Technology Downstream Incentive Revolving Fund, both created in
14 Section 55010 of this title. If the amount of the approved claims
15 exceeds the amount available in either fund, during a fiscal year,
16 payments shall be made proportionally to all the parties making a
17 claim prior to the deadline which is approved by the Department of
18 Environmental Quality.

19 E. Approved claims for rebate that exceed the balance of the
20 Oklahoma Emission Reduction Technology Upstream and Midstream
21 Incentive Revolving Fund and the Oklahoma Emission Reduction
22 Technology Downstream Incentive Revolving Fund, both created in
23 Section 55010 of this title, may be paid in part and the unpaid
24 portion shall be paid upon the applicable fund reaching a sufficient

1 balance in the order in which the claims are approved by the
2 Department.

3 SECTION 2. This act shall become effective July 1, 2025.

4 SECTION 3. It being immediately necessary for the preservation
5 of the public peace, health or safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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