

1 ENGROSSED SENATE
2 BILL NO. 469

By: Woods of the Senate

3 and

4 Boles of the House

5
6 An Act relating to the Oklahoma Emission Reduction
7 Technology Rebate Program; amending Section 4,
8 Chapter 346, O.S.L. 2022, as amended by Section 3,
9 Chapter 353, O.S.L. 2024 (68 O.S. Supp. 2024, Section
10 55009), which relates to the Oklahoma Emission
11 Reduction Technology Incentive Act; modifying
12 eligibility requirements for rebate payment;
13 clarifying statutory language; providing an effective
14 date; and declaring an emergency.

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

16 SECTION 1. AMENDATORY Section 4, Chapter 346, O.S.L.
17 2022, as amended by Section 3, Chapter 353, O.S.L. 2024 (68 O.S.
18 Supp. 2024, Section 55009), is amended to read as follows:

19 Section 55009. A. Upon July 1, 2022, there is hereby created
20 the Oklahoma Emission Reduction Technology Rebate Program. There is
21 hereby created a rebate in the amount of up to twenty-five percent
22 (25%) of documented expenditures made in this state directly
23 attributable to the implementation of a qualified Emission Reduction
24 Project.

B. The rebate program shall be administered by the Department
of Environmental Quality and the Oklahoma Tax Commission, as

1 provided in the Oklahoma Emission Reduction Technology Incentive
2 Act.

3 C. To be eligible for a rebate payment:

4 1. The applicant responsible for the implementation of a
5 qualified Emission Reduction Project in this state shall submit
6 documentation to the Department of Environmental Quality no later
7 than six (6) months after the end of the fiscal year in which the
8 ~~expenditures were made~~ implementation of the qualified Emission
9 Reduction Project was completed, stating the amount of expenditures
10 made in this state directly related to the implementation of the
11 qualified Emission Reduction Project; provided, all applications for
12 rebate payment shall be submitted to the Department no later than
13 six (6) months prior to the date of cessation of the Oklahoma
14 Emission Reduction Technology Rebate Program, as provided in Section
15 55012 of this title. The Department of Environmental Quality shall
16 additionally establish a process whereby an applicant may submit a
17 rebate payment application for preliminary review and approval prior
18 to the expenditure of project funds. Any approval through this
19 alternative process shall be subject to final approval as determined
20 necessary by the Department of Environmental Quality;

21 2. The applicant has filed all Oklahoma tax returns and tax
22 documents which are required by the laws of this state; and

23 3. The applicant shall provide evidence of a certificate of
24 general liability insurance with a minimum coverage of One Million

1 Dollars (\$1,000,000.00) and a workers' compensation policy pursuant
2 to the laws of this state which shall include coverage of employer's
3 liability.

4 D. The Department of Environmental Quality shall approve or
5 disapprove all claims for a rebate payment and shall notify the
6 Oklahoma Tax Commission. The Tax Commission shall, upon
7 notification of final approval from the Department of Environmental
8 Quality, issue a rebate payment for all approved claims from funds
9 in the Oklahoma Emission Reduction Technology Upstream and Midstream
10 Incentive Revolving Fund and the Oklahoma Emission Reduction
11 Technology Downstream Incentive Revolving Fund, both created in
12 Section 55010 of this title. If the amount of the approved claims
13 exceeds the amount available in either fund, during a fiscal year,
14 payments shall be made proportionally to all the parties making a
15 claim prior to the deadline which is approved by the Department of
16 Environmental Quality.

17 E. Approved claims for rebate that exceed the balance of the
18 Oklahoma Emission Reduction Technology Upstream and Midstream
19 Incentive Revolving Fund and the Oklahoma Emission Reduction
20 Technology Downstream Incentive Revolving Fund, both created in
21 Section 55010 of this title, may be paid in part and the unpaid
22 portion shall be paid upon the applicable fund reaching a sufficient
23 balance in the order in which the claims are approved by the
24 Department.

SECTION 2. This act shall become effective July 1, 2025.

SECTION 3. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 25th day of March, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2025.

Presiding Officer of the House
of Representatives