

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☒ FLOOR AMENDMENT

No. 3

☐ COMMITTEE AMENDMENT

(Date)

I move to amend House Bill No. 1200, by substituting the attached floor substitute (Request No. 2089) for the title, enacting clause and entire body of the measure.

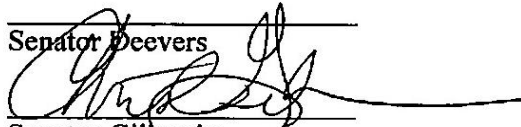
Submitted by:


Senator Rader

I hereby grant permission for the floor substitute to be adopted.


Senator Rader, Chair (required)


Senator Howard


Senator Beevers

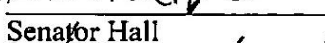
Senator Jett


Senator Gillespie

Senator Kirt


Senator Gollihare

Senator Mann


Senator Hall

Senator Sacchieri

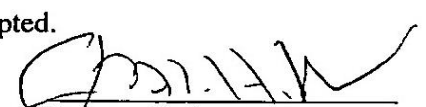

Senator Hamilton

Senator Paxton, President Pro Tempore

Senator Daniels, Majority Floor
Leader

Note: Revenue and Taxation committee majority requires six (6) members' signatures.

I hereby grant permission for the floor substitute to be adopted.


Senator Hall
Appropriations Committee Chair

Rader-RD-FS-HB1200
5/6/2025 2:47 PM

(Floor Amendments Only)

Date and Time Filed: 5/6/25 2:59 pm MDT

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

FLOOR SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 1200

By: Maynard, Kendrix, Lepak,
Burns, Hill, Fetgatter,
Townley, Boles, and
Cantrell of the House

and

Rader and Howard of the
Senate

FLOOR SUBSTITUTE

[taxation - income tax - tax rates - effective
date]

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

SECTION 1. AMENDATORY 62 O.S. 2021, Section 34.103, is
amended to read as follows:

Section 34.103. A. In addition to any other duties prescribed
by law, at the meeting required by Section 23 of Article X of the
Oklahoma Constitution to be held in February of 2017, and at the
February meeting of the State Board of Equalization each year
thereafter, the State Board of Equalization shall certify:

1. For the revenue derived from the tax levied on oil pursuant
to Section 1001 of Title 68 of the Oklahoma Statutes, which would

1 otherwise be apportioned to the General Revenue Fund, the average
2 annual amount of actual revenue apportioned to the General Revenue
3 Fund for the immediately preceding five (5) complete fiscal years.
4 For any year after the first year during which a deposit to the
5 Revenue Stabilization Fund is made, the amount of any deposit to the
6 Revenue Stabilization Fund shall be disregarded for purposes of this
7 paragraph and the average shall be computed using the total amount
8 of revenue that was available to be apportioned to the General
9 Revenue Fund for the applicable period of time;

10 2. For the revenue derived from the tax levied on natural gas
11 pursuant to Section 1001 of Title 68 of the Oklahoma Statutes, which
12 would otherwise be apportioned to the General Revenue Fund, the
13 average annual amount of actual revenue apportioned to the General
14 Revenue Fund for the previous five (5) fiscal years. For any year
15 after the first year during which a deposit to the Revenue
16 Stabilization Fund is made, the amount of any deposit to the Revenue
17 Stabilization Fund shall be disregarded for purposes of this
18 paragraph and the average shall be computed using the total amount
19 of revenue that was available to be apportioned to the General
20 Revenue Fund for the applicable period of time; and

21 3. For the revenue derived from the corporate income tax levied
22 pursuant to Section 2355 of Title 68 the Oklahoma Statutes, which
23 would otherwise be apportioned to the General Revenue Fund, the
24 average annual amount of actual revenue apportioned to the General

Revenue Fund for the previous five (5) fiscal years. For any year after the first year during which a deposit to the Revenue Stabilization Fund is made, the amount of any deposit to the Revenue Stabilization Fund shall be disregarded for purposes of this paragraph and the average shall be computed using the total amount of revenue that was available to be apportioned to the General Revenue Fund for the applicable period of time.

