

# An Act

ENROLLED SENATE  
BILL NO. 301

By: Hall of the Senate

and

Kane and Lepak of the House

An Act relating to income tax; amending 68 O.S. 2021, Section 2357.45, which relates to credit for donations to certain research institutes; modifying credit limit for certain institute in certain tax years; modifying credit limit for taxpayer in certain tax years; modifying definition; updating statutory references; updating statutory language; and providing an effective date.

SUBJECT: Income tax credit

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

SECTION 1. AMENDATORY 68 O.S. 2021, Section 2357.45, is amended to read as follows:

Section 2357.45. A. 1. For tax years beginning after December 31, 2004, there shall be allowed against the tax imposed by Section 2355 of this title, a credit for any taxpayer who makes a donation to an independent biomedical research institute and for tax years beginning after December 31, 2010, a credit for any taxpayer who makes a donation to a cancer research institute.

2. The credit authorized by paragraph 1 of this subsection shall be limited as follows:

- a. ~~for calendar year 2007 and all subsequent years~~ tax years 2007 through 2025, the credit percentage, not to exceed fifty percent (50%), shall be adjusted annually

so that the total estimate of the credits does not exceed Two Million Dollars (\$2,000,000.00) annually. The formula to be used for the percentage adjusted shall be fifty percent (50%) times One Million Dollars (\$1,000,000.00) divided by the credits claimed in the preceding year for each donation to an independent biomedical research institute and fifty percent (50%) times One Million Dollars (\$1,000,000.00) divided by the credits claimed in the preceding year for each donation to a cancer research institute,

- b. for tax year 2026 and subsequent tax years, the credit percentage, not to exceed fifty percent (50%), shall be adjusted annually so that the total estimate of the credits does not exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) annually for donations to independent biomedical research institutes. The formula to be used for the percentage adjustment shall be fifty percent (50%) times One Million Five Hundred Thousand Dollars (\$1,500,000.00) divided by the credits claimed in the second preceding tax year for each donation to an independent biomedical research institute,
- c. for tax year 2026 and subsequent tax years, the credit percentage, not to exceed fifty percent (50%), shall be adjusted annually so that the total estimate of the credits does not exceed Five Hundred Thousand Dollars (\$500,000.00) annually for donations to cancer research institutes. The formula to be used for the percentage adjusted shall be fifty percent (50%) times Five Hundred Thousand Dollars (\$500,000.00) divided by the credits claimed in the second preceding year for each donation to a cancer research institute,
- d. (1) in no event shall a taxpayer claim more than one credit for a donation to any independent biomedical research institute and one credit for a donation to a cancer research institute in each taxable year nor for tax years 2005 through 2025 shall the credit exceed One Thousand Dollars (\$1,000.00) for each taxpayer ~~for each type of~~

donation, and for tax year 2026 and subsequent tax years, the credit for donating to a cancer research institute shall not exceed One Thousand Dollars (\$1,000.00) for single filers and married filing separate, or Two Thousand Dollars (\$2,000.00) for married filing joint, head of household, or qualifying widow, or

(2) for tax year 2026 and subsequent tax years, the credit for donations to any independent biomedical research institute shall not exceed One Thousand Dollars (\$1,000.00) for single filers and married filing separate; Two Thousand Dollars (\$2,000.00) for married filing joint, head of household, and qualifying widow; and Twenty-five Thousand Dollars (\$25,000.00) for any taxpayer that is a business entity formed under the laws of any state, including limited and general partnerships, corporations, and limited liability companies,

~~c. for tax year 2011, no more than Fifty Thousand Dollars (\$50,000.00) in total tax credits for donations to a cancer research institute shall be allowed,~~

~~d. in no event shall more than fifty percent (50%) of the Two Million Dollars (\$2,000,000.00) in total tax credits authorized by this section, for any calendar year after the effective date of this act, be allocated for credits for donations to a cancer research institute, and~~

e. for tax year 2026 and subsequent tax years, in the event the total tax credits authorized by this section exceed One Million Dollars (\$1,000,000.00) in any calendar year Five Hundred Thousand Dollars (\$500,000.00) for either a cancer research institute or One Million Five Hundred Thousand Dollars (\$1,500,000.00) for an independent biomedical research institute, the Oklahoma Tax Commission shall permit any excess over One Million Dollars (\$1,000,000.00) the applicable limitation amount but shall factor such

excess into the percentage adjustment formula for subsequent years for ~~that~~ the applicable type of donation. However, any such adjustment to the formula for donations to an independent biomedical research institute shall not affect the formula for donations to a cancer research institute, and any such adjustment to the formula for donations to a cancer research institute shall not affect the formula for donations to an independent biomedical research institute.

3. For purposes of this section, "independent biomedical research institute" means an organization in this state which is exempt from taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, 26 U.S.C., Section 501(c)(3), whose primary focus is conducting peer-reviewed basic biomedical research. The organization shall:

- a. have a board of directors,
- b. be able to accept grants in its own name,
- c. be an identifiable institute that has its own employees and administrative staff, and
- d. receive at least ~~Fifteen Million Dollars~~  
~~(\$15,000,000.00)~~ Twenty Million Dollars  
(\$20,000,000.00) in National ~~Institute~~ Institutes of Health funding each year.

4. For purposes of this section, "cancer research institute" means an organization which is exempt from taxation pursuant to the Internal Revenue Code of 1986, as amended, and whose primary focus is raising the standard of cancer clinical care in Oklahoma through peer-reviewed cancer research and education or a not-for-profit supporting organization, as that term is defined by the Internal Revenue Code of 1986, as amended, affiliated with a tax-exempt organization whose primary focus is raising the standard of cancer clinical care in Oklahoma through peer-reviewed cancer research and education. The tax-exempt organization whose primary focus is raising the standard of cancer clinical care in Oklahoma through peer-reviewed cancer research and education shall:

- a. either be an independent research institute or a program that is part of a state university which is a member of The Oklahoma State System of Higher Education, and
- b. receive at least Four Million Dollars (\$4,000,000.00) in National Cancer Institute funding each year.

B. In no event shall the amount of the credit exceed the amount of any tax liability of the taxpayer.

C. Any credits allowed but not used in any tax year may be carried over, in order, to each of the four (4) years following the year of qualification.

D. The Oklahoma Tax Commission shall have the authority to prescribe forms for purposes of claiming the credit authorized by this section.

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

Passed the Senate the 11th day of March, 2025.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 30th day of April, 2025.

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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: \_\_\_\_\_