

107TH CONGRESS
1ST SESSION

H. R. 978

To amend the Internal Revenue Code of 1986 to allow a credit against income tax for dry and wet cleaning equipment which uses non-hazardous primary process solvents.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2001

Mr. MANZULLO (for himself, Mr. CAMP, Mr. PRICE of North Carolina, Mr. ANDREWS, Ms. BALDWIN, Mr. BURR of North Carolina, Ms. DEGETTE, Mr. PAUL, Mr. SHIMKUS, Mr. UDALL of Colorado, and Mr. WELLER) 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 allow a credit against income tax for dry and wet cleaning equipment which uses non-hazardous primary process solvents.

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 “Small Business Pollu-
5 tion Prevention Opportunity Act of 2001”.

1 **SEC. 2. CREDIT FOR DRY OR WET CLEANING EQUIPMENT**
2 **USING NONHAZARDOUS PRIMARY PROCESS**
3 **SOLVENTS.**

4 (a) IN GENERAL.—Section 46 of the Internal Rev-
5 enue Code of 1986 (relating to amount of investment cred-
6 it) is amended by striking “and” at the end of paragraph
7 (2), by striking the period at the end of paragraph (3)
8 and inserting “, and”, and by adding at the end thereof
9 the following paragraph:

10 “(4) the dry or wet cleaning equipment credit.”.

11 (b) DRY OR WET CLEANING EQUIPMENT CREDIT.—
12 Section 48 of such Code is amended by adding at the end
13 the following new subsection:

14 “(c) DRY OR WET CLEANING EQUIPMENT USING
15 NONHAZARDOUS PRIMARY PROCESS SOLVENTS.—

16 “(1) IN GENERAL.—For purposes of section 46,
17 the dry or wet cleaning equipment credit for any
18 taxable year is 20 percent of the basis of each quali-
19 fied dry or wet cleaning property placed in service
20 during the taxable year (40 percent of such basis in
21 the case of such property placed in service in an em-
22 powerment zone, enterprise community, or renewal
23 community).

24 “(2) LIMITATION.—The credit under this sub-
25 section for the taxable year shall apply to qualified

1 dry or wet cleaning property placed in service during
2 such year at each business premise of the taxpayer.

3 “(3) QUALIFIED DRY OR WET CLEANING PROP-
4 ERTY.—For purposes of this subsection, the term
5 ‘qualified dry or wet cleaning property’ means equip-
6 ment designed primarily to clean textiles by profes-
7 sionals using special technology, detergents and ad-
8 ditives to minimize potential for adverse effects, or
9 appropriately dry or apply restorative finishing pro-
10 cedures to such textiles if—

11 “(A) such equipment does not use any haz-
12 ardous solvent as the primary process solvent,

13 “(B) the original use of such property
14 commences with the taxpayer, and

15 “(C) with respect to which depreciation (or
16 amortization in lieu of depreciation) is allow-
17 able.

18 “(4) PRIMARY PROCESS SOLVENT.—For pur-
19 poses of paragraph (3), the term ‘primary process
20 solvent’ means the primary liquid in which clothing,
21 other fabric, and sensitive textiles are cleaned or
22 which is used to appropriately dry or apply restora-
23 tive finishing procedures to textiles, cleaned, exclud-
24 ing detergent formulations.

1 “(5) HAZARDOUS SOLVENT.—For purposes of
2 paragraph (3), the term ‘hazardous solvent’ means
3 any solvent any portion of which consists of a
4 chlorinated solvent, a volatile organic compound, or
5 any other hazardous regulated substance, or which
6 contains any substance determined by the Adminis-
7 trator of the Environmental Protection Agency, the
8 Director of the National Institute for Occupational
9 Safety and Health, the Director of the International
10 Agency for Research on Cancer, the Director of the
11 National Institute of Environmental Health
12 Sciences’ National Toxicology Program, or the direc-
13 tor of any other appropriate Federal agency to
14 possess—

15 “(A) carcinogenic potential in humans, or

16 “(B) bioaccumulative properties.”.

17 (c) CREDIT ALLOWED AGAINST REGULAR AND MIN-
18 IMUM TAX.—

19 (1) IN GENERAL.—Subsection (c) of section 38
20 of such Code (relating to limitation based on amount
21 of tax) is amended by redesignating paragraph (3)
22 as paragraph (4) and by inserting after paragraph
23 (2) the following:

24 “(3) SPECIAL RULES FOR DRY OR WET CLEAN-
25 ING EQUIPMENT CREDIT.—

1 “(A) IN GENERAL.—In the case of the dry
2 or wet cleaning equipment credit—

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

6 “(ii) in applying paragraph (1) to the
7 credit—

8 “(I) subparagraph (A) thereof
9 shall not apply, 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 dry or
15 wet cleaning equipment credit).

16 “(B) DRY OR WET CLEANING EQUIPMENT
17 CREDIT.—For purposes of this subsection, the
18 term ‘dry or wet cleaning equipment credit’
19 means the credit allowable under subsection (a)
20 by reason of section 46(4).”.

21 (2) CONFORMING AMENDMENT.—Subclause (II)
22 of section 38(c)(2)(A)(ii) of such Code is amended
23 by inserting “or the dry or wet cleaning equipment
24 credit” after “employment credit”.

25 (d) CLERICAL AMENDMENTS.—

1 (1) The section heading for section 48 of such
2 Code is amended to read as follows:

3 **“SEC. 48. ENERGY CREDIT; REFORESTATION CREDIT; DRY**
4 **OR WET CLEANING EQUIPMENT CREDIT.”.**

5 (2) The item relating to section 48 in the table
6 of sections for subpart E of part IV of subchapter
7 A of chapter 1 of such Code is amended to read as
8 follows:

 “Sec. 48. Energy credit; reforestation credit; dry or wet cleaning
 equipment credit.”.

9 (e) **EFFECTIVE DATE.**—The amendments made by
10 this section shall apply to property placed in service on
11 or after January 1, 2001.

○