

110TH CONGRESS  
2D SESSION

# H. R. 7290

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.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2008

Mr. MICHAUD 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 expand the credit for renewable electricity production to include electricity produced from biomass for on-site use.

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

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

11          (b) CREDIT PERIOD FOR ELECTRICITY PRODUCED  
12          FROM OPEN-LOOP BIOMASS FOR ON-SITE USE.—Sub-  
13          paragraph (B) of section 45(b)(4) of the Internal Revenue  
14          Code of 1986 is amended—

15                 (1) by striking “clause (ii) or clause (iii)” in  
16                 clause (i) and inserting “clause (ii), (iii), or (iv)”,

17                 (2) by redesignating clause (iii) as clause (iv),  
18                 and

19                 (3) by inserting after clause (ii) the following  
20                 new clause:

21                         “(iii) ELECTRICITY PRODUCED FOR  
22                         ON-SITE USE AT CERTAIN OPEN-LOOP BIO-  
23                         MASS FACILITIES.—In the case of elec-  
24                         tricity produced and consumed as de-  
25                         scribed in subsection (e)(12) at any facility

1           described in subsection (d)(3)(A)(ii) which  
2           is placed in service before the date of the  
3           enactment of this clause, the 5-year period  
4           beginning on January 1, 2009, shall be  
5           substituted for the 10-year period in sub-  
6           section (a)(2)(A)(ii).”.

7           (c) EFFECTIVE DATE.—The amendments made by  
8 this section shall take effect on the date of the enactment  
9 of this Act.

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