

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1071 By: Montgomery of the Senate
3 and
4 Wallace of the House
5

6 [income tax - exemption - eligibility - application
7 - codification - effective date]
8

9 AUTHOR: Add the following House Coauthor: Boles

10 AMENDMENT NO. 1. Strike the stricken title, enacting clause, and
11 entire bill and insert:

12 "[income tax - exemption - hydrogen manufacturer -
13 effective date]
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15

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 2357.91 of Title 68, unless
19 there is created a duplication in numbering, reads as follows:

20 A. For tax years 2024 through 2034, the first Ten Million
21 Dollars (\$10,000,000.00) of revenues generated from the operation of
22 a newly constructed establishment in this state placed in service
23 after the effective date of this act, primarily engaged in the
24 manufacture of hydrogen classified in the NAICS Manual under U.S.

1 Industry No. 325120, shall be exempt from the tax imposed by Section
2 2355 of Title 68 of the Oklahoma Statutes for the first five (5)
3 years of operations.

4 B. To qualify for the exemption provided in subsection A of
5 this section, an establishment shall pay wages or salaries at a wage
6 that equals or exceeds the average wage requirements in the Oklahoma
7 Quality Jobs Program Act, Section 3601 et seq. of Title 68 of the
8 Oklahoma Statutes.

9 C. Eligibility for an establishment pursuant to this section
10 for each applicable tax year shall be determined by the Oklahoma Tax
11 Commission, upon the annual filing of an application provided by the
12 Commission stating that the establishment qualifies and containing
13 information as may be required by the Commission.

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

15 Passed the House of Representatives the 27th day of April, 2023.

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Presiding Officer of the House of
Representatives

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Passed the Senate the ____ day of _____, 2023.

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Presiding Officer of the Senate

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1 ENGROSSED SENATE
2 BILL NO. 1071

By: Montgomery of the Senate

3 and

4 Wallace of the House

5
6 [income tax - exemption - eligibility - application
7 - codification - effective date]
8

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

10 SECTION 3. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 2357.91 of Title 68, unless
12 there is created a duplication in numbering, reads as follows:

13 A. For tax years 2024 through 2034, revenues generated from the
14 operation of a newly constructed establishment in this state placed
15 in service after the effective date of this act, primarily engaged
16 in the manufacture of hydrogen classified in the NAICS Manual under
17 U.S. Industry No. 325120, shall be exempt from the tax imposed by
18 Section 2355 of Title 68 of the Oklahoma Statutes for the first five
19 (5) years of operations.

20 B. To qualify for the exemption provided in subsection A of
21 this section, an establishment shall meet the following
22 requirements:

23 1. The natural gas used in the production of the hydrogen shall
24 be produced in this state; and

1 2. Payment of wages or salaries at a wage that equals or
2 exceeds the average wage requirements in the Oklahoma Quality Jobs
3 Program Act, Section 3601 et seq. of Title 68 of the Oklahoma
4 Statutes.

5 C. Eligibility for an establishment pursuant to this section
6 for each tax year shall be determined by the Oklahoma Tax
7 Commission, upon the annual filing of an application provided by the
8 Commission stating that the establishment qualifies and containing
9 information as may be required by Commission.

10 SECTION 4. This act shall become effective November 1, 2023.

11 Passed the Senate the 20th day of March, 2023.

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Presiding Officer of the Senate

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15 Passed the House of Representatives the ____ day of _____,
16 2023.

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Presiding Officer of the House
of Representatives

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