

Joint Committee on Ways and Means

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

**Revenue:** No revenue impact

**Fiscal:** Fiscal statement issued

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

**Vote:** 16 – 8 – 2

House

Yeas: Barker, Buckley, Frederick, Jenson, Komp, Nathanson, Tomei, Williamson

Nays: Freeman, Huffman, McLane, Richardson, Smith

Exc: Hanna, Read

Senate

Yeas: Bates, Devlin, Edwards, Hansell, Johnson, Monroe, Steiner Hayward, Winters

Nays: Girod, Thomsen, Whitsett

Exc:

**Prepared By:** Michelle Deister, Legislative Fiscal Office

**Meeting Date:** June 21, 2013

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**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.