

113TH CONGRESS
2D SESSION

H. R. 5559

To amend the Internal Revenue Code of 1986 to extend certain expiring provisions relating to energy, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2014

Mr. BLUMENAUER (for himself, Mr. LEVIN, Mr. RANGEL, Mr. McDERMOTT, Mr. LEWIS, Mr. NEAL, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. KIND, Mr. PASCARELL, Ms. SCHWARTZ, Mr. DANNY K. DAVIS of Illinois, Ms. LINDA T. SÁNCHEZ of California, Mr. MORAN, Ms. LEE of California, Mr. RYAN of Ohio, Mr. LANGEVIN, and Mr. LOEBSACK) 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 certain expiring provisions relating to energy, 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, ETC.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Bridge to a Clean Energy Future Act of 2014”.

6 (b) AMENDMENT OF 1986 CODE.—Except as other-
7 wise expressly provided, whenever in this Act an amend-

1 ment or repeal is expressed in terms of an amendment
 2 to, or repeal of, a section or other provision, the reference
 3 shall be considered to be made to a section or other provi-
 4 sion of the Internal Revenue Code of 1986.

5 (c) TABLE OF CONTENTS.—The table of contents for
 6 this Act is as follows:

- Sec. 1. Short title, etc.
- Sec. 2. Extension and modification of credit for nonbusiness energy property.
- Sec. 3. Extension of credit for alternative fuel vehicle refueling property.
- Sec. 4. Extension of credit for 2-wheeled plug-in electric vehicles.
- Sec. 5. Extension of second generation biofuel producer credit.
- Sec. 6. Extension of incentives for biodiesel and renewable diesel.
- Sec. 7. Extension and modification of production credit for Indian coal facilities placed in service before 2009.
- Sec. 8. Extension of credits with respect to facilities producing energy from certain renewable resources.
- Sec. 9. Extension of credit for energy-efficient new homes.
- Sec. 10. Extension of special allowance for second generation biofuel plant property.
- Sec. 11. Extension and modification of energy efficient commercial buildings deduction.
- Sec. 12. Extension of excise tax credits relating to certain fuels.
- Sec. 13. Extension of credit for new qualified fuel cell motor vehicles.
- Sec. 14. Extension of special rule for sales or dispositions to implement FERC or State electric restructuring policy for qualified electric utilities.
- Sec. 15. Extension of the advanced energy project credit.
- Sec. 16. Extension of energy credit for certain property under construction.

7 **SEC. 2. EXTENSION AND MODIFICATION OF CREDIT FOR**
 8 **NONBUSINESS ENERGY PROPERTY.**

9 (a) IN GENERAL.—Paragraph (2) of section 25C(g)
 10 is amended by striking “December 31, 2013” and insert-
 11 ing “December 31, 2015”.

12 (b) UPDATED ENERGY STAR REQUIREMENTS FOR
 13 WINDOWS, DOORS, SKYLIGHTS, AND ROOFING.—

1 (1) IN GENERAL.—Paragraph (1) of section
2 25C(e) is amended by striking “which meets” and
3 all that follows through “requirements”).

4 (2) ENERGY EFFICIENT BUILDING ENVELOPE
5 COMPONENT.—Subsection (c) of section 25C is
6 amended by redesignating paragraphs (2) and (3) as
7 paragraphs (3) and (4), respectively, and by insert-
8 ing after paragraph (1) the following new para-
9 graph:

10 “(2) ENERGY EFFICIENT BUILDING ENVELOPE
11 COMPONENT.—The term ‘energy efficient building
12 envelope component’ means a building envelope com-
13 ponent which meets—

14 “(A) applicable Energy Star program re-
15 quirements, in the case of a roof or roof prod-
16 ucts,

17 “(B) version 6.0 Energy Star program re-
18 quirements, in the case of an exterior window,
19 a skylight, or an exterior door, and

20 “(C) the prescriptive criteria for such com-
21 ponent established by the 2009 International
22 Energy Conservation Code, as such Code (in-
23 cluding supplements) is in effect on the date of
24 the enactment of the American Recovery and

1 Reinvestment Tax Act of 2009, in the case of
2 any other component.”.

3 (3) CONFORMING AMENDMENT.—Subparagraph
4 (D) of section 25C(c)(3), as so redesignated, is
5 amended to read as follows:

6 “(D) any roof or roof products which are
7 installed on a dwelling unit and are specifically
8 and primarily designed to reduce the heat gain
9 of such dwelling unit.”.

