

138.695 Credits for payment of gasoline tax -- Records.

- (1) Every licensee subject to the tax imposed by subsections (1) and (2) of KRS 138.660 shall be entitled to a credit for each quarterly period beginning on and after July 1, 1980, equivalent to the tax rate levied in KRS 138.220(1) and (2) on gasoline and special fuels purchased by such licensee during such period for use in its operations, provided such gasoline and special fuels were purchased in Kentucky during the same period and the tax imposed by KRS 138.220(1) and (2), 138.565, and 234.320 has been paid. Evidence of the payment of such tax in such form as may be required by or satisfactory to the cabinet shall be furnished by each such licensee claiming the credit herein allowed.
- (2) The cabinet shall at the close of each quarterly period, ending September 30, December 31, March 31, and June 30, compute all credits granted by the cabinet during such quarter, which credits shall be except as provided in subsection (3) of this section, applied only to taxes due on the report filed for the next quarter.
- (3) If the credit or credits referred to in subsections (1) and (2) of this section would expire solely by reason of the lapse of time allowed in subsection (2) of this section, then the balance of any credit shall be refunded to the licensee, provided application therefor and all necessary information shall be filed with the cabinet within sixty (60) days after the time the credit would otherwise expire as provided in subsection (2) of this section, except a credit shall not be refunded to the licensee, where, as estimated by the cabinet, the cost to the cabinet of making the refund would exceed the amount of the refund.
- (4) In order to facilitate administration of the credits and refunds allowed herein, the cabinet shall prescribe what records must be kept by the licensee or any other person and the cabinet shall also prescribe the form and content of said records and any reports to be made relative thereto.

Effective: July 1, 1986

History: Amended 1986 Ky. Acts ch. 174, sec. 6, effective July 1, 1986. -- Amended 1982 Ky. Acts ch. 265, sec. 8, effective April 1, 1982. -- Amended 1980 Ky. Acts ch. 218, sec. 6, effective July 1, 1980. -- Amended 1978 Ky. Acts ch. 229, sec. 1, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 74, Art. IV, sec. 20(2). -- Amended 1972 Ky. Acts ch. 61, sec. 9. -- Amended 1960 Ky. Acts ch. 186, Art. IV, sec. 6. -- Amended 1958 Ky. Acts ch. 70, sec. 19. -- Amended 1956 (2d Extra. Sess.) Ky. Acts ch. 9, sec. 23. -- Created 1954 Ky. Acts ch. 97, sec. 10.