

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1250

By: Paxton

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5  
6 AS INTRODUCED

7 An Act relating to income tax; 68 O.S. 2021, Section  
8 2355, as last amended by Section 1, Chapter 27, 1st  
9 Extraordinary Session, O.S.L. 2023 (68 O.S. Supp.  
10 2023, Section 2355), which relates to tax imposed and  
11 classes of taxpayers; modifying income tax rate for  
12 certain tax years; updating statutory references;  
13 updating statutory language; and providing an  
14 effective date.

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

16 SECTION 1. AMENDATORY 68 O.S. 2021, Section 2355, as  
17 last amended by Section 1, Chapter 27, 1st Extraordinary Session,  
18 O.S.L. 2023 (68 O.S. Supp. 2023, Section 2355), is amended to read  
19 as follows:

20 Section 2355. A. Individuals. For all taxable years beginning  
21 after December 31, 1998, and before January 1, 2006, a tax is hereby  
22 imposed upon the Oklahoma taxable income of every resident or  
23 nonresident individual, which tax shall be computed at the option of  
24 the taxpayer under one of the two following methods:

1. METHOD 1.

- 1 a. Single individuals and married individuals filing  
2 separately not deducting federal income tax:
- 3 (1) 1/2% tax on first \$1,000.00 or part thereof,  
4 (2) 1% tax on next \$1,500.00 or part thereof,  
5 (3) 2% tax on next \$1,250.00 or part thereof,  
6 (4) 3% tax on next \$1,150.00 or part thereof,  
7 (5) 4% tax on next \$1,300.00 or part thereof,  
8 (6) 5% tax on next \$1,500.00 or part thereof,  
9 (7) 6% tax on next \$2,300.00 or part thereof, and  
10 (8) (a) for taxable years beginning after December  
11 31, 1998, and before January 1, 2002, 6.75%  
12 tax on the remainder,  
13 (b) for taxable years beginning on or after  
14 January 1, 2002, and before January 1, 2004,  
15 7% tax on the remainder, and  
16 (c) for taxable years beginning on or after  
17 January 1, 2004, 6.65% tax on the remainder.
- 18 b. Married individuals filing jointly and surviving  
19 spouse to the extent and in the manner that a  
20 surviving spouse is permitted to file a joint return  
21 under the provisions of the Internal Revenue Code and  
22 heads of households as defined in the Internal Revenue  
23 Code not deducting federal income tax:  
24 (1) 1/2% tax on first \$2,000.00 or part thereof,

- 1 (2) 1% tax on next \$3,000.00 or part thereof,
- 2 (3) 2% tax on next \$2,500.00 or part thereof,
- 3 (4) 3% tax on next \$2,300.00 or part thereof,
- 4 (5) 4% tax on next \$2,400.00 or part thereof,
- 5 (6) 5% tax on next \$2,800.00 or part thereof,
- 6 (7) 6% tax on next \$6,000.00 or part thereof, and
- 7 (8) (a) for taxable years beginning after December
- 8 31, 1998, and before January 1, 2002, 6.75%
- 9 tax on the remainder,
- 10 (b) for taxable years beginning on or after
- 11 January 1, 2002, and before January 1, 2004,
- 12 7% tax on the remainder, and
- 13 (c) for taxable years beginning on or after
- 14 January 1, 2004, 6.65% tax on the remainder.

15 2. METHOD 2.

16 a. Single individuals and married individuals filing  
17 separately deducting federal income tax:

- 18 (1) 1/2% tax on first \$1,000.00 or part thereof,
- 19 (2) 1% tax on next \$1,500.00 or part thereof,
- 20 (3) 2% tax on next \$1,250.00 or part thereof,
- 21 (4) 3% tax on next \$1,150.00 or part thereof,
- 22 (5) 4% tax on next \$1,200.00 or part thereof,
- 23 (6) 5% tax on next \$1,400.00 or part thereof,
- 24 (7) 6% tax on next \$1,500.00 or part thereof,

- 1 (8) 7% tax on next \$1,500.00 or part thereof,
- 2 (9) 8% tax on next \$2,000.00 or part thereof,
- 3 (10) 9% tax on next \$3,500.00 or part thereof, and
- 4 (11) 10% tax on the remainder.

5 b. Married individuals filing jointly and surviving  
6 spouse to the extent and in the manner that a  
7 surviving spouse is permitted to file a joint return  
8 under the provisions of the Internal Revenue Code and  
9 heads of households as defined in the Internal Revenue  
10 Code deducting federal income tax:

- 11 (1) 1/2% tax on the first \$2,000.00 or part thereof,
- 12 (2) 1% tax on the next \$3,000.00 or part thereof,
- 13 (3) 2% tax on the next \$2,500.00 or part thereof,
- 14 (4) 3% tax on the next \$1,400.00 or part thereof,
- 15 (5) 4% tax on the next \$1,500.00 or part thereof,
- 16 (6) 5% tax on the next \$1,600.00 or part thereof,
- 17 (7) 6% tax on the next \$1,250.00 or part thereof,
- 18 (8) 7% tax on the next \$1,750.00 or part thereof,
- 19 (9) 8% tax on the next \$3,000.00 or part thereof,
- 20 (10) 9% tax on the next \$6,000.00 or part thereof, and
- 21 (11) 10% tax on the remainder.