10 (c) SEPARATE STANDARDS FOR TANKLESS AND
11 STORAGE WATER HEATERS.—

12 (1) IN GENERAL.—Subparagraph (D) of section
13 25C(d)(3) is amended by striking “which has either”
14 and all that follows and inserting “which has ei-
15 ther—

16 “(i) in the case of a storage water
17 heater, an energy factor of at least 0.80 or
18 a thermal efficiency of at least 90 percent,
19 and

20 “(ii) in the case of any other water
21 heater, an energy factor of at least 0.90 or
22 a thermal efficiency of at least 90 percent,
23 and”.

1 (2) STORAGE WATER HEATERS.—Paragraph (3)
2 of section 25C(d) is amended by adding at the end
3 the following flush sentence:

4 “For purposes of subparagraph (D)(i), the term
5 ‘storage water heater’ means a water heater that has
6 a water storage capacity of more than 20 gallons but
7 not more than 55 gallons.”.

8 (d) MODIFICATION OF TESTING STANDARDS FOR
9 BIOMASS STOVES.—Subparagraph (E) of section
10 25C(d)(3) is amended by inserting before the period the
11 following: “, when tested using the higher heating value
12 of the fuel and in accordance with the Canadian Standards
13 Administration B415.1 test protocol”.

14 (e) SEPARATE STANDARD FOR OIL HOT WATER
15 BOILERS.—Paragraph (4) of section 25C(d) is amended
16 by striking “95” and inserting “95 (90 in the case of an
17 oil hot water boiler)”.

18 (f) EFFECTIVE DATE.—The amendments made by
19 this section shall apply to property placed in service after
20 December 31, 2013.

21 **SEC. 3. EXTENSION OF CREDIT FOR ALTERNATIVE FUEL**
22 **VEHICLE REFUELING PROPERTY.**

23 (a) IN GENERAL.—Subsection (g) of section 30C is
24 amended by striking “placed in service” and all that fol-

1 lows and inserting “placed in service after December 31,
2 2015.”.

3 (b) EFFECTIVE DATE.—The amendment made by
4 this section shall apply to property placed in service after
5 December 31, 2013.

6 **SEC. 4. EXTENSION OF CREDIT FOR 2-WHEELED PLUG-IN**
7 **ELECTRIC VEHICLES.**

8 (a) IN GENERAL.—Subparagraph (E) of section
9 30D(g)(3) is amended by striking “January 1, 2014” and
10 inserting “January 1, 2014 (January 1, 2016, in the case
11 of a vehicle that has 2 wheels).”.

12 (b) EFFECTIVE DATE.—The amendment made by
13 this section shall apply to vehicles acquired after Decem-
14 ber 31, 2013.

15 **SEC. 5. EXTENSION OF SECOND GENERATION BIOFUEL**
16 **PRODUCER CREDIT.**

17 (a) IN GENERAL.—Clause (i) of section 40(b)(6)(J)
18 is amended by striking “January 1, 2014” and inserting
19 “January 1, 2016”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 this subsection shall apply to qualified second generation
22 biofuel production after December 31, 2013.

1 **SEC. 6. EXTENSION OF INCENTIVES FOR BIODIESEL AND**
2 **RENEWABLE DIESEL.**

3 (a) CREDITS FOR BIODIESEL AND RENEWABLE DIE-
4 SEL USED AS FUEL.—Subsection (g) of section 40A is
5 amended by striking “December 31, 2013” and inserting
6 “December 31, 2015”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 this section shall apply to fuel sold or used after December
9 31, 2013.

