

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   ENGROSSED SENATE  
5                   BILL NO. 469

6                   By: Woods of the Senate

7                   and

8                   Boles of the House

9                   An Act relating to the Oklahoma Emission Reduction  
10                  Technology Rebate Program; amending Section 4,  
11                  Chapter 346, O.S.L. 2022, as amended by Section 3,  
12                  Chapter 353, O.S.L. 2024 (68 O.S. Supp. 2024, Section  
13                  55009), which relates to the Oklahoma Emission  
Reduction Technology Incentive Act; modifying  
eligibility requirements for rebate payment;  
clarifying statutory language; providing an effective  
date; and declaring an emergency.

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

17                  SECTION 1.       AMENDATORY       Section 4, Chapter 346, O.S.L.

18                  2022, as amended by Section 3, Chapter 353, O.S.L. 2024 (68 O.S.  
19                  Supp. 2024, Section 55009), is amended to read as follows:

20                  Section 55009. A. Upon July 1, 2022, there is hereby created  
21                  the Oklahoma Emission Reduction Technology Rebate Program. There is  
22                  hereby created a rebate in the amount of up to twenty-five percent  
23                  (25%) of documented expenditures made in this state directly

1 attributable to the implementation of a qualified Emission Reduction  
2 Project.

3       B. The rebate program shall be administered by the Department  
4 of Environmental Quality and the Oklahoma Tax Commission, as  
5 provided in the Oklahoma Emission Reduction Technology Incentive  
6 Act.

7       C. To be eligible for a rebate payment:

8           1. The applicant responsible for the implementation of a  
9 qualified Emission Reduction Project in this state shall submit  
10 documentation to the Department of Environmental Quality no later  
11 than six (6) months after the end of the fiscal year in which the  
12 ~~expenditures were made~~ implementation of the qualified Emission  
13 Reduction Project was completed, stating the amount of expenditures  
14 made in this state directly related to the implementation of the  
15 qualified Emission Reduction Project; provided, all applications for  
16 rebate payment shall be submitted to the Department no later than  
17 six (6) months prior to the date of cessation of the Oklahoma  
18 Emission Reduction Technology Rebate Program, as provided in Section  
19 55012 of this title. The Department of Environmental Quality shall  
20 additionally establish a process whereby an applicant may submit a  
21 rebate payment application for preliminary review and approval prior  
22 to the expenditure of project funds. Any approval through this  
23 alternative process shall be subject to final approval as determined  
24 necessary by the Department of Environmental Quality;

1       2. The applicant has filed all Oklahoma tax returns and tax  
2 documents which are required by the laws of this state; and  
3       3. The applicant shall provide evidence of a certificate of  
4 general liability insurance with a minimum coverage of One Million  
5 Dollars (\$1,000,000.00) and a workers' compensation policy pursuant  
6 to the laws of this state which shall include coverage of employer's  
7 liability.

8       D. The Department of Environmental Quality shall approve or  
9 disapprove all claims for a rebate payment and shall notify the  
10 Oklahoma Tax Commission. The Tax Commission shall, upon  
11 notification of final approval from the Department of Environmental  
12 Quality, issue a rebate payment for all approved claims from funds  
13 in the Oklahoma Emission Reduction Technology Upstream and Midstream  
14 Incentive Revolving Fund and the Oklahoma Emission Reduction  
15 Technology Downstream Incentive Revolving Fund, both created in  
16 Section 55010 of this title. If the amount of the approved claims  
17 exceeds the amount available in either fund, during a fiscal year,  
18 payments shall be made proportionally to all the parties making a  
19 claim prior to the deadline which is approved by the Department of  
20 Environmental Quality.

21       E. Approved claims for rebate that exceed the balance of the  
22 Oklahoma Emission Reduction Technology Upstream and Midstream  
23 Incentive Revolving Fund and the Oklahoma Emission Reduction  
24 Technology Downstream Incentive Revolving Fund, both created in

1 Section 55010 of this title, may be paid in part and the unpaid  
2 portion shall be paid upon the applicable fund reaching a sufficient  
3 balance in the order in which the claims are approved by the  
4 Department.

5 SECTION 2. This act shall become effective July 1, 2025.

6 SECTION 3. It being immediately necessary for the preservation  
7 of the public peace, health or safety, an emergency is hereby  
8 declared to exist, by reason whereof this act shall take effect and  
9 be in full force from and after its passage and approval.

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11 COMMITTEE REPORT BY: COMMITTEE ON ENERGY, dated 04/16/2025 - DO  
12 PASS.  
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