

By: Senator(s) Clarke

To: Finance

SENATE BILL NO. 2349

1 AN ACT TO PROVIDE AN INCOME TAX CREDIT TO TAXPAYERS WHO
2 INVEST IN AN ENTERPRISE THAT CONVERTS AGRICULTURAL WASTE PRODUCTS
3 INTO ENERGY PRODUCTS IN AN AMOUNT EQUAL TO 10% OF THE VALUE OF THE
4 INVESTMENT MADE BY THE TAXPAYER; TO PROVIDE THAT THE TAX CREDIT
5 SHALL NOT EXCEED 50% OF THE AMOUNT OF TAX IMPOSED UPON THE
6 TAXPAYER; TO PROVIDE THAT UNUSED PORTIONS OF THE CREDIT MAY BE
7 CARRIED FORWARD FOR FIVE YEARS; TO LIMIT THE CUMULATIVE AMOUNT OF
8 THE CREDIT THAT MAY BE CLAIMED; AND FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** (1) For any income taxpayer who invests in an
11 enterprise that converts agricultural waste products into energy
12 products, a credit against the taxes imposed pursuant to this
13 chapter shall be allowed in an amount equal to ten percent (10%)
14 of the value of the investment made by the taxpayer.

15 (2) The credit provided for in this section shall not exceed
16 fifty percent (50%) of the amount of tax imposed upon the taxpayer
17 for the taxable year reduced by the sum of all other credits
18 allowable to such taxpayer under this chapter, except credit for
19 tax payments made by or on behalf of the taxpayer. Any unused
20 portion of the credit may be carried forward for the succeeding
21 five (5) years. The maximum cumulative credit that may be claimed
22 by a taxpayer pursuant to this section is limited to One Million
23 Dollars (\$1,000,000.00).

24 (3) The commission may promulgate rules and regulations to
25 implement the provisions of this section.

26 **SECTION 2.** The provisions of Section 1 of this act shall be
27 codified in Chapter 7, Title 27, Mississippi Code of 1972.

28 **SECTION 3.** This act shall take effect and be in force from
29 and after January 1, 2005.