

427B.26 Special valuation of wind energy conversion property.

1. a. A city council or county board of supervisors may provide by ordinance for the special valuation of wind energy conversion property as provided in [subsection 2](#). The ordinance may be enacted not less than thirty days after a public hearing on the ordinance is held. Notice of the hearing shall be published in accordance with [section 331.305](#) in the case of a county, or [section 362.3](#) in the case of a city. The ordinance shall only apply to property first assessed on or after the effective date of the ordinance.

b. If in the opinion of the city council or the county board of supervisors continuation of the special valuation provided under [this section](#) ceases to be of benefit to the city or county, the city council or the county board of supervisors may repeal the ordinance authorized by [this subsection](#). Property specially valued under [this section](#) prior to repeal of the ordinance shall continue to be valued under [this section](#) until the end of the nineteenth assessment year following the assessment year in which the property was first assessed. Following repeal of the ordinance and conclusion of the applicable nineteen-year period, the wind energy conversion property shall be subject to assessment and taxation under [chapter 437A](#), [section 441.21](#), [subsection 8](#), paragraphs “b”, “c”, and “d”, or [sections 428.24 through 428.26](#), [428.28](#), and [428.29](#), as applicable.

2. In lieu of the valuation and assessment provisions in [chapter 437A](#), [section 441.21](#), [subsection 8](#), paragraphs “b”, “c”, and “d”, and [sections 428.24 through 428.26](#), [428.28](#), and [428.29](#), as applicable, wind energy conversion property which is first assessed for property taxation on or after January 1, 1994, and on or after the effective date of the ordinance enacted pursuant to [subsection 1](#), shall be valued by the local assessor for property tax purposes as follows:

a. For the first assessment year, at zero percent of the net acquisition cost.

b. For the second through sixth assessment years, at a percent of the net acquisition cost which rate increases by five percentage points each assessment year.

c. For the seventh and succeeding assessment years, at thirty percent of the net acquisition cost.

3. a. The taxpayer shall file with the local assessor by February 1 of the assessment year in which the wind energy conversion property is first assessed for property tax purposes, a declaration of intent to have the property assessed at the value determined under [this section](#) in lieu of the valuation and assessment provisions in [chapter 437A](#), [section 441.21](#), [subsection 8](#), paragraphs “b”, “c”, and “d”, and [sections 428.24 through 428.26](#), [428.28](#), and [428.29](#), as applicable.

b. Maintaining, refurbishing, or repowering wind energy conversion property shall not cause the wind energy conversion property to receive a new assessment schedule under [subsection 2](#).

4. For purposes of [this section](#):

a. “Collector substation” means an electrical substation designed to collect energy from multiple electricity-generating sources.

b. “Net acquisition cost” means the acquired cost of the property including all foundations and installation cost less any excess cost adjustment. However, except in the case of a clerical error, an adjustment shall not be made after the third year the wind energy conversion property is assessed.

c. “Repowering” means the removal and replacement of components of wind energy conversion property.

d. “Wind energy conversion property” means the entire wind plant including but not limited to a wind charger, windmill, wind turbine, tower and electrical equipment, pad mount transformers, power lines, and collector substation.

[93 Acts, ch 161, §2](#); [2021 Acts, ch 80, §269, 270](#); [2022 Acts, ch 1075, §1 – 6](#)

Referred to in [§437A.6](#), [441.21](#), [476B.6](#)

2022 amendment to subsection 1, paragraph b applies retroactively to assessment years beginning on or after January 1, 2022; [2022 Acts, ch 1075, §5](#)

2022 amendment to subsection 2, unnumbered paragraph 1 applies retroactively to assessment years beginning on or after January 1, 2022; [2022 Acts, ch 1075, §5](#)

2022 amendment to subsection 3, paragraph a applies retroactively to assessment years beginning on or after January 1, 2022; [2022 Acts, ch 1075, §5](#)

Subsection 3, paragraph b applies to assessment schedules commenced under subsection 2 on or after May 23, 2022; [2022 Acts, ch 1075, §6](#)
2022 amendment to subsection 4 applies retroactively to assessment years beginning on or after January 1, 2022; [2022 Acts, ch 1075, §5](#)
Subsection 1, paragraph b amended
Subsection 2, unnumbered paragraph 1 amended
Subsections 3 and 4 amended