

1 **** BILL NO. ****
2 INTRODUCED BY ****
3 BY REQUEST OF THE ****
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE ALTERNATIVE ENERGY SYSTEM TAX CREDIT;
6 PROVIDING THAT THE CREDIT MAY BE REFUNDED IF IT EXCEEDS THE TAXPAYER'S TAX LIABILITY;
7 AMENDING SECTION 15-32-202, MCA; PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A
8 RETROACTIVE APPLICABILITY DATE."

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

11
12 **Section 1.** Section 15-32-202, MCA, is amended to read:

13 **"15-32-202. Taxable years in which credit may be claimed** ~~—carryover.~~ The tax credit is to be
14 deducted from the taxpayer's income tax liability for the taxable year in which the energy system was acquired
15 by the taxpayer. ~~If the amount of the~~The tax credit may be refunded if it exceeds the taxpayer's income tax
16 liability for the taxable year, ~~the amount which exceeds the tax liability may be carried over for deduction from~~
17 ~~the taxpayer's income tax liability in the next succeeding taxable year or years until the total amount of the tax~~
18 ~~credit has been deducted from tax liability. Notwithstanding the foregoing provision, no tax credit may be carried~~
19 ~~over for deduction after the fourth taxable year succeeding the taxable year in which the energy system was~~
20 ~~acquired."~~

21
22 NEW SECTION. **Section 2. {standard} Effective date.** [This act] is effective on passage and
23 approval.

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25 NEW SECTION. **Section 3. Retroactive applicability.** [This act] applies retroactively, within the
26 meaning of 1-2-109, to income tax years beginning after December 31, 2020.

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28 - END -