

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 ENGROSSED SENATE
5 BILL NO. 883

By: Thompson of the Senate

and

Montgomery of the House

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9 An Act relating to bank privilege tax; amending 68
10 O.S. 2011, Section 2370.1, as last amended by Section
11 1, Chapter 110, O.S.L. 2016 (68 O.S. Supp. 2017,
12 Section 2370.1), which relates to tax credit against
13 certain fee; modifying time period during which
14 specified credit may be claimed; and providing an
15 effective date.

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

17 SECTION 1. AMENDATORY 68 O.S. 2011, Section 2370.1, as
18 last amended by Section 1, Chapter 110, O.S.L. 2016 (68 O.S. Supp.
19 2017, Section 2370.1), is amended to read as follows:

20 Section 2370.1. A. There shall be allowed a credit against the
21 tax imposed by Section 2370 of this title for any state banking
22 association, national banking association and credit union organized
23 under the laws of this state for the amount of the guaranty fee paid
24 by the banking association or credit union to the United States

1 Small Business Administration pursuant to the "7(a)" loan guaranty
2 program.

3 B. The credit authorized by this section may be claimed for
4 guaranty fees paid on or after January 1, 2000, and before ~~January~~
5 ~~1, 2019~~ January 1, 2022.

6 C. No credit may be claimed pursuant to this section if,
7 pursuant to the agreement between the banking association or credit
8 union and the entity to which proceeds are made available, the
9 banking association or credit union adds the amount of the SBA 7(a)
10 loan guaranty fee to the amount financed by the borrower or in any
11 other way recovers the guaranty fee amount from the borrower.

12 D. The credit authorized by this section may be claimed and if
13 not fully used in the initial year for which the credit is claimed
14 may be carried over, in order, to each of the five (5) succeeding
15 taxable years. The credit authorized by this section may not be
16 used to reduce the tax liability of the credit claimant below zero
17 (0).

18 E. The Oklahoma Tax Commission shall prepare a report regarding
19 the amount of tax credits claimed as authorized by this section.
20 The report shall be submitted to the Speaker of the House of
21 Representatives and to the President Pro Tempore of the Senate not
22 later than March 31 of each year.

23 F. Pursuant to Section 46A of Title 62 of the Oklahoma
24 Statutes, there shall be a measurable goal of retaining and/or

1 creating two thousand jobs per year in Oklahoma for the credit
2 against the tax imposed by Section 2370 of this title.

3 SECTION 2. This act shall become effective November 1, 2018.

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5 COMMITTEE REPORT BY: COMMITTEE ON BANKING AND BUSINESS, dated
6 03/27/2018 - DO PASS.

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