



## *Synopsis of House Committee Amendments\**

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*Legislative Service Commission*

### **Sub. S.B. 144**

124th General Assembly  
(H. Agriculture & Natural Resources)

Extends the scheduled termination of the Ethanol Incentive Board created by the bill from January 1, 2012 to January 1, 2014.

Eliminates as a criterion for the Board's approval of an ethanol facility's business plan the requirement that the facility to be constructed and operated under the business plan meets eligibility requirements for applying to the Ohio Air Quality Development Authority for a loan, grant, or other financing under existing Authority law.

Specifies that the credit established by the bill against the corporation franchise tax is available beginning in tax year 2003 and ending in tax year 2013 rather than beginning in tax year 2001 and ending in tax year 2011 as previously specified by the bill.

Specifies that the credit established by the bill against the personal income tax is available beginning in taxable year 2002 and ending in taxable year 2012 rather than beginning in taxable year 2001 and ending in taxable year 2011 as previously specified by the bill.

Adjusts the timing regarding when a credit must be claimed due to the differing structures of the corporation franchise tax and the personal income tax (i.e. requires the credit against the corporation franchise tax to be claimed in the tax year immediately following the calendar year in which the investment was made, and requires the credit against the personal income tax to be claimed for the taxable year during which the investment was made).

Defines "biofuel," and includes biofuel production plants in the types of air quality facilities for which the Ohio Air Quality Development Authority may issue bonds or make loans or grants.

For purposes of the bill's provisions involving the Authority, adds fermentation ethyl alcohol derived from biomass resources to the definition of "ethanol," thus

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\* This synopsis does not address amendments that may have been adopted on the House floor.

authorizing the Authority to issue bonds or make loans or grants for facilities that produce fermentation ethyl alcohol derived from biomass resources and that meet the requirements for such financing established in the Authority's existing law.

Specifies that when ethanol is blended or mixed into gasoline that is sold or offered for sale to the public, a retail dealer of gasoline is not required to disclose either the fact that the gasoline contains ethanol or the percentage of ethanol that is contained in the gasoline.

Declares an emergency.

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