

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 3291

By: Osborn, Cockroft, Turner,  
Newell, Hall, Echols,  
Brumbaugh and Wright

7 AS INTRODUCED

8 An Act relating to revenue and taxation; amending 68  
9 O.S. 2011, Section 2355, as amended by Section 2,  
10 Chapter 253, O.S.L. 2013 (68 O.S. Supp. 2013, Section  
11 2355), which relates to income tax rate upon  
12 individuals and business entities; modifying  
13 provisions enacted pursuant to Enrolled House Bill  
14 No. 2032 of the 1st Session of the 54th Oklahoma  
15 Legislature; amending 68 O.S. 2011, Section 2355, as  
16 last amended by Section 1 of this act, which relates  
17 to income tax rates upon individuals and business  
18 entities; modifying top marginal rate of income tax  
19 upon individuals; repealing Section 3, Chapter 253,  
20 O.S.L. 2013 (68 O.S. Supp. 2013, Section 2355.1E),  
21 which relates to certain revenue estimates by the  
22 State Board of Equalization; and providing an  
23 effective date.

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

20 SECTION 1. AMENDATORY 68 O.S. 2011, Section 2355, as  
21 amended by Section 2, Chapter 253, O.S.L. 2013 (68 O.S. Supp. 2013,  
22 Section 2355), is amended to read as follows:

23 Section 2355. A. Individuals. For all taxable years beginning  
24 after December 31, 1998~~7~~ and before January 1, 2006, a tax is hereby

1 imposed upon the Oklahoma taxable income of every resident or  
2 nonresident individual, which tax shall be computed at the option of  
3 the taxpayer under one of the two following methods:

4 1. METHOD 1.

5 a. Single individuals and married individuals filing  
6 separately not deducting federal income tax:

7 (1) 1/2% tax on first \$1,000.00 or part thereof,

8 (2) 1% tax on next \$1,500.00 or part thereof,

9 (3) 2% tax on next \$1,250.00 or part thereof,

10 (4) 3% tax on next \$1,150.00 or part thereof,

11 (5) 4% tax on next \$1,300.00 or part thereof,

12 (6) 5% tax on next \$1,500.00 or part thereof,

13 (7) 6% tax on next \$2,300.00 or part thereof, and

14 (8) (a) for taxable years beginning after December  
15 31, 1998, and before January 1, 2002, 6.75%  
16 tax on the remainder,

17 (b) for taxable years beginning on or after  
18 January 1, 2002, and before January 1, 2004,  
19 7% tax on the remainder, and

20 (c) for taxable years beginning on or after  
21 January 1, 2004, 6.65% tax on the remainder.

22 b. Married individuals filing jointly and surviving  
23 spouse to the extent and in the manner that a  
24 surviving spouse is permitted to file a joint return

1 under the provisions of the Internal Revenue Code and  
2 heads of households as defined in the Internal Revenue  
3 Code not deducting federal income tax:

4 (1) 1/2% tax on first \$2,000.00 or part thereof,

5 (2) 1% tax on next \$3,000.00 or part thereof,

6 (3) 2% tax on next \$2,500.00 or part thereof,

7 (4) 3% tax on next \$2,300.00 or part thereof,

8 (5) 4% tax on next \$2,400.00 or part thereof,

9 (6) 5% tax on next \$2,800.00 or part thereof,

10 (7) 6% tax on next \$6,000.00 or part thereof, and

11 (8) (a) for taxable years beginning after December

12 31, 1998, and before January 1, 2002, 6.75%

13 tax on the remainder,

14 (b) for taxable years beginning on or after

15 January 1, 2002, and before January 1, 2004,

16 7% tax on the remainder, and

17 (c) for taxable years beginning on or after

18 January 1, 2004, 6.65% tax on the remainder.

19 2. METHOD 2.

