

111TH CONGRESS  
1ST SESSION

# H. R. 3909

To enhance the energy security of the United States by encouraging investments in renewable and alternative energy and to authorize appropriations for research in and development of fungible biofuels.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 22, 2009

Mrs. HALVORSON introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To enhance the energy security of the United States by encouraging investments in renewable and alternative energy and to authorize appropriations for research in and development of fungible biofuels.

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 “Renewable Energy Investment Act of 2009”.

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

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

5 (c) TABLE OF CONTENTS.—

Sec. 1. Short title; etc.

TITLE I—INVESTMENT IN RENEWABLE ENERGY

Sec. 101. Extension of renewable electricity production credit.

Sec. 102. Expansion and extension of new clean renewable energy bonds.

Sec. 103. Extension of investment tax credit for certain energy property.

Sec. 104. Increase in credit for investment in advanced energy facilities.

TITLE II—INVESTMENT IN ALTERNATIVE FUEL PROPERTY

Sec. 201. Extension of credits for alcohol fuels.

Sec. 202. Extension of credits for biodiesel and renewable diesel.

TITLE III—INVESTMENT IN ETHANOL

Sec. 301. Research in and development of fungible biofuels.

6 **TITLE I—INVESTMENT IN**  
 7 **RENEWABLE ENERGY**

8 **SEC. 101. EXTENSION OF RENEWABLE ELECTRICITY PRO-**  
 9 **DUCTION CREDIT.**

10 (a) IN GENERAL.—Subsection (d) of section 45 is  
 11 amended—

12 (1) by striking “January 1, 2013” in paragraph

13 (1) and inserting “January 1, 2015”, and

14 (2) by striking “January 1, 2014” each place

15 it appears in paragraphs (2), (3), (4), (6), (7), (9),

16 and (11)(B) and inserting “January 1, 2015”.

1 (b) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply to property placed in service after  
3 the date of the enactment of this Act.

4 **SEC. 102. EXPANSION AND EXTENSION OF NEW CLEAN RE-**  
5 **NEWABLE ENERGY BONDS.**

6 (a) IN GENERAL.—Paragraph (2) of section 54C(c)  
7 is amended by inserting “, for calendar years 2011, 2012,  
8 2013, and 2014, an additional \$500,000,000 for each  
9 year, and, except as provided in paragraph (5) for years  
10 after 2014, zero,” after “\$800,000,000”.

11 (b) CARRYOVER OF UNUSED LIMITATION.—Sub-  
12 section (c) of section 54C is amended by adding at the  
13 end the following new paragraph:

14 “(5) CARRYOVER OF UNUSED LIMITATION.—If  
15 for any calendar year—

16 “(A) the amount allocated under para-  
17 graph (2) for such calendar year, exceeds

18 “(B) the amount of bonds issued during  
19 such year which are designated under sub-  
20 section (a) pursuant to such allocation,

21 then the limitation amount under paragraph (2) for  
22 the following calendar year shall be increased by the  
23 amount of such excess.”.

1 (c) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply to bonds issued after December  
3 31, 2010.

4 **SEC. 103. EXTENSION OF INVESTMENT TAX CREDIT FOR**  
5 **CERTAIN ENERGY PROPERTY.**

6 (a) SOLAR ENERGY PROPERTY.—Paragraphs  
7 (2)(A)(i)(II) and (3)(A)(ii) of section 48(a) are each  
8 amended by striking “January 1, 2017” and inserting  
9 “January 1, 2019”.

10 (b) FUEL CELL PROPERTY.—Subparagraph (D) of  
11 section 48(c)(1) is amended by striking “December 31,  
12 2016” and inserting “December 31, 2018”.

13 (c) QUALIFIED SMALL WIND ENERGY PROPERTY.—  
14 Subparagraph (C) of section 48(c)(4) is amended by strik-  
15 ing “December 31, 2016” and inserting “December 31,  
16 2018”.

17 (d) GEOTHERMAL HEAT PUMP SYSTEMS.—Clause  
18 (vii) of section 48(a)(3)(A) is amended by striking “Janu-  
19 ary 1, 2017” and inserting “January 1, 2019”.

20 (e) EFFECTIVE DATE.—The amendments made by  
21 this section shall apply to property placed in service after  
22 the date of the enactment of this Act.

1 **SEC. 104. INCREASE IN CREDIT FOR INVESTMENT IN AD-**  
2 **VANCED ENERGY FACILITIES.**

3 (a) IN GENERAL.—Subparagraph (B) of section  
4 48C(d)(1) is amended by striking “\$2,300,000,000” and  
5 inserting “\$4,000,000,000”.

6 (b) EFFECTIVE DATE.—The amendment made by  
7 this section shall take effect as if included in the amend-  
8 ments made by section 1302 of the American Recovery  
9 and Reinvestment Tax Act of 2009.

10 **TITLE II—INVESTMENT IN**  
11 **ALTERNATIVE FUEL PROPERTY**

12 **SEC. 201. EXTENSION OF CREDITS FOR ALCOHOL FUELS.**

13 (a) IN GENERAL.—Sections 40, 6426(b)(6), and  
14 6427(e)(6)(A) are each amended by striking “2010” each  
15 place it appears and inserting “2011”.

16 (b) CONFORMING AMENDMENT.—Section  
17 40(e)(1)(B) is amended by striking “2011” and inserting  
18 “2012”.

19 (c) EFFECTIVE DATE.—The amendments made by  
20 this section shall apply to sales and uses after the date  
21 of the enactment of this Act.

22 **SEC. 202. EXTENSION OF CREDITS FOR BIODIESEL AND RE-**  
23 **NEWABLE DIESEL.**

24 (a) IN GENERAL.—Sections 40A(g), 6426(e)(6), and  
25 6427(e)(6)(B) are each amended by striking “December

1 31, 2009” each place it appears and inserting “December  
2 31, 2011”.

3 (b) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply to sales and uses after the date  
5 of the enactment of this Act.

6 **TITLE III—INVESTMENT IN**  
7 **ETHANOL**

8 **SEC. 301. RESEARCH IN AND DEVELOPMENT OF FUNGIBLE**  
9 **BIOFUELS.**

10 There is authorized to be appropriated for advanced  
11 biofuels research, development, and demonstration that  
12 will create fuels that are fungible in existing infrastructure  
13 \$100,000,000.

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