

116TH CONGRESS
1ST SESSION

H. R. 2718

To amend the Internal Revenue Code of 1986 to include green infrastructure bonds in the definition of qualified private activity bonds.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2019

Mr. KILMER (for himself and Mr. HECK) 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 include green infrastructure bonds in the definition of qualified private activity bonds.

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 “Preventing Pollution
5 through Partnerships Act” or as the “P3 Act”.

6 **SEC. 2. GREEN INFRASTRUCTURE BONDS AS QUALIFIED**
7 **PRIVATE ACTIVITY BONDS.**

8 (a) IN GENERAL.—Subpart A of part IV of sub-
9 chapter B of chapter 1 of the Internal Revenue Code of

1 1986 is amended by adding at the end the following new
2 section:

3 **“SEC. 148. QUALIFIED GREEN INFRASTRUCTURE BOND.**

4 “For purposes of this part—

5 “(1) QUALIFIED GREEN INFRASTRUCTURE
6 BOND DEFINED.—The term ‘green infrastructure
7 bond’ means any bond issued as part of an issue 95
8 percent or more of the net proceeds of which are to
9 be used to develop, carry out, or certify approved
10 green infrastructure projects.

11 “(2) APPROVED GREEN INFRASTRUCTURE
12 PROJECT.—The term ‘approved green infrastructure
13 project’ means a project to construct, rehabilitate,
14 maintain, or repair green infrastructure that has
15 been certified by the State in which such project is
16 located as effectively addressing nonpoint source pol-
17 lution (as such term is used in the Federal Water
18 Pollution Control Act).

19 “(3) GREEN INFRASTRUCTURE DEFINED.—The
20 term ‘green infrastructure’ means infrastructure
21 that preserves, enhances, or mimics natural infiltra-
22 tion, evapotranspiration, or capture of storm
23 water.”.

24 (b) NO VOLUME CAP.—Section 146(g) of the Inter-
25 nal Revenue Code of 1986 is amended by striking “and”

1 at the end of paragraph (3), by striking the period at the
2 end of paragraph (4) and inserting “, and”, and by insert-
3 ing after paragraph (4) the following new paragraph:

4 “(5) any green infrastructure bond.”.

5 (c) CONFORMING AMENDMENTS.—

6 (1) Section 141(e)(1) of the Internal Revenue
7 Code of 1986 is amended by striking “or” at the
8 end of subparagraph (F), by striking the period at
9 the end of subparagraph (G), and by adding at the
10 end the following new subparagraph:

11 “(H) a qualified green infrastructure
12 bond.”.

13 (2) The table of sections for subpart A of part
14 IV of subchapter B of chapter 1 of the Internal Rev-
15 enue Code of 1986 is amended by adding at the end
16 the following new item:

“Sec. 148. Qualified green infrastructure bond.”.

17 (d) EFFECTIVE DATE.—The amendments made by
18 this section shall apply to obligations issued after the date
19 of the enactment of this Act.

○