

HB3862



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3862

Introduced 2/26/2009, by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

35 ILCS 640/2-5.5 new

Amends the Electricity Excise Tax Law. Creates an alternative energy credit for taxpayers who construct facilities that generate electricity using alternative energy sources (including solar, wind, geothermal, landfill methane gas, fuel cells, and biomass). Provides that the credit shall be 0.18 cents per kilowatt hour generated by the alternative energy system. Provides that the credit shall sunset on January 1, 2017. Effective July 1, 2009.

LRB096 02012 HLH 12024 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Electricity Excise Tax Law is amended by
5 adding Section 2-5.5 as follows:

6 (35 ILCS 640/2-5.5 new)

7 Sec. 2-5.5. Credit for residential alternative energy. Any
8 person who is subject to taxation under this Act who constructs
9 a new residential facility that generates electricity using an
10 alternative energy system is entitled to a credit against the
11 tax imposed under Section 2-4 of this Act in an amount equal to
12 0.18 cents per kilowatt hour generated by the alternative
13 energy system. No later than the first day of the first month
14 of each calendar quarter, a taxpayer who wishes to claim a
15 credit under this Section shall certify to the Department the
16 total number of kilowatt hours generated by the alternative
17 energy system during the previous quarter. Within 30 days after
18 receipt of the certification, the Department shall pay the
19 amount certified directly to the taxpayer from the proceeds of
20 the tax imposed under Section 2-4.

21 For the purposes of this Section, "alternative energy
22 system" means a system that produces energy using one or more
23 of the following sources: solar, wind, geothermal heat pumps

1 (both closed and open-looped systems) and combined heat and
2 power systems, landfill methane gas, fuel cells, and biomass.

3 The credit under this Section shall sunset on January 1,
4 2017.

5 Section 99. Effective date. This Act takes effect July 1,
6 2009.