

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2292

By: Pfeiffer

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6 AS INTRODUCED

7 An Act relating to revenue and taxation; defining  
8 terms; authorizing income tax credit for certain meat  
9 processing activity; providing for refundability;  
10 prescribing procedures related to use of credit  
11 against income tax liability; providing for carryover  
12 of tax credit amounts; imposing limitation on total  
13 refund payments per fiscal year; prohibiting use of  
14 tax credit with respect to certain assets related to  
15 investment tax credit usage; providing for  
16 codification; and providing an effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 2357.901 of Title 68, unless  
20 there is created a duplication in numbering, reads as follows:

21 A. As used in this section:

22 1. "Person" means:

23 a. An individual,

24 b. A general partnership,

c. A limited partnership,

d. A limited liability limited partnership,

- e. A corporation,
- f. A limited liability company, or
- g. Any other lawful business entity;

2. "Eligible Oklahoma meat processor" means a person engaged in the business of meat processing within the state that has obtained required certification to engage in meat processing by the United States Department of Agriculture or the Oklahoma State Department of Agriculture, Food and Forestry or both such entities; and

3. "Meat processing" means those activities described by Industry No. 311611 or 311612 of the North American Industry Classification System (NAICS), most recent revision;

B. For taxable years beginning on or after January 1, 2024, there shall be allowed a credit against the tax imposed pursuant to Section 2355 of Title 68 of the Oklahoma Statutes in the amount of Ten Thousand Dollars (\$10,000.00) for an eligible Oklahoma meat processor having obtained required certification from the United States Department of Agriculture or the Oklahoma Department of Agriculture, Food and Forestry.

C. The credit authorized by this section shall be refundable. The credit authorized by this section shall first be applied to any income tax liability of the taxpayer for the applicable tax year. Any amount of credit not used to reduce the income tax liability shall be paid as a refund to the taxpayer.

1 D. If the taxpayer has a zero (0) liability amount for the tax  
2 year, the tax credit authorized by this section shall be allowed to  
3 carry over, in order, to each of the subsequent income tax years of  
4 the taxpayer until the credit amount for such tax year is either  
5 utilized to reduce income tax liabilities or paid as a refund.

6 E. The credit authorized by this section shall be subject to an  
7 annual cap of Fifteen Million Dollars (\$15,000,000.00).

8 F. The credit authorized by this section shall not be used with  
9 respect to assets qualifying for the tax credit authorized pursuant  
10 to Section 2357.4 of Title 68 of the Oklahoma Statutes if the  
11 taxpayer claims the tax credit authorized by such section.

12 SECTION 2. This act shall become effective November 1, 2023.

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