20 a. Single individuals and married individuals filing  
21 separately deducting federal income tax:

22 (1) 1/2% tax on first \$1,000.00 or part thereof,

23 (2) 1% tax on next \$1,500.00 or part thereof,

24 (3) 2% tax on next \$1,250.00 or part thereof,

- 1 (4) 3% tax on next \$1,150.00 or part thereof,
- 2 (5) 4% tax on next \$1,200.00 or part thereof,
- 3 (6) 5% tax on next \$1,400.00 or part thereof,
- 4 (7) 6% tax on next \$1,500.00 or part thereof,
- 5 (8) 7% tax on next \$1,500.00 or part thereof,
- 6 (9) 8% tax on next \$2,000.00 or part thereof,
- 7 (10) 9% tax on next \$3,500.00 or part thereof, and
- 8 (11) 10% tax on the remainder.

9 b. Married individuals filing jointly and surviving  
10 spouse to the extent and in the manner that a  
11 surviving spouse is permitted to file a joint return  
12 under the provisions of the Internal Revenue Code and  
13 heads of households as defined in the Internal Revenue  
14 Code deducting federal income tax:

- 15 (1) 1/2% tax on the first \$2,000.00 or part thereof,
- 16 (2) 1% tax on the next \$3,000.00 or part thereof,
- 17 (3) 2% tax on the next \$2,500.00 or part thereof,
- 18 (4) 3% tax on the next \$1,400.00 or part thereof,
- 19 (5) 4% tax on the next \$1,500.00 or part thereof,
- 20 (6) 5% tax on the next \$1,600.00 or part thereof,
- 21 (7) 6% tax on the next \$1,250.00 or part thereof,
- 22 (8) 7% tax on the next \$1,750.00 or part thereof,
- 23 (9) 8% tax on the next \$3,000.00 or part thereof,
- 24 (10) 9% tax on the next \$6,000.00 or part thereof, and

1 (11) 10% tax on the remainder.

2 B. Individuals. For all taxable years beginning on or after  
3 January 1, 2008, ~~and ending not later than December 31, 2014,~~ a tax  
4 is hereby imposed upon the Oklahoma taxable income of every resident  
5 or nonresident individual, which tax shall be computed as follows:

6 1. Single individuals and married individuals filing  
7 separately:

8 (a) 1/2% tax on first \$1,000.00 or part thereof,

9 (b) 1% tax on next \$1,500.00 or part thereof,

10 (c) 2% tax on next \$1,250.00 or part thereof,

11 (d) 3% tax on next \$1,150.00 or part thereof,

12 (e) 4% tax on next \$2,300.00 or part thereof,

13 (f) 5% tax on next \$1,500.00 or part thereof,

14 (g) 5.50% tax on the remainder for the 2008 tax year and  
15 any subsequent tax year unless the rate prescribed by  
16 subparagraph (h) of this paragraph is in effect, and

17 (h) 5.25% tax on the remainder for the 2009 and subsequent  
18 tax years. The decrease in the top marginal  
19 individual income tax rate otherwise authorized by  
20 this subparagraph shall be contingent upon the  
21 determination required to be made by the State Board  
22 of Equalization pursuant to Section 2355.1A of this  
23 title.  
24

1        2. Married individuals filing jointly and surviving spouse to  
2 the extent and in the manner that a surviving spouse is permitted to  
3 file a joint return under the provisions of the Internal Revenue  
4 Code and heads of households as defined in the Internal Revenue  
5 Code:

- 6            (a) 1/2% tax on first \$2,000.00 or part thereof,
- 7            (b) 1% tax on next \$3,000.00 or part thereof,
- 8            (c) 2% tax on next \$2,500.00 or part thereof,
- 9            (d) 3% tax on next \$2,300.00 or part thereof,
- 10           (e) 4% tax on next \$2,400.00 or part thereof,
- 11           (f) 5% tax on next \$2,800.00 or part thereof,
- 12           (g) 5.50% tax on the remainder for the 2008 tax year and  
13           any subsequent tax year unless the rate prescribed by  
14           subparagraph (h) of this paragraph is in effect, and
- 15           (h) 5.25% tax on the remainder for the 2009 and subsequent  
16           tax years. The decrease in the top marginal  
17           individual income tax rate otherwise authorized by  
18           this subparagraph shall be contingent upon the  
19           determination required to be made by the State Board  
20           of Equalization pursuant to Section 2355.1A of this  
21           title.

