

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of Senate Bill No. 363
"TO ALLOW INCENTIVES FOR ADVANCED BIOFUELS DISTRIBUTORS."

Amendment No. 1 to Senate Bill No. 363.

Amend Senate Bill No. 363 as originally introduced:

Page 1, delete lines 11 through 12 and substitute the following:
"ADDITIONAL SUBCHAPTER TO BE ENTITLED THE BIODIESEL INCENTIVE ACT
TO PROVIDE INCENTIVES FOR BIODIESEL SUPPLIERS; TO PROVIDE INCENTIVES FOR
BIODIESEL PRODUCERS; AND FOR OTHER"

AND

Page 1, delete lines 16 through 17 and substitute the following:
"THE BIODIESEL INCENTIVE ACT."

AND

Page 1, delete lines 22 through 24 and substitute the following:
"SECTION 1. Arkansas Code Title 15, Chapter 4, is amended to add an
additional subchapter to read as follows:
15-4-2801. Title.
This subchapter shall be known and may be cited as the "Biodiesel
Incentive Act".

15-4-2802. Definitions.
For the purpose of this subchapter:
(1) "Biodiesel fuel" means a renewable, biodegradable, mono
alkyl ester combustible liquid fuel derived from agricultural plant oils or
animal fats that meet the American Society for Testing and Material
Specification D6751-02 for Biodiesel Fuel, or B100, Blend Stock for
Distillate Fuels, as in effect on February 1, 2003;
(2) "Biodiesel producer" means a business located in the State
of Arkansas that uses agricultural crops, agricultural residues, or waste
products to manufacture biodiesel fuels;
(3) "Commission" means the Alternative Fuels Commission; and
(4) "Supplier" means any person who:
(A) Is customarily in the wholesale business of offering
distillate special fuels or liquefied gas special fuels for resale or use to

any person in this state; and

(B) Makes bulk sales of fuel.

15-4-2803. Tax credit for biodiesel suppliers.”

AND

Page 1, line 27, delete “any Arkansas taxpayer” and substitute “a biodiesel supplier”

AND

Page 1, line 29, delete “advanced biofuels” and substitute “biodiesel fuels”

AND

Page 1, line 35, delete “any taxpayer” and substitute “a supplier”

AND

Page 2, line 2, delete “any other taxpayer” and substitute “a supplier”

AND

Page 2, delete line 5 and substitute the following:

“chapter.

(3) The tax credit provided in subsection (b) of this section may be carried forward for a period not to exceed three (3) years.

15-4-2804. Incentives for biodiesel producers.

(a) The Alternative Fuels Commission may provide grants not to exceed ten cents (10¢) per gallon of biodiesel fuel produced by a biodiesel producer who has met the qualifications prescribed by the Alternative Fuels Commission under its regulations.

(b) The grants authorized by subsection (a) of this section shall be limited to the first five million (5,000,000) gallons of biodiesel fuel produced annually by a biodiesel producer qualified by the commission for a period not to exceed five (5) years.

(c) The grants authorized by subsection (a) of this section shall be disbursed from the Alternative Fuel Fund established under Act 120 of 2003 under the disbursement procedures to be established by the Department of Finance and Administration.

(d) The commission shall not authorize grants that exceed, or may expect to exceed, the balance of funds available, or expected to be available, in the Alternative Fuel Fund.

(e) In the event the number of biodiesel producers qualified by the commission exceeds the balance of funds available to allow each qualified biodiesel producer to receive the maximum benefits under subsections (a) and (b) of this section, the commission shall suspend the qualification of additional biodiesel producers until such time as additional funds are available.

15-4-2805. Rules and regulations.

The Alternative Fuels Commission shall promulgate regulations as necessary to implement the provisions of this subchapter.”

AND

Page 2, line 7, delete “section” and substitute “subchapter”

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Bookout

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Secretary