

BILL SUMMARY

1st Session of the 60th Legislature

Bill No.:	HB2764
Version:	FULLPCS1
Request Number:	13775
Author:	Rep. Trey Caldwell and Rep. Kane
Date:	5/19/2025
Impact:	FY26: \$133.5M decrease in tax collections
	FY27: \$340.5M decrease in tax collections

Research Analysis

The proposed committee substitute for HB2764 provides a quarter-percent cut to the top marginal personal income tax rate and restructures the income tax brackets. Beginning tax year 2026, the top rate will be lowered from 4.75 percent to 4.50 percent and the number of tax brackets will be reduced from six to four.

The measure also establishes a rate reduction trigger mechanism to phase out the personal income tax by quarter-percent increments when revenue conditions are met and certified by the State Board of Equalization (BOE). To trigger a rate reduction, the comparison year total collections amount must exceed the base year total collections amount plus the income tax reduction cost threshold. The income tax rate reduction threshold is the single tax year fiscal impact of a quarter-percent tax cut multiplied by 1.25.

The measure also tasks the BOE with certifying the base year total collections, comparison year total collections and the income tax reduction cost threshold in order to make a yearly determination about the possibility of a rate reduction at its annual December meeting. When a trigger is met, the rate reduction will take effect in two tax years.

Lastly, the measure includes a safeguard provision to automatically nullify a rate reduction trigger if a revenue failure is declared.

Prepared By: Quyen Do

Fiscal Analysis

The Oklahoma Tax Commission has provided the following analysis:

ESTIMATED REVENUE IMPACT:

FY26: Decrease in individual income tax collections of \$133.5 million

FY27: Decrease in individual income tax collections of \$340.5 million

ANALYSIS: The Proposed Committee Substitute for HB 2764 (Req. No. 13775) proposes to amend 68 O.S. § 2355 by enacting an individual income tax rate cut effective for tax year 2026 and subsequent tax years. The current and proposed rate tables for tax year 2026 and subsequent tax years can be found at the end of this revenue impact statement.

Additionally, 62 O.S. § 34.103 is amended to add a rate reduction trigger based on total collections. This trigger could reduce individual income tax rates by 0.25% across all brackets. In the December 2026 meeting, the State Board of Equalization (BOE) would be required to make a preliminary certification and report of the base year total collections², the income tax rate reduction threshold³ and comparison year total collections⁴. (Cont'd on second page)

¹ The Introduced version of HB 2764 was a shell bill and had no substantive language.

² "Base year tax collections" is defined in the proposal as the amount of revenue determined by the BOE at its December meeting and includes all revenue sources reported in the annual report of the Oklahoma Tax Commission (OTC) excluding any taxes collected from levies imposed by counties, cities, towns or any other entity of local government. For purposes of reporting total collections for purposes of this subsection, the OTC shall use the same methodology used to report estimated revenues to the BOE that was used for the December 2024 meeting.

³ The "income tax rate reduction threshold" is the estimated revenue loss that would result from reducing income tax rates (as calculated by the OTC) multiplied by 125%.

⁴ "Comparison year total collections" is the proposal as the largest amount of revenue reported for any single fiscal year prior to the immediately preceding full fiscal year and includes all revenue sources reported in the annual report of the OTC excluding any taxes collected from levies imposed by counties, cities, towns or any other entity of local government. For purposes of reporting total collections for purposes of this subsection, the OTC shall use the same methodology used to report estimated revenues to the BOE that was used for the December 2024 meeting.

If the comparison year total collections amount is greater than the sum of the base year total collections and the income tax reduction cost threshold, an income tax rate reduction of 0.25% across all brackets would be triggered for the tax year starting January 1 following the final February certification by the BOE that the income tax rate reduction is authorized.⁵

This process is repeated every December and February until the individual income tax rate is zero.

62 O.S. § 34.103 is further amended to require the BOE in the December 2026 meeting to certify that the revenues accruing to certified funds during the 5 1/2 months of fiscal year ending June 30, 2027, were within ninety-five percent (95%) of the estimate made in February 2026, and no revenue failure was declared.

HB 2764 - Proposed Committee Substitute				
FY CONVERSION		FY26	FY27	FY28
Tax year 2026	-\$333,827,000	-\$133,531,000	-\$200,296,000	
Tax year 2027	-\$350,467,000		-\$140,187,000	-\$210,280,000
Tax year 2028	-\$367,295,000			-\$146,918,000
Total		-\$133,531,000	-\$340,483,000	-\$357,198,000

Source: Oklahoma Individual Income Tax Micro-Simulation Model.

The charts below show the current and proposed income tax brackets for tax year 2026 and subsequent tax years.

CURRENT LAW				
Single & Married Separate Filers				
Taxable income	Pay	plus	over	
\$0	\$1,000	\$0.00	0.25%	\$0
\$1,001	\$2,500	\$2.50	0.75%	\$1,000
\$2,501	\$3,750	\$13.75	1.75%	\$2,500
\$3,751	\$4,900	\$35.63	2.75%	\$3,750
\$4,901	\$7,200	\$67.25	3.75%	\$4,900
\$7,201	and above	\$153.50	4.75%	\$7,200

CURRENT LAW				
Married Joint, Head of Household & Surviving Spouse Filers				
Taxable income	Pay	plus	over	
\$0	\$2,000	\$0.00	0.25%	\$0
\$2,001	\$5,000	\$5.00	0.75%	\$2,000
\$5,001	\$7,500	\$27.50	1.75%	\$5,000
\$7,501	\$9,800	\$71.25	2.75%	\$7,500
\$9,801	\$14,400	\$134.50	3.75%	\$9,800
\$14,401	and above	\$307.00	4.75%	\$14,400

PROPOSED BRACKETS				
Single & Married Separate Filers				
Taxable income	Pay	plus	over	
\$0	\$3,750	\$0.00	0%	\$0
\$3,751	\$4,900	\$0.00	2.50%	\$3,750
\$4,901	\$7,200	\$28.75	3.50%	\$4,900
\$7,201	and above	\$109.25	4.50%	\$7,200

PROPOSED BRACKETS				
Married Joint, Head of Household & Surviving Spouse Filers				
Taxable income	Pay	plus	over	
\$0	\$7,500	\$0.00	0%	\$0
\$7,501	\$9,800	\$0.00	2.50%	\$7,500
\$9,801	\$14,400	\$57.50	3.50%	\$9,800
\$14,401	and above	\$218.50	4.50%	\$14,400

Prepared By: Zach Penrod, House Fiscal Staff

Other Considerations

None.