10 **SEC. 7. EXTENSION AND MODIFICATION OF PRODUCTION**
11 **CREDIT FOR INDIAN COAL FACILITIES**
12 **PLACED IN SERVICE BEFORE 2009.**

13 (a) IN GENERAL.—Subparagraph (A) of section
14 45(e)(10) is amended by striking “8-year period” each
15 place it appears and inserting “10-year period”.

16 (b) APPLICATION TO NEW LEASES OR SUBLEASES.—
17 Paragraph (10) of section 45(d) is amended by inserting
18 before the period the following: “, and any new lease or
19 sublease of such a facility”.

20 (c) EFFECTIVE DATE.—The amendments made by
21 this section shall apply to coal produced after December
22 31, 2013.

1 **SEC. 8. EXTENSION OF CREDITS WITH RESPECT TO FACILI-**
 2 **TIES PRODUCING ENERGY FROM CERTAIN**
 3 **RENEWABLE RESOURCES.**

4 (a) IN GENERAL.—The following provisions of sec-
 5 tion 45(d) are each amended by striking “January 1,
 6 2014” each place it appears and inserting “January 1,
 7 2017”:

8 (1) Paragraph (1).

9 (2) Paragraph (2)(A).

10 (3) Paragraph (3)(A).

11 (4) Paragraph (4)(B).

12 (5) Paragraph (6).

13 (6) Paragraph (7).

14 (7) Paragraph (9).

15 (8) Paragraph (11)(B).

16 (b) EXTENSION OF ELECTION TO TREAT QUALIFIED
 17 FACILITIES AS ENERGY PROPERTY.—Clause (ii) of sec-
 18 tion 48(a)(5)(C) is amended by striking “January 1,
 19 2014” and inserting “January 1, 2017”.

20 (c) EFFECTIVE DATES.—The amendments made by
 21 this section shall take effect on January 1, 2014.

22 **SEC. 9. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT**
 23 **NEW HOMES.**

24 (a) IN GENERAL.—Subsection (g) of section 45L is
 25 amended by striking “December 31, 2013” and inserting
 26 “December 31, 2015”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 this section shall apply to homes acquired after December
3 31, 2013.

4 **SEC. 10. EXTENSION OF SPECIAL ALLOWANCE FOR SECOND**
5 **GENERATION BIOFUEL PLANT PROPERTY.**

6 (a) IN GENERAL.—Subparagraph (D) of section
7 168(l)(2) is amended by striking “January 1, 2014” and
8 inserting “January 1, 2016”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 this section shall apply to property placed in service after
11 December 31, 2013.

12 **SEC. 11. EXTENSION AND MODIFICATION OF ENERGY EFFI-**
13 **CIENT COMMERCIAL BUILDINGS DEDUCTION.**

14 (a) IN GENERAL.—Subsection (h) of section 179D is
15 amended by striking “December 31, 2013” and inserting
16 “December 31, 2015”.

17 (b) ALLOCATIONS TO INDIAN TRIBAL GOVERN-
18 MENTS.—Paragraph (4) of section 179D(d) is amended
19 by striking “or local” and inserting “local, or Indian trib-
20 al”.

21 (c) ALLOCATIONS TO CERTAIN NONPROFIT ORGANI-
22 ZATIONS.—

23 (1) IN GENERAL.—Paragraph (4) of section
24 179D(d), as amended by subsection (b), is amended
25 by inserting “, or by an organization that is de-

scribed in section 501(c)(3) and exempt from tax under section 501(a)” after “political subdivision thereof”.

(2) CLERICAL AMENDMENT.—The heading of paragraph (4) of section 179D(d) is amended by inserting “AND PROPERTY HELD BY CERTAIN NON-PROFITS” after “PUBLIC PROPERTY”.

