143.022 Coal severance tax refund on exported coal -- Annual report. (Effective July 15, 2026)

(1) A taxpayer engaged in severing or processing coal within this Commonwealth that has paid the tax imposed under KRS 143.020 may apply for a refund equal to the amount of tax paid under KRS 143.020 if the coal is transported directly to a market outside of the United States of America.

(2) To apply for the refund allowed under subsection (1) of this section the taxpayer shall file an application for refund with the department and submit all information and documentation necessary to substantiate that the tax was paid upon the coal which was transported directly to a market outside of the United States of America.

(3) The refund process allowed under subsection (1) of this section is available beginning on or after August 1, 2020, but before July 1, 2028, and limited during any calendar year to the export of a combined total of:

(a) Ten million (10,000,000) tons of coal subject to the tax imposed under KRS 143.020 and exported through United States coal export terminals to markets outside of North America; and

(b) Two million five hundred thousand (2,500,000) tons of coal subject to the tax imposed under KRS 143.020 and exported through United States coal export terminals to markets outside of the United States of America and within North America.

(4) (a) By November 1, 2026, and each November 1 thereafter as long a refund is issued under this section, the department shall report to the Legislative Research Commission for referral to the Interim Joint Committee on Appropriations and Revenue:

1. By destination:

a. The total tons of coal in which refunds were granted under subsection (3)(a) of this section for the taxable year; and

b. The total tons of coal in which refunds were granted under subsection (3)(b) of this section for the taxable year;

2. By county:

a. The total number of refunds requested for the taxable year;

b. The total dollar amount of the refunds requested for the taxable year;

c. The total number of refunds issued for the taxable year; and

d. The total dollar amount of the refunds issued for the taxable year; and

3. By taxpayer:

a. The name and location of the taxpayer requesting the refund as listed on the tax return; and

b. The total dollar amount of the refund issued for the taxable year.

(b) The information required to be reported under this section shall not be considered confidential taxpayer information and shall not be subject to KRS

Chapter 131 or any other provisions of the Kentucky Revised Statutes prohibiting disclosure or reporting of information.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 161, sec. 103, effective July 15, 2026. -- Amended 2024 Ky. Acts ch. 166, sec. 17, effective July 15, 2024. -- Amended 2022 Ky. Acts ch. 212, sec. 41, effective July 14, 2022. -- Created 2020 Ky. Acts ch. 91, sec. 46, effective April 15, 2020.