

ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 1451

By: Hobson of the Senate

and

Miller (Doug) of the
House

[revenue and taxation - income tax credits - small
wind turbines - codification -
effective date]

AUTHORS: Add the following House Coauthors: Nance, Balkman, Smith
(Hopper), Greenwood, Coleman and Askins

AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire bill and insert

“(revenue and taxation - income tax credits - small
wind turbines - codification -
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 2357.32B of Title 68, unless there
is created a duplication in numbering, reads as follows:

A. For tax years beginning on or after January 1, 2003, and
ending on or before December 31, 2005, there shall be allowed a
credit against the tax imposed by Section 2355 of Title 68 of the
Oklahoma Statutes to Oklahoma manufacturers of advanced small wind
turbines. As used in this section:

1. “Oklahoma manufacturers” means manufacturers who operate
facilities located in this state which have the capability to

manufacture small wind turbine products, including rotor blade and alternator fabrication; and

2. "Advanced small wind turbines" means wind turbines that meet the following requirements:

- a. have a rated capacity not to exceed fifty kilowatts (50 kw),
- b. incorporate advanced technologies such as new airfoils, new generators, and new power electronics, variable speed,
- c. at least one unit of each model has been installed for testing at the US-DOE National Wind Technology Center, and
- d. meet all I.E.E.E. standards applicable to interconnection of small turbines or distributed generation devices of this size.

B. The amount of the credit shall be based on the square footage of rotor swept area of advanced small wind turbines manufactured in this state. The amount of the credit shall be Twenty-five Dollars (\$25.00) per square foot produced in calendar year 2003, Twelve Dollars and fifty cents (\$12.50) per square foot produced in calendar year 2004, and Six Dollars and twenty-five cents (\$6.25) per square foot produced in calendar year 2005.

C. The companies claiming the credit allowed by this section shall agree in advance to allow their production and claims to be audited by the Oklahoma Tax Commission and they must be able to show that they have made economic development investments in this state over the period of time for which the credit was received that exceed the amount of credit claimed.

D. If the amount of the credits allowed pursuant to this section exceeds the amount of income taxes due or if there are no state income taxes due on the income of the taxpayer, the amount of the credit allowed but not used in any taxable year may be carried

forward as a credit against subsequent income tax liability for a period not exceeding ten (10) years.

SECTION 2. This act shall become effective November 1, 2002."

Passed the House of Representatives the 23rd day of April, 2002.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2002.

Presiding Officer of the Senate