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March 1, 2023

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 1063

By: Garvin

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[ income tax - credit - report - effective date ]
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2357.27A of Title 68, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Childcare  
Receives Investment from Business (CRIB) Act".

B. As used in this section:

1. "Business" means any Oklahoma corporation, limited liability company, partnership, or other legal entity;

2. "Childcare employee" means a full-time or part-time employee primarily responsible for duties at an entity primarily engaged in the business of providing childcare services or employed by a business with an on-site childcare facility;

1        3. "Childcare facility" means a licensed childcare facility  
2 with an average daily enrollment for a tax year of no less than six  
3 (6) children who are twelve (12) years of age or less;

4        4. "Eligible expenses" means expenditures to start a new  
5 childcare facility, either by an entity primarily engaged in the  
6 business of providing childcare services or a business creating an  
7 on-site childcare facility, for the first five (5) years of  
8 operation, including:

- 9            a. costs of a facility and location,
- 10           b. licensing requirements,
- 11           c. fire, safety, and health code training, approval, and  
12           compliance,
- 13           d. equipment and supplies, including consumables and  
14           entertainment for children,
- 15           e. childcare director training and credentialing,
- 16           f. childcare employee training, credentialing, and  
17           licensing,
- 18           g. background checks,
- 19           h. insurance,
- 20           i. advertising,
- 21           j. transportation, and
- 22           k. other expenses required or approved by the Department  
23           of Human Services; and

1        5. "Small business" means an entity as defined by 13 CFR Part  
2 121.

3        C. For tax years 2024 through 2029, there shall be allowed a  
4 credit against the tax imposed by Section 2355 of Title 68 of the  
5 Oklahoma Statutes for eligible expenses incurred by entities  
6 primarily engaged in the business of providing childcare services,  
7 businesses creating an on-site childcare facility for use by  
8 employees, or the public in the amount of thirty percent (30%) of  
9 documented eligible expenses.

10       D. For tax years 2024 through 2029, there shall be allowed a  
11 credit against the tax imposed by Section 2355 of Title 68 of the  
12 Oklahoma Statutes for businesses offering the following childcare  
13 benefits to employees:

14       1. Fifteen percent (15%) of documented eligible expenses and  
15 wages paid for childcare employees. An additional credit of five  
16 percent (5%) shall be authorized for the first year of operation of  
17 the facility;

18       2. A tax credit of ten percent (10%) of payments made by a  
19 business to a childcare facility for employee childcare services;  
20 and

21       3. A tax credit of fifteen percent (15%) of payments made by a  
22 business to an employee for childcare costs. The credit authorized  
23 by this paragraph shall not exceed Five Thousand Dollars (\$5,000.00)  
24 for each employee. A business shall make available an equivalent

1 payment for childcare costs to every employee to be eligible for the  
2 credit provided in this paragraph.

3 E. If the amount of the credit allowed pursuant to this section  
4 exceeds the income tax liability, the amount of credit not used in  
5 any tax year may be carried forward, in order, to each of five (5)  
6 subsequent tax years.

7 F. A small business shall be allowed an additional credit equal  
8 to ten percent (10%) of the credit earned pursuant to this section.

9 G. The Oklahoma Tax Commission shall provide an annual report  
10 to the Department of Human Services detailing the number of  
11 businesses that claim credit pursuant to this section for each tax  
12 year.

13 SECTION 2. This act shall become effective November 1, 2023.

14 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
15 March 1, 2023 - DO PASS AS AMENDED BY CS  
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