22        ~~C. Individuals. For all taxable years beginning on or after~~  
23 ~~January 1, 2015, a tax is hereby imposed upon the Oklahoma taxable~~  
24

1 ~~income of every resident or nonresident individual, which tax shall~~  
2 ~~be computed as follows:~~

3 ~~1. Single individuals and married individuals filing~~  
4 ~~separately:~~

5 ~~(a) 1/2% tax on first \$1,000.00 or part thereof,~~

6 ~~(b) 1% tax on next \$1,500.00 or part thereof,~~

7 ~~(c) 2% tax on next \$1,250.00 or part thereof,~~

8 ~~(d) 3% tax on next \$1,150.00 or part thereof,~~

9 ~~(e) 4% tax on next \$2,300.00 or part thereof,~~

10 ~~(f) 5% tax on the remainder for the 2015 tax year and any~~

11 ~~subsequent tax year unless the rate prescribed by~~

12 ~~subparagraph (g) of this paragraph is in effect, and~~

13 ~~(g) 4.85% tax on the remainder for tax year 2016 and~~

14 ~~subsequent tax years. The decrease in the top~~

15 ~~marginal individual income tax rate otherwise~~

16 ~~authorized by this subparagraph shall be contingent~~

17 ~~upon the determination required to be made by the~~

18 ~~State Board of Equalization pursuant to Section 3 of~~

19 ~~this act.~~

20 ~~2. Married individuals filing jointly and surviving spouse to~~

21 ~~the extent and in the manner that a surviving spouse is permitted to~~

22 ~~file a joint return under the provisions of the Internal Revenue~~

23 ~~Code and heads of households as defined in the Internal Revenue~~

24 ~~Code:~~

- 1           ~~(a) 1/2% tax on first \$2,000.00 or part thereof,~~  
2           ~~(b) 1% tax on next \$3,000.00 or part thereof,~~  
3           ~~(c) 2% tax on next \$2,500.00 or part thereof,~~  
4           ~~(d) 3% tax on next \$2,300.00 or part thereof,~~  
5           ~~(e) 4% tax on next \$2,400.00 or part thereof,~~  
6           ~~(f) 5% tax on the remainder for the 2015 tax year and any~~  
7           ~~subsequent tax year unless the rate prescribed by~~  
8           ~~subparagraph (g) of this paragraph is in effect, and~~  
9           ~~(g) 4.85% tax on the remainder for tax year 2016 and~~  
10           ~~subsequent tax years. The decrease in the top~~  
11           ~~marginal individual income tax rate otherwise~~  
12           ~~authorized by this subparagraph shall be contingent~~  
13           ~~upon the determination required to be made by the~~  
14           ~~State Board of Equalization pursuant to Section 3 of~~  
15           ~~this act.~~

16           No deduction for federal income taxes paid shall be allowed to  
17 any taxpayer to arrive at taxable income.

18           ~~D.~~ C. Nonresident aliens. In lieu of the rates set forth in  
19 subsection A above, there shall be imposed on nonresident aliens, as  
20 defined in the Internal Revenue Code, a tax of eight percent (8%)  
21 instead of thirty percent (30%) as used in the Internal Revenue  
22 Code, with respect to the Oklahoma taxable income of such  
23 nonresident aliens as determined under the provision of the Oklahoma  
24 Income Tax Act.

1 Every payer of amounts covered by this subsection shall deduct  
2 and withhold from such amounts paid each payee an amount equal to  
3 eight percent (8%) thereof. Every payer required to deduct and  
4 withhold taxes under this subsection shall for each quarterly period  
5 on or before the last day of the month following the close of each  
6 such quarterly period, pay over the amount so withheld as taxes to  
7 the Tax Commission, and shall file a return with each such payment.  
8 Such return shall be in such form as the Tax Commission shall  
9 prescribe. Every payer required under this subsection to deduct and  
10 withhold a tax from a payee shall, as to the total amounts paid to  
11 each payee during the calendar year, furnish to such payee, on or  
12 before January 31, of the succeeding year, a written statement  
13 showing the name of the payer, the name of the payee and the payee's  
14 social security account number, if any, the total amount paid  
15 subject to taxation, and the total amount deducted and withheld as  
16 tax and such other information as the Tax Commission may require.  
17 Any payer who fails to withhold or pay to the Tax Commission any  
18 sums herein required to be withheld or paid shall be personally and  
19 individually liable therefor to the State of Oklahoma.