B. If the amount of revenue available for apportionment to the General Revenue Fund for the next ensuing fiscal year exceeds the amounts certified pursuant to paragraph 1 or 2 of subsection A of this section, with respect to each such revenue source, one hundred percent (100%) of such amount in excess of the separately computed five-year average, which would otherwise be apportioned to the General Revenue Fund, shall be deposited to the credit of the Revenue Stabilization Fund.

C. If the amount of revenue available for apportionment to the General Revenue Fund for the next ensuing fiscal year exceeds the amount certified pursuant to paragraph 3 of subsection A of this section:

1. Twenty-five percent (25%) of such amount in excess of the five-year average, which would otherwise be apportioned to the General Revenue Fund, shall be deposited to the credit of the Constitutional Reserve Fund unless such deposit would exceed the maximum balance permitted pursuant to Section 23 of Article X of the

Oklahoma Constitution and in such case the amount in excess of the maximum balance shall be deposited to the credit of the Revenue Stabilization Fund; and

2. Seventy-five percent (75%) of such amount in excess of the five-year average, which would otherwise be apportioned to the General Revenue Fund, shall be deposited to the credit of the Revenue Stabilization Fund, together with any amount required for deposit pursuant to the provisions of paragraph 1 of this subsection.

D. In addition to any other duties prescribed by law, at the meeting required by Section 23 of Article X of the Oklahoma Constitution to be held in February of 2026, and at the February meeting of the State Board of Equalization each year thereafter, the State Board of Equalization shall certify:

1. For the revenue derived from all taxes levied by this state, an itemized estimate of collections for the ensuing fiscal year;

2. For the revenue derived from all taxes levied by this state, whether the difference between the itemized estimate certified pursuant to paragraph 1 of this subsection and the actual collections in fiscal year 2023 exceeds Four Hundred Million Dollars (\$400,000,000.00) in growth, until a reduction in the marginal tax rates occurs pursuant to subsection D of Section 2355 of Title 68 of the Oklahoma Statutes; and

1 3. For the revenue derived from all taxes levied by this state,
2 whether the difference between the itemized estimate certified
3 pursuant to paragraph 1 of this subsection and the actual
4 collections in the latest full fiscal year before the most recent
5 reduction in the marginal tax rates pursuant to subsection D of
6 Section 2355 of Title 68 of the Oklahoma Statutes exceeds Four
7 Hundred Million Dollars (\$400,000,000.00) in growth.

8 On July 1, 2035, and every ten (10) years thereafter, the
9 threshold of Four Hundred Million Dollars (\$400,000,000.00) provided
10 in paragraphs 2 and 3 of this subsection shall be adjusted for
11 inflation to reflect the percentage change in the Consumer Price
12 Index published by the Bureau of Labor Statistics of the United
13 States Department of Labor for that period.

14 SECTION 2. AMENDATORY 68 O.S. 2021, Section 2355, as
15 last amended by Section 1, Chapter 27, 1st Extraordinary Session,
16 O.S.L. 2023 (68 O.S. Supp. 2024, Section 2355), is amended to read
17 as follows:

18 Section 2355. A. Individuals. For all taxable years beginning
19 after December 31, 1998, and before January 1, 2006, a tax is hereby
20 imposed upon the Oklahoma taxable income of every resident or
21 nonresident individual, which tax shall be computed at the option of
22 the taxpayer under one of the two following methods:

