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HOUSE BILL 261

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Mary Helen Garcia

AN ACT

RELATING TO TAXATION; CLARIFYING THE MEANING OF TERMS FOR THE DEDUCTION FROM GROSS RECEIPTS FOR RECEIPTS FOR SELLING SOLAR AND WIND GENERATION EQUIPMENT TO GOVERNMENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 7-9-54.3 NMSA 1978 (being Laws 2002, Chapter 37, Section 8) is amended to read:

"7-9-54.3. DEDUCTION--GROSS RECEIPTS TAX--WIND [ENERGY] AND SOLAR GENERATION EQUIPMENT--SALES TO [GOVERNMENT AGENCIES] GOVERNMENTS.--

A. Receipts from selling wind generation [~~nacelles, rotors or related equipment to the United States or New Mexico or any governmental unit or subdivision, agency, department or instrumentality thereof, if such equipment is installed on a supporting structure~~] equipment or solar generation equipment

underscored material = new
[bracketed material] = delete

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[bracketed material] = delete

1 that is part of a wind or solar electric generation project to
2 a government may be deducted from gross receipts.

3 B. As used in this section:

4 (1) "government" means the United States or
5 the state or a governmental unit or a subdivision, agency,
6 department or instrumentality of the federal government or the
7 state;

8 (2) "related equipment" means transformers,
9 turbines, blades, circuit breakers and switching and metering
10 equipment used to connect a wind or solar electric generation
11 plant to the electric grid;

12 (3) "solar generation equipment" means solar
13 thermal energy collection, concentration and heat transfer and
14 conversion equipment; solar tracking hardware and software;
15 photovoltaic panels and inverters; support structures; turbines
16 and associated electrical generating equipment used to generate
17 electricity from solar thermal energy; and related equipment;
18 and

19 (4) "wind generation equipment" means wind
20 generation nacelles, rotors and supporting structures used to
21 generate electricity from wind and related equipment."