22 B. Individuals. For all taxable years beginning on or after  
23 January 1, 2008, and ending any tax year which begins after December  
24 31, 2015, for which the determination required pursuant to Sections

1 ~~4~~ 2355.1F and ~~5~~ Section 2355.1G of this ~~act~~ title is made by the  
2 State Board of Equalization, a tax is hereby imposed upon the  
3 Oklahoma taxable income of every resident or nonresident individual,  
4 which tax shall be computed as follows:

5 1. Single individuals and married individuals filing  
6 separately:

7 (a) 1/2% tax on first \$1,000.00 or part thereof,

8 (b) 1% tax on next \$1,500.00 or part thereof,

9 (c) 2% tax on next \$1,250.00 or part thereof,

10 (d) 3% tax on next \$1,150.00 or part thereof,

11 (e) 4% tax on next \$2,300.00 or part thereof,

12 (f) 5% tax on next \$1,500.00 or part thereof,

13 (g) 5.50% tax on the remainder for the 2008 tax year and

14 any subsequent tax year unless the rate prescribed by

15 subparagraph (h) of this paragraph is in effect, and

16 (h) 5.25% tax on the remainder for the 2009 and subsequent

17 tax years. The decrease in the top marginal

18 individual income tax rate otherwise authorized by

19 this subparagraph shall be contingent upon the

20 determination required to be made by the State Board

21 of Equalization pursuant to Section 2355.1A of this

22 title.

23 2. Married individuals filing jointly and surviving spouse to

24 the extent and in the manner that a surviving spouse is permitted to

1 file a joint return under the provisions of the Internal Revenue  
2 Code and heads of households as defined in the Internal Revenue  
3 Code:

- 4 (a) 1/2% tax on first \$2,000.00 or part thereof,
- 5 (b) 1% tax on next \$3,000.00 or part thereof,
- 6 (c) 2% tax on next \$2,500.00 or part thereof,
- 7 (d) 3% tax on next \$2,300.00 or part thereof,
- 8 (e) 4% tax on next \$2,400.00 or part thereof,
- 9 (f) 5% tax on next \$2,800.00 or part thereof,
- 10 (g) 5.50% tax on the remainder for the 2008 tax year and  
11 any subsequent tax year unless the rate prescribed by  
12 subparagraph (h) of this paragraph is in effect, and
- 13 (h) 5.25% tax on the remainder for the 2009 and subsequent  
14 tax years. The decrease in the top marginal  
15 individual income tax rate otherwise authorized by  
16 this subparagraph shall be contingent upon the  
17 determination required to be made by the State Board  
18 of Equalization pursuant to Section 2355.1A of this  
19 title.

20 C. Individuals. For all taxable years beginning on or after  
21 January 1, 2024, a tax is hereby imposed upon the Oklahoma taxable  
22 income of every resident or nonresident individual, which tax shall  
23 be computed as follows:

24

1 1. Single individuals and married individuals filing  
2 separately:

- 3 (a) ~~0.25%~~ 0.125% tax on first \$1,000.00 or part thereof,
- 4 (b) ~~0.75%~~ 0.625% tax on next \$1,500.00 or part thereof,
- 5 (c) ~~1.75%~~ 1.625% tax on next \$1,250.00 or part thereof,
- 6 (d) ~~2.75%~~ 2.625% tax on next \$1,150.00 or part thereof,
- 7 (e) ~~3.75%~~ 3.625% tax on next \$2,300.00 or part thereof,
- 8 and
- 9 (f) ~~4.75%~~ 4.625% tax on the remainder.

10 2. Married individuals filing jointly and surviving spouse to  
11 the extent and in the manner that a surviving spouse is permitted to  
12 file a joint return under the provisions of the Internal Revenue  
13 Code and heads of households as defined in the Internal Revenue  
14 Code:

- 15 (a) ~~0.25%~~ 0.125% tax on first \$2,000.00 or part thereof,
- 16 (b) ~~0.75%~~ 0.625% tax on next \$3,000.00 or part thereof,
- 17 (c) ~~1.75%~~ 1.625% tax on next \$2,500.00 or part thereof,
- 18 (d) ~~2.75%~~ 2.625% tax on next \$2,300.00 or part thereof,
- 19 (e) ~~3.75%~~ 3.625% tax on next \$4,600.00 or part thereof,
- 20 and
- 21 (f) ~~4.75%~~ 4.625% tax on the remainder.

