

Amendments to House Bill No. 581
1st Reading Copy

Requested by Representative JP Pomnichowski

For the House Taxation Committee

Prepared by Megan Moore
March 23, 2013 (12:27pm)

1. Title, page 1, line 16.

Following: "15-31-162,"

Insert: "15-32-106, 15-32-201,"

2. Title, page 1, line 27.

Strike: "15-32-106,"

3. Title, page 1, line 28.

Strike: "15-32-201,"

4. Page 42, line 14.

Following: line 13

Insert: "**Section 34.** Section 15-32-106, MCA, is amended to read:

"15-32-106. Procedure for obtaining benefit of deduction or credit. The department of revenue shall provide forms on which a taxpayer may apply for a tax credit under 15-32-109. The department of revenue shall approve a ~~deduction or credit~~ under ~~15-32-103 or~~ 15-32-109 that demonstrably promotes energy conservation or uses a recognized nonfossil form of energy generation. The department of revenue may refer a ~~deduction or credit~~ involving energy generation or energy conservation to the department of environmental quality for its advice, and the department of environmental quality shall respond within 60 days. ~~The department of revenue may refer a deduction or credit involving energy conservation to the department of labor and industry for its advice, and the department of labor and industry shall respond within 60 days.~~ The department of revenue may deny a ~~deduction or~~ credit that it finds to be impractical or ineffective."

{ Internal References to 15-32-106:

15-32-103 }"

Insert: "**Section 35.** Section 15-32-201, MCA, is amended to read:

"15-32-201. Amount of credit -- to whom available. (1) A resident individual taxpayer who completes installation of an energy system using a recognized nonfossil form of energy generation, as defined in 15-32-102, to provide heat for the taxpayer's principal dwelling is allowed to claim a tax credit in an amount equal to the cost of the system, including installation costs, less grants received, not to exceed \$500, against the income tax liability imposed against the taxpayer pursuant to

chapter 30.

(2) A resident individual taxpayer who completes installation of an energy system using a low-emission wood or biomass combustion device, as defined in 15-32-102, to provide heat for the taxpayer's principal dwelling is allowed to claim a tax credit in an amount equal to the cost of the system, including the installation costs, not to exceed \$500, against the income tax liability imposed against the taxpayer pursuant to Title 15, chapter 30.

(3) In determining whether an energy system is eligible for a tax credit under this part, the department may refer a credit involving an energy system using a recognized nonfossil form of energy generation or a low-emission wood or biomass combustion device to the department of environmental quality for its advice, and the department of environmental quality shall respond within 60 days."

{Internal References to 15-32-201: None.}"

5. Page 84, line 26.

Strike: line 26

6. Page 85, line 1.

Strike: line 1

- END -

Explanation - This amendment complements HB058105.amm by adding language related to the administration of the energy conservation and alternative energy tax credits. This amendment does not stand alone.