

110TH CONGRESS
1ST SESSION

H. R. 2137

To amend the Internal Revenue Code of 1986 to modify the energy efficient appliance credit for appliances produced after 2007.

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2007

Mr. LEVIN (for himself, Mr. BLUMENAUER, and Ms. SCHWARTZ) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to modify the energy efficient appliance credit for appliances produced after 2007.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Super-Efficient Appli-
5 ance Incentives and Market Transformation Act of 2007”.

1 **SEC. 2. MODIFICATIONS OF ENERGY EFFICIENT APPLI-**
2 **ANCE CREDIT FOR APPLIANCES PRODUCED**
3 **AFTER 2007.**

4 (a) IN GENERAL.—Subsection (b) of section 45M of
5 the Internal Revenue Code of 1986 (relating to applicable
6 amount) is amended to read as follows:

7 “(b) APPLICABLE AMOUNT.—For purposes of sub-
8 section (a)—

9 “(1) DISHWASHERS.—The applicable amount
10 is—

11 “(A) \$45 in the case of a dishwasher which
12 is manufactured in calendar year 2008 or 2009
13 and which uses no more than 324 kilowatt
14 hours per year and 5.8 gallons per cycle, and

15 “(B) \$75 in the case of a dishwasher
16 which is manufactured in calendar year 2008,
17 2009, or 2010 and which uses no more than
18 307 kilowatt hours per year and 5.0 gallons per
19 cycle (5.5 gallons per cycle for dishwashers de-
20 signed for greater than 12 place settings).

21 “(2) CLOTHES WASHERS.—The applicable
22 amount is—

23 “(A) \$75 in the case of a residential top-
24 loading clothes washer manufactured in cal-
25 endar year 2008 which meets or exceeds a 1.72

1 modified energy factor and does not exceed a
2 8.0 water consumption factor,

3 “(B) \$125 in the case of a residential top-
4 loading clothes washer manufactured in cal-
5 endar year 2008 or 2009 which meets or ex-
6 ceeds a 1.8 modified energy factor and does not
7 exceed a 7.5 water consumption factor,

8 “(C) \$150 in the case of a residential or
9 commercial clothes washer manufactured in cal-
10 endar year 2008, 2009 or 2010 which meets or
11 exceeds 2.0 modified energy factor and does not
12 exceed a 6.0 water consumption factor, and

13 “(D) \$250 in the case of a residential or
14 commercial clothes washer manufactured in cal-
15 endar year 2008, 2009, or 2010 which meets or
16 exceeds 2.2 modified energy factor and does not
17 exceed a 4.5 water consumption factor.

18 “(3) REFRIGERATORS.—The applicable amount
19 is—

20 “(A) \$50 in the case of a refrigerator
21 which is manufactured in calendar year 2008,
22 and consumes at least 20 percent but not more
23 than 22.9 percent less kilowatt hours per year
24 than the 2001 energy conservation standards,

1 “(B) \$75 in the case of a refrigerator
2 which is manufactured in calendar year 2008 or
3 2009, and consumes at least 23 percent but no
4 more than 24.9 percent less kilowatt hours per
5 year than the 2001 energy conservation stand-
6 ards,

7 “(C) \$100 in the case of a refrigerator
8 which is manufactured in calendar year 2008,
9 2009 or 2010, and consumes at least 25 per-
10 cent but not more than 29.9 percent less kilo-
11 watt hours per year than the 2001 energy con-
12 servation standards, and

13 “(D) \$200 in the case of a refrigerator
14 manufactured in calendar year 2008, 2009 or
15 2010 and which consumes at least 30 percent
16 less energy than the 2001 energy conservation
17 standards.

18 “(4) DEHUMIDIFIERS.—The applicable amount
19 is—

20 “(A) \$15 in the case of a dehumidifier
21 manufactured in calendar year 2008 that has a
22 capacity less than or equal to 45 pints per day
23 and is 7.5 percent more efficient than the appli-
24 cable Department of Energy energy conserva-
25 tion standard effective October 2012, and

1 “(B) \$25 in the case of a dehumidifier
2 manufactured in calendar year 2008 that has a
3 capacity greater than 45 pints per day and is
4 7.5 percent more efficient than the applicable
5 Department of Energy energy conservation
6 standard effective October 2012.”.

7 (b) ELIGIBLE PRODUCTION.—

8 (1) SIMILAR TREATMENT FOR ALL APPLI-
9 ANCES.—Subsection (c) of section 45M of such Code
10 (relating to eligible production) is amended—

11 (A) by striking paragraph (2),

12 (B) by striking “(1) IN GENERAL” and all
13 that follows through “the eligible” and inserting
14 “The eligible”, and

15 (C) by moving the text of such subsection
16 in line with the subsection heading and redesign-
17 ating subparagraphs (A) and (B) as para-
18 graphs (1) and (2), respectively.

19 (2) MODIFICATION OF BASE PERIOD.—Para-
20 graph (2) of section 45M(c) of such Code, as amend-
21 ed by paragraph (1) of this section, is amended by
22 striking “3-calendar year” and inserting “2-calendar
23 year”.

