

16.82A Beginning farmer tax credit awards — amount and availability.

1. *a.* Upon approval of an application as provided in [section 16.81](#), the authority shall make a tax credit award to the eligible taxpayer. The tax credit award shall equal the sum of the tax credits calculated by the authority under [section 16.82](#) for all eligible years under the approved agreement.

b. The authority shall notify the eligible taxpayer of the tax credit award under the program. The notification shall include the total tax credit award, the amount of the tax credit award that will be issued by way of a tax credit certificate in each future year under the approved agreement, and a statement that the eligible taxpayer has no right to receive tax credit certificates and claim tax credits under the program if all requirements of the agreement and the program are not satisfied.

c. If, after a tax credit award is made, the eligible taxpayer or qualified beginning farmer no longer meets the requirements of the agreement or the program, the authority may revoke the tax credit award and may rescind any tax credit certificate that has been issued.

2. The amount of beginning farmer tax credits that may be awarded by the authority in any one calendar year under the beginning farmer tax credit program shall not in the aggregate exceed a limit of twelve million dollars. Tax credits shall be awarded by the authority not later than December 15 of each calendar year after the agricultural development board reviews applications as provided in [section 16.81](#) and the authority determines tax credit amounts for the approved applications as provided in [section 16.82](#), aggregated for purposes of meeting the annual program award limits.

3. *a.* The authority shall issue tax credit certificates on an annual basis to eligible taxpayers who have received a tax credit award. The tax credit certificate shall contain the information required by the department.

b. The aggregate amount of tax credit certificates issued to an eligible taxpayer shall not exceed the eligible taxpayer's tax credit award.

c. A tax credit certificate, unless rescinded by the authority, shall be accepted by the department as payment for taxes pursuant to [chapter 422, subchapters II and III](#), subject to any conditions or restrictions placed by the authority upon the face of the tax credit certificate and subject to the limitations of the program.

[2019 Acts, ch 161, §12, 18, 19; 2020 Acts, ch 1062, §13, 94](#)

Referred to in [§16.79A, 16.81](#)

Section applies retroactively to January 1, 2019, for tax years beginning on or after that date; 2019 Acts, ch 161, §19

Applicability of section to tax credits awarded to applicants submitting applications before May 21, 2019, for agricultural transfer tax credits under former §16.80, for the tax year beginning January 1, 2019, see 2019 Acts, ch 161, §16, 17, 19

Code editor directive applied

Subsection 1, paragraph c amended