

1                           **SENATE FLOOR VERSION**  
2                           February 13, 2025

3 SENATE BILL NO. 469

By: Woods of the Senate

4                           and

5                           Boles of the House

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8 An Act relating to the Oklahoma Emission Reduction  
9 Technology Rebate Program; amending Section 4,  
10 Chapter 346, O.S.L. 2022, as amended by Section 3,  
11 Chapter 353, O.S.L. 2024 (68 O.S. Supp. 2024, Section  
12 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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15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

17 2022, as amended by Section 3, Chapter 353, O.S.L. 2024 (68 O.S.

18 Supp. 2024, Section 55009), is amended to read as follows:

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

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

5       C. To be eligible for a rebate payment:

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

23       2. The applicant has filed all Oklahoma tax returns and tax  
24 documents which are required by the laws of this state; and

1       3. The applicant shall provide evidence of a certificate of  
2 general liability insurance with a minimum coverage of One Million  
3 Dollars (\$1,000,000.00) and a workers' compensation policy pursuant  
4 to the laws of this state which shall include coverage of employer's  
5 liability.

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

19       E. Approved claims for rebate that exceed the balance of the  
20 Oklahoma Emission Reduction Technology Upstream and Midstream  
21 Incentive Revolving Fund and the Oklahoma Emission Reduction  
22 Technology Downstream Incentive Revolving Fund, both created in  
23 Section 55010 of this title, may be paid in part and the unpaid  
24 portion shall be paid upon the applicable fund reaching a sufficient

1 balance in the order in which the claims are approved by the  
2 Department.

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

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

8 COMMITTEE REPORT BY: COMMITTEE ON ENERGY  
February 13, 2025 - DO PASS

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