

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 1136

By: Bass

4
5
6 AS INTRODUCED

7 An Act relating to revenue and taxation; creating the
8 Healthy Choices Tax Credit; providing short title;
9 providing for an income tax credit for certain
10 expenditures relating to providing nutritional
11 information; limiting amount of credit; setting
12 eligibility requirements; defining terms; providing
13 for carryforward of unused credit; requiring Oklahoma
14 Tax Commission to promulgate rules; providing for
15 noncodification; providing for codification; and
16 providing an effective date.

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

18 SECTION 1. NEW LAW A new section of law not to be
19 codified in the Oklahoma Statutes reads as follows:

20 This act shall be known as may be cited as the "Healthy Choices
21 Tax Credit".

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 2357.305 of Title 68, unless
24 there is created a duplication in numbering, reads as follows:

A. For taxable years beginning after December 31, 2009, there
shall be allowed a credit against the tax imposed by Section 2355 of
Title 68 of the Oklahoma Statutes to a food facility for up to

1 twenty percent (20%) of the expenses resulting from the disclosure
2 of nutritional information as required by Enrolled Senate Bill
3 No. _____ of the 1st Session of the 52nd Oklahoma Legislature. In no
4 event shall the amount of the credit exceed Five Thousand Dollars
5 (\$5,000.00) for each taxpayer.

6 B. In order to qualify for the tax credit provided for in
7 subsection A of this section, the food facility shall comply with
8 all requirements pursuant to Enrolled Senate Bill No. _____ of the
9 1st Session of the 52nd Oklahoma Legislature and shall not have been
10 assessed a fine pursuant to subsection D of Section 3 of Enrolled
11 Senate Bill No. _____ of the 1st Session of the 52nd Oklahoma
12 Legislature.

13 C. As used in this section:

14 1. "Food facility" has the same meaning as defined in paragraph
15 5 of Section 1 of Enrolled Senate Bill No. _____ of the 1st Session
16 of the 52nd Oklahoma Legislature; and

17 2. "Expenses" means printing, signage and testing for
18 nutritional information.

19 D. In no event shall the amount of the credit exceed the amount
20 of any tax liability of the taxpayer.

21 E. Any credits allowed but not used in any tax year may be
22 carried over, in order, to each of the four (4) years following the
23 year of qualification.

24

1 F. The Oklahoma Tax Commission shall promulgate such rules as
2 may be necessary to implement the provisions of this act.

3 SECTION 3. This act shall become effective November 1, 2009.
4

5 52-1-1330 JCR 3/6/2009 1:53:00 AM
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24