

810-14-1-.35 Interest on Refunds.

(1) The Department shall pay interest on any refund computed from the date of overpayment to the Department, except as follows:

(a) Interest on a refund resulting from a net operating loss carryback shall be computed from the date the claim (amended return) giving rise to the refund is filed.

(b) Interest on a refund of any income tax previously paid through withholding or estimated payments, including a refund of such tax resulting from a net operating loss carryover deduction, shall be paid beginning 90 days after the due date of the return for which the refund is claimed, or the date such return is actually filed, whichever is later.

(2) Interest shall not be paid on any overpayment of the following taxes:

(a) taxes paid by entities for which a refund is allowed by Sections 40-9-12 and 40-9-13, Code of Alabama 1975;

(b) license taxes which are refunded pursuant to Sections 40-12-23 and 40-12-24, Code of Alabama 1975;

(c) gasoline taxes paid on gasoline used for agricultural purposes for which a refund is allowed by Division 3, Article 2, Chapter 17 of Title 40, Code of Alabama 1975;

(d) gasoline taxes paid on gasoline used for the static testing of engines for which a refund is allowed by Division 4, Article 2, Chapter 17 of Title 40, Code of Alabama 1975;

(e) the motor fuels excise tax levied by Section 40-17-141, Code of Alabama 1975, for which a refund or credit is allowed by Section 40-17-142, Code of Alabama 1975; and

(f) the tobacco taxes levied by Chapter 25 of Title 40, Code of Alabama 1975.

Author: George Mingledorff

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