

111TH CONGRESS  
1ST SESSION

# S. 870

To amend the Internal Revenue Code of 1986 to expand the credit for renewable electricity production to include electricity produced from biomass for on-site use and to modify the credit period for certain facilities producing electricity from open-loop biomass.

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## IN THE SENATE OF THE UNITED STATES

APRIL 22, 2009

Mrs. LINCOLN (for herself, Mr. ROBERTS, and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code of 1986 to expand the credit for renewable electricity production to include electricity produced from biomass for on-site use and to modify the credit period for certain facilities producing electricity from open-loop biomass.

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. MODIFICATION OF RENEWABLE ELECTRICITY**

4 **PRODUCTION CREDIT FOR BIOMASS FACILI-**  
5 **TIES.**

6 (a) CREDIT ALLOWED FOR ON-SITE USE OF ELEC-  
7 TRICITY PRODUCED FROM BIOMASS.—

1           (1) IN GENERAL.—Subsection (e) of section 45  
 2           of the Internal Revenue Code of 1986 is amended by  
 3           adding at the end the following new paragraph:

4           “(12) CREDIT ALLOWED FOR ELECTRICITY  
 5           PRODUCED FROM BIOMASS FOR ON-SITE USE.—In  
 6           the case of electricity produced after December 31,  
 7           2008, at any facility described in paragraph (2) or  
 8           (3) of subsection (d) which is equipped with a meter-  
 9           ing device to determine electricity consumption or  
 10          sale, subsection (a)(2) shall be applied without re-  
 11          gard to subparagraph (B) thereof with respect to  
 12          such electricity produced and consumed at such fa-  
 13          cility.”.

14          (2) EFFECTIVE DATE.—The amendment made  
 15          by this subsection shall apply to electricity produced  
 16          after December 31, 2008.

17          (b) EXTENDED CREDIT PERIOD FOR CERTAIN OPEN-  
 18          LOOP BIOMASS FACILITIES.—

19               (1) IN GENERAL.—Clause (ii) of section  
 20               45(b)(4)(B) of the Internal Revenue Code of 1986  
 21               is amended by striking “5-year period” and insert-  
 22               ing “10-year period”.

1           (2) EFFECTIVE DATE.—The amendment made  
2           by this subsection shall take effect on the date of the  
3           enactment of this Act.

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