

An Act

ENROLLED SENATE
BILL NO. 324

By: Thompson of the Senate

and

Hill of the House

An Act relating to incentives; defining term; creating the Oklahoma Research and Development Rebate Fund; prescribing sources of funds; providing for expenditures; creating a research and development rebate program; requiring the Oklahoma Department of Commerce to administer program; prescribing eligibility; prescribing rebate amount; prescribing payment procedures; limiting claim amounts; authorizing promulgation of rules; and providing for codification.

SUBJECT: Oklahoma Research and Development Rebate Fund

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 5091 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. "Qualified research expenditures" means the amount of qualified research expenses claimed on line 9 or line 28 of federal Form 6765 (Rev. December 2023) or the relevant line number of federal Form 6765 in effect for the applicable tax year for expenses incurred in this state.

B. There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Commerce to be designated the

"Oklahoma Research and Development Rebate Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies appropriated to the Department that are designated for deposit in the fund. Monies appropriated to this fund shall be expended to reimburse qualifying establishments for qualified research expenditures.

C. There is hereby created a research and development rebate program for the cost of qualified research expenditures by establishments.

D. The investment rebate program shall be administered by the Oklahoma Department of Commerce.

E. To be eligible for consideration for a research and development rebate payment awarded under the provisions of this act, the establishment shall:

1. Submit an application and documentation to the Department, as required by the Department;

2. Provide documentation as required by the Department to determine that the research and development expenditures occurred within this state; and

3. Have filed all Oklahoma tax returns as required by law.

F. Claims for rebate approved by the Department shall be equal to five percent (5%) of qualified research expenditures of the establishment.

G. Claims for rebate approved by the Department shall be paid in the order that they are received. Total claims approved for rebate shall not exceed the balance of the Oklahoma Research and Development Rebate Fund. In no event shall claims approved for rebate exceed Twenty Million Dollars (\$20,000,000.00) in any fiscal year.

H. If the amount of a claim exceeds the amount available in the Oklahoma Research and Development Rebate Fund or the fiscal year limitation provided in subsection G of this section, the payment may be made in a prorated amount. Claims for rebate not approved by the

Department due to the limitations provided in subsection G of this section may be approved and paid in subsequent fiscal years.

I. The Oklahoma Department of Commerce may promulgate rules to effectuate the provisions of this section.

Passed the Senate the 22nd day of May, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of May, 2025.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____