

Senate File 531

S-3303

1 Amend Senate File 531 as follows:

2 1. Page 2, line 12, after <site-by-site basis> by  
3 inserting <in the same manner>

4 2. Page 3, by striking lines 17 through 19 and  
5 inserting:

6 <(b) If the retail dealer's biofuel threshold  
7 percentage disparity equals more than two percent but  
8 not more than four percent, the tax credit rate is as  
9 follows:

10 (i) For calendar year 2011, two and one-half cents.

11 (ii) For calendar year 2012 and for each subsequent  
12 calendar year, four cents.>

13 3. By striking page 4, line 34, through page 5,  
14 line 18, and inserting:

15 <Sec. \_\_\_\_ . ADMINISTRATIVE RULES. The department  
16 of revenue may adopt emergency rules under section  
17 17A.4, subsection 3, and section 17A.5, subsection  
18 2, paragraph "b", to implement the provisions of  
19 this division of this Act, and the rules shall be  
20 effective immediately upon filing unless a later date  
21 is specified in the rules. Any rules adopted in  
22 accordance with this section shall also be published  
23 as a notice of intended action as provided in section  
24 17A.4.

25 Sec. \_\_\_\_ . EFFECTIVE DATE. This division of this  
26 Act, and the application of section 422.33, subsection  
27 11A, due to this division of this Act, take effect upon  
28 enactment.

29 Sec. \_\_\_\_ . RETROACTIVE APPLICABILITY. This division  
30 of this Act applies retroactively to January 1, 2011,  
31 including section 422.11N, as amended in this division  
32 of this Act, and the application of section 422.33,  
33 subsection 11A, due to this division of this Act, to  
34 tax years beginning on and after January 1, 2011.>

35 4. Page 6, line 8, after <multiplying> by inserting  
36 <a designated rate of>

37 5. Page 9, lines 5 and 6, by striking <sections  
38 452A.31 and 452A.33> and inserting <section 452A.31>

39 6. Page 12, line 26, by striking <sections 452A.31  
40 and 452A.33> and inserting <section 452A.31>

41 7. Page 15, by striking lines 14 through 34 and  
42 inserting:

43 <Sec. \_\_\_\_ . ADMINISTRATIVE RULES. The department  
44 of revenue may adopt emergency rules under section  
45 17A.4, subsection 3, and section 17A.5, subsection 2,  
46 paragraph "b", to implement the provisions of this  
47 division of this Act. Any rules adopted in accordance  
48 with this section shall also be published as a notice  
49 of intended action as provided in section 17A.4. The  
50 department's rules shall not take effect earlier than

1 July 1, 2011.

2 Sec. \_\_\_\_\_. EFFECTIVE DATES.

3 1. Except as provided in subsection 2, this  
4 division of this Act takes effect on July 1, 2011.

5 2. The section of this division of this Act  
6 authorizing the department of revenue to adopt rules  
7 takes effect upon enactment.

8 Sec. \_\_\_\_\_. APPLICABILITY.

9 1. Except as provided in subsection 2, section  
10 422.11Y, as enacted in this division of this Act, and  
11 section 422.33, subsection 11D, as enacted in this  
12 division of this Act and applied due to this division  
13 of this Act, apply to tax years beginning on and after  
14 January 1, 2012.

15 2. Section 422.11Y, as enacted in this division  
16 of this Act, and section 422.33, subsection 11D, as  
17 enacted in this division of this Act and applied due  
18 to this division of this Act, apply to that part of a  
19 retail dealer's tax year or tax years occurring during  
20 that portion of the calendar year beginning on and  
21 after July 1, 2011, and ending on December 31, 2011.  
22 In that case, the retail dealer shall calculate the  
23 E-15 plus gasoline promotion tax in the same manner as  
24 a retail dealer calculating the tax credit on January  
25 1, 2012.>

26 8. Page 16, line 1, after <INFRASTRUCTURE> by  
27 inserting < — APPROPRIATION>

28 9. Page 17, after line 2 by inserting:

29 <Sec. \_\_\_\_\_. Section 321.145, subsection 2, paragraph  
30 a, Code 2011, is amended to read as follows:

31 a. Four Moneys shall be deposited into and credited  
32 to the following funds:

33 (1) First, three million two five hundred fifty  
34 thousand dollars per quarter shall be deposited into  
35 and credited to the Iowa comprehensive petroleum  
36 underground storage tank fund created in section  
37 455G.3, and the moneys so deposited are a continuing  
38 appropriation for expenditure under chapter 455G, and  
39 moneys so appropriated shall not be used for other  
40 purposes.

41 (2) Second, seven hundred fifty thousand dollars  
42 per quarter shall be deposited into and credited to the  
43 renewable fuel infrastructure fund created in section  
44 15G.205, and the moneys so deposited are a continuing  
45 appropriation for expenditure under chapter 15G,  
46 subchapter II, and moneys so appropriated shall not be  
47 used for other purposes.>

48 10. Page 19, line 5, after <2011.> by inserting  
49 <The Code editor shall correct internal references as  
50 necessary, including references in section 321.145,

1 subsection 2, paragraph "a", as amended in this  
2 division of this Act.>

3 11. Title page, by striking lines 1 and 2 and  
4 inserting <An Act relating to motor fuels, including  
5 biofuels and renewable fuels dispensed by retail  
6 dealers, and by providing for tax credits and refunds,  
7 providing an appropriation, and including effective  
8 date and retroactive and other>

9 12. By renumbering as necessary.

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ROBERT M. HOGG