

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 56th Legislature (2017)

4   HOUSE BILL 1299

By: Sears and Calvey of the  
House

5  
6   and

7   Daniels of the Senate

8  
9   AS INTRODUCED

10                   **[ revenue and taxation - zero emission facility tax**  
11                               **credits - electric power reports - procedures -**  
12                               **effective date ]**

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

17               SECTION 1.       NEW LAW       A new section of law to be codified  
18   in the Oklahoma Statutes as Section 2357.32A-1 of Title 68, unless  
19   there is created a duplication in numbering, reads as follows:

20               Any taxpayer who claims a tax credit for electric power produced  
21   from a zero emission facility pursuant to the provisions of Section  
22   2357.32A of Title 68 of the Oklahoma Statutes shall be required to  
23   file an annual report with the Oklahoma Tax Commission which  
24   summarizes the total amount of electric power produced from any and

1 all facilities owned by the taxpayer within the state for the period  
2 of January 1 through December 31 of the year prior to the year in  
3 which the report is filed as required by this section. The summary  
4 shall include the amount of electric power produced each month by  
5 each zero emission facility device owned by the taxpayer, whether  
6 the device is related to solar energy, wind energy, hydroelectric  
7 power or geothermal energy, and which is capable of producing  
8 electric power.

9 B. The Oklahoma Tax Commission shall prescribe a form for the  
10 report required by this section. The report shall be filed with the  
11 Oklahoma Tax Commission not later than February 15 each year  
12 covering the electric power produced from zero emission facilities  
13 located in the state for the preceding calendar year.

14 C. If a taxpayer fails to file the report required by this  
15 subsection by the due date, the Oklahoma Tax Commission shall  
16 compile a list of the entities who have claimed tax credits pursuant  
17 to Section 2357.32A in any past tax years, together with any other  
18 entity owning a zero emission facility known to the Oklahoma Tax  
19 Commission whether or not as a result of credits previously claimed,  
20 but who do not file the report required by this section and shall  
21 publish the list of the taxpayers on the Oklahoma Tax Commission  
22 website indicating that the taxpayers have failed to file such  
23 required reports.

1       D. The Oklahoma Tax Commission shall analyze the reports filed  
2 pursuant to the provisions of this subsection and shall prepare an  
3 estimate of the amount of tax credits which could be claimed  
4 together with the amount of cash rebate paid based on credit amounts  
5 if the credits are not used to reduce a tax liability for the fiscal  
6 year which begins on the next ensuing July 1. The report required  
7 by this section shall be transmitted to the Governor, the Speaker of  
8 the Oklahoma House of Representatives and the President Pro Tempore  
9 of the Oklahoma State Senate not later than April 15 immediately  
10 following the February 15 deadline for taxpayers to file the  
11 information required pursuant to subsection B of this section.

12       SECTION 2. This act shall become effective November 1, 2017.

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14 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
15 03/02/2017 - DO PASS, As Amended and Coauthored.  
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