

1 **SENATE FLOOR VERSION**

2 February 25, 2020

3 **AS AMENDED**

4 SENATE BILL NO. 1461

5 By: Standridge and **David**

6 **[income tax - income tax credits - credits for**
7 **aerospace sector - effective date]**

8
9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. AMENDATORY 68 O.S. 2011, Section 2357.301, as
11 amended by Section 1, Chapter 30, O.S.L. 2014 (68 O.S. Supp. 2019,
12 Section 2357.301), is amended to read as follows:

13 Section 2357.301. As used in Sections 2357.301 through 2357.304
14 of this title:

15 1. "Aerospace sector" means a private or public organization
16 engaged in the manufacture of aerospace or defense hardware or
17 software, aerospace maintenance, aerospace repair and overhaul,
18 supply of parts to the aerospace industry, provision of services and
19 support relating to the aerospace industry, research and development
20 of aerospace technology and systems, and the education and training
21 of aerospace personnel;

22 2. "Compensation" means payments in the form of contract labor
23 for which the payor is required to provide a Form 1099 to the person
24 paid, wages subject to withholding tax paid to a part-time employee

1 or full-time employee, or salary or other remuneration.

2 Compensation shall not include employer-provided retirement, medical
3 or health-care benefits, reimbursement for travel, meals, lodging or
4 any other expense;

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

8 4. "Qualified employer" means a sole proprietor, general
9 partnership, limited partnership, limited liability company,
10 corporation, other legally recognized business entity, or public
11 entity whose principal business activity involves the aerospace
12 sector;

13 5. "Qualified employee" means any person, regardless of the
14 date of hire, employed in this state by or contracting in this state
15 with a qualified employer on or after January 1, 2009, ~~who has been~~
16 ~~awarded an undergraduate or graduate degree from a qualified program~~
17 ~~by an institution, and~~ who was not employed in the aerospace sector
18 in this state immediately preceding employment or contracting with a
19 qualified employer, and who has been either:

20 a. awarded an undergraduate or graduate degree from a
21 qualified program by an institution, or

22 b. licensed as a Professional Engineer by the State Board
23 of Licensure for Professional Engineers and Land

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1 Surveyors pursuant to Section 475.15 of Title 59 of
2 the Oklahoma Statutes.

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

11 6. "Qualified program" means a program that has been accredited
12 by the Engineering Accreditation Commission of the Accreditation
13 Board for Engineering and Technology (ABET) and that awards an
14 undergraduate or graduate degree. For the purpose of satisfying
15 this definition, a program shall qualify if only the undergraduate
16 program is ABET accredited; and

17 7. "Tuition" means the average annual amount paid by a
18 qualified employee for enrollment and instruction in a qualified
19 program. Tuition shall not include the cost of books, fees or room
20 and board.

21 SECTION 2. This act shall become effective November 1, 2020.

22 COMMITTEE REPORT BY: COMMITTEE ON FINANCE
23 February 25, 2020 - DO PASS AS AMENDED
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