23 1. METHOD 1.
24

- a. Single individuals and married individuals filing separately not deducting federal income tax:
- (1) 1/2% tax on first \$1,000.00 or part thereof,
 - (2) 1% tax on next \$1,500.00 or part thereof,
 - (3) 2% tax on next \$1,250.00 or part thereof,
 - (4) 3% tax on next \$1,150.00 or part thereof,
 - (5) 4% tax on next \$1,300.00 or part thereof,
 - (6) 5% tax on next \$1,500.00 or part thereof,
 - (7) 6% tax on next \$2,300.00 or part thereof, and
 - (8) (a) for taxable years beginning after December 31, 1998, and before January 1, 2002, 6.75% tax on the remainder,
 - (b) for taxable years beginning on or after January 1, 2002, and before January 1, 2004, 7% tax on the remainder, and
 - (c) for taxable years beginning on or after January 1, 2004, 6.65% tax on the remainder.
- b. Married individuals filing jointly and surviving spouse to the extent and in the manner that a surviving spouse is permitted to file a joint return under the provisions of the Internal Revenue Code of 1986, as amended, and heads of households as defined in the Internal Revenue Code of 1986, as amended, not deducting federal income tax:

- (1) 1/2% tax on first \$2,000.00 or part thereof,
- (2) 1% tax on next \$3,000.00 or part thereof,
- (3) 2% tax on next \$2,500.00 or part thereof,
- (4) 3% tax on next \$2,300.00 or part thereof,
- (5) 4% tax on next \$2,400.00 or part thereof,
- (6) 5% tax on next \$2,800.00 or part thereof,
- (7) 6% tax on next \$6,000.00 or part thereof, and
- (8) (a) for taxable years beginning after December 31, 1998, and before January 1, 2002, 6.75% tax on the remainder,
- (b) for taxable years beginning on or after January 1, 2002, and before January 1, 2004, 7% tax on the remainder, and
- (c) for taxable years beginning on or after January 1, 2004, 6.65% tax on the remainder.

2. METHOD 2.

- a. Single individuals and married individuals filing separately deducting federal income tax:

- (1) 1/2% tax on first \$1,000.00 or part thereof,
- (2) 1% tax on next \$1,500.00 or part thereof,
- (3) 2% tax on next \$1,250.00 or part thereof,
- (4) 3% tax on next \$1,150.00 or part thereof,
- (5) 4% tax on next \$1,200.00 or part thereof,
- (6) 5% tax on next \$1,400.00 or part thereof,

- (7) 6% tax on next \$1,500.00 or part thereof,
- (8) 7% tax on next \$1,500.00 or part thereof,
- (9) 8% tax on next \$2,000.00 or part thereof,
- (10) 9% tax on next \$3,500.00 or part thereof, and
- (11) 10% tax on the remainder.

b. Married individuals filing jointly and surviving spouse to the extent and in the manner that a surviving spouse is permitted to file a joint return under the provisions of the Internal Revenue Code of 1986, as amended, and heads of households as defined in the Internal Revenue Code of 1986, as amended, deducting federal income tax:

- (1) 1/2% tax on the first \$2,000.00 or part thereof,
- (2) 1% tax on the next \$3,000.00 or part thereof,
- (3) 2% tax on the next \$2,500.00 or part thereof,
- (4) 3% tax on the next \$1,400.00 or part thereof,
- (5) 4% tax on the next \$1,500.00 or part thereof,
- (6) 5% tax on the next \$1,600.00 or part thereof,
- (7) 6% tax on the next \$1,250.00 or part thereof,
- (8) 7% tax on the next \$1,750.00 or part thereof,
- (9) 8% tax on the next \$3,000.00 or part thereof,
- (10) 9% tax on the next \$6,000.00 or part thereof, and
- (11) 10% tax on the remainder.

