

SENATE BILL NO. 186

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY SENATOR WIELECHOWSKI

Introduced: 2/19/16

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act repealing the qualified in-state oil refinery infrastructure expenditures tax**
2 **credit."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 43.55.028(a) is amended to read:

5 (a) The oil and gas tax credit fund is established as a separate fund of the state.
6 The purpose of the fund is to purchase transferable tax credit certificates issued under
7 AS 43.55.023 and production tax credit certificates issued under AS 43.55.025 and to
8 pay refunds and payments claimed under AS 43.20.046 **or** [,] 43.20.047 [, OR
9 43.20.053].

10 *** Sec. 2.** AS 43.55.028(g) is amended to read:

11 (g) The department may adopt regulations to carry out the purposes of this
12 section, including standards and procedures to allocate available money among
13 applications for purchases under this chapter and claims for refunds and payments
14 under AS 43.20.046 **or** [,] 43.20.047 [, OR 43.20.053] when the total amount of the

1 applications for purchase and claims for refund exceed the amount of available money
2 in the fund. The regulations adopted by the department may not, when allocating
3 available money in the fund under this section, distinguish an application for the
4 purchase of a credit certificate issued under former AS 43.55.023(m) or a claim for a
5 refund or payment under AS 43.20.046 or [,] 43.20.047 [, OR 43.20.053].

6 * **Sec. 3.** AS 43.20.053 is repealed.

7 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 TRANSITION. (a) Notwithstanding the repeal of AS 43.20.053 by sec. 3 of this Act
10 and the amendments to AS 43.55.028(a) and (g) by secs. 1 and 2 of this Act, the Department
11 of Revenue may purchase transferable tax credit certificates that were issued under
12 AS 43.20.053 before the effective date of this Act under AS 43.20.053 and AS 43.55.028(a)
13 and (g), as those sections read on the day before the effective date of this Act.

14 (b) A taxpayer qualifying for a credit under AS 43.20.053 may receive a credit for a
15 qualified infrastructure expenditure made before the effective date of this Act and,
16 notwithstanding the repeal of AS 43.20.053 by sec. 3 of this Act, may apply the tax credit in a
17 current or subsequent tax year according to AS 43.20.053, as that section read on the day
18 before the effective date of this Act.