20 ~~E.~~ D. Corporations. For all taxable years beginning after  
21 December 31, 1989, a tax is hereby imposed upon the Oklahoma taxable  
22 income of every corporation doing business within this state or  
23 deriving income from sources within this state in an amount equal to  
24 six percent (6%) thereof.

1       There shall be no additional Oklahoma income tax imposed on  
2 accumulated taxable income or on undistributed personal holding  
3 company income as those terms are defined in the Internal Revenue  
4 Code.

5       ~~F.~~ E. Certain foreign corporations. In lieu of the tax imposed  
6 in the first paragraph of subsection ~~D~~ C of this section, for all  
7 taxable years beginning after December 31, 1989, there shall be  
8 imposed on foreign corporations, as defined in the Internal Revenue  
9 Code, a tax of six percent (6%) instead of thirty percent (30%) as  
10 used in the Internal Revenue Code, where such income is received  
11 from sources within Oklahoma, in accordance with the provisions of  
12 the Internal Revenue Code and the Oklahoma Income Tax Act.

13       Every payer of amounts covered by this subsection shall deduct  
14 and withhold from such amounts paid each payee an amount equal to  
15 six percent (6%) thereof. Every payer required to deduct and  
16 withhold taxes under this subsection shall for each quarterly period  
17 on or before the last day of the month following the close of each  
18 such quarterly period, pay over the amount so withheld as taxes to  
19 the Tax Commission, and shall file a return with each such payment.  
20 Such return shall be in such form as the Tax Commission shall  
21 prescribe. Every payer required under this subsection to deduct and  
22 withhold a tax from a payee shall, as to the total amounts paid to  
23 each payee during the calendar year, furnish to such payee, on or  
24 before January 31, of the succeeding year, a written statement

1 showing the name of the payer, the name of the payee and the payee's  
2 social security account number, if any, the total amounts paid  
3 subject to taxation, the total amount deducted and withheld as tax  
4 and such other information as the Tax Commission may require. Any  
5 payer who fails to withhold or pay to the Tax Commission any sums  
6 herein required to be withheld or paid shall be personally and  
7 individually liable therefor to the State of Oklahoma.

8 ~~G.~~ F. Fiduciaries. A tax is hereby imposed upon the Oklahoma  
9 taxable income of every trust and estate at the same rates as are  
10 provided in subsection B ~~or C~~ of this section for single  
11 individuals. Fiduciaries are not allowed a deduction for any  
12 federal income tax paid.

13 ~~H.~~ G. Tax rate tables. For all taxable years beginning after  
14 December 31, 1991, in lieu of the tax imposed by subsection A~~7~~ or B  
15 ~~or C~~ of this section, as applicable there is hereby imposed for each  
16 taxable year on the taxable income of every individual, whose  
17 taxable income for such taxable year does not exceed the ceiling  
18 amount, a tax determined under tables, applicable to such taxable  
19 year which shall be prescribed by the Tax Commission and which shall  
20 be in such form as it determines appropriate. In the table so  
21 prescribed, the amounts of the tax shall be computed on the basis of  
22 the rates prescribed by ~~subsection~~ subsections A~~7~~ and B ~~or C~~ of this  
23 section. For purposes of this subsection, the term "ceiling amount"  
24 means, with respect to any taxpayer, the amount determined by the

1 Tax Commission for the tax rate category in which such taxpayer  
2 falls.

3 SECTION 2. AMENDATORY 68 O.S. 2011, Section 2355, as  
4 last amended by Section 1 of this act, is amended to read as  
5 follows:

6 Section 2355. A. Individuals. For all taxable years beginning  
7 after December 31, 1998, and before January 1, 2006, a tax is hereby  
8 imposed upon the Oklahoma taxable income of every resident or  
9 nonresident individual, which tax shall be computed at the option of  
10 the taxpayer under one of the two following methods:

11 1. METHOD 1.

