

**SENATE FLOOR VERSION**  
February 10, 2025

SENATE BILL NO. 301 By: Hall

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An Act relating to income tax; amending 68 O.S. 2021, Section 2357.45, which relates to credit for donations to certain research institutes; modifying credit limit for certain institute in certain tax years; modifying credit limit for taxpayer in certain tax years; modifying definition; updating statutory references; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 68 O.S. 2021, Section 2357.45, is amended to read as follows:

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

2. The credit authorized by paragraph 1 of this subsection 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

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,

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

14 COMMITTEE REPORT BY: COMMITTEE ON REVENUE AND TAXATION  
15 February 10, 2025 - DO PASS

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