

**141.4248 Transfer of unused ethanol or cellulosic ethanol tax credit caps established by KRS 141.4242 and 141.4244.**

- (1) (a) If, in any calendar year, all approved applications for credit filed pursuant to KRS 141.4242 and 141.4244 do not completely use the annual cellulosic ethanol tax credit cap established by KRS 141.4244 or annual ethanol tax credit cap established by KRS 141.4242, as the case may be; and  
(b) The other ethanol-based tax credit program has total approved applications for credit that exceed the annual cap established for that program;  
then the unused cap may be transferred to the other ethanol-based tax credit program.
- (2) The amount of credit cap transferred from one (1) program to the other shall not exceed the amount necessary for all approved applicants to receive the one dollar (\$1) per gallon credit provided for in KRS 141.4242 or 141.4244, as the case may be.
- (3) Any unused cap remaining for any calendar year after both programs have been fully funded shall not be available to be used in any other year.

**Effective:** August 30, 2007

**History:** Created 2007 (2d Extra. Sess.) Ky. Acts ch. 1, sec. 26, effective August 30, 2007.