

Senate File 2088

H-8094

1 Amend the amendment, H-8045, to Senate File 2088,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 11, after line 41 by inserting:
5 < ____. Page 118, after line 8 by inserting:

6 <DIVISION

7 WIND ENERGY TAX CREDIT REPEAL

8 Sec. _____. Section 422.11J, Code 2009, is amended to
9 read as follows:

10 **422.11J Tax credits for wind energy production and**
11 **renewable energy.**

12 The taxes imposed under this division, less the
13 credits allowed under section 422.12, shall be reduced
14 by the tax credits credit for wind energy production
15 ~~allowed under chapter 476B and for renewable energy~~
16 allowed under chapter 476C.

17 Sec. _____. Section 422.33, subsection 16, Code
18 Supplement 2009, is amended to read as follows:

19 16. The taxes imposed under this division shall
20 be reduced by the tax credits credit for wind energy
21 ~~production allowed under chapter 476B and for renewable~~
22 energy allowed under chapter 476C.

23 Sec. _____. Section 422.60, subsection 8, Code
24 Supplement 2009, is amended to read as follows:

25 8. The taxes imposed under this division shall
26 be reduced by the tax credits credit for wind energy
27 ~~production allowed under chapter 476B and for renewable~~
28 energy allowed under chapter 476C.

29 Sec. _____. Section 423.4, subsection 4, Code
30 Supplement 2009, is amended to read as follows:

31 4. A person in possession of a ~~wind energy~~
32 ~~production tax credit certificate pursuant to chapter~~
33 ~~476B or a renewable energy tax credit certificate~~
34 issued pursuant to chapter 476C may apply to the
35 director for refund of the amount of sales or use tax
36 imposed and paid upon purchases made by the applicant.

37 a. The refunds may be obtained only in the
38 following manner and under the following conditions:

39 (1) On forms furnished by the department and filed
40 by January 31 after the end of the calendar year in
41 which the tax credit certificate is to be applied, the
42 applicant shall report to the department the total
43 amount of sales and use tax paid during the reporting
44 period on purchases made by the applicant.

45 (2) The applicant shall separately list the amounts
46 of sales and use tax paid during the reporting period.

47 (3) If required by the department, the applicant
48 shall prove that the person making the sales has
49 included the amount thereof in the computation of the
50 sales price of such person and that such person has

1 paid the tax levied by this subchapter or subchapter
2 III, based upon such computation of the sales price.

3 (4) The applicant shall provide the tax credit
4 ~~certificates~~ certificate issued pursuant to chapter
5 ~~476B or 476C~~ to the department with the forms required
6 by this paragraph "a".

7 b. If satisfied that the foregoing conditions
8 and requirements have been complied with, the
9 director shall refund the amount claimed by the
10 applicant for an amount not greater than the
11 amount of tax ~~credits~~ credit issued in a tax credit
12 ~~certificates~~ certificate pursuant to chapter
13 ~~476B or 476C~~.

14 Sec. _____. Section 432.12E, Code 2009, is amended to
15 read as follows:

16 **432.12E Tax credits for wind energy production and
17 renewable energy.**

18 The taxes imposed under this chapter shall be
19 reduced by ~~the tax credits for wind energy production~~
20 ~~allowed under chapter 476B and credit~~ for renewable
21 energy allowed under chapter 476C.

22 Sec. _____. Section 437A.6, subsection 1, paragraph
23 c, Code Supplement 2009, is amended to read as follows:

24 c. Wind energy conversion property subject to
25 section 427B.26 ~~or eligible for a tax credit under~~
26 ~~chapter 476B~~.

27 Sec. _____. Section 437A.17B, Code 2009, is amended
28 to read as follows:

29 **437A.17B Reimbursement for renewable energy.**

30 A person in possession of a ~~wind energy tax credit~~
31 ~~certificate issued pursuant to chapter 476B or a~~
32 renewable energy tax credit certificate issued
33 pursuant to chapter 476C may apply to the director
34 for a reimbursement of the amount of taxes imposed
35 and paid by the person pursuant to this chapter in
36 an amount not more than the person received in ~~wind~~
37 ~~energy tax credit certificates pursuant to chapter~~
38 ~~476B or renewable energy tax credit certificates~~
39 pursuant to chapter 476C. To obtain the reimbursement,
40 the person shall attach to the return required under
41 section 437A.8 ~~the wind energy tax credit certificates~~
42 ~~issued to the person pursuant to chapter 476B, or the~~
43 renewable energy tax credit certificates issued to the
44 person pursuant to chapter 476C, and provide any other
45 information the director may require. The director
46 shall direct a warrant to be issued to the person for
47 an amount equal to the tax imposed and paid by the
48 person pursuant to this chapter but for not more than
49 the amount of the ~~wind energy tax credit certificates~~
50 ~~or renewable energy tax credit certificates~~ attached to

1 the return.
2 Sec. _____. Section 476C.4, subsection 6, Code 2009,
3 is amended by striking the subsection.
4 Sec. _____. Section 524.802, subsection 14, Code
5 2009, is amended by striking the subsection.
6 Sec. _____. REPEAL. Section 476B.2, 476B.3, 476B.7,
7 476B.8, 476B.9, and 476B.10, Code 2009, is repealed.
8 Sec. _____. REPEAL. Sections 476B.1, 476B.4,
9 476B.5, 476B.6, and 476B.6A, Code Supplement 2009, are
10 repealed.>>

WATTS of Dallas