12 a. Single individuals and married individuals filing  
13 separately not deducting federal income tax:

14 (1) 1/2% tax on first \$1,000.00 or part thereof,

15 (2) 1% tax on next \$1,500.00 or part thereof,

16 (3) 2% tax on next \$1,250.00 or part thereof,

17 (4) 3% tax on next \$1,150.00 or part thereof,

18 (5) 4% tax on next \$1,300.00 or part thereof,

19 (6) 5% tax on next \$1,500.00 or part thereof,

20 (7) 6% tax on next \$2,300.00 or part thereof, and

21 (8) (a) for taxable years beginning after December

22 31, 1998, and before January 1, 2002, 6.75%

23 tax on the remainder,

24

1 (b) for taxable years beginning on or after  
2 January 1, 2002, and before January 1, 2004,  
3 7% tax on the remainder, and

4 (c) for taxable years beginning on or after  
5 January 1, 2004, 6.65% tax on the remainder.

6 b. Married individuals filing jointly and surviving  
7 spouse to the extent and in the manner that a  
8 surviving spouse is permitted to file a joint return  
9 under the provisions of the Internal Revenue Code and  
10 heads of households as defined in the Internal Revenue  
11 Code not deducting federal income tax:

12 (1) 1/2% tax on first \$2,000.00 or part thereof,

13 (2) 1% tax on next \$3,000.00 or part thereof,

14 (3) 2% tax on next \$2,500.00 or part thereof,

15 (4) 3% tax on next \$2,300.00 or part thereof,

16 (5) 4% tax on next \$2,400.00 or part thereof,

17 (6) 5% tax on next \$2,800.00 or part thereof,

18 (7) 6% tax on next \$6,000.00 or part thereof, and

19 (8) (a) for taxable years beginning after December  
20 31, 1998, and before January 1, 2002, 6.75%  
21 tax on the remainder,

22 (b) for taxable years beginning on or after  
23 January 1, 2002, and before January 1, 2004,  
24 7% tax on the remainder, and

1 (c) for taxable years beginning on or after  
2 January 1, 2004, 6.65% tax on the remainder.

3 2. METHOD 2.

4 a. Single individuals and married individuals filing  
5 separately deducting federal income tax:

- 6 (1) 1/2% tax on first \$1,000.00 or part thereof,  
7 (2) 1% tax on next \$1,500.00 or part thereof,  
8 (3) 2% tax on next \$1,250.00 or part thereof,  
9 (4) 3% tax on next \$1,150.00 or part thereof,  
10 (5) 4% tax on next \$1,200.00 or part thereof,  
11 (6) 5% tax on next \$1,400.00 or part thereof,  
12 (7) 6% tax on next \$1,500.00 or part thereof,  
13 (8) 7% tax on next \$1,500.00 or part thereof,  
14 (9) 8% tax on next \$2,000.00 or part thereof,  
15 (10) 9% tax on next \$3,500.00 or part thereof, and  
16 (11) 10% tax on the remainder.

17 b. Married individuals filing jointly and surviving  
18 spouse to the extent and in the manner that a  
19 surviving spouse is permitted to file a joint return  
20 under the provisions of the Internal Revenue Code and  
21 heads of households as defined in the Internal Revenue  
22 Code deducting federal income tax:

- 23 (1) 1/2% tax on the first \$2,000.00 or part thereof,  
24 (2) 1% tax on the next \$3,000.00 or part thereof,

- 1 (3) 2% tax on the next \$2,500.00 or part thereof,
- 2 (4) 3% tax on the next \$1,400.00 or part thereof,
- 3 (5) 4% tax on the next \$1,500.00 or part thereof,
- 4 (6) 5% tax on the next \$1,600.00 or part thereof,
- 5 (7) 6% tax on the next \$1,250.00 or part thereof,
- 6 (8) 7% tax on the next \$1,750.00 or part thereof,
- 7 (9) 8% tax on the next \$3,000.00 or part thereof,
- 8 (10) 9% tax on the next \$6,000.00 or part thereof, and
- 9 (11) 10% tax on the remainder.