1 B. Individuals. For all taxable years beginning on or after
2 January 1, 2008, and ending any tax year which begins after December
3 31, 2015, for which the determination required pursuant to Sections
4 4 2355.1F and 5 2355.1G of this ~~act~~ title is made by the State Board
5 of Equalization, a tax is hereby imposed upon the Oklahoma taxable
6 income of every resident or nonresident individual, which tax shall
7 be computed as follows:

8 1. Single individuals and married individuals filing
9 separately:

- 10 (a) 1/2% tax on first \$1,000.00 or part thereof,
- 11 (b) 1% tax on next \$1,500.00 or part thereof,
- 12 (c) 2% tax on next \$1,250.00 or part thereof,
- 13 (d) 3% tax on next \$1,150.00 or part thereof,
- 14 (e) 4% tax on next \$2,300.00 or part thereof,
- 15 (f) 5% tax on next \$1,500.00 or part thereof,
- 16 (g) 5.50% tax on the remainder for the 2008 tax year and
17 any subsequent tax year unless the rate prescribed by
18 subparagraph (h) of this paragraph is in effect, and
- 19 (h) 5.25% tax on the remainder for the 2009 and subsequent
20 tax years. The decrease in the top marginal
21 individual income tax rate otherwise authorized by
22 this subparagraph shall be contingent upon the
23 determination required to be made by the State Board
24

1 of Equalization pursuant to Section 2355.1A of this
2 title.

3 2. Married individuals filing jointly and surviving spouse to
4 the extent and in the manner that a surviving spouse is permitted to
5 file a joint return under the provisions of the Internal Revenue
6 Code of 1986, as amended, and heads of households as defined in the
7 Internal Revenue Code of 1986, as amended:

8 (a) 1/2% tax on first \$2,000.00 or part thereof,

9 (b) 1% tax on next \$3,000.00 or part thereof,

10 (c) 2% tax on next \$2,500.00 or part thereof,

11 (d) 3% tax on next \$2,300.00 or part thereof,

12 (e) 4% tax on next \$2,400.00 or part thereof,

13 (f) 5% tax on next \$2,800.00 or part thereof,

14 (g) 5.50% tax on the remainder for the 2008 tax year and

15 any subsequent tax year unless the rate prescribed by
16 subparagraph (h) of this paragraph is in effect, and

17 (h) 5.25% tax on the remainder for the 2009 and subsequent

18 tax years. The decrease in the top marginal

19 individual income tax rate otherwise authorized by

20 this subparagraph shall be contingent upon the

21 determination required to be made by the State Board

22 of Equalization pursuant to Section 2355.1A of this

23 title.
24

1 C. Individuals. For ~~all taxable years beginning on or after~~
2 ~~January 1, 2024~~ tax years 2024 and 2025, a tax is hereby imposed
3 upon the Oklahoma taxable income of every resident or nonresident
4 individual, which tax shall be computed as follows:

5 1. Single individuals and married individuals filing
6 separately:

- 7 (a) 0.25% tax on first \$1,000.00 or part thereof,
- 8 (b) 0.75% tax on next \$1,500.00 or part thereof,
- 9 (c) 1.75% tax on next \$1,250.00 or part thereof,
- 10 (d) 2.75% tax on next \$1,150.00 or part thereof,
- 11 (e) 3.75% tax on next \$2,300.00 or part thereof, and
- 12 (f) 4.75% tax on the remainder.

13 2. Married individuals filing jointly and surviving spouse to
14 the extent and in the manner that a surviving spouse is permitted to
15 file a joint return under the provisions of the Internal Revenue
16 Code of 1986, as amended, and heads of households as defined in the
17 Internal Revenue Code of 1986, as amended:

- 18 (a) 0.25% tax on first \$2,000.00 or part thereof,
- 19 (b) 0.75% tax on next \$3,000.00 or part thereof,
- 20 (c) 1.75% tax on next \$2,500.00 or part thereof,
- 21 (d) 2.75% tax on next \$2,300.00 or part thereof,
- 22 (e) 3.75% tax on next \$4,600.00 or part thereof, and
- 23 (f) 4.75% tax on the remainder.

1 No deduction for federal income taxes paid shall be allowed to
2 any taxpayer to arrive at taxable income.

3 D. Individuals. For tax year 2026 and subsequent tax years, a
4 tax is hereby imposed upon the Oklahoma taxable income of every
5 resident or nonresident individual, which tax shall be computed as
6 follows:

7 1. Single individuals and married individuals filing
8 separately:

9 (a) 0% tax on first \$4,900.00 or part thereof,

10 (b) 3.75% tax on next \$2,300.00 or part thereof, and

11 (c) 4.75% tax on the remainder.

