

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 3293

By: Ferguson

AS INTRODUCED

An Act relating to revenue and taxation; authorizing a tax credit for the operation of a dry litter poultry waste management system; specifying certain types of disposal authorized; providing for calculation of credit; providing percentages of credit; setting maximum amount; requiring certain information; defining term; providing for codification; and providing an effective date.

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 2357.66 of Title 68, unless there is created a duplication in numbering, reads as follows:

For all taxable years beginning after December 31, 1998, any taxpayer operating a dry litter poultry waste management system who:

1. Provides for the land application of the dry litter one hundred (100) miles or more from the location of the poultry operation producing the dry litter; or

2. Transports the dry litter to a facility which recycles the litter into other agricultural products or commodities, may claim a credit against the tax imposed by Section 2355 of Title 68 of the Oklahoma Statutes. In determining the amount of credit

allowed, the taxpayer may include in the total costs of installation and operation of the dry litter poultry waste management system the transportation costs for purposes of the allowable tax credit provided for in this section. The total cost allowed to be claimed shall not exceed Twenty-five Thousand Dollars (\$25,000.00).

3. The following percentages of expenditures shall be allowed as a credit pursuant to the provisions of this section for the taxable year in which the costs are incurred.

Taxable year

- | | | |
|----|------|-----|
| a. | 1999 | 50% |
| b. | 2000 | 50% |
| c. | 2001 | 40% |

4. An itemized accounting of the cost and affidavit attesting to the facts of transportation and land disposal or recycling shall be furnished by the taxpayer to the State Tax Commission. The itemized accounting shall include the amounts properly attributable to the cost of construction, installation, transportation and operation of the dry litter poultry waste management system.

5. For purposes of this section, the term "dry litter poultry waste management system" means a combination of structures and nonstructural practices serving a poultry feeding operation that provides for the collection, treatment, disposal, distribution, storage and land application of dry litter poultry waste. A dry litter poultry waste management system may include liquid poultry waste, but shall exclude those poultry feeding operations designed for poultry production using a continuous overflow watering system or a liquid manure system, unless such operation also has a dry litter poultry waste management system.

SECTION 2. This act shall become effective January 1, 1999.

46-2-9054

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