

116TH CONGRESS
1ST SESSION

H. R. 5165

To amend the Internal Revenue Code of 1986 to extend the advanced energy project credit.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2019

Mr. BRENDAN F. BOYLE of Pennsylvania (for himself, Ms. SÁNCHEZ, Mr. SUOZZI, Mr. PANETTA, Mr. BLUMENAUER, Mr. GOMEZ, and Ms. MOORE) 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 extend the advanced energy project credit.

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 “Innovative Energy
5 Manufacturing Act of 2019”.

6 **SEC. 2. EXTENSION OF THE ADVANCED ENERGY PROJECT**
7 **CREDIT.**

8 (a) IN GENERAL.—Section 48C of the Internal Rev-
9 enue Code of 1986 is amended by redesignating subsection

1 (e) as subsection (f) and by inserting after subsection (d)
2 the following new subsection:

3 “(e) ADDITIONAL ALLOCATIONS.—

4 “(1) IN GENERAL.—Not later than 180 days
5 after the date of enactment of this paragraph, the
6 Secretary, after consultation with the Secretary of
7 Energy, shall establish a program to designate
8 amounts of qualifying advanced project credit limita-
9 tion to qualifying advanced energy projects.

10 “(2) ANNUAL LIMITATION.—

11 “(A) IN GENERAL.—The amount of quali-
12 fying advanced project credit limitation that
13 may be designated under this subsection during
14 any calendar year shall not exceed the annual
15 credit limitation with respect to such year.

16 “(B) ANNUAL CREDIT LIMITATION.—For
17 purposes of this subsection, the term ‘annual
18 credit limitation’ means \$2,500,000,000 for
19 each of calendar years 2020, 2021, 2022, 2023,
20 and 2024, and zero thereafter.

21 “(C) CARRYOVER OF UNUSED LIMITA-
22 TION.—If the annual credit limitation for any
23 calendar year exceeds the aggregate amount
24 designated for such year under this subsection,
25 such limitation for the succeeding calendar year

1 shall be increased by the amount of such excess.

2 No amount may be carried under the preceding
3 sentence to any calendar year after 2024.

4 “(3) PLACED IN SERVICE DEADLINE.—No cred-
5 it shall be determined under subsection (a) with re-
6 spect to any property which is placed in service after
7 the date that is 4 years after the date of the des-
8 ignation under this subsection relating to such prop-
9 erty.

10 “(4) SELECTION CRITERIA.—Selection criteria
11 similar to those in subsection (d)(3) shall apply, ex-
12 cept that in determining designations under this
13 subsection, the Secretary, after consultation with the
14 Secretary of Energy, shall give the highest priority
15 to projects which manufacture (other than assembly
16 of components) property described in a subclause of
17 subsection (c)(1)(A)(i) (or components thereof).

18 “(5) DISCLOSURE OF DESIGNATIONS.—Rules
19 similar to the rules of subsection (d)(5) shall apply
20 for purposes of this subsection.”.

21 (b) EFFECTIVE DATE.—The amendment made by
22 this section shall take effect on the date of the enactment
23 of this Act.

24 (c) PROGRESS REPORT.—During the 30-day period
25 ending on December 31, 2025, the Secretary of the Treas-

1 ury (or the Secretary's delegate), after consultation with
2 the Secretary of Labor, shall submit a report to Congress
3 on the domestic job creation, and wages associated with
4 such jobs, attributable to the amendment made by this
5 section.

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