(d) UPDATED ASHRAE STANDARDS FOR 2015.—

(1) IN GENERAL.—Paragraph (1) of section 179D(c) is amended by striking “Standard 90.1–2001” each place it appears and inserting “Standard 90.1–2007”.

(2) CONFORMING AMENDMENTS.—

(A) Paragraph (2) of section 179D(e) is amended to read as follows:

“(2) STANDARD 90.1–2007.—The term ‘Standard 90.1–2007’ means Standard 90.1–2007 of the American Society of Heating, Refrigerating, and Air Conditioning Engineers and the Illuminating Engineering Society of North America (as in effect on the day before the date of the adoption of Standard 90.1–2010 of such Societies).”.

(B) Subsection (f) of section 179D is amended by striking “Standard 90.1–2001”

1 each place it appears in paragraphs (1) and
2 (2)(C)(i) and inserting “Standard 90.1–2007”.

3 (C) Paragraph (1) of section 179D(f) is
4 amended—

5 (i) by striking “Table 9.3.1.1” and in-
6 serting “Table 9.5.1”, and

7 (ii) by striking “Table 9.3.1.2” and
8 inserting “Table 9.6.1”.

9 (3) EFFECTIVE DATE.—The amendments made
10 by this paragraph shall apply to property placed in
11 service after December 31, 2014.

12 (e) EFFECTIVE DATE.—Except as provided in sub-
13 section (d)(3), the amendments made by this section shall
14 apply to property placed in service after December 31,
15 2013.

16 **SEC. 12. EXTENSION OF EXCISE TAX CREDITS RELATING TO**
17 **CERTAIN FUELS.**

18 (a) EXCISE TAX CREDITS AND OUTLAY PAYMENTS
19 FOR BIODIESEL AND RENEWABLE DIESEL FUEL MIX-
20 TURES.—

21 (1) Paragraph (6) of section 6426(c) is amend-
22 ed by striking “December 31, 2013” and inserting
23 “December 31, 2015”.

1 (2) Subparagraph (B) of section 6427(e)(6) is
2 amended by striking “December 31, 2013” and in-
3 serting “December 31, 2015”.

4 (b) EXTENSION OF ALTERNATIVE FUELS EXCISE
5 TAX CREDITS.—

6 (1) IN GENERAL.—Sections 6426(d)(5) and
7 6426(e)(3) are each amended by striking “December
8 31, 2013” and inserting “December 31, 2015”.

9 (2) OUTLAY PAYMENTS FOR ALTERNATIVE
10 FUELS.—Subparagraph (C) of section 6427(e)(6) is
11 amended by striking “December 31, 2013” and in-
12 serting “December 31, 2015”.

13 (c) EXTENSION OF ALTERNATIVE FUELS EXCISE
14 TAX CREDITS RELATING TO LIQUEFIED HYDROGEN.—

15 (1) IN GENERAL.—Sections 6426(d)(5) and
16 6426(e)(3), as amended by subsection (b), are each
17 amended by striking “(September 30, 2014 in the
18 case of any sale or use involving liquefied hydro-
19 gen)”.

20 (2) OUTLAY PAYMENTS FOR ALTERNATIVE
21 FUELS.—Paragraph (6) of section 6427(e) is
22 amended—

23 (A) by striking “except as provided in sub-
24 paragraph (D), any” in subparagraph (C) and
25 inserting “any”,

1 (B) by striking the comma at the end of
2 subparagraph (C) and inserting “, and”, and

3 (C) by striking subparagraph (D) and re-
4 designating subparagraph (E) as subparagraph
5 (D).

6 (d) EFFECTIVE DATES.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (2), the amendments made by this section
9 shall apply to fuel sold or used after December 31,
10 2013.

11 (2) LIQUEFIED HYDROGEN.—The amendments
12 made by subsection (c) shall apply to fuels sold or
13 used after September 30, 2014.

