

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 893, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Pugh

Pugh-QD-FS-Req#1941
3/2/2021 5:28 PM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 893

By: Pugh and Jett of the Senate

and

Fetgatter of the House

7
8
9 FLOOR SUBSTITUTE

10 An Act relating to income tax; amending 68 O.S. 2011,
11 Section 2357.301, as amended by Section 1, Chapter
12 30, O.S.L. 2014 (68 O.S. Supp. 2020, Section
13 2357.301), which relates to income tax credits;
14 modifying definitions related to credits for
15 aerospace sector; and providing an effective date.

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

17 SECTION 1. AMENDATORY 68 O.S. 2011, Section 2357.301, as
18 amended by Section 1, Chapter 30, O.S.L. 2014 (68 O.S. Supp. 2020,
19 Section 2357.301), is amended to read as follows:

20 Section 2357.301. As used in Sections 2357.301 through 2357.304
21 of this title:

22 1. "Aerospace sector" means a private or public organization
23 engaged in the manufacture of aerospace or defense hardware or
24 software, aerospace maintenance, aerospace repair and overhaul,
supply of parts to the aerospace industry, provision of services and

1 support relating to the aerospace industry, research and development
2 of aerospace technology and systems, and the education and training
3 of aerospace personnel;

4 2. "Compensation" means payments in the form of contract labor
5 for which the payor is required to provide a Form 1099 to the person
6 paid, wages subject to withholding tax paid to a part-time employee
7 or full-time employee, or salary or other remuneration.

8 Compensation shall not include employer-provided retirement, medical
9 or health-care benefits, reimbursement for travel, meals, lodging or
10 any other expense;

11 3. "Institution" means an institution within The Oklahoma State
12 System of Higher Education or any other public or private college or
13 university that is accredited by a national accrediting body;

14 4. "Qualified employer" means a sole proprietor, general
15 partnership, limited partnership, limited liability company,
16 corporation, other legally recognized business entity, or public
17 entity whose principal business activity involves the aerospace
18 sector;

19 5. "Qualified employee" means any person, regardless of the
20 date of hire, employed in this state by or contracting in this state
21 with a qualified employer on or after January 1, 2009, ~~who has been~~
22 ~~awarded an undergraduate or graduate degree from a qualified program~~
23 ~~by an institution, and~~ who was not employed in the aerospace sector
24

1 in this state immediately preceding employment or contracting with a
2 qualified employer, and who has been either:

3 a. awarded an undergraduate or graduate degree from a
4 qualified program by an institution, or

5 b. licensed as a Professional Engineer by the State Board
6 of Licensure for Professional Engineers and Land
7 Surveyors pursuant to Section 475.15 of Title 59 of
8 the Oklahoma Statutes.

9 Provided, the definition shall not be interpreted to exclude any
10 person who was employed in the aerospace sector, but not as a full-
11 time engineer, prior to being awarded an undergraduate or graduate
12 degree from a qualified program by an institution or any person who
13 has been awarded an undergraduate or graduate degree from a
14 qualified program by an institution and is employed by a
15 professional staffing company and assigned to work in the aerospace
16 sector in this state;

17 6. "Qualified program" means a program at an institution that
18 includes a graduate or undergraduate program that has been
19 accredited by the Engineering Accreditation Commission of the
20 Accreditation Board for Engineering and Technology (ABET) and that
21 awards an undergraduate or graduate degree. Both the undergraduate
22 and graduate programs of the same discipline of engineering at an
23 institution shall be part of the qualified program if either program
24 is ABET accredited; and

1 7. "Tuition" means the average annual amount paid by a
2 qualified employee for enrollment and instruction in a qualified
3 program. Tuition shall not include the cost of books, fees or room
4 and board.

5 SECTION 2. This act shall become effective November 1, 2021.

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7 58-1-1941 QD 3/2/2021 5:28:31 PM

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