

S-5379

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

3 1. Page 46, after line 5 by inserting:

4 <DIVISION _____
5 WITHHOLDING TAX CREDITS
6 Sec. _____. WITHHOLDING CREDIT PROGRAM REPORT AND
7 PLAN.

8 1. It is the intent of the general assembly that
9 the withholding credit provisions of the industrial new
10 jobs training program in chapter 260E, the accelerated
11 career education program in chapter 260G, and the
12 targeted jobs withholding credit program in section
13 403.19A be implemented and administered in an accurate
14 and transparent way.

15 2. The department of revenue shall, in conjunction
16 with the community colleges, the pilot project cities,
17 and the department of economic development, engage in
18 a comprehensive review and evaluation of the programs
19 described in subsection 1.

20 3. After conducting the review and evaluation under
21 subsection 2, the department of revenue, in conjunction
22 with the community colleges, the pilot project cities,
23 and the department of economic development, shall
24 develop a plan under which the withholding credits
25 provided for in the programs described in subsection
26 1 are remitted first to the department of revenue and
27 then transferred to the community colleges and pilot
28 project cities only after the proper amount of such
29 credits has been verified by the department of revenue.
30 The plan shall provide for implementation of changes to
31 the programs as of July 1, 2011.

32 4. The department of revenue shall submit a report
33 containing the results of the program review conducted
34 under subsection 2 and the plan developed under
35 subsection 3 to the governor and the general assembly
36 by December 15, 2010.>

37 2. Page 46, after line 5 by inserting:

38 <DIVISION _____
39 LIABILITY DEFERRAL
40 Sec. _____. REPLACEMENT TAX LIABILITY —

41 DEFERRAL. Replacement tax imposed for the consumption
42 of natural gas pursuant to section 437A.5, subsection
43 2, and otherwise owed for a tax year beginning on or
44 before January 1, 2008, by a consumer who bypasses a
45 natural gas company, together with interest thereon,
46 shall be deferred until July 1, 2011. During the
47 deferral period, the consumer shall remain liable
48 for replacement tax due for tax years beginning on or
49 after January 1, 2009. Upon expiration of the deferral
50 period, a consumer shall be liable for any replacement

1 tax assessed for a tax year beginning on or before
2 January 1, 2008, and any and all rights to protest that
3 assessment shall be preserved. The utility replacement
4 tax task force established in section 437A.15,
5 subsection 7, shall conduct an analysis and review
6 concerning consumer tax liability pursuant to this
7 section, and shall submit recommendations resulting
8 from the analysis and review to the department and the
9 general assembly by January 1, 2011.

10 Sec. ____ . EFFECTIVE UPON ENACTMENT. This division
11 of this Act, being deemed of immediate importance,
12 takes effect upon enactment.>

13 3. By renumbering as necessary.

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