

111TH CONGRESS  
1ST SESSION

# H. R. 576

To amend the Internal Revenue Code of 1986 to allow a refundable investment credit, and 5-year depreciation, for property used to manufacture solar energy property.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2009

Ms. GIFFORDS introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to allow a refundable investment credit, and 5-year depreciation, for property used to manufacture solar energy property.

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 “Solar Manufacturing  
5 Advancement Act of 2009”.

1 **SEC. 2. REFUNDABLE INVESTMENT CREDIT AND 5-YEAR DE-**  
 2 **PRECIATION FOR PROPERTY USED TO MANU-**  
 3 **FACTURE SOLAR ENERGY PROPERTY.**

4 (a) **IN GENERAL.**—Subparagraph (A) of section  
 5 48(a)(3) of the Internal Revenue Code of 1986 (defining  
 6 energy property) is amended by striking “or” at the end  
 7 of clause (vi), by adding “or” at the end of clause (vii),  
 8 and by inserting after clause (vii) the following new clause:

9 “(viii) property used to manufacture  
 10 equipment described in clause (i) or (ii),”.

11 (b) **30 PERCENT CREDIT.**—Clause (i) of section  
 12 48(a)(2)(A) of such Code is amended by striking “and”  
 13 at the end of subclause (III) and by inserting after sub-  
 14 clause (IV) the following new subclause:

15 “(V) property described in para-  
 16 graph (3)(A)(viii) but only with re-  
 17 spect to periods ending before Janu-  
 18 ary 1, 2017, and”.

19 (c) **CREDIT TO BE REFUNDABLE.**—Subsection (c) of  
 20 section 38 of such Code (relating to limitation based on  
 21 amount of tax) is amended by redesignating paragraph (5)  
 22 as paragraph (6) and by inserting after paragraph (4) the  
 23 following new paragraph:

24 “(5) **SPECIAL RULES FOR SOLAR ENERGY**  
 25 **PROPERTY MANUFACTURER CREDIT.**—

1           “(A) IN GENERAL.—In the case of the  
2 solar energy property manufacturer credit—

3           “(i) this section and section 39 shall  
4 be applied separately with respect to such  
5 credit,

6           “(ii) in applying paragraph (1) to  
7 such credits—

8           “(I) the tentative minimum tax  
9 shall be treated as being zero, and

10           “(II) the limitation under para-  
11 graph (1) (as modified by subclause  
12 (I)) shall be reduced by the credit al-  
13 lowed under subsection (a) for the  
14 taxable year (other than the solar en-  
15 ergy property manufacturer credit),  
16 and

17           “(iii) the amount of the solar energy  
18 property manufacturer credit in excess of  
19 the limitation under paragraph (1) (as  
20 modified by subclause (II)) shall be treated  
21 as a credit under subpart C.

22           “(B) SOLAR ENERGY PROPERTY MANUFAC-  
23 Turer Credit.—For purposes of this sub-  
24 section, the term ‘solar energy property manu-  
25 facturer credit’ means so much of the energy

1 credit as is attributable to property described in  
2 clause (viii) of section 48(a)(3)(A).”.

3 (d) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply to property placed in service after  
5 the date of the enactment of this Act and to taxable years  
6 ending after such date.

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