

## CHAPTER 1122

### ELIGIBILITY FOR RENEWABLE ENERGY TAX CREDITS

S.F. 2343

**AN ACT** relating to qualification requirements for the renewable energy tax credit.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 476C.1, subsection 6, paragraph d, Code 2014, is amended to read as follows:

d. Was initially placed into service on or after July 1, 2005, and before January 1, ~~2015~~ 2017.

Sec. 2. Section 476C.3, subsection 5, Code 2014, is amended to read as follows:

5. *a.* Notwithstanding the definition of “*eligible renewable energy facility*” in section 476C.1, subsection 6, unnumbered paragraph 1, of the maximum amount of energy production capacity equivalent of all other facilities found eligible pursuant to subsection 4, paragraph “*b*”, an amount equivalent to ten megawatts of nameplate generating capacity shall be reserved for natural gas, methane and landfill gas, or biogas cogeneration facilities incorporated within or associated with an ethanol plant to assist the ethanol plant in meeting a low carbon fuel standard. Thermal heat generated by the cogeneration facility and used for a commercial purpose may be counted toward satisfying the ten megawatt reservation requirement.

*b.* A facility that has been granted eligibility pursuant to paragraph “*a*” for a natural gas cogeneration facility incorporated within or associated with an ethanol plant prior to July 1, 2014, shall not be required to submit a new application if the facility constructs or utilizes methane and landfill gas or biogas cogeneration facilities on or after that date and does not make any other significant changes to the facility or to its status as an eligible facility under paragraph “*a*”.

Sec. 3. Section 476C.5, Code 2014, is amended to read as follows:

**476C.5 Certificate issuance period.**

A producer or purchaser of renewable energy may receive renewable energy tax credit certificates for a ten-year period for each eligible renewable energy facility under this chapter. The ten-year period for issuance of the tax credit certificates begins with the date the purchaser of renewable energy first purchases electricity, hydrogen fuel, methane gas or other biogas used to generate electricity, or heat for commercial purposes from the eligible renewable energy facility for which a tax credit is issued under this chapter, or the date the producer of the renewable energy first uses the energy produced by the eligible renewable energy facility for on-site consumption. Renewable energy tax credit certificates shall not be issued for renewable energy purchased or produced for on-site consumption after December 31, ~~2024~~ 2026.

Approved May 30, 2014