



Re: Request for Letter Ruling No. LR-25-006 - Oklahoma Investment Credit (68 O.S. § 2357.4) and Quality Jobs (68 O.S. § 3607)

Dear [REDACTED],

This letter responds to the request submitted by [REDACTED] dated September 19, 2025. The basic facts and questions presented are as follows.

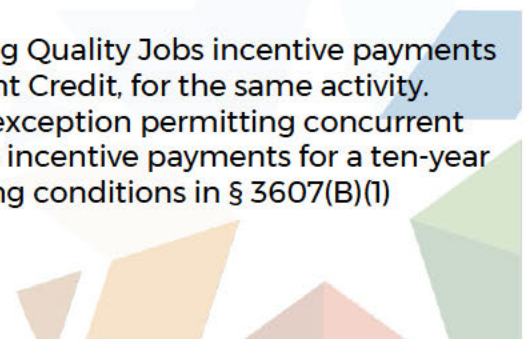
Facts

- [REDACTED] is engaged in the business of manufacturing [REDACTED] at its Oklahoma facility.
- [REDACTED] currently participates in the Oklahoma Quality Jobs Program under 68 O.S. § 3607 and is receiving incentive payments pursuant to that program.
- [REDACTED] has been issued an Oklahoma manufacturer exemption permit.
- Between calendar years 2026 through 2028, [REDACTED] plans to invest approximately \$775 million in expanding its Oklahoma manufacturing facility and acquiring manufacturing equipment.
 - For purposes of this ruling, the Commission understands [REDACTED] planned investment to consist of qualified depreciable property used directly in manufacturing operations within the meaning of 68 O.S. § 2357.4(E).
- The expansion will result in additional investment in Oklahoma manufacturing property and is expected to create and maintain significant new jobs in the state.

Rulings

Question 1: Whether a taxpayer participating in the Oklahoma Quality Jobs Program under 68 O.S. § 3607 and receiving incentive payments may simultaneously claim the Oklahoma Investment Credit authorized by 68 O.S. § 2357.4 for the same project.

Answer: Section 3607(A) generally prohibits a taxpayer receiving Quality Jobs incentive payments from claiming other credits, including the Oklahoma Investment Credit, for the same activity. However, subsection (B) of 68 O.S. § 3607 establishes a limited exception permitting concurrent eligibility for establishments that qualify to receive Quality Jobs incentive payments for a ten-year period pursuant to 68 O.S. § 3604(B), provided all of the following conditions in § 3607(B)(1) through (3) are met:



- The Quality Jobs project start date and the Oklahoma Investment Credit investment date (when the property is placed in service) must occur after January 1, 2010;
- The taxpayer holds a valid Manufacturer Sales Tax Exemption Permit (MSEP) issued under 68 O.S. § 1359.2;
- The taxpayer qualifies for the Oklahoma Investment Credit under 68 O.S. § 2357.4(B)(1) based on an investment of at least \$40 million;
- The taxpayer pays an average annualized wage equal to or exceeding the state average wage, as determined by the Oklahoma Department of Commerce; and
- The Oklahoma Department of Commerce issues a positive net-benefit determination letter confirming that the project yields a positive net-benefit rate to the state.

If all of the conditions listed above are satisfied, [REDACTED] may simultaneously receive Quality Jobs incentive payments and claim the Oklahoma Investment Credit under 68 O.S. §§ 3607 and 2357.4.

Question 2: If concurrent eligibility is allowed, how the credit is to be calculated, applied, and carried forward?

Answer: The calculation and carryforward provisions for the credit are set forth in 68 O.S. § 2357.4.

**Please note that this letter ruling is not a determination of [REDACTED] eligibility to take the Oklahoma Investment Credit.

This letter ruling applies only to the circumstances set forth in your request dated September 19, 2025, and it may generally be relied upon only by [REDACTED] to whom it is issued, provided all facts have been accurately and completely stated, and there has been no change in applicable law. See OKLA. ADMIN. CODE § 710:1-3-73(e). Furthermore, this letter ruling does not preclude the Oklahoma Tax Commission from conducting an audit or examination under Title 68, Section 206 of the Oklahoma Statutes of any report or return claiming a tax credit for the transactions outlined in this letter ruling. The Commission reserves the right to issue any assessment, correction, or adjustment authorized under Title 68, Section 221 of the Oklahoma Statutes.

Sincerely,

Troy Brian, Tax Policy Analyst
Tax Policy and Research Division
Oklahoma Tax Commission