12 2. Married individuals filing jointly and surviving spouse to
13 the extent and in the manner that a surviving spouse is permitted to
14 file a joint return under the provisions of the Internal Revenue
15 Code of 1986, as amended, and heads of households as defined in the
16 Internal Revenue Code of 1986, as amended:

17 (a) 0% tax on first \$9,800.00 or part thereof,

18 (b) 3.75% tax on next \$4,600.00 or part thereof, and

19 (c) 4.75% tax on the remainder.

20 No deduction for federal income taxes paid shall be allowed to
21 any taxpayer to arrive at taxable income.

22 E. If the difference between collections exceeds Four Hundred
23 Million Dollars (\$400,000,000.00) in growth, as adjusted for
24 inflation pursuant to subsection D of Section 34.103 of Title 62 of

1 the Oklahoma Statutes, and as certified by the State Board of
2 Equalization pursuant to paragraph 2 of subsection D of Section
3 34.103 of Title 62 of the Oklahoma Statutes, the marginal tax rates
4 provided in paragraphs 1 and 2 of subsection D of this section shall
5 each be reduced by twenty-five one-hundredths (0.25) of a percentage
6 point unless the rate equals zero percent (0%) for the immediate
7 succeeding tax year and subsequent tax years. Each successive
8 certification of growth exceeding Four Hundred Million Dollars
9 (\$400,000,000.00) by the Board, as adjusted for inflation, shall
10 further reduce the marginal tax rates by twenty-five one-hundredths
11 (0.25) of a percentage point until the rate equals zero percent (0%)
12 in the immediate succeeding tax year and subsequent tax years. If a
13 revenue failure is declared pursuant to the provisions of Section
14 34.49 of Title 62 of the Oklahoma Statutes prior to the end of the
15 calendar year in which the Board makes a certification pursuant to
16 paragraphs 2 and 3 of subsection D of Section 34.103 of Title 62 of
17 the Oklahoma Statutes, the reduction in marginal tax rates, as
18 provided for in this subsection, shall not occur until a subsequent
19 certification is made by the Board pursuant to paragraphs 2 and 3 of
20 subsection D of Section 34.103 of Title 62 of the Oklahoma Statutes.
21 In the event the federal government reduces the federal medical
22 assistance percentage (FMAP) rate for Medicaid expansion below
23 ninety percent (90%) for enrollees enrolled pursuant to Section 1 et
24 seq. of Article XXV-A of the Oklahoma Constitution, there shall be

1 no reductions made to the income tax rates pursuant to this
2 subsection.

3 F. Nonresident aliens. In lieu of the rates set forth in
4 subsection A above, there shall be imposed on nonresident aliens, as
5 defined in the Internal Revenue Code of 1986, as amended, a tax of
6 eight percent (8%) instead of thirty percent (30%) as used in the
7 Internal Revenue Code of 1986, as amended, with respect to the
8 Oklahoma taxable income of such nonresident aliens as determined
9 under the provision of the Oklahoma Income Tax Act.

10 Every payer of amounts covered by this subsection shall deduct
11 and withhold from such amounts paid each payee an amount equal to
12 eight percent (8%) thereof. Every payer required to deduct and
13 withhold taxes under this subsection shall for each quarterly period
14 on or before the last day of the month following the close of each
15 such quarterly period, pay over the amount so withheld as taxes to
16 the Oklahoma Tax Commission, and shall file a return with each such
17 payment. Such return shall be in such form as the Tax Commission
18 shall prescribe. Every payer required under this subsection to
19 deduct and withhold a tax from a payee shall, as to the total
20 amounts paid to each payee during the calendar year, furnish to such
21 payee, on or before January 31~~7~~, of the succeeding year, a written
22 statement showing the name of the payer, the name of the payee and
23 the payee's Social Security account number, if any, the total amount
24 paid subject to taxation, and the total amount deducted and withheld

1 as tax and such other information as the Tax Commission may require.
2 Any payer who fails to withhold or pay to the Tax Commission any
3 sums herein required to be withheld or paid shall be personally and
4 individually liable therefor to the State of Oklahoma.