10 B. Individuals. For all taxable years beginning on or after  
11 January 1, ~~2008~~ 2015, a tax is hereby imposed upon the Oklahoma  
12 taxable income of every resident or nonresident individual, which  
13 tax shall be computed as follows:

14 1. Single individuals and married individuals filing  
15 separately:

- 16 (a) 1/2% tax on first \$1,000.00 or part thereof,
- 17 (b) 1% tax on next \$1,500.00 or part thereof,
- 18 (c) 2% tax on next \$1,250.00 or part thereof,
- 19 (d) 3% tax on next \$1,150.00 or part thereof,
- 20 (e) 4% tax on next \$2,300.00 or part thereof,
- 21 (f) ~~5%~~ 4.75% tax on next \$1,500.00 or part thereof,
- 22 (g) ~~5.50% tax on the remainder for the 2008 tax year and~~  
23 ~~any subsequent tax year unless the rate prescribed by~~  
24 ~~subparagraph (h) of this paragraph is in effect, and~~

1 ~~(h) 5.25% tax on the remainder for the 2009 and subsequent~~  
2 ~~tax years. The decrease in the top marginal~~  
3 ~~individual income tax rate otherwise authorized by~~  
4 ~~this subparagraph shall be contingent upon the~~  
5 ~~determination required to be made by the State Board~~  
6 ~~of Equalization pursuant to Section 2355.1A of this~~  
7 ~~title~~

8 (i) 4.75% on the remainder for the 2015 tax year,

9 (ii) 4.5% on the remainder for the 2016 tax year,

10 (iii) 4.25% on the remainder for the 2017 tax year, and

11 (iv) 4.00% on the remainder for the 2018 tax year and

12 all subsequent tax years.

13 2. Married individuals filing jointly and surviving spouse to  
14 the extent and in the manner that a surviving spouse is permitted to  
15 file a joint return under the provisions of the Internal Revenue  
16 Code and heads of households as defined in the Internal Revenue  
17 Code:

18 (a) 1/2% tax on first \$2,000.00 or part thereof,

19 (b) 1% tax on next \$3,000.00 or part thereof,

20 (c) 2% tax on next \$2,500.00 or part thereof,

21 (d) 3% tax on next \$2,300.00 or part thereof,

22 (e) 4% tax on next \$2,400.00 or part thereof,

23 (f) ~~5%~~ 4.75% tax on next \$2,800.00 or part thereof,

1           ~~(g) 5.50% tax on the remainder for the 2008 tax year and~~  
2           ~~any subsequent tax year unless the rate prescribed by~~  
3           ~~subparagraph (h) of this paragraph is in effect, and~~  
4           ~~(h) 5.25% tax on the remainder for the 2009 and subsequent~~  
5           ~~tax years. The decrease in the top marginal~~  
6           ~~individual income tax rate otherwise authorized by~~  
7           ~~this subparagraph shall be contingent upon the~~  
8           ~~determination required to be made by the State Board~~  
9           ~~of Equalization pursuant to Section 2355.1A of this~~  
10           ~~title~~

- 11           (i) 4.75% on the remainder for the 2015 tax year,
- 12           (ii) 4.5% on the remainder for the 2016 tax year,
- 13           (iii) 4.25% on the remainder for the 2017 tax year, and
- 14           (iv) 4.00% on the remainder for the 2018 tax year and  
15           all subsequent tax years.

16           No deduction for federal income taxes paid shall be allowed to  
17           any taxpayer to arrive at taxable income.

18           C. Nonresident aliens. In lieu of the rates set forth in  
19           subsection A above, there shall be imposed on nonresident aliens, as  
20           defined in the Internal Revenue Code, a tax of eight percent (8%)  
21           instead of thirty percent (30%) as used in the Internal Revenue  
22           Code, with respect to the Oklahoma taxable income of such  
23           nonresident aliens as determined under the provision of the Oklahoma  
24           Income Tax Act.