24 (c) TYPES OF ENERGY EFFICIENT APPLIANCES.—

25 Subsection (d) of section 45M of such Code (defining

1 types of energy efficient appliances) is amended to read
2 as follows:

3 “(d) TYPES OF ENERGY EFFICIENT APPLIANCE.—

4 For purposes of this section, the types of energy efficient
5 appliances are—

6 “(1) dishwashers described in subsection (b)(1),

7 “(2) clothes washers described in subsection
8 (b)(2),

9 “(3) refrigerators described in subsection
10 (b)(3), and

11 “(4) dehumidifiers described in subsection
12 (b)(4).”.

13 (d) AGGREGATE CREDIT AMOUNT ALLOWED.—

14 (1) INCREASE IN LIMIT.—Paragraph (1) of sec-
15 tion 45M(e) of such Code (relating to aggregate
16 credit amount allowed) is amended to read as fol-
17 lows:

18 “(1) AGGREGATE CREDIT AMOUNT ALLOWED.—

19 The aggregate amount of credit allowed under sub-
20 section (a) with respect to a taxpayer for any tax-
21 able year shall not exceed \$100,000,000 reduced by
22 the amount of the credit allowed under subsection
23 (a) to the taxpayer (or any predecessor) for all prior
24 taxable years beginning after December 31, 2007.”.

1 (2) EXCEPTION FOR CERTAIN REFRIGERATOR
2 AND CLOTHES WASHERS.—Paragraph (2) of section
3 45M(e) of such Code is amended to read as follows:

4 “(2) AMOUNT ALLOWED FOR CERTAIN REFRIG-
5 ERATORS AND CLOTHES WASHERS.—Refrigerators
6 described in subsection (b)(3)(D) and clothes wash-
7 ers described in subsection (b)(2)(D) shall not be
8 taken into account under paragraph (1).”.

9 (e) QUALIFIED ENERGY EFFICIENT APPLIANCES.—

10 (1) IN GENERAL.—Paragraph (1) of section
11 45M(f) of such Code (defining qualified energy effi-
12 cient appliance) is amended to read as follows:

13 “(1) QUALIFIED ENERGY EFFICIENT APPLI-
14 ANCE.—The term ‘qualified energy efficient appli-
15 ance’ means—

16 “(A) any dishwasher described in sub-
17 section (b)(1),

18 “(B) any clothes washer described in sub-
19 section (b)(2),

20 “(C) any refrigerator described in sub-
21 section (b)(3), and

22 “(D) any dehumidifier described in sub-
23 section (b)(4).”.

24 (2) CLOTHES WASHER.—Section 45M(f)(3) of
25 such Code (defining clothes washer) is amended by

1 inserting “commercial” before “residential” the sec-
2 ond place it appears.

3 (3) TOP-LOADING CLOTHES WASHER.—Sub-
4 section (f) of section 45M of such Code (relating to
5 definitions) is amended by redesignating paragraphs
6 (4), (5), (6), and (7) as paragraphs (5), (6), (7),
7 and (8), respectively, and by inserting after para-
8 graph (3) the following new paragraph:

9 “(4) TOP-LOADING CLOTHES WASHER.—The
10 term “top-loading clothes washer” means a clothes
11 washer which has the clothes container compartment
12 access located on the top of the machine and which
13 operates on a vertical axis.”.

14 (4) DEHUMIDIFIER.—Subsection (f) of section
15 45M of such Code, as amended by paragraph (3), is
16 amended by redesignating paragraphs (6), (7), and
17 (8) as paragraphs (7), (8) and (9), respectively, and
18 by inserting after paragraph (5) the following new
19 paragraph:

20 “(6) DEHUMIDIFIER.—The term ‘dehumidifier’
21 means a self-contained, electrically operated, and
22 mechanically refrigerated encased assembly con-
23 sisting of—

24 “(A) a refrigerated surface that condenses
25 moisture from the atmosphere,

1 “(B) a refrigerating system, including an
2 electric motor,

3 “(C) an air-circulating fan, and

4 “(D) means for collecting or disposing of
5 condensate.”.

6 (5) REPLACEMENT OF ENERGY FACTOR.—Sec-
7 tion 45M(f)(7) of such Code, as amended by para-
8 graph (4), is amended to read as follows:

9 “(7) MODIFIED ENERGY FACTOR.—The term
10 ‘modified energy factor’ means the modified energy
11 factor established by the Department of Energy for
12 compliance with the Federal energy conservation
13 standard.”.

14 (6) GALLONS PER CYCLE; WATER CONSUMP-
15 TION FACTOR.—Section 45M(f) of such Code (relat-
16 ing to definitions) is amended by adding at the end
17 the following:

18 “(10) GALLONS PER CYCLE.—The term ‘gallons
19 per cycle’ means, with respect to a dishwasher, the
20 amount of water, expressed in gallons, required to
21 complete a normal cycle of a dishwasher.

22 “(11) WATER CONSUMPTION FACTOR.—The
23 term ‘water consumption factor’ means, with respect
24 to a clothes washer, the quotient of the total weight-

1 ed per-cycle water consumption divided by the cubic
2 foot (or liter) capacity of the clothes washer.”.

3 (f) EFFECTIVE DATE.—The amendments made by
4 this section shall apply to appliances produced after De-
5 cember 31, 2007.

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