

1 **SENATE FLOOR VERSION**

2 March 1, 2017

3 **AS AMENDED**

4 SENATE BILL NO. 291

5 By: Newberry

6
7 **[income tax credits - Task Force for the Study of a**
8 **Tax Credit Repurchase Program - noncodification]**
9

10
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. NEW LAW A new section of law not to be
13 codified in the Oklahoma Statutes reads as follows:

14 A. There is hereby created the Task Force for the Study of a
15 Tax Credit Repurchase Program.

16 B. The Task Force shall consist of nine (9) members to be
17 appointed or selected as follows:

18 1. Three members to be appointed by the Governor, who shall
19 represent: the Office of Management and Enterprise Services, the
20 Oklahoma Tax Commission and the State Treasurer's Office;

21 2. Three members, who shall be members of the Senate, to be
22 appointed by the President Pro Tempore of the Senate, one of whom
23 shall be the Chair of the Appropriations Committee; and
24

1 3. Three members, who shall be members of the House of
2 Representatives, to be appointed by the Speaker of the House of
3 Representatives, one of whom shall be the Chair of the
4 Appropriations and Budget Committee.

5 C. A majority of the members present at the organizational
6 meeting or any subsequent meeting shall constitute a quorum for the
7 purpose of any action taken including the preparation and approval
8 of the final report required by subsection I of this section.

9 D. The co-chairs of the Task Force shall be the members who are
10 the respective Chairs of the Senate and House Appropriations
11 Committees.

12 E. The Task Force shall be authorized to meet as necessary in
13 order to perform the duties imposed upon it. Legislative members of
14 the Task Force shall be reimbursed for travel expenses pursuant to
15 the provisions of Section 456 of Title 74 of the Oklahoma Statutes.

16 F. The Task Force shall conduct a study of all outstanding
17 income tax credits and the potential for reducing such outstanding
18 credits through a tax credit repurchase program. For the purposes
19 of this study, outstanding income tax credits shall include all
20 credits for which the state has liability, including both credits
21 which have been claimed in prior tax years, but not used, and are
22 being carried forward, as well as those claimed in the current tax
23 year.

24 G. The study shall include, but shall not be limited to:

1 1. An estimate of the total dollar amount of each type of
2 outstanding credit, based upon the specific credit provision;

3 2. A review of the amount of credits claimed but not used for
4 each specific credit provision over the most recent 10-year period,
5 if applicable;

6 3. A review of any tax credit repurchase programs currently in
7 existence, including the requirements of such programs for
8 cost/benefit analysis, negotiation of settlements between state
9 officials and taxpayers and any penalties for failure to comply with
10 the terms of a settlement;

11 4. The potential short- and long-term impact of a tax credit
12 repurchase program on the state budget; and

13 5. Such other matters related to the issue of tax credit
14 repurchase programs as the Task Force deems relevant.

15 G. The Task Force shall be subject to the provisions of the
16 Oklahoma Open Meeting Act.

17 H. Staff assistance for the Task Force shall be provided by the
18 staff of the Senate, the House of Representatives and the Oklahoma
19 Tax Commission.

20 I. The Task Force shall produce a final written report of its
21 findings and any recommendations regarding the costs and benefits of
22 the development of a tax credit repurchase program for the State of
23 Oklahoma. The report shall be submitted to the Governor, the
24

1 President Pro Tempore of the Senate and the Speaker of the House of
2 Representatives not later than December 31, 2017.

3 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
4 March 1, 2017 - DO PASS AS AMENDED
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24