

Regular Session, 2009

# ACT No. 467

HOUSE BILL NO. 858 (Substitute for House Bill No. 547)

BY REPRESENTATIVE PONTI AND SENATOR THOMPSON

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AN ACT

To amend and reenact R.S. 47:6030(A) and (B)(2), relative to individual and corporate income tax; to provide for eligibility for the wind or solar energy systems tax credit; to limit to one the number of tax credits which may be taken with respect to a wind or solar energy system; to require the disclosure of certain information related to the taking of a tax credit under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:6030(A) and (B)(2) are hereby amended and reenacted to read as follows:

§6030. Wind or solar energy systems tax credit

A. There shall be a credit against the income tax for the cost of purchase and installation of a wind energy system or solar energy system, or both, by a ~~resident individual taxpayer~~ resident individual taxpayer at his residence located in this state ~~or~~, by the owner of a residential rental apartment project, or by a taxpayer who purchases and installs such a system in a residence or a residential rental apartment project which is located in Louisiana. The credit may be claimed in cases where the resident individual purchases a newly constructed home with such a system already installed or where such a system is purchased and installed at an existing home, or where such systems are installed in new or existing apartment projects. Only one such tax credit shall be available for any eligible system. Once a tax credit authorized pursuant to this Section is claimed by a taxpayer for a particular system, that same system shall not be eligible for any other tax credit pursuant to this Section. If the residential property or system is sold, the taxpayer who claimed the tax credit shall disclose his use of the tax credit to the purchaser.

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B.

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(2) In the case of ~~an individual~~ a taxpayer who purchases and installs such a system in a residence or a residential rental apartment project which is located in Louisiana, the tax credit shall be claimed on the return for the taxable year in which such system is completed and placed in service. In the case of ~~an individual~~ a taxpayer who purchases a newly constructed home or newly constructed residential rental apartment project with such a system, the tax credit shall be claimed on the return for the taxable year in which the act of sale ~~of the house~~ takes place. ~~In the case of an apartment project owner who purchases and installs such systems, the tax credits for owner entities other than individuals shall be claimed in accordance with the provisions of Subsection E of this Section.~~

\* \* \*

Section 2. The provisions of this Act shall be applicable to taxable periods beginning on and after January 1, 2009.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_