

Transferable Credits for Income Tax, Rural Electric Cooperatives Tax, or Insurance Premium Tax

The following is a list of the credits that are transferable along with the statutory reference.

Coal Credit

Title 68 O.S. Section 2357.11 and Rule 710:50-15-76

For tax years beginning on or after January 1, 1993 and ending on or before December 31, 2012, Section 2357.11(B) provides for a coal credit, for the purchase of Oklahoma-mined coal, to businesses providing water, heat, light or power from coal to the citizens of Oklahoma or to those which burn coal to generate heat, light or power for use in manufacturing operations in Oklahoma. For the period of July 1, 2006 through December 31, 2006 and for tax years beginning on or after January 1, 2007 and ending on or before December 31, 2012, an additional credit is allowed for Oklahoma-mined coal purchased. However, the additional credit may not be claimed or transferred prior to January 1, 2008. Section 2357.11(C) provides, for tax years beginning on or after January 1, 1995 and ending on or before December 31, 2005 and for the period of January 1, 2006 through June 30, 2006, an additional credit to those businesses referred to in Section 2357.11(B) which purchase at least 750,000 tons of Oklahoma-mined coal in the tax year.

For tax years beginning on or after January 1, 2001, Section 2357.11(D) provides for a coal credit to businesses primarily engaged in mining, producing or extracting coal in this state. A valid permit issued by the Oklahoma Department of Mines must be held. Section 2357.11(E) provides, for tax years beginning on or after January 1, 2001 and ending on or before December 31, 2005 and for the period of January 1, 2006 through June 30, 2006, an additional credit to such businesses that mine, produce or extract coal from thin seams, provided such coal has not been sold to any consumer who purchases at least 750,000 tons of Oklahoma mined coal in the tax year. Section 2357.11(F) provides, for the period July 1, 2005 through June 30, 2006, an additional credit to such businesses that mine, produce or extract coal from thin seams. None of the credits, provided for in this paragraph, will be allowed for coal mined, produced or extracted in any month in which the average price of coal is \$45.00 (for months through June 30, 2006) or \$68.00 (for months beginning July 1, 2006) or more per ton, excluding freight charges.

Any credit allowed but not used will have a five year carryover provision following the year of qualification. The credits allowed pursuant to Sections 2357.11 (B), (C), (D), and (E) are freely transferable to any taxpayer and at any time, subsequent to January 1, 2002, during the five years following the year of qualification; provided, the additional credit allowed pursuant to Section 2357.11(B) is freely transferable at any time, after January 1, 2008, during the five years following the year of qualification. The credit allowed pursuant to Section 2357.11 (F) is freely transferable to any taxpayer and at any time subsequent to July 1, 2006, during the five years following the year of qualification. Enclose, with the Form 572, a Tax Commission acknowledgment of credits earned. Note: This credit, upon election of the taxpayer, may be claimed as a payment or prepayment of tax or as an estimated tax payment. If this election is made, the credit should be claimed on Form 511CR, line 2.

Credit for Nonstop Air Service from Oklahoma to the Coast

Title 68 O.S. Section 2357.28

For tax years beginning on or after December 31, 1999 and ending before January 1, 2006, a credit is available for an eligible investment made on or after January 1, 1999 but not later than December 31, 2002 in an establishment providing nonstop air transportation from Oklahoma to either or both coasts. The credit is freely transferable after the date it becomes redeemable. Any unused credit may be carried over for a period not to exceed three years from the year in which such credit was originally allowed.

Credit for Space Transportation Vehicle Provider

Title 68 O.S. Section 2357.42 and Rule 710:50-15-93

For tax years beginning after December 31, 2000 and ending before January 1, 2009, a credit is available for an eligible investment in a qualified space transportation vehicle provider. The credit is freely transferable after the date it becomes redeemable. Any unused credit may be carried over for a period not to exceed three years from the year in which the credit is originally allowed.

Transferable Credits for Income Tax, Rural Electric Cooperatives Tax, or Insurance Premium Tax

(continued)

Credit for Qualified Rehabilitation Expenditures

Title 68 O.S. Section 2357.41

For tax years beginning after December 31, 2000, a credit is available for qualified rehabilitation expenditures incurred with any certified historic hotel or historic newspaper plant building located in an increment or incentive district —or— for qualified rehabilitation expenditures incurred after January 1, 2006 in connection with any certified historic structure. The credit may be freely transferred, at any time during the five years following the year of qualification. Any unused credit may be carried over for a period not to exceed ten years following the qualified expenditures.

Credit for Electricity Generated by Zero-Emission Facilities

Title 68 O.S. Section 2357.32A

For tax years beginning on or after January 1, 2003, a credit is available for the production and sale of electricity generated by zero-emission facilities located in this state. The sale must be to an unrelated person to qualify for this credit. Any credit allowed may only be claimed on or after July 1 following the calendar year of qualification. The credit is freely transferable at any time during the ten years following the year of qualification. Any unused credit may be carried over for a period not to exceed ten years following the year of qualification. NOTE: This credit, upon election of the taxpayer, may be claimed as a payment or prepayment of tax or as an estimated tax payment on or after July 1 of the calendar year following the year of qualification. If this election is made, the credit should be claimed on Form 511CR, line 21.

Credit for Manufacturers of Small Wind Turbines

Title 68 O.S. Section 2357.32B and Rule 710:50-15-92

For tax years beginning on or after January 1, 2003, and ending on or before December 31, 2007, a credit is available for Oklahoma manufacturers of advanced small wind turbine products, including rotor blade and alternator fabrication. Any credit allowed may only be claimed on or after July 1 following the calendar year of qualification. The credit is freely transferable at any time during the ten years following the year of qualification. Any unused credit may be carried over for a period not to exceed ten years following the year of qualification. NOTE: This credit, upon election of the taxpayer, may be claimed as a payment or prepayment of tax or as an estimated tax payment on or after July 1 of the calendar year following the year of qualification. If this election is made, the credit should be claimed on Form 511CR, line 23.

Credit for the Construction of Energy Efficient Homes

Title 68 O.S. Section 2357.46 and Rule 710:50-15-104

For tax years beginning after December 31, 2005, a credit is available for expenses incurred by a contractor in the construction of a qualified Oklahoma energy efficient residential property of 2,000 square feet or less. Credits earned on or after August 25, 2006, may be freely transferred. Any unused credit may be carried over for a period not to exceed four years following the qualified expenditures.