1 HOUSE OF REPRESENTATIVES - FLOOR VERSION 2 STATE OF OKLAHOMA 3 1st Session of the 58th Legislature (2021) ENGROSSED SENATE 4 BILL NO. 256 By: Thompson of the Senate 5 and 6 Wallace of the House 7 8 9 An Act relating to bank privilege tax; amending 68 O.S. 2011, Section 2370.1, as last amended by Section 1, Chapter 131, O.S.L. 2018 (68 O.S. Supp. 2020, 10 Section 2370.1), which relates to tax credit against certain fee; modifying time period during which 11 specified credit may be claimed; and providing an 12 effective date. 13 14 15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: SECTION 1. 68 O.S. 2011, Section 2370.1, as 16 AMENDATORY last amended by Section 1, Chapter 131, O.S.L. 2018 (68 O.S. Supp. 17 2020, Section 2370.1), is amended to read as follows: 18 Section 2370.1. A. There shall be allowed a credit against the 19 tax imposed by Section 2370 of this title for any state banking 20 association, national banking association and credit union organized 21 under the laws of this state for the amount of the quaranty fee paid 22 by the banking association or credit union to the United States 23

24

- 1 Small Business Administration pursuant to the "7(a)" loan guaranty
 2 program.
 - B. The credit authorized by this section may be claimed for guaranty fees paid on or after January 1, 2000, and before January 1, 2022 through tax year 2024.
 - C. No credit may be claimed pursuant to this section if, pursuant to the agreement between the banking association or credit union and the entity to which proceeds are made available, the banking association or credit union adds the amount of the SBA 7(a) loan guaranty fee to the amount financed by the borrower or in any other way recovers the guaranty fee amount from the borrower.
 - D. The credit authorized by this section may be claimed and if not fully used in the initial year for which the credit is claimed may be carried over, in order, to each of the five (5) succeeding taxable years. The credit authorized by this section may not be used to reduce the tax liability of the credit claimant below zero (0).
 - E. The Oklahoma Tax Commission shall prepare a report regarding the amount of tax credits claimed as authorized by this section.

 The report shall be submitted to the Speaker of the House of Representatives and to the President Pro Tempore of the Senate not later than March 31 of each year.
 - F. Pursuant to Section 46A of Title 62 of the Oklahoma
 Statutes, there shall be a measurable goal of retaining and/or

1	creating two thousand jobs per year in Oklahoma for the credit
2	against the tax imposed by Section 2370 of this title.
3	SECTION 2. This act shall become effective November 1, 2021.
4	
5	COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
6	04/01/2021 - DO PASS.
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	

SB256 HFLR BOLD FACE denotes Committee Amendments.