

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 1299

By: Sears

4
5
6 AS INTRODUCED

7 An Act relating to revenue and taxation; imposing
8 duty to report electric power production for certain
9 time period; requiring Oklahoma Tax Commission to
10 prescribe forms; imposing filing deadline; requiring
11 analysis of information regarding electric power
12 production; requiring Oklahoma Tax Commission to
13 compile report regarding failure to file required
14 annual reports with respect to electric power
15 production from zero emission facilities; requiring
16 information to be accessible through designated
17 website; requiring report by Oklahoma Tax Commission
18 to the Governor, the Speaker of the Oklahoma House of
19 Representatives and the President Pro Tempore of the
20 Oklahoma State Senate; imposing deadline for report;
21 providing for codification; and providing an
22 effective date.

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

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

Any taxpayer who claims a tax credit for electric power produced
from a zero emission facility pursuant to the provisions of Section
2357.32A of Title 68 of the Oklahoma Statutes shall be required to

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

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

16 C. If a taxpayer fails to file the report required by this
17 subsection by the due date, the Oklahoma Tax Commission shall
18 compile a list of the entities who have claimed tax credits pursuant
19 to Section 2357.32A in any past tax years, together with any other
20 entity owning a zero emission facility known to the Oklahoma Tax
21 Commission whether or not as a result of credits previously claimed,
22 but who do not file the report required by this section and shall
23 publish the list of the taxpayers on the Oklahoma Tax Commission
24

1 website indicating that the taxpayers have failed to file such
2 required reports.

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

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

15

16 56-1-5170 MAH 01/16/17

17

18

19

20

21

22

23

24