

110TH CONGRESS
2D SESSION

H. R. 6818

To amend the Internal Revenue Code of 1986 to provide for an enhanced credit to individuals who place qualified solar electric property in service in 2009.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2008

Mr. MCCARTHY of California 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 provide for an enhanced credit to individuals who place qualified solar electric property in service in 2009.

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 “Spurring Our Limitless
5 and Abundant Renewable Energy Act of 2008”.

6 **SEC. 2. QUALIFIED SOLAR ELECTRIC PROPERTY PLACED**
7 **IN SERVICE IN 2009.**

8 (a) IN GENERAL.—Section 25D of the Internal Rev-
9 enue Code of 1986 (relating to residential energy efficient

1 property is amended by redesignating subsection (g) as
 2 subsection (h) and by inserting after subsection (f) the
 3 following new subsection:

4 “(g) SPECIAL RULES FOR QUALIFIED SOLAR ELEC-
 5 TRIC PROPERTY PLACED IN SERVICE IN 2009.—

6 “(1) IN GENERAL.—In the case of qualified
 7 solar electric property expenditures with respect to
 8 the principal place of abode of the taxpayer which
 9 are properly taken into account in the first taxable
 10 year beginning in 2009—

11 “(A) subsection (a)(1) shall be applied by
 12 substituting ‘the applicable percentage’ for ‘30
 13 percent’,

14 “(B) subsection (b)(1)(A) shall not apply,

15 “(C) subsection (e)(4) shall not apply, and

16 “(D) subsection (h) shall not apply.

17 “(2) APPLICABLE PERCENTAGE.—For purposes
 18 of this subsection—

19 “(A) IN GENERAL.—The applicable per-
 20 centage shall be determined as follows:

“Qualified solar electric property expenditures designed to generate the following percentages of average monthly electrical use:		Applicable percentage is:
More than	Not more than:	
.....	25 percent	30 percent
25 percent	50 percent	35 percent
50 percent	40 percent.

1 “(B) AVERAGE MONTHLY ELECTRICAL
2 USE.—For purposes of subparagraph (A)—

3 “(i) IN GENERAL.—The term ‘average
4 monthly electrical use’ means, with respect
5 to the principal place of abode of the tax-
6 payer, the average monthly electrical usage
7 of the taxpayer over the 1-year period end-
8 ing with the most recent period ending be-
9 fore the date on which the qualified solar
10 electric property is placed in service.

11 “(ii) PROPERTY NOT USED BY TAX-
12 PAYER FOR ENTIRE 1-YEAR PERIOD.—If
13 the taxpayer did not occupy the property
14 with respect to which such qualified solar
15 electric property expenditures were made
16 for the entire 1-year period referred to in
17 subparagraph (A), such paragraph shall be
18 applied on the basis of the period during
19 which the taxpayer occupied such property.

20 “(3) LIMITATION BASED ON AMOUNT OF
21 TAX.—If paragraph (1) applies for a taxable year to
22 which section 26(a)(2) does not apply, the credit al-
23 lowed under subsection (a) for such taxable year by
24 reason of paragraph (1) shall not exceed the excess
25 of—

1 “(A) the sum of the regular tax liability
2 (as defined in section 26(b)) plus the tax im-
3 posed by section 55, over

4 “(B) the sum of the credits allowable
5 under this subpart (other than this section) and
6 section 27 for the taxable year.

7 “(4) REGULATIONS.—The Secretary shall issue
8 such regulations as may be necessary or appropriate
9 to carry out this subsection, including regulations
10 providing for appropriate verification systems relat-
11 ing to electricity usage.”.

12 (b) CONFORMING AMENDMENTS.—

13 (1) Section 23(b)(4)(B) of such Code is amend-
14 ed by inserting “and section 25D(g)” after “this
15 section”.

16 (2) Section 24(b)(3)(B) of such Code is amend-
17 ed by striking “23 and 25B” and by inserting “23,
18 25B, and 25D(g)”.

19 (3) Section 25(g)(2) of such Code is amended
20 by inserting “and 25D(g)” after “23”.

21 (c) EFFECTIVE DATE.—The amendments made by
22 this section shall apply to taxable years beginning after
23 December 31, 2008.

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