

# S.B. 224

## RENEWABLE ENERGY TAX CREDIT AMENDMENTS

SENATE FLOOR AMENDMENTS

AMENDMENT 1

MARCH 5, 2014 11:45 AM

Senator **Ralph Okerlund** proposes the following amendments:

1. *Page 1, Line 18:*

18 This bill takes effect for a taxable year beginning on or after January 1, ~~{2016}~~ 2015 .

2. *Page 4, Lines 108 through 112:*

108 (b) (i) ~~[For taxable years beginning on or after January 1, 2007, a]~~ A business entity  
109 that purchases or participates in the financing of a commercial energy system situated in Utah  
110 ~~[is entitled to]~~ may claim a refundable tax credit as provided in this Subsection (2)(b) if the  
111 commercial energy system does not use wind, geothermal electricity, solar, or biomass  
112 equipment capable of producing a total of 660 or more kilowatts of electricity or if the commercial energy  
system does not use solar equipment capable of producing 2,000 or more kilowatts of electricity , and:

3. *Page 6, Lines 168 through 174:*

168 (3) (a) A business entity that owns a commercial energy system located in the state that  
169 uses solar equipment capable of producing a total of 660 or more kilowatts of electricity may  
170 claim a refundable tax credit as provided in this Subsection (3) if:

171 (i) (A) the commercial energy system supplies all or part of the energy required by  
172 commercial units owned or used by the business entity; or

173 ~~{(ii)}~~ (B) the business entity sells all or part of the energy produced by the commercial  
174 energy system as a commercial enterprise ; and

(ii) the business entity does not claim a tax credit under Subsection (2)(b) .

4. *Page 6, Lines 179 through 181:*

179 (c) The tax credit under this Subsection (3) may be claimed for production occurring  
180 during a period of 48 months beginning with the month in which the ~~{commercial}~~ commercial  
energy  
181 system is placed in commercial service.

5. *Page 7, Lines 183 through 184:*

183 (e) The tax credit under this Subsection (3) is allowed for a ~~{commercial}~~ commercial energy  
system

184 completed and placed in service on or after January 1, ~~{2016}~~ 2015 .

6. Page 7, Lines 185 through 187:

185 (f) A business entity that leases a ~~{commercial}~~ commercial energy system installed on a  
186 commercial  
186 unit may claim a tax credit under this Subsection (3) if the business entity that is the lessee can  
187 confirm that the lessor irrevocably elects not to claim the tax credit.

7. Page 8, Line 215:

215 This bill takes effect for a taxable year beginning on or after January 1, ~~{2016}~~ 2015 .