

HB 5012
Department of Energy (fee bill)

House Bill 5012 ratifies fees that were established over the interim for services related to evaluation and matching requests for passing through Business Energy Tax Credit certificates to eligible recipients. The measure has an emergency clause and is effective on passage.

This fee allows the Department of Energy to recover costs associated with the work, helping to ensure that other sources of funding or other fee payers are not subsidizing this activity.

The Natural Resources Subcommittee recommends HB 5012 be amended and reported out do pass, as amended.

Joint Committee on Ways and Means

Carrier – House: Rep. Bailey
Carrier – Senate: Sen. Edwards

Revenue:

Fiscal: No fiscal impact

Action: Do Pass as Amended and be Printed A-Engrossed

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

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Meeting Date: June 21, 2013

WHAT THE MEASURE DOES: HB 5012 ratifies fees established during the interim for services related to evaluation and matching requests for passing through Business Energy Tax Credit certificates to eligible recipients.

ISSUES DISCUSSED:

- Reconsideration because of an error discovered in the printed bill after it was moved from subcommittee

EFFECT OF COMMITTEE AMENDMENT: Corrects the amount of the pass through fee for the business energy tax credit, from “0.025%” to “0.25%” of the tax credit, and incorporates changes which allowed a tax credit transfer fee of \$200 plus \$100 per tax certificate.

BACKGROUND: House Bill 5012 was reconsidered by the Joint Ways and Means Subcommittee on Natural Resources due to an error in the body of the printed bill.

HB 3672 (2011) accelerated the sunset of the Business Energy Tax Credit (BETC) program, changed the Residential Energy Tax Credit program by adding a third-party solar component, modified the Biomass Producer and Collector Tax Credit, and established three new limited tax credit and grant programs. HB 4079 (2012) made additional changes to the new programs, which are dramatically different from the BETC program. As a result, the Department oversees a more complex program that includes caps for various incentives that must be tracked against applications. Specifically related to the fees in HB 5012, the volume of BETC tax credits is greater than anticipated, as project owners seek to close out their projects and sell their tax credits in anticipation of the program’s 2014 sunset date.

HB 5012-3
(LC 9012)
6/11/13 (TR/ps)

**PROPOSED AMENDMENTS TO
HOUSE BILL 5012**

- 1 In line 12 of the printed bill, delete “0.025%” and insert “0.25%”.
2 Delete line 18 and insert:
3 “(3) Tax credit transfer fee \$ 200, plus
4 \$100 per tax
5 certificate”.
6 _____