

107TH CONGRESS
1ST SESSION

S. 1292

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 SENATE OF THE UNITED STATES

AUGUST 1, 2001

Mr. EDWARDS 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 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 credit) is
6 amended by striking “and” at the end of paragraph (2),
7 by striking the period at the end of paragraph (3) and
8 inserting “, and”, and by adding at the end thereof the
9 following paragraph:

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

11 (b) DRY OR WET CLEANING EQUIPMENT CREDIT.—
12 Section 48 of the Internal Revenue Code of 1986 (relating
13 to energy credit; reforestation credit) is amended by add-
14 ing at the end the following new subsection:

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

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

25 “(2) LIMITATION.—The credit under this sub-
26 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.—Section 38(c) of the Internal
 20 Revenue Code of 1986 (relating to limitation based
 21 on amount of tax) is amended by redesignating
 22 paragraph (3) as paragraph (4) and by inserting
 23 after paragraph (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.—

