

HOUSE BILL No. 2763

By Committee on Taxation

Requested by Sandy Braden on behalf of POET, LLC

2-8

1 AN ACT concerning taxation; relating to income tax; providing a tax
2 credit for the sale and distribution of ethanol blends for motor vehicle
3 fuels.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) For taxable years 2025 through 2030, there shall be
7 allowed a credit against the tax liability imposed under the Kansas income
8 tax act for a retail dealer that sells higher ethanol blend at such retail
9 dealer's retail service station or a distributor that sells higher ethanol blend
10 directly to the final user located in this state. The amount of the credit shall
11 equal \$0.05 per gallon of higher ethanol blend sold by the retail dealer and
12 dispensed through metered pumps at the retail dealer's retail service station
13 or by a distributor directly to the final user located in this state during the
14 tax year for which the tax credit is claimed.

15 (b) Any unused credit amounts may be carried forward for up to five
16 taxable years immediately following the taxable year for which the credits
17 were allowed. The credit shall not be refundable.

18 (c) The total amount of tax credits issued pursuant to this section shall
19 not exceed \$5,000,000 per tax year.

20 (d) As used in this section:

21 (1) "Distributor" means a person, firm, or corporation doing business
22 in this state that:

23 (A) Produces, refines, blends, compounds, or manufactures motor
24 fuel;

25 (B) imports motor fuel into the state; or

26 (C) is engaged in distribution of motor fuel.

27 (2) "Higher ethanol blend" means a fuel capable of being dispensed
28 directly into motor vehicle fuel tanks for consumption that is comprised of
29 at least 15% but not more than 85% ethanol.

30 (3) "Retail dealer" means a person, firm or corporation doing
31 business in this state that owns or operates a retail service station in this
32 state.

33 (4) "Retail service station" means a location in this state from which
34 higher ethanol blend is sold to the general public and is dispensed directly
35 into motor vehicle fuel tanks for consumption.

1 Sec. 2. This act shall take effect and be in force from and after its
2 publication in the statute book.