

House File 2531

S-5364

1 Amend House File 2531, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 40, after line 29 by inserting:

4 <Sec. _____. Section 437A.3, Code Supplement 2009, is
5 amended by adding the following new subsections:

6 NEW SUBSECTION. 1A. "*Biofuel*" means any solid,
7 liquid, or gaseous fuel consisting of or derived from
8 renewable biological sources, including but not limited
9 to plants or animal waste.

10 NEW SUBSECTION. 1B. "*Biofuel facility*" means
11 a facility owned or operated by a person or entity
12 and used for the manufacture and distribution of any
13 biofuel.

14 Sec. _____. Section 437A.8, subsection 6, Code 2009,
15 is amended to read as follows:

16 6. Notwithstanding subsections 1 through 5, a
17 taxpayer engaged in the production of a biofuel or any
18 person owning a biofuel facility shall not be required
19 to file a return otherwise required by this section
20 or remit any replacement tax for any tax year in
21 which the taxpayer's replacement tax liability before
22 credits is three hundred dollars or less, provided
23 that all electric companies, electric cooperatives,
24 municipal utilities, and natural gas companies shall
25 file a return, regardless of the taxpayer's replacement
26 tax liability on, deliveries of natural gas to a
27 biofuel facility prior to January 1, 2010. However,
28 replacement tax remitted by a taxpayer prior to
29 January 1, 2010, for natural gas delivered to a biofuel
30 facility prior to January 1, 2010, shall not be subject
31 to refund.>

32 2. By renumbering as necessary.

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