

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1152

By: Mazzei and Fields of the
Senate

3
4 and

Sears of the House
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8 An Act relating to income tax; amending 68 O.S. 2011,
9 Section 2357.47, which relates to tax credits for
10 certain expenses paid by an employer; limiting time
period during which certain credits are allowed; and
providing an effective date.

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13 AMENDMENT NO. 1. Page 1, Section 1, line 15, delete the figure
14 "2017" and insert in lieu thereof the figure
"2015"

15 Passed the House of Representatives the 3rd day of April, 2014.
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18 _____
Presiding Officer of the House of
19 Representatives

20 Passed the Senate the ____ day of _____, 2014.
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Presiding Officer of the Senate
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6 An Act relating to income tax; amending 68 O.S. 2011,
7 Section 2357.47, which relates to tax credits for
8 certain expenses paid by an employer; limiting time
9 period during which certain credits are allowed; and
10 providing an effective date.

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

11 SECTION 1. AMENDATORY 68 O.S. 2011, Section 2357.47, is
12 amended to read as follows:

13 Section 2357.47. A. 1. Except as otherwise provided in
14 subsection D of this section, for tax years beginning after December
15 31, 2005, and ending before January 1, 2017, there shall be allowed
16 against the tax imposed by Section 2355 of this title, a credit for
17 eligible wages paid by an employer to an employee. The amount of
18 the credit shall be ten percent (10%) of the amount of the gross
19 wages paid to the employee for a period not to exceed ninety (90)
20 days but in no event shall the credit exceed Five Thousand Dollars
21 (\$5,000.00) for each employee of each taxpayer. In no event shall
22 the total credit claimed exceed Twenty-five Thousand Dollars
23 (\$25,000.00) in any one year for any taxpayer.

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1 2. Except as otherwise provided by subsection D of this
2 section, for tax years beginning after December 31, 2005, and ending
3 before January 1, 2017, there shall be allowed against the tax
4 imposed by Section 2355 of this title, a credit for eligible
5 modification expenses of an employer. The amount of the credit
6 shall be fifty percent (50%) of the amount of the funds expended for
7 eligible modification expenses or new tools or equipment but in no
8 event shall the credit exceed One Thousand Dollars (\$1,000.00) for
9 eligible modification expenses incurred for any single employee. In
10 no event shall the total credit claimed exceed Ten Thousand Dollars
11 (\$10,000.00) in any year for any taxpayer.

12 3. As used in this section:

- 13 a. "employee", "employer", "maximum medical improvement",
14 "treating physician", and "wages" shall be defined as
15 in ~~Section 3 of~~ Title 85 of the Oklahoma Statutes,
16 b. "eligible wages" means gross wages paid by an employer
17 to an employee who is injured as a result of an injury
18 which is compensable under ~~the Workers' Compensation~~
19 ~~Act~~ Title 85 of the Oklahoma Statutes and which are
20 paid beginning when the employee returns to work with
21 restricted duties as provided by the employee's
22 treating physician or an independent medical examiner
23 before the employee has reached maximum medical
24 improvement, and ending after ninety (90) days or when

1 the employee has reached maximum medical improvement,
2 and

3 c. "eligible modification expenses" means expenses
4 incurred by an employer to modify a workplace, tools
5 or equipment or to obtain new tools or equipment and
6 which are incurred by an employer solely to enable a
7 specific injured employee who is injured as a result
8 of an injury which is compensable under the Workers'
9 Compensation Act to return to work with restricted
10 duties as provided by the employee's treating
11 physician or an independent medical examiner before
12 the employee has reached maximum medical improvement,
13 and which workplace, tools or equipment are used
14 primarily by the injured employee.

15 B. In no event shall the amount of the credit(s) exceed the
16 amount of any tax liability of the taxpayer.

17 C. The Oklahoma Tax Commission shall have the authority to
18 promulgate rules necessary to effectuate the purposes of this
19 section.

20 D. No credit otherwise authorized by the provisions of this
21 section may be claimed for any event, transaction, investment,
22 expenditure or other act occurring on or after July 1, 2010, for
23 which the credit would otherwise be allowable. The provisions of
24 this subsection shall cease to be operative on July 1, 2012.

1 Beginning July 1, 2012, the credit authorized by this section may be
2 claimed for any event, transaction, investment, expenditure or other
3 act occurring on or after July 1, 2012, according to the provisions
4 of this section.

5 SECTION 2. This act shall become effective November 1, 2014.

6 Passed the Senate the 25th day of February, 2014.

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Presiding Officer of the Senate

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10 Passed the House of Representatives the ____ day of _____,
11 2014.

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Presiding Officer of the House
of Representatives

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