

House File 2757

H-8368

1 Amend House File 2757 as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I

4 NUCLEAR ELECTRIC GENERATION FACILITIES — SALES AND USE TAX  
5 EXEMPTIONS>

6 2. Page 3, line 13, before <Act> by inserting <division of  
7 this>

8 3. Page 3, after line 16 by inserting:

9 <DIVISION \_\_\_\_

10 WIND ENERGY CONVERSION PROPERTY — SURCHARGE

11 Sec. \_\_\_\_ . NEW SECTION. 476.53B **Wind energy conversion**  
12 **property — surcharge.**

13 1. It is the intent of the general assembly that the  
14 surcharge imposed under this section serve as a partial offset  
15 to the revenue reductions resulting from exemptions for nuclear  
16 electric generation facilities under section 423.3, subsection  
17 111.

18 2. For purposes of this section, "*wind energy conversion*  
19 *property*" means the same as defined in section 427B.26.

20 3. In addition to property taxes due and payable in fiscal  
21 years beginning on or after July 1, 2027, a surcharge is  
22 imposed on all wind energy conversion property valued under  
23 section 427B.26 in an amount equal to the difference, but not  
24 less than zero, between the following using the wind energy  
25 conversion property's net acquisition cost as the actual value  
26 of the property:

27 a. The amount of property taxes that would be due and  
28 payable if the wind energy conversion property were assessed  
29 as industrial property under section 441.21, subsection 5,  
30 paragraph "c", using the wind energy conversion property's net  
31 acquisition cost as the actual value of the property, and taxed  
32 at the levy rates applicable to industrial property in the  
33 taxing district where the property is located.

34 b. The amount of property taxes due and payable on the wind  
35 energy conversion property for the applicable fiscal year.

1 4. The surcharge imposed under this section shall apply  
2 to all wind energy conversion property subject to special  
3 valuation under section 427B.26, whether such property  
4 commenced commercial operation before or after the effective  
5 date of this division of this Act.

6 5. The surcharge amount due under this section for each  
7 fiscal year in which property taxes are due and payable on  
8 the wind energy conversion property shall be calculated by  
9 the county assessor of the county in which the wind energy  
10 conversion property is located.

11 6. The surcharge imposed under this section shall be  
12 assessed, billed, and collected by the county assessor and  
13 county treasurer of the county in which the wind energy  
14 conversion property is located, in the same manner and subject  
15 to the same penalties, interest, and enforcement provisions  
16 as property taxes imposed on wind energy conversion property  
17 subject to special valuation under section 427B.26.

18 7. The proceeds of the surcharge imposed under this section  
19 shall be distributed as follows:

20 a. Fifty percent shall be apportioned and paid by the county  
21 treasurer to the taxing authorities in the taxing district  
22 where the wind energy conversion property is located in the  
23 same proportions as property taxes due and payable are imposed  
24 for the same fiscal year. Such amounts shall be used by each  
25 recipient taxing authority to reduce the taxing authority's  
26 property tax dollars levied on all property in the succeeding  
27 fiscal year.

28 b. Fifty percent shall be remitted by the county treasurer  
29 to the treasurer of state for deposit in the general fund of  
30 the state.

31 8. The surcharge imposed under this section is in addition  
32 to, and not in lieu of, any other tax, fee, or financial  
33 obligation imposed on wind energy conversion property or its  
34 owner or operator under any other provision of law. Payment  
35 of the surcharge shall not be credited against, or otherwise

1 reduce, any other tax or financial obligation of the wind  
2 energy conversion property owner or operator.

3 9. The department of revenue shall, by January 1, 2028,  
4 and January 1 of each year thereafter, prepare and submit to  
5 the general assembly a report detailing, for the most recently  
6 completed fiscal year, the total amount of surcharges collected  
7 statewide; the amount distributed to each taxing authority in  
8 each county; the amount remitted to the general fund; and the  
9 estimated reduction in property tax levies achieved in each  
10 taxing district as the result of the surcharge.>

11 4. Title page, line 1, by striking <creating> and inserting  
12 <relating to taxes on electric generation facilities,  
13 including>

14 5. Title page, line 3, after <facilities> by inserting <and  
15 a surcharge for wind energy conversion property>

16 6. By renumbering as necessary.

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