

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 2087

By: Kane

6 AS INTRODUCED

7 An Act relating to revenue and taxation; amending 68  
8 O.S. 2021, Section 2357.45, which relates to income  
9 tax credits for donations to certain research  
institutes; modifying credit limit for certain  
institute in certain tax years; modifying credit  
amounts; modifying definition; and providing an  
10 effective date.

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

14 SECTION 1. AMENDATORY 68 O.S. 2021, Section 2357.45, is

15 amended to read as follows:

16 Section 2357.45. A. 1. For tax years beginning after December  
17 31, 2004, there shall be allowed against the tax imposed by Section  
18 2355 of this title, a credit for any taxpayer who makes a donation  
19 to an independent biomedical research institute and for tax years  
20 beginning after December 31, 2010, a credit for any taxpayer who  
21 makes a donation to a cancer research institute.

22 2. The credit authorized by paragraph 1 of this subsection  
23 shall be limited as follows:

- 1           a. for ~~calendar year 2007 and all subsequent years tax~~
- 2           years 2007 through 2025, the credit percentage, not to
- 3           exceed fifty percent (50%), shall be adjusted annually
- 4           so that the total estimate of the credits does not
- 5           exceed Two Million Dollars (\$2,000,000.00) annually.
- 6           The formula to be used for the percentage adjusted
- 7           shall be fifty percent (50%) times One Million Dollars
- 8           (\$1,000,000.00) divided by the credits claimed in the
- 9           preceding year for each donation to an independent
- 10          biomedical research institute and fifty percent (50%)
- 11          times One Million Dollars (\$1,000,000.00) divided by
- 12          the credits claimed in the preceding year for each
- 13          donation to a cancer research institute,
- 14          b. for tax year 2026 and subsequent tax years, the credit
- 15          percentage, not to exceed fifty percent (50%), shall
- 16          be adjusted annually so that the total estimate of the
- 17          credits does not exceed One Million Five Hundred
- 18          Thousand Dollars (\$1,500,000.00) annually for
- 19          donations to independent biomedical research
- 20          institutes. The formula to be used for the percentage
- 21          adjustment shall be fifty percent (50%) times One
- 22          Million Five Hundred Thousand Dollars (\$1,500,000.00)
- 23          divided by the credits claimed in the second preceding
- 24

tax year for each donation to an independent biomedical research institute,  
for tax year 2026 and subsequent tax years, the credit  
percentage, not to exceed fifty percent (50%), shall  
be adjusted annually so that the total estimate of the  
credits does not exceed Five Hundred Thousand Dollars  
(\$500,000.00) annually for donations to cancer  
research institutes. The formula to be used for the  
percentage adjusted shall be fifty percent (50%) times  
Five Hundred Thousand Dollars (\$500,000.00) divided by  
the credits claimed in the second preceding year for  
each donation to a cancer research institute,

(1) in no event shall a taxpayer claim more than one  
credit for a donation to any independent  
biomedical research institute and one credit for  
a donation to a cancer research institute in each  
taxable year nor for tax years 2005 through 2025  
shall the credit exceed One Thousand Dollars  
(\$1,000.00) for each taxpayer for each type of  
donation, and for tax year 2026 and subsequent  
tax years, the credit for donating to a cancer  
research institute shall not exceed One Thousand  
Dollars (\$1,000.00) for single filers and married  
filing separate, or Two Thousand Dollars

(\$2,000.00) for married filing joint, head of household, or qualifying widow, or

(2) for tax year 2026 and subsequent tax years, the credit for donations to any independent biomedical research institute shall not exceed One Thousand Dollars (\$1,000.00) for single filers and married filing separate, Two Thousand Dollars (\$2,000.00) for married filing joint, head of household, and qualifying widow, and Twenty-five Thousand Dollars (\$25,000.00) for any taxpayer that is a business entity formed under the laws of any state, including limited and general partnerships, corporations, and limited liability companies,

~~for tax year 2011, no more than Fifty Thousand Dollars (\$50,000.00) in total tax credits for donations to a cancer research institute shall be allowed, in no event shall more than fifty percent (50%) of the Two Million Dollars (\$2,000,000.00) in total tax credits authorized by this section, for any calendar year after the effective date of this act, be allocated for credits for donations to a cancer research institute, and~~

1                   e. for tax year 2026 and subsequent tax years, in the  
2                   event the total tax credits authorized by this section  
3                   exceed ~~One Million Dollars (\$1,000,000.00)~~ in any  
4                   calendar year Five Hundred Thousand Dollars  
5                   (\$500,000.00) for either a cancer research institute  
6                   or One Million Five Hundred Thousand Dollars  
7                   (\$1,500,000.00) for an independent biomedical research  
8                   institute, the Oklahoma Tax Commission shall permit  
9                   any excess over ~~One Million Dollars (\$1,000,000.00)~~  
10                  the applicable limitation amount but shall factor such  
11                  excess into the percentage adjustment formula for  
12                  subsequent years for that the applicable type of  
13                  donation. However, any such adjustment to the formula  
14                  for donations to an independent biomedical research  
15                  institute shall not affect the formula for donations  
16                  to a cancer research institute, and any such  
17                  adjustment to the formula for donations to a cancer  
18                  research institute shall not affect the formula for  
19                  donations to an independent biomedical research  
20                  institute.

21                 3. For purposes of this section, "independent biomedical  
22                 research institute" means an organization in this state which is  
23                 exempt from taxation pursuant to the provisions of Section 501(c) (3)  
24                 of the Internal Revenue Code of 1986, as amended, 26 U.S.C., Section

1    501(c) (3), whose primary focus is conducting peer-reviewed basic  
2    biomedical research. The organization shall:

- 3        a. have a board of directors,
- 4        b. be able to accept grants in its own name,
- 5        c. be an identifiable institute that has its own  
6              employees and administrative staff, and
- 7        d. receive at least ~~Fifteen Million Dollars~~  
8              ~~(\$15,000,000.00)~~ Twenty Million Dollars  
9              (\$20,000,000.00) in National ~~Institute~~ Institutes of  
10              Health funding each year.

11          4. For purposes of this section, "cancer research institute"  
12    means an organization which is exempt from taxation pursuant to the  
13    Internal Revenue Code of 1986, as amended, and whose primary focus  
14    is raising the standard of cancer clinical care in Oklahoma through  
15    peer-reviewed cancer research and education or a not-for-profit  
16    supporting organization, as that term is defined by the Internal  
17    Revenue Code of 1986, as amended, affiliated with a tax-exempt  
18    organization whose primary focus is raising the standard of cancer  
19    clinical care in Oklahoma through peer-reviewed cancer research and  
20    education. The tax-exempt organization whose primary focus is  
21    raising the standard of cancer clinical care in Oklahoma through  
22    peer-reviewed cancer research and education shall:

- 23        a. either be an independent research institute or a  
24              program that is part of a state university which is a

1                   member of The Oklahoma State System of Higher  
2                   Education, and

3                 b. receive at least Four Million Dollars (\$4,000,000.00)  
4                   in National Cancer Institute funding each year.

5                 B. In no event shall the amount of the credit exceed the amount  
6 of any tax liability of the taxpayer.

7                 C. Any credits allowed but not used in any tax year may be  
8 carried over, in order, to each of the four (4) years following the  
9 year of qualification.

10               D. The Oklahoma Tax Commission shall have the authority to  
11 prescribe forms for purposes of claiming the credit authorized by  
12 this section.

13               SECTION 2. This act shall become effective November 1, 2025.

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15               60-1-10635       AO        01/14/25

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