14 (e) SPECIAL RULE FOR CERTAIN PERIODS DURING
15 2014.—Notwithstanding any other provision of law, in the
16 case of—

17 (1) any biodiesel mixture credit properly deter-
18 mined under section 6426(c) of the Internal Revenue
19 Code of 1986 for periods after December 31, 2013,
20 and before the date of the enactment of this Act,
21 and

22 (2) any alternative fuel credit properly deter-
23 mined under section 6426(d) of such Code for such
24 periods,

1 such credit shall be allowed, and any refund or payment
2 attributable to such credit (including any payment under
3 section 6427(e) of such Code) shall be made, only in such
4 manner as the Secretary of the Treasury (or the Sec-
5 retary's delegate) shall provide. Such Secretary shall issue
6 guidance within 30 days after the date of the enactment
7 of this Act providing for a one-time submission of claims
8 covering periods described in the preceding sentence. Such
9 guidance shall provide for a 180-day period for the sub-
10 mission of such claims (in such manner as prescribed by
11 such Secretary) to begin not later than 30 days after such
12 guidance is issued. Such claims shall be paid by such Sec-
13 retary not later than 60 days after receipt. If such Sec-
14 retary has not paid pursuant to a claim filed under this
15 subsection within 60 days after the date of the filing of
16 such claim, the claim shall be paid with interest from such
17 date determined by using the overpayment rate and meth-
18 od under section 6621 of such Code.

19 **SEC. 13. EXTENSION OF CREDIT FOR NEW QUALIFIED FUEL**
20 **CELL MOTOR VEHICLES.**

21 (a) IN GENERAL.—Paragraph (1) of section 30B(k)
22 is amended by striking “December 31, 2014” and insert-
23 ing “December 31, 2015”.

1 (b) EFFECTIVE DATE.—The amendment made by
 2 this section shall apply to property purchased after De-
 3 cember 31, 2014.

4 **SEC. 14. EXTENSION OF SPECIAL RULE FOR SALES OR DIS-**
 5 **POSITIONS TO IMPLEMENT FERC OR STATE**
 6 **ELECTRIC RESTRUCTURING POLICY FOR**
 7 **QUALIFIED ELECTRIC UTILITIES.**

8 (a) IN GENERAL.—Paragraph (3) of section 451(i)
 9 is amended by striking “January 1, 2014” and inserting
 10 “January 1, 2016”.

11 (b) EFFECTIVE DATE.—The amendment made by
 12 this section shall apply to dispositions after December 31,
 13 2013.

14 **SEC. 15. EXTENSION OF THE ADVANCED ENERGY PROJECT**
 15 **CREDIT.**

16 (a) IN GENERAL.—Subsection (d) of section 48C is
 17 amended by adding at the end the following new para-
 18 graph:

19 “(6) ADDITIONAL 2013 ALLOCATIONS.—

20 “(A) IN GENERAL.—Not later than 180
 21 days after the date of the enactment of this
 22 paragraph, the Secretary, in consultation with
 23 the Secretary of Energy, shall establish a pro-
 24 gram to consider and award certifications for
 25 qualified investments eligible for credits under

1 this section to qualifying advanced energy
2 project sponsors with respect to applications re-
3 ceived on or after the date of the enactment of
4 this paragraph.

5 “(B) LIMITATION.—The total amount of
6 credits that may be allocated under the pro-
7 gram described in subparagraph (A) shall not
8 exceed the 2013 allocation amount reduced by
9 so much of the 2013 allocation amount as is
10 taken into account as an increase in the limita-
11 tion described in paragraph (1)(B).

12 “(C) APPLICATION OF CERTAIN RULES.—
13 Rules similar to the rules of paragraphs (2),
14 (3), (4), and (5) shall apply for purposes of the
15 program described in subparagraph (A), except
16 that—

17 “(i) CERTIFICATION.—Applicants
18 shall have 2 years from the date that the
19 Secretary establishes such program to sub-
20 mit applications.

