

116TH CONGRESS
1ST SESSION

H. R. 4887

To amend the Internal Revenue Code of 1986 to extend the energy credit for offshore wind facilities.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 2019

Mr. PASCRELL (for himself and Mr. KING of New York) 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 the energy credit for offshore wind facilities.

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 “Incentivizing Offshore
5 Wind Power Act”.

6 **SEC. 2. EXTENSION OF ENERGY CREDIT FOR OFFSHORE**
7 **WIND FACILITIES.**

8 (a) IN GENERAL.—Section 48(a)(5) of the Internal
9 Revenue Code of 1986 is amended by adding at the end
10 the following:

1 “(F) QUALIFIED OFFSHORE WIND FACILI-
2 TIES.—

3 “(i) IN GENERAL.—In the case of any
4 qualified offshore wind facility—

5 “(I) subparagraph (C)(ii) shall be
6 applied by substituting ‘January 1 of
7 the applicable year (as determined
8 under subparagraph (F)(ii))’ for ‘Jan-
9 uary 1, 2020’,

10 “(II) subparagraph (E) shall not
11 apply, and

12 “(III) for purposes of this para-
13 graph, section 45(d)(1) shall be ap-
14 plied by substituting ‘January 1 of
15 the applicable year (as determined
16 under section 48(a)(5)(F)(ii))’ for
17 ‘January 1, 2020’.

18 “(ii) APPLICABLE YEAR.—For pur-
19 poses of this subparagraph, the term ‘ap-
20 plicable year’ means the later of—

21 “(I) calendar year 2027, or

22 “(II) the calendar year subse-
23 quent to the first calendar year in
24 which the Secretary, in consultation
25 with the Secretary of Energy, deter-

1 mines that the United States has in-
2 creased its offshore wind capacity by
3 not less than 3,000 megawatts as
4 compared to such capacity on January
5 1, 2020.

6 For purposes of subclause (II), the Sec-
7 retary shall not include any increase in off-
8 shore wind capacity which is attributable
9 to any facility the construction of which
10 began before January 1, 2020.

11 “(iii) QUALIFIED OFFSHORE WIND FA-
12 CILITY.—For purposes of this subpara-
13 graph, the term ‘qualified offshore wind fa-
14 cility’ means a qualified facility described
15 in paragraph (1) of section 45(d) which is
16 located in the inland navigable waters of
17 the United States, including the Great
18 Lakes, or in the coastal waters of the
19 United States, including the territorial
20 seas of the United States, the exclusive
21 economic zone of the United States, and
22 the outer Continental Shelf of the United
23 States.

24 “(iv) REPORT ON OFFSHORE WIND
25 CAPACITY.—On January 15, 2026, and an-

1 nually thereafter until the calendar year
2 described in clause (ii)(II), the Secretary,
3 in consultation with the Secretary of En-
4 ergy, shall issue a report to be made avail-
5 able to the public which discloses the in-
6 crease in the offshore wind capacity of the
7 United States, as measured in total
8 megawatts, since January 1, 2020.”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 this section shall apply to periods after December 31,
11 2016, under rules similar to the rules of section 48(m)
12 of the Internal Revenue Code of 1986 (as in effect on the
13 day before the date of the enactment of the Revenue Rec-
14 onciliation Act of 1990).

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