

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 1715

By: Pugh and Bergstrom

COMMITTEE SUBSTITUTE

An Act relating to income tax; amending 68 O.S. 2011, Section 2357.301, as amended by Section 1, Chapter 30, O.S.L. 2014 (68 O.S. Supp. 2019, Section 2357.301), which relates to income tax credits; adding definition authorizing certain instructor pilots to qualify for credit; and providing an effective date.

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

SECTION 1. AMENDATORY 68 O.S. 2011, Section 2357.301, as amended by Section 1, Chapter 30, O.S.L. 2014 (68 O.S. Supp. 2019, Section 2357.301), is amended to read as follows:

Section 2357.301. As used in Sections 2357.301 through 2357.304 of this title:

1. "Aerospace sector" means a private or public organization engaged in the manufacture of aerospace or defense hardware or software, aerospace maintenance, aerospace repair and overhaul, supply of parts to the aerospace industry, provision of services and support relating to the aerospace industry, research and development

1 of aerospace technology and systems, and the education and training
2 of aerospace personnel;

3 2. "Compensation" means payments in the form of contract labor
4 for which the payor is required to provide a Form 1099 to the person
5 paid, wages subject to withholding tax paid to a part-time employee
6 or full-time employee, or salary or other remuneration.

7 Compensation shall not include employer-provided retirement, medical
8 or ~~health-care~~ healthcare benefits, reimbursement for travel, meals,
9 lodging or any other expense;

10 3. "Institution" means an institution within The Oklahoma State
11 System of Higher Education or any other public or private college or
12 university that is accredited by a national accrediting body;

13 4. "Instructor pilot" means any person who is licensed as a
14 Certified Flight Instructor by the Federal Aviation Administration
15 and is employed in this state in support of a contract with the
16 federal government to provide instruction either live or on a flight
17 simulator;

18 5. "Qualified employer" means a sole proprietor, general
19 partnership, limited partnership, limited liability company,
20 corporation, other legally recognized business entity, or public
21 entity whose principal business activity involves the aerospace
22 sector;

23 ~~5.~~ 6. "Qualified employee" means any person, regardless of the
24 date of hire, employed in this state by or contracting in this state

1 with a qualified employer on or after January 1, 2009, who has been
2 awarded an undergraduate or graduate degree from a qualified program
3 by an institution, or on or after the effective date of this act who
4 is an instructor pilot, and who was not employed in the aerospace
5 sector in this state immediately preceding employment or contracting
6 with a qualified employer. Provided, the definition shall not be
7 interpreted to exclude any person who was employed in the aerospace
8 sector, but not as a full-time engineer, prior to being awarded an
9 undergraduate or graduate degree from a qualified program by an
10 institution or any person who has been awarded an undergraduate or
11 graduate degree from a qualified program by an institution and is
12 employed by a professional staffing company and assigned to work in
13 the aerospace sector in this state;

14 ~~6.~~ 7. "Qualified program" means a program that has been
15 accredited by the Engineering Accreditation Commission of the
16 Accreditation Board for Engineering and Technology (ABET) and that
17 awards an undergraduate or graduate degree; and

18 ~~7.~~ 8. "Tuition" means the average annual amount paid by a
19 qualified employee for enrollment and instruction in a qualified
20 program. Tuition shall not include the cost of books, fees or room
21 and board.

22 SECTION 2. This act shall become effective January 1, 2021.
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