21 “(ii) SELECTION CRITERIA.—In deter-
22 mining which qualifying advanced energy
23 projects to certify under such program, the
24 Secretary, in consultation with the Sec-
25 retary of Energy, shall give the highest

1 priority to projects which manufacture
2 (other than assembly of components) prop-
3 erty described in a subclause of subsection
4 (c)(1)(A)(i) (or components thereof).

5 “(iii) REVIEW AND REDISTRIBU-
6 TION.—The Secretary shall conduct a sep-
7 arate review and redistribution under para-
8 graph (5) with respect to such program
9 not later than 4 years after the date of the
10 enactment of this paragraph.

11 “(D) 2013 ALLOCATION AMOUNT.—For
12 purposes of this subsection, the term ‘2013 allo-
13 cation amount’ means \$5,000,000,000.

14 “(E) DIRECT PAYMENTS.—In lieu of any
15 qualifying advanced energy project credit which
16 would otherwise be determined under this sec-
17 tion with respect to an allocation to a taxpayer
18 under this paragraph, the Secretary shall, upon
19 the election of the taxpayer, make a grant to
20 the taxpayer in the amount of such credit as so
21 determined. Rules similar to the rules of section
22 50 shall apply with respect to any grant made
23 under this subparagraph.”.

24 (b) PORTION OF 2013 ALLOCATION ALLOCATED TO-
25 WARD PENDING APPLICATIONS UNDER ORIGINAL PRO-

1 GRAM.—Subparagraph (B) of section 48C(d)(1) is amend-
 2 ed by inserting “(increased by so much of the 2013 alloca-
 3 tion amount (not in excess of \$1,500,000,000) as the Sec-
 4 retary determines necessary to make allocations to quali-
 5 fied investments with respect to which qualifying applica-
 6 tions were submitted before the date of the enactment of
 7 paragraph (6))” after “\$2,300,000,000”.

8 (c) CONFORMING AMENDMENT.—Paragraph (2) of
 9 section 1324(b) of title 31, United States Code, is amend-
 10 ed by inserting “48C(d)(6)(E),” after “36B,”.

11 **SEC. 16. EXTENSION OF ENERGY CREDIT FOR CERTAIN**
 12 **PROPERTY UNDER CONSTRUCTION.**

13 (a) SOLAR ENERGY PROPERTY.—Paragraphs
 14 (2)(A)(i)(II) and (3)(A)(ii) of section 48(a) are each
 15 amended by striking “periods ending” and inserting
 16 “property the construction of which begins”.

17 (b) QUALIFIED FUEL CELL PROPERTY.—Section
 18 48(c)(1)(D) is amended by striking “for any period after
 19 December 31, 2016” and inserting “the construction of
 20 which does not begin before January 1, 2017”.

21 (c) QUALIFIED MICROTURBINE PROPERTY.—Section
 22 48(c)(2)(D) is amended by striking “for any period after
 23 December 31, 2016” and inserting “the construction of
 24 which does not begin before January 1, 2017”.

1 (d) COMBINED HEAT AND POWER SYSTEM PROP-
2 ERTY.—Section 48(c)(3)(A)(iv) is amended by striking
3 “which is placed in service” and inserting “construction
4 of which begins”.

5 (e) QUALIFIED SMALL WIND ENERGY PROPERTY.—
6 Section 48(c)(4)(C) is amended by striking “for any pe-
7 riod after December 31, 2016” and inserting “the con-
8 struction of which does not begin before January 1,
9 2017”.

10 (f) THERMAL ENERGY PROPERTY.—Section
11 48(a)(3)(A)(vii) is amended by striking “periods ending”
12 and inserting “property the construction of which begins”.

13 (g) EFFECTIVE DATE.—The amendments made by
14 this section shall take effect on the date of the enactment
15 of this Act.

○