5 ~~E.~~ G. Corporations. For all taxable years beginning after
6 December 31, 2021, a tax is hereby imposed upon the Oklahoma taxable
7 income of every corporation doing business within this state or
8 deriving income from sources within this state in an amount equal to
9 four percent (4%) thereof.

10 There shall be no additional Oklahoma income tax imposed on
11 accumulated taxable income or on undistributed personal holding
12 company income as those terms are defined in the Internal Revenue
13 Code of 1986, as amended.

14 ~~F.~~ H. Certain foreign corporations. In lieu of the tax imposed
15 in the first paragraph of subsection ~~D~~ F of this section, for all
16 taxable years beginning after December 31, 2021, there shall be
17 imposed on foreign corporations, as defined in the Internal Revenue
18 Code of 1986, as amended, a tax of four percent (4%) instead of
19 thirty percent (30%) as used in the Internal Revenue Code of 1986,
20 as amended, where such income is received from sources within
21 ~~Oklahoma~~ this state, in accordance with the provisions of the
22 Internal Revenue Code of 1986, as amended, and the Oklahoma Income
23 Tax Act.

24

1 Every payer of amounts covered by this subsection shall deduct
2 and withhold from such amounts paid each payee an amount equal to
3 four percent (4%) thereof. Every payer required to deduct and
4 withhold taxes under this subsection shall for each quarterly period
5 on or before the last day of the month following the close of each
6 such quarterly period, pay over the amount so withheld as taxes to
7 the Tax Commission, and shall file a return with each such payment.
8 Such return shall be in such form as the Tax Commission shall
9 prescribe. Every payer required under this subsection to deduct and
10 withhold a tax from a payee shall, as to the total amounts paid to
11 each payee during the calendar year, furnish to such payee, on or
12 before January 31⁷, of the succeeding year, a written statement
13 showing the name of the payer, the name of the payee and the payee's
14 Social Security account number, if any, the total amounts paid
15 subject to taxation, the total amount deducted and withheld as tax,
16 and such other information as the Tax Commission may require. Any
17 payer who fails to withhold or pay to the Tax Commission any sums
18 herein required to be withheld or paid shall be personally and
19 individually liable therefor to the State of Oklahoma.

20 ~~G. I.~~ I. Fiduciaries. A tax is hereby imposed upon the Oklahoma
21 taxable income of every trust and estate at the same rates as are
22 provided in ~~subsection B or C~~ subsections B through E of this
23 section for single individuals. Fiduciaries are not allowed a
24 deduction for any federal income tax paid.

1 ~~H.~~ J. Tax rate tables. For all taxable years beginning after
2 December 31, 1991, in lieu of the tax imposed by ~~subsection A, B or~~
3 ~~C~~ subsections A through E of this section, as applicable there is
4 hereby imposed for each taxable year on the taxable income of every
5 individual, whose taxable income for such taxable year does not
6 exceed the ceiling amount, a tax determined under tables, applicable
7 to such taxable year which shall be prescribed by the Tax Commission
8 and which shall be in such form as it determines appropriate. In
9 the table so prescribed, the amounts of the tax shall be computed on
10 the basis of the rates prescribed by ~~subsection A, B or C~~
11 subsections A through E of this section. For purposes of this
12 subsection, the term "ceiling amount" means, with respect to any
13 taxpayer, the amount determined by the Tax Commission for the tax
14 rate category in which such taxpayer falls.

15 SECTION 3. This act shall become effective November 1, 2025.

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17 60-1-2089 QD 5/6/2025 3:13:49 PM

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