

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 798

By: Stipe

COMMITTEE SUBSTITUTE

[Higher education and economic development -
creating the Economic Development Through Education
Act - amending 70 O.S. 1991, Section 3218.2 -
effective date -

emergency]

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2357.70 of Title 68, unless
there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Economic
Development Through Education Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2357.71 of Title 68, unless
there is created a duplication in numbering, reads as follows:

A. For taxable years beginning after December 31, 1998, there
shall be allowed a credit against the tax imposed by Section 2355 of
Title 68 of the Oklahoma Statutes for student loan payments made by
the taxpayer which meet the requirements of this section.

B. To qualify for the credit provided for in this section:

1. The loan payment must be for repayment of a loan made for the cost of attendance at an institution of higher education recognized by the State Regents for Higher Education; and

2. The loan must have been made after the effective date of this act; and

3. The taxpayer must have obtained an associate's or more advanced degree from an institution of higher education recognized by the State Regents for Higher Education.

C. The credit shall be in the amount of the loan repayments made in the tax year, provided, the credit shall not exceed the amount of tax liability incurred on income earned from employment in Oklahoma. If the tax credit exceeds the amount of taxes due or if there are no state taxes due of the taxpayer, the amount of the claim not used as an offset against the taxes of a taxable year may be carried forward for a period not to exceed ten (10) taxable years from the date of graduation.

D. The Tax Commission shall promulgate rules as may be necessary and appropriate to implement the provisions of this section.

SECTION 3. AMENDATORY 70 O.S. 1991, Section 3218.2, is amended to read as follows:

Section 3218.2 General enrollment fees, nonresident tuition, and other fees to be required of students receiving instruction or other academic services provided by institutions within The Oklahoma State System of Higher Education shall be established by the Oklahoma State Regents for Higher Education ~~within limits prescribed by the Legislature~~ in an amount necessary for the operation of such institutions. Nothing in ~~this act~~ the Oklahoma Higher Education Code shall be construed as limiting or prohibiting the requirement of payment for goods or services provided by auxiliary enterprises operated by or in conjunction with institutions of The Oklahoma

State System of Higher Education and authorized by the Oklahoma State Regents for Higher Education.

SECTION 4. REPEALER 70 O.S. 1991, Section 3218.8, as last amended by Section 1, Chapter 303, O.S.L. 1997, Section 6, Chapter 348, O.S.L. 1993, as last amended by Section 2, Chapter 303, O.S.L. 1997, and 70 O.S. 1991, Sections 3218.9, as last amended by Section 3, Chapter 303, O.S.L. 1997, 3218.10, as amended by Section 3, Chapter 348, O.S.L. 1993, and 3218.11, as amended by Section 4, Chapter 348, O.S.L. 1993 (70 O.S. Supp. 1997, Sections 3218.8, 3218.8a, 3218.9, 3218.10 and 3218.11), are hereby repealed.

SECTION 5. This act shall become effective July 1, 1998.

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

46-2-2725 RWT (<time=system>)