

118TH CONGRESS
2D SESSION

S. 4068

To amend the Internal Revenue Code of 1986 to establish a business tax credit for the purchase of zero-emission electric lawn, garden, and landscape equipment, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 22, 2024

Mr. HEINRICH (for himself and Ms. BUTLER) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to establish a business tax credit for the purchase of zero-emission electric lawn, garden, and landscape equipment, and for other purposes.

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 “Promoting Reduction
5 of Emissions through Landscaping Equipment Act”.

1 **SEC. 2. TAX CREDIT FOR ZERO-EMISSION ELECTRIC LAWN,**
 2 **GARDEN, AND LANDSCAPE EQUIPMENT.**

3 (a) IN GENERAL.—Subpart E of part IV of sub-
 4 chapter A of chapter 1 of the Internal Revenue Code of
 5 1986 is amended by inserting after section 48E the fol-
 6 lowing new section:

7 **“SEC. 48F. ZERO-EMISSION ELECTRIC LAWN, GARDEN, AND**
 8 **LANDSCAPE EQUIPMENT CREDIT.**

9 “(a) IN GENERAL.—For purposes of section 46, the
 10 credit for zero-emission electric lawn, garden, and land-
 11 scape equipment for any taxable year is an amount equal
 12 to 40 percent of the basis of any zero-emission electric
 13 lawn, garden, and landscape equipment placed in service
 14 by the taxpayer during such taxable year.

15 “(b) LIMITATIONS.—

16 “(1) ANNUAL LIMITATION.—The amount of any
 17 credit determined under subsection (a) for any tax-
 18 able year may not exceed \$25,000.

19 “(2) AGGREGATE LIMITATION.—The aggregate
 20 amount of credits determined under subsection (a)
 21 for all taxable years within any consecutive 10-year
 22 period may not exceed \$100,000.

23 “(c) ZERO-EMISSION ELECTRIC LAWN, GARDEN,
 24 AND LANDSCAPE EQUIPMENT.—For purposes of this sec-
 25 tion, the term ‘zero-emission electric lawn, garden, and
 26 landscape equipment’ means—

1 “(1) any equipment which—

2 “(A) is—

3 “(i) used primarily for lawn, garden,
4 or landscaping purposes, and

5 “(ii) powered—

6 “(I) by an electric motor drawing
7 current from solar power, chargeable
8 batteries, replaceable batteries, fuel
9 cells, or through electricity drawn
10 through a cord from the electrical
11 power grid, or

12 “(II) by such alternative power
13 sources as the Secretary, after con-
14 sultation with the Principal Deputy
15 Assistant Secretary for the Office of
16 Energy Efficiency and Renewable En-
17 ergy of the Department of Energy,
18 may identify as generating zero-emis-
19 sions, and

20 “(B) is not powered—

21 “(i) by a gasoline or diesel generator,

22 or

23 “(ii) solely through manual effort,

24 “(2) any zero-emission generator used to charge
25 equipment described in paragraph (1),

1 “(3) any battery which—

2 “(A) is used to charge or operate equip-
3 ment described in paragraph (1), and

4 “(B) is not included as part of such equip-
5 ment, and

6 “(4) any property used to retrofit existing lawn,
7 garden, or landscaping equipment to allow such
8 equipment to operate without generating emissions.

9 “(d) DENIAL OF DOUBLE BENEFIT.—

10 “(1) IN GENERAL.—No credit shall be allowed
11 under subsection (a) with respect to any property for
12 which a deduction or credit is allowed under any
13 other provision of this chapter.

14 “(2) EXCEPTION.—Paragraph (1) shall not
15 apply with respect to any deduction allowed under
16 section 167(a) to which section 168(k) applies for
17 the taxable year in which the property is placed in
18 service.

19 “(e) EXCEPTION FROM RECAPTURE IN EVENT OF
20 BANKRUPTCY OR BUSINESS DISSOLUTION.—With respect
21 to any zero-emission electric lawn, garden, and landscape
22 equipment for which a credit was determined under sub-
23 section (a), section 50(a)(1) shall not apply if such equip-
24 ment is disposed of, or otherwise ceases to be investment
25 credit property with respect to the taxpayer, due to—

1 “(1) the dissolution or bankruptcy of the trade
2 or business in which such equipment was used, or

3 “(2) any other circumstances as the Secretary
4 may prescribe in regulations.”.

5 (b) ELECTIVE PAYMENT AND TRANSFER OF CRED-
6 IT.—

7 (1) ELECTIVE PAYMENT.—Section 6417(b) of
8 the Internal Revenue Code of 1986 is amended by
9 adding at the end the following:

10 “(13) The credit for zero-emission electric lawn,
11 garden, and landscape equipment under section
12 48F.”.

13 (2) TRANSFER.—Section 6418(f)(1)(A) of the
14 Internal Revenue Code of 1986 is amended by add-
15 ing at the end the following:

16 “(xii) The credit for zero-emission
17 electric lawn, garden, and landscape equip-
18 ment under section 48F.”.

19 (c) CONFORMING AMENDMENTS.—

20 (1) Section 46 of the Internal Revenue Code of
21 1986, as amended by section 13702 of Public Law
22 117–169, is amended—

23 (A) in paragraph (6), by striking “and” at
24 the end,

1 (B) in paragraph (7), by striking the pe-
 2 riod at the end and inserting “, and”, and

3 (C) by adding at the end the following:

4 “(8) the credit for zero-emission electric lawn,
 5 garden, and landscape equipment.”.

6 (2) Section 49(a)(1)(C) of such Code, as
 7 amended by section 13702 of Public Law 117–169,
 8 is amended—

9 (A) in clause (vii), by striking “and” at the
 10 end,

11 (B) in clause (viii), by striking the period
 12 at the end and inserting “, and”, and

13 (C) by adding at the end the following:

14 “(ix) the basis of any zero-emission
 15 electric lawn, garden, and landscape equip-
 16 ment under section 48F.”.

17 (d) CLERICAL AMENDMENT.—The table of sections
 18 for subpart E of part IV of subchapter A of chapter 1
 19 of the Internal Revenue Code of 1986 is amended by in-
 20 serting after the item relating to section 48E the following
 21 new item:

“Sec. 48F. Zero-emission electric lawn, garden, and landscape equipment cred-
 it.”.

1 (e) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to property placed in service after
3 December 31, 2022.

