

1.1 Senator ..... moves to amend the delete-everything amendment (SCS3157A-1)  
1.2 to S.F. No. 3157 as follows:

1.3 Page 127, after line 30, insert:

1.4 "Sec. 9. Minnesota Statutes 2022, section 169.011, subdivision 27, is amended to read:

1.5 Subd. 27. **Electric-assisted bicycle.** "Electric-assisted bicycle" means a bicycle with  
1.6 two or three wheels that:

1.7 (1) has a saddle and fully operable pedals for human propulsion;

1.8 (2) meets the requirements for bicycles under Code of Federal Regulations, title 16, part  
1.9 1512, or successor requirements;

1.10 (3) is equipped with an electric motor that has a power output of not more than 750  
1.11 watts; ~~and~~

1.12 (4) meets the requirements of a class 1, class 2, or class 3 electric-assisted bicycle; and

1.13 (5) has a battery or electric drive system that has been tested to an applicable safety  
1.14 standard by a third-party testing laboratory."

1.15 Page 146, after line 23, insert:

1.16 "Sec. 28. [290.0687] ELECTRIC-ASSISTED BICYCLE CREDIT.

1.17 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have  
1.18 the meaning given.

1.19 (b) "Electric-assisted bicycle" has the meaning given in section 169.011, subdivision 27,  
1.20 except that the term is limited to a new electric-assisted bicycle purchased from an  
1.21 electric-assisted-bicycle retailer.

1.22 (c) "Qualifying accessories" means a bicycle helmet, lights, lock, luggage rack, basket,  
1.23 bag or backpack, fenders, or reflective clothing.

1.24 Subd. 2. Credit allowed. (a) An individual who is a resident of Minnesota is allowed a  
1.25 credit against the tax imposed by this chapter equal to 75 percent of the amount paid for an  
1.26 electric-assisted bicycle in the taxable year, including any qualifying accessories. The credit  
1.27 is limited to \$1,500, except for a married taxpayer filing a joint return, the limit is \$1,500  
1.28 per spouse.

2.1 (b) The credit percentage in paragraph (a) is reduced by one percentage point until the  
2.2 credit percentage equals 50 percent, for each \$4,000 of adjusted gross income for the taxable  
2.3 year ending in the calendar year prior to the calendar year in excess of:

2.4 (1) \$50,000 for a married taxpayer filing a joint return; and

2.5 (2) \$25,000 for all other filers.

2.6 A taxpayer may claim the credit under this section only once. For married taxpayers filing  
2.7 a joint return, each spouse may claim the credit once.

2.8 (c) For purposes of determining the credit under this section, the commissioner must  
2.9 use the taxpayer's adjusted gross income for the taxable year ending in the calendar year  
2.10 prior to the calendar year in which the taxpayer applies for the credit under subdivision 3,  
2.11 paragraph (a).

2.12 Subd. 3. **Application; administration of credit; transferability.** (a) To claim the credit  
2.13 under this section, a taxpayer must submit to the commissioner an application for the credit  
2.14 in the form prescribed by the commissioner.

2.15 (b) Upon approving an application for a credit, the commissioner must issue a credit  
2.16 certificate to an eligible taxpayer stating the credit percentage, the taxable year for which  
2.17 the credit is allocated, and maximum credit for which the taxpayer is eligible. For a married  
2.18 taxpayer filing a joint return, each spouse may apply to the commissioner separately, and  
2.19 the commissioner must issue each spouse a separate credit certificate.

2.20 (c) The commissioner must allocate credits on a first-come, first-serve basis, except that  
2.21 the commissioner must reserve 40 percent of the credits for a married taxpayer filing a joint  
2.22 return with an adjusted gross income of less than \$78,000 or any other filer with an adjusted  
2.23 gross income of less than \$41,000. Any portion of a taxable year's allocation under this  
2.24 paragraph that is not allocated by September 30 of the taxable year is available for allocation  
2.25 to other credit applications beginning on October 1.

2.26 (d) The commissioner must not allocate an amount of credits totaling more than  
2.27 \$2,000,000 each year. If the entire amount is not allocated in that taxable year, any remaining  
2.28 amount for allocation is available for the four following taxable years until the entire  
2.29 allocation has been made. The commissioner must not award any credits for taxable years  
2.30 beginning after December 31, 2025, and any unallocated amounts cancel on that date.

2.31 Subd. 4. **Credits limited to one use per five years.** A taxpayer may claim and assign  
2.32 a credit under this section one time during a five calendar-year period.

3.1 Subd. 5. Credit refundable; appropriation. If the amount of credit which the taxpayer  
3.2 is eligible to receive under this section exceeds the taxpayer's tax liability under this chapter,  
3.3 the commissioner must refund the excess to the taxpayer. An amount sufficient to pay the  
3.4 refunds allowed under this section is appropriated to the commissioner from the general  
3.5 fund.

3.6 **EFFECTIVE DATE.** This section is effective for taxable years beginning after December  
3.7 31, 2023, and before January 1, 2026."

3.8 Renumber the sections in sequence