

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2617

By: Proctor

4  
5  
6 AS INTRODUCED

7 An Act relating to revenue and taxation; requiring  
8 certain taxpayers to repay amounts received as  
9 incentive payments or reductions in tax liability  
10 under specified conditions; providing interest  
penalty; requiring Oklahoma Tax Commission to  
promulgate certain rules; providing for codification;  
and providing an effective date.

11  
12  
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 271 of Title 68, unless there is  
16 created a duplication in numbering, reads as follows:

17 Notwithstanding any other provision of law, if a taxpayer  
18 receives any incentive payment or reduction in tax liability for job  
19 creation pursuant to the Oklahoma Quality Jobs Program Act, Saving  
20 Quality Jobs Act, Former Military Facility Development Act, Small  
21 Employer Quality Jobs Incentive Act, Oklahoma Research and  
22 Development Incentives Act, or under Section 2357.4 or 2902 of Title  
23 68 of the Oklahoma Statutes, or pursuant to any other provisions of  
24 law now or hereinafter enacted and such taxpayer subsequently

1 | relocates outside this country with respect to the activity for  
2 | which the incentive or reduction was granted within ten (10) years  
3 | from receipt of the first incentive or reduction, the taxpayer shall  
4 | be required to repay such amounts along with a four and one half  
5 | percent (4.5%) penalty. Acceptance of any incentive payment or  
6 | reduction in tax liability for job creation shall impose upon the  
7 | taxpayer a binding and enforceable agreement pursuant to the  
8 | provisions of this section. The Oklahoma Tax Commission shall  
9 | promulgate rules for repayment, including audit and appeal  
10 | procedures.

11 | SECTION 2. This act shall become effective November 1, 2010.

12 |

13 | 52-2-8603           CJB           01/04/10

14 |

15 |

16 |

17 |

18 |

19 |

20 |

21 |

22 |

23 |

24 |