

JAN 23 2009

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# A BILL FOR AN ACT

RELATING TO TAXATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 235-12.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3           "(b) For the purposes of this section:

4           "Actual cost" means costs related to the renewable energy  
5 technology systems under subsection (a), including accessories  
6 and installation, but not including the cost of consumer  
7 incentive premiums unrelated to the operation of the system or  
8 offered with the sale of the system and costs for which another  
9 credit is claimed under this chapter.

10           "Corporate taxpayer" shall include a condominium  
11 association and its members.

12           "Renewable energy technology system" means a new system  
13 that captures and converts a renewable source of energy, such as  
14 wind, heat (solar thermal), or light (photovoltaic) from the sun  
15 into:

16           (1) A usable source of thermal or mechanical energy;

17           (2) Electricity; or



1 (3) Fuel.

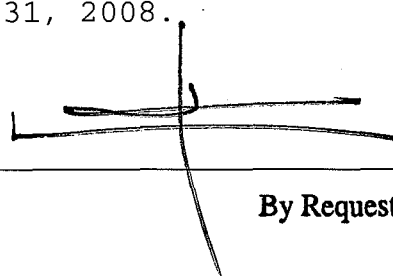
2 "Solar or wind energy system" means any identifiable  
3 facility, equipment, apparatus, or the like that converts  
4 insolation or wind energy to useful thermal or electrical energy  
5 for heating, cooling, or reducing the use of other types of  
6 energy that are dependent upon fossil fuel for their  
7 generation."

8 SECTION 2. New statutory material is underscored.

9 SECTION 3. This Act, upon its approval, shall apply to  
10 taxable years beginning after December 31, 2008.

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INTRODUCED BY: \_\_\_\_\_

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**By Request**



**Report Title:**

Tax Credit; Renewable Energy; Condominium Association

**Description:**

Clarifies that the renewable energy tax credit applies to condominium associations and its members.

