

1 ENGROSSED SENATE  
2 BILL NO. 154

By: Mazzei of the Senate

3 and

4 Dank of the House

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7 [ Oklahoma Quality Jobs Program Act - calculation of  
8 incentive payments - application of provision -  
9 updating reference - effective date ]

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

11 SECTION 1. AMENDATORY Section 5, Chapter 376, O.S.L.  
12 2003 (68 O.S. Supp. 2010, Section 3612), is amended to read as  
13 follows:

14 Section 3612. A. For purposes of the determination required to  
15 be made by the Department of Commerce pursuant to paragraph 2 of  
16 subsection A of Section 3603 of ~~Title 68 of the Oklahoma Statutes~~  
17 this title with respect to a change in control event pursuant to the  
18 Oklahoma Quality Jobs Program Act, the Department of Commerce shall  
19 include jobs created by an establishment as a result of a retained,  
20 expanded or new facility if:

21 1. The establishment and jobs are defined or classified under  
22 Industry Number 326211 of the NAICS Manual;

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1           2. The jobs were not created by the establishment more than  
2 fourteen (14) calendar quarters prior to the date of approval of the  
3 application by the Department of Commerce; and

4           3. The establishment's application has been approved by the  
5 Department of Commerce prior to March 30, 1997.

6           B. For the purpose of calculating incentive payments as  
7 provided by Section 3606 of ~~Title 68 of the Oklahoma Statutes~~ this  
8 title, the Oklahoma Tax Commission shall include payroll for those  
9 jobs which meet the requirements of subsection A of this section  
10 regardless of whether such jobs fall within the definition of a new  
11 direct job; provided, an establishment shall in no event be entitled  
12 to such incentive payments on payroll for those jobs which meet the  
13 requirements of subsection A of this section made prior to the  
14 ~~effective date of this act~~ July 1, 2003. No claims may be made for  
15 such payroll prior to July 1, 2004.

16           SECTION 2. This act shall become effective November 1, 2011.

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1 Passed the Senate the 28th day of February, 2011.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2011.

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9 Presiding Officer of the House  
10 of Representatives