22 No deduction for federal income taxes paid shall be allowed to  
23 any taxpayer to arrive at taxable income.

24

1 D. Nonresident aliens. In lieu of the rates set forth in  
2 subsection A above, there shall be imposed on nonresident aliens, as  
3 defined in the Internal Revenue Code, a tax of eight percent (8%)  
4 instead of thirty percent (30%) as used in the Internal Revenue  
5 Code, with respect to the Oklahoma taxable income of such  
6 nonresident aliens as determined under the provision of the Oklahoma  
7 Income Tax Act.

8 Every payer of amounts covered by this subsection shall deduct  
9 and withhold from such amounts paid each payee an amount equal to  
10 eight percent (8%) thereof. Every payer required to deduct and  
11 withhold taxes under this subsection shall for each quarterly period  
12 on or before the last day of the month following the close of each  
13 such quarterly period, pay over the amount so withheld as taxes to  
14 the Oklahoma Tax Commission, and shall file a return with each such  
15 payment. Such return shall be in such form as the Tax Commission  
16 shall prescribe. Every payer required under this subsection to  
17 deduct and withhold a tax from a payee shall, as to the total  
18 amounts paid to each payee during the calendar year, furnish to such  
19 payee, on or before January 31, of the succeeding year, a written  
20 statement showing the name of the payer, the name of the payee and  
21 the payee's Social Security account number, if any, the total amount  
22 paid subject to taxation, and the total amount deducted and withheld  
23 as tax and such other information as the Tax Commission may require.  
24 Any payer who fails to withhold or pay to the Tax Commission any



1 sums herein required to be withheld or paid shall be personally and  
2 individually liable therefor to ~~the State of Oklahoma~~ this state.

3 E. Corporations. For all taxable years beginning after  
4 December 31, 2021, a tax is hereby imposed upon the Oklahoma taxable  
5 income of every corporation doing business within this state or  
6 deriving income from sources within this state in an amount equal to  
7 four percent (4%) thereof.

8 There shall be no additional Oklahoma income tax imposed on  
9 accumulated taxable income or on undistributed personal holding  
10 company income as those terms are defined in the Internal Revenue  
11 Code.

12 F. Certain foreign corporations. In lieu of the tax imposed in  
13 the first paragraph of subsection D of this section, for all taxable  
14 years beginning after December 31, 2021, there shall be imposed on  
15 foreign corporations, as defined in the Internal Revenue Code, a tax  
16 of four percent (4%) instead of thirty percent (30%) as used in the  
17 Internal Revenue Code, where such income is received from sources  
18 within ~~Oklahoma~~ this state, in accordance with the provisions of the  
19 Internal Revenue Code and the Oklahoma Income Tax Act.

20 Every payer of amounts covered by this subsection shall deduct  
21 and withhold from such amounts paid each payee an amount equal to  
22 four percent (4%) thereof. Every payer required to deduct and  
23 withhold taxes under this subsection shall for each quarterly period  
24 on or before the last day of the month following the close of each

1 such quarterly period, pay over the amount so withheld as taxes to  
2 the Tax Commission, and shall file a return with each such payment.  
3 Such return shall be in such form as the Tax Commission shall  
4 prescribe. Every payer required under this subsection to deduct and  
5 withhold a tax from a payee shall, as to the total amounts paid to  
6 each payee during the calendar year, furnish to such payee, on or  
7 before January 31, of the succeeding year, a written statement  
8 showing the name of the payer, the name of the payee and the payee's  
9 Social Security account number, if any, the total amounts paid  
10 subject to taxation, the total amount deducted and withheld as tax  
11 and such other information as the Tax Commission may require. Any  
12 payer who fails to withhold or pay to the Tax Commission any sums  
13 herein required to be withheld or paid shall be personally and  
14 individually liable therefor to the State of Oklahoma.

15 G. Fiduciaries. A tax is hereby imposed upon the Oklahoma  
16 taxable income of every trust and estate at the same rates as are  
17 provided in subsection B or C of this section for single  
18 individuals. Fiduciaries are not allowed a deduction for any  
19 federal income tax paid.

20 H. Tax rate tables. For all taxable years beginning after  
21 December 31, 1991, in lieu of the tax imposed by subsection A, B or  
22 C of this section, as applicable there is hereby imposed for each  
23 taxable year on the taxable income of every individual, whose  
24 taxable income for such taxable year does not exceed the ceiling

1 amount, a tax determined under tables, applicable to such taxable  
2 year which shall be prescribed by the Tax Commission and which shall  
3 be in such form as it determines appropriate. In the table so  
4 prescribed, the amounts of the tax shall be computed on the basis of  
5 the rates prescribed by subsection A, B or C of this section. For  
6 purposes of this subsection, the term "ceiling amount" means, with  
7 respect to any taxpayer, the amount determined by the Tax Commission  
8 for the tax rate category in which such taxpayer falls.

9 SECTION 2. This act shall become effective November 1, 2024.

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