MONETIZING RENEWABLE ENERGY INFRASTRUCTURE SYSTEMS

- JULIAN CONRAD JUERGENSMEYER
- PROFESSOR AND BEN F. JOHNSON CHAIR IN LAW
- GEORGIA STATE UNIVERSITY
Tax Incentives for Going Green in the Southeast
Types of Tax Incentives

- Property Tax Incentives
- Income Tax Incentives
- Sales Tax Incentives
Property Tax Incentives

- Reduced Property Value Base
- Energy Systems Re-Characterized, Property Taxed at a Lower Rate
Reduced Property Value Base

- Only 20% of the value of a solar energy electric system is included in the assessment of the property’s value
  - **North Carolina** – *NC Gen. Stat. § 105-275(45)*

- Reduced valuation rate for the property of a public utility or business that creates electricity through wind
  - **Tennessee** – *Tenn. Code § 67-5-601(e)*

- Cost of installation and purchase price of renewable energy source not included in property tax
  - **Florida** – *Fla. Stat. § 196.175*
Re-Characterizing Renewable Energy Systems

- Active solar heating/cooling system re-characterized as conventional system
  - North Carolina – *NC Gen. Stat. § 105-277*(g)

- Solar energy system re-characterized as personal property
Income Tax Incentives

- Income tax credit for the cost of purchase and installation of renewable energy systems
- Personal deductions for individuals only
- For producing green energy
Income Tax Credit for the Cost of Purchase and Installation of Renewable Energy Systems

- **North Carolina** – *Gen. Stat. § 105-129.16(A)*
  - Includes wind, solar, hydroelectric or biomass equipment and systems
  - Credit – 35% of the cost of the property

- **South Carolina** – *S.C. Code § 12-6-3587*
  - Includes solar energy systems only
  - Applicable to commercial or residential property
  - Credit – 25% of the cost of purchase and installation
Income Tax Credit for the Cost of Purchase and Installation of Renewable Energy Systems

**Louisiana – La. Rev. Stat § 47:6030**
- Includes wind and solar energy systems
- Credit – 50% of the first $25,000 of the cost

**Florida – Fla. Stat. § 220.192**
- Includes renewable energy using hydrogen fuel cells, bio-diesel and ethanol
- Credit – 75% of the cost of construction, installation and operation
Income Tax Credits for Individuals

- Deduction for 100% of the cost of installing a wood burning system in the home
  - Alabama – Ala. § 40-18-15(16)

- $750 tax personal tax credit for purchasing an energy efficient manufactured home
  - South Carolina – S.C. Code § 4852-870
For Producing Green Energy

- Entities who sell renewable energy get reimbursed at $0.01/kilowatt hour sold
  - **Florida** – *Fla. Stat. § 220.193*

- Renewable energy includes solar, geothermal, wind, ocean or hydroelectric

- Credit can be carried over for up to five years
Georgia Specifically

- Tax credit available for the construction, purchase or lease of clean energy property
- Applies to individuals and corporations
- O.C.G.A. § 48-7-29.14
Georgia – What Constitutes Clean Energy Property

- Solar energy equipment
- Equipment used to convert wind energy into electricity
- Bio-mass equipment used to convert wood residuals into usable electricity
Georgia – Limitations on Tax Credits

- Total amount allotted by the state for this credit is $2,500,000
- Single family residential – lesser of either 35% of the cost OR
  - $2,500 for solar energy equipment
  - $10,500 for solar electric or wind equipment
- Non-single family – lesser of $500,00 or 35% of the total cost
Sales Tax Incentives

- Year-round Incentives
  - Year round tax exemptions
  - Sales tax refunds
  - Caps on the sales tax allowed

- Sales tax holidays
Year-Round 100% Sales Tax Incentives

- Biomass materials used in the production of energy
  - Georgia – O.C.G.A. § 48-8-3(83)(A)

- Devices which are operated by hydrogen fuel cells, or devices used in manufacturing of, or R&D involving hydrogen or fuel cells
  - South Carolina – S.C. Code § 12-36-2120
Year Round Sales Tax Incentives, Cont’d

- Tax refund on previously paid sales tax on renewable energy using hydrogen fuel cells, bio-diesel or ethanol
  - Florida – Fla. Stat. § 212.08(ccc)

- Sales tax on manufactured homes cannot exceed $300 if the homes meet certain EPA standards
  - South Carolina – S.C. Code § 12-36-2110
Sales Tax Holidays

- 100% sales tax exemption for certain energy efficient products
  - Usually restricted to products purchased for consumer or residential use only

- States with this exemption
  - Georgia – O.C.G.A. § 48-8-3(82)(A)
  - North Carolina – N.C. Gen. Stat. § 105-164.13(D)
  - South Carolina – S.C. Code § 12-36-2120(77)