

15.532 Eligible business application and agreement.

1. *a.* An eligible business that produces a sustainable aviation fuel in this state from feedstock during a calendar year may apply to the authority for the sustainable aviation fuel tax credit provided in [section 15.533](#).

b. The application must be made to the authority in the manner prescribed by the authority.

c. The application must be made during the calendar year following the calendar year in which the sustainable aviation fuel is produced.

d. The authority may accept applications on a continuous basis or may establish, by rule, an annual application deadline.

e. The application must include all of the following information:

(1) The amount of sustainable aviation fuel produced in the state from feedstock by the eligible business during the calendar year, measured in gallons.

(2) The types and sources of feedstock used to produce sustainable aviation fuel, documented in sufficient detail to allow the authority to verify that such feedstock was processed or refined in the state.

(3) Any other information reasonably required by the authority in order to establish and verify eligibility under the program.

f. The authority shall review and score all complete applications submitted by eligible businesses on a competitive basis pursuant to rules adopted by the authority.

2. *a.* Before being issued a tax credit under [section 15.533](#), an eligible business must enter into an agreement with the authority for the successful completion of all requirements of the program. As part of the agreement, the eligible business shall agree to collect and provide any information reasonably required by the authority in order to allow the board to fulfill its reporting obligation under [section 15.534](#).

b. An eligible business shall fulfill all the requirements of the program and the agreement before the authority issues the business a tax credit certificate or enters into a subsequent agreement with the business under [this section](#). The authority may decline to enter into a subsequent agreement with the business under [this section](#) if a prior agreement is not successfully fulfilled.

c. Upon establishing that all requirements of the program and the agreement have been fulfilled, the authority shall issue a tax credit certificate to the eligible business stating the amount of sustainable fuel tax credit the eligible business may claim.

3. The failure by an eligible business in fulfilling any requirement of the program or any of the terms and obligations of an agreement entered into pursuant to [this section](#) may result in the reduction, termination, or rescission of the tax credits under [section 15.533](#) and may subject the eligible business to the repayment or recapture of tax credits claimed. After a final determination, the authority will notify the department of revenue of any required repayment of a tax credit. Such repayment shall be considered a tax payment due and payable to the department of revenue by any taxpayer that claimed the tax credit, and the failure to make the repayment may be treated by the department of revenue in the same manner as a failure to pay the tax shown due, or required to be shown due, with the filing of a return or deposit form.

4. *a.* Except as provided in paragraph “*b*”, any information or record in the possession of the authority with respect to the program shall be presumed by the authority to be a trade secret protected under [chapter 550](#) or common law and shall be kept confidential by the authority unless otherwise ordered by a court.

b. The identity of a tax credit recipient and the amount of the tax credit shall be considered public information under [chapter 22](#).

[2025 Acts, ch 136, §121, 129, 130](#)

Referred to in [§15.533](#), [15.534](#), [15.535](#)

For future repeal of this section effective January 1, 2037, see [§15.535](#)

Sustainable aviation fuel tax credits issued pursuant to the sustainable aviation tax credit program shall not be issued by the economic development authority prior to July 1, 2026, and shall not be claimed by a taxpayer prior to September 1, 2026; [2025 Acts, ch 136, §127](#)

Section applies retroactively to January 1, 2025, for tax years beginning on or after that date; [2025 Acts, ch 136, §130](#)

NEW section