

January 26, 2005

PROPOSED AMENDMENTS TO SENATE BILL NO. 2178

Page 1, line 9, after "operation" insert "in this state that is owned by the taxpayer"

Page 2, replace lines 1 through 6 with:

- "4. If the taxpayer is a passthrough entity consisting of a partnership, S corporation, or a limited liability company treated like a partnership for purposes of this chapter, the total amount of the credit must be determined at the passthrough entity level. The total amount of the credit must be allowed to the passthrough entity's owners in proportion to their respective interests in the passthrough entity. For this purpose, subsections 1, 2, and 3 do not apply to the passthrough entity but do apply to any passthrough entity owner that is not a passthrough entity."

Page 2, replace lines 10 through 17 with:

- "6. The first taxable year in which the credit is allowed is the taxable year in which the taxpayer purchased the eligible machinery, equipment, and structural materials."

Page 2, line 18, replace "8." with "7."

Page 3, after line 9, insert:

- "d. "Qualified investment" or "investment" means the purchase of machinery, equipment, and structural materials used directly and exclusively in a dairy farm milking operation. It includes the purchase of replacement machinery, equipment, and construction materials used for the same purpose."

Page 3, line 10, replace "d." with "e."

Renumber accordingly