

SENATE BILL NO. 213

INTRODUCED BY STORY, BERGREN, GILLAN, PETERSON

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4 A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE TERMINATION DATE FOR THE TAX CREDIT
5 FOR INVESTMENT IN PROPERTY USED TO COLLECT OR PROCESS RECLAIMABLE MATERIAL;
6 ~~REMOVING THE EXEMPTION TO ALLOWING THE CREDIT TO BE USED FOR PROPERTY THAT IS USED~~
7 ~~TO PRODUCE ENERGY FROM CERTAIN RECLAIMABLE MATERIAL; AMENDING SECTION 15-32-604, MCA,~~
8 SECTION 9, CHAPTER 712, LAWS OF 1991, SECTIONS 4 AND 5, CHAPTER 542, LAWS OF 1995, SECTION
9 1, CHAPTER 411, LAWS OF 1997, AND SECTIONS 4, 5, 6, AND 7, CHAPTER 398, LAWS OF 2001;
10 REPEALING SECTION 15-32-604, MCA; AND PROVIDING AN EFFECTIVE DATE."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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14 ~~SECTION 1. SECTION 15-32-604, MCA, IS AMENDED TO READ:~~
15 ~~"15-32-604. (Temporary) Limitation of credit. Notwithstanding the provisions of 15-32-602 and~~
16 ~~15-32-603, a tax credit may not be claimed for an investment in property used to produce energy from the~~
17 ~~following reclaimed material:~~
18 ~~(1) hazardous wastes or substances as defined in 76-7-103;~~
19 ~~(2) TIRES;~~
20 ~~(2)(3) plastics; or~~
21 ~~(3)(4) used oil that exceeds the specifications established in 40 CFR 279.11. (Terminates December~~
22 ~~31, 2005--secs. 5, 7, Ch. 398, L. 2001.)"~~

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24 **Section 1.** Section 9, Chapter 712, Laws of 1991, is amended to read:
25 **"Section 9. Termination.** [This act] terminates December 31, 1995 ~~2010~~ 2011."

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27 **Section 2.** Section 4, Chapter 542, Laws of 1995, is amended to read:
28 **"Section 4.** Section 9, Chapter 712, Laws of 1991, is amended to read:
29 **"Section 9. Termination.** [This act] terminates December 31, 1995 ~~2001~~ ~~2010~~ 2011."

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1 **Section 3.** Section 5, Chapter 542, Laws of 1995, is amended to read:

2 "**Section 5. Termination --exception.** (1) [Sections 1 through 3] terminate December 31, ~~1997~~ 2010
3 2011.

4 ~~(2) Notwithstanding subsection (1), 15-32-603(3), as numbered by [this act], which reads: "A credit~~
5 under this section may be claimed by a taxpayer for a business only if the qualifying property is purchased before
6 January 1, 1998.", is deleted in its entirety on December 31, 1997."

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8 **Section 4.** Section 1, Chapter 411, Laws of 1997, is amended to read:

9 "**Section 1.** Section 5, Chapter 542, Laws of 1995, is amended to read:

10 "**Section 5. Termination --exception.** (1) [Sections 1 through 3] terminate December 31, ~~1997~~ 2001
11 2010 2011.

12 ~~(2) Notwithstanding subsection (1), 15-32-603(3), as numbered by [this act], which reads: "A credit~~
13 under this section may be claimed by a taxpayer for a business only if the qualifying property is purchased before
14 January 1, 1998 2002.", is deleted in its entirety on December 31, 1997 2001."

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16 **Section 5.** Section 4, Chapter 398, Laws of 2001, is amended to read:

17 "**Section 4.** Section 9, Chapter 712, Laws of 1991, is amended to read:

18 "**Section 9. Termination.** [This act] terminates December 31, ~~1995~~ 2005 2010 2011."

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20 **Section 6.** Section 5, Chapter 398, Laws of 2001, is amended to read:

21 "**Section 5.** Section 4, Chapter 542, Laws of 1995, is amended to read:

22 "**Section 9. Termination.** [This act] terminates December 31, ~~1995~~ 2005 2010 2011."

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24 **Section 7.** Section 6, Chapter 398, Laws of 2001, is amended to read:

25 "**Section 6.** Section 5, Chapter 542, Laws of 1995, is amended to read:

26 "**Section 5. Termination --exception.** (1) [Sections 1 through 3] terminate December 31, ~~1997~~ 2005
27 2010 2011.

28 ~~(2) Notwithstanding subsection (1), 15-32-603(3), as numbered by [this act], which reads: "A credit~~
29 under this section may be claimed by a taxpayer for a business only if the qualifying property is purchased before
30 January 1, 1998 2006.", is deleted in its entirety on December 31, 1997 2005."