1       Every payer of amounts covered by this subsection shall deduct  
2 and withhold from such amounts paid each payee an amount equal to  
3 eight percent (8%) thereof. Every payer required to deduct and  
4 withhold taxes under this subsection shall for each quarterly period  
5 on or before the last day of the month following the close of each  
6 such quarterly period, pay over the amount so withheld as taxes to  
7 the Tax Commission, and shall file a return with each such payment.  
8 Such return shall be in such form as the Tax Commission shall  
9 prescribe. Every payer required under this subsection to deduct and  
10 withhold a tax from a payee shall, as to the total amounts paid to  
11 each payee during the calendar year, furnish to such payee, on or  
12 before January 31, of the succeeding year, a written statement  
13 showing the name of the payer, the name of the payee and the payee's  
14 social security account number, if any, the total amount paid  
15 subject to taxation, and the total amount deducted and withheld as  
16 tax and such other information as the Tax Commission may require.  
17 Any payer who fails to withhold or pay to the Tax Commission any  
18 sums herein required to be withheld or paid shall be personally and  
19 individually liable therefor to the State of Oklahoma.

20       D. Corporations. For all taxable years beginning after  
21 December 31, 1989, a tax is hereby imposed upon the Oklahoma taxable  
22 income of every corporation doing business within this state or  
23 deriving income from sources within this state in an amount equal to  
24 six percent (6%) thereof.

1       There shall be no additional Oklahoma income tax imposed on  
2 accumulated taxable income or on undistributed personal holding  
3 company income as those terms are defined in the Internal Revenue  
4 Code.

5       E. Certain foreign corporations. In lieu of the tax imposed in  
6 the first paragraph of subsection C of this section, for all taxable  
7 years beginning after December 31, 1989, there shall be imposed on  
8 foreign corporations, as defined in the Internal Revenue Code, a tax  
9 of six percent (6%) instead of thirty percent (30%) as used in the  
10 Internal Revenue Code, where such income is received from sources  
11 within Oklahoma, in accordance with the provisions of the Internal  
12 Revenue Code and the Oklahoma Income Tax Act.

13       Every payer of amounts covered by this subsection shall deduct  
14 and withhold from such amounts paid each payee an amount equal to  
15 six percent (6%) thereof. Every payer required to deduct and  
16 withhold taxes under this subsection shall for each quarterly period  
17 on or before the last day of the month following the close of each  
18 such quarterly period, pay over the amount so withheld as taxes to  
19 the Tax Commission, and shall file a return with each such payment.  
20 Such return shall be in such form as the Tax Commission shall  
21 prescribe. Every payer required under this subsection to deduct and  
22 withhold a tax from a payee shall, as to the total amounts paid to  
23 each payee during the calendar year, furnish to such payee, on or  
24 before January 31, of the succeeding year, a written statement

1 showing the name of the payer, the name of the payee and the payee's  
2 social security account number, if any, the total amounts paid  
3 subject to taxation, the total amount deducted and withheld as tax  
4 and such other information as the Tax Commission may require. Any  
5 payer who fails to withhold or pay to the Tax Commission any sums  
6 herein required to be withheld or paid shall be personally and  
7 individually liable therefor to the State of Oklahoma.

8 F. Fiduciaries. A tax is hereby imposed upon the Oklahoma  
9 taxable income of every trust and estate at the same rates as are  
10 provided in subsection B of this section for single individuals.  
11 Fiduciaries are not allowed a deduction for any federal income tax  
12 paid.

13 G. Tax rate tables. For all taxable years beginning after  
14 December 31, 1991, in lieu of the tax imposed by subsection A or B  
15 of this section, as applicable there is hereby imposed for each  
16 taxable year on the taxable income of every individual, whose  
17 taxable income for such taxable year does not exceed the ceiling  
18 amount, a tax determined under tables, applicable to such taxable  
19 year which shall be prescribed by the Tax Commission and which shall  
20 be in such form as it determines appropriate. In the table so  
21 prescribed, the amounts of the tax shall be computed on the basis of  
22 the rates prescribed by subsections A and B of this section. For  
23 purposes of this subsection, the term "ceiling amount" means, with  
24

1 respect to any taxpayer, the amount determined by the Tax Commission  
2 for the tax rate category in which such taxpayer falls.

3 SECTION 3. REPEALER Section 3, Chapter 253, O.S.L. 2013  
4 (68 O.S. Supp. 2013, Section 2355.1E), is hereby repealed.

5 SECTION 4. This act shall become effective January 1, 2015.

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