

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

☐ FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

☐ COMMITTEE AMENDMENT

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend Senate Bill No. 861, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator Schulz

Schulz-JCR-FS-Req#3544  
3/14/2018 8:04 PM

(Floor Amendments Only)    Date and Time Filed: \_\_\_\_\_

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

FLOOR SUBSTITUTE  
FOR

SENATE BILL NO. 861

By: David and Fields of the  
Senate

and

Osborn (Leslie), Wallace,  
McBride and Bennett (John)  
of the House

FLOOR SUBSTITUTE

An Act relating to income tax; amending 68 O.S. 2011,  
Section 2357.43, as amended by Section 1, Chapter  
341, O.S.L. 2016 (68 O.S. Supp. 2017, Section  
2357.43), which relates to earned income tax credits;  
providing for refund of certain amounts for specified  
tax years; and providing a conditional effective  
date.

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

SECTION 1. AMENDATORY 68 O.S. 2011, Section 2357.43, as  
amended by Section 1, Chapter 341, O.S.L. 2016 (68 O.S. Supp. 2017,  
Section 2357.43), is amended to read as follows:

Section 2357.43. For tax years beginning after December 31,  
2001, there shall be allowed to a resident individual or a part-year  
resident individual as a credit against the tax imposed by Section  
2355 of this title five percent (5%) of the earned income tax credit  
allowed under Section 32 of the Internal Revenue Code of the United

1 States, 26 U.S.C., Section 32. However, this credit shall not be  
2 paid in advance pursuant to the provisions of Section 3507 of the  
3 Internal Revenue Code. For tax years which begin ~~before January 1,~~  
4 ~~2016~~ on or after January 1, 2018, if the credit exceeds the tax  
5 imposed by Section 2355 of this title, the excess amount shall be  
6 refunded to the taxpayer. The maximum earned income tax credit  
7 allowable on the Oklahoma income tax return shall be prorated on the  
8 ratio that Oklahoma adjusted gross income bears to the federal  
9 adjusted gross income.

10 SECTION 2. NEW LAW A new section of law not to be  
11 codified in the Oklahoma Statutes reads as follows:

12 The provisions of this act shall not become effective as law  
13 unless Enrolled House Bill No. 1033 of the 2nd Extraordinary Session  
14 of the 56th Oklahoma Legislature becomes effective as law.

15 56-2-3544 JCR 3/14/2018 8:04:17 PM  
16  
17  
18  
19  
20  
21  
22  
23  
24