

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2293

By: Proctor and Derby

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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; permanently prohibiting
11 incentives under specified conditions; requiring
12 Oklahoma Tax Commission to promulgate certain rules;
13 providing for codification; and providing an
14 effective date.

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

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

19 Notwithstanding any other provision of law, if a taxpayer
20 receives any incentive payment or reduction in tax liability for job
21 creation pursuant to any such incentive which results in a revenue
22 impact to the state, or pursuant to any other provisions of law now
23 or hereinafter enacted and such taxpayer subsequently relocates the
24 job or jobs outside this state for which the incentive or reduction
was granted within ten (10) years from receipt of the incentive or
reduction, the taxpayer shall be required to repay such incentive or

1 reduction amounts within sixty (60) days of relocating the jobs and
2 shall be permanently ineligible to receive any incentive payment or
3 reduction in tax liability in this state in the future. Acceptance
4 of any incentive payment or reduction in tax liability for job
5 creation shall impose upon the taxpayer a binding and enforceable
6 agreement pursuant to the provisions of this section. The Oklahoma
7 Tax Commission shall promulgate rules for repayment, including audit
8 and appeal procedures.

9 SECTION 2. This act shall become effective November 1, 2012.

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