

1 HOUSE BILL NO. 17

2 INTRODUCED BY J. HAMILTON

3 BY REQUEST OF THE REVENUE INTERIM COMMITTEE

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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; AND 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:

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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."~~

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22 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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

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27 - END -