

AMENDMENT NO. _____ Calendar No. _____

Purpose: To amend the Internal Revenue Code of 1986 to repeal the credit for electricity produced from certain renewable resources.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. 2012

To provide for the modernization of the energy policy of the United States, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LANKFORD to the amendment (No. 2953) proposed by Ms. MURKOWSKI

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . REPEAL OF CREDIT FOR ELECTRICITY PRO-**
 3 **DUCED FROM CERTAIN RENEWABLE RE-**
 4 **SOURCES.**

5 (a) REPEAL OF CREDIT.—

6 (1) REPEAL OF CERTAIN QUALIFIED ENERGY
 7 RESOURCES.—

8 (A) IN GENERAL.—Section 45 of the Inter-
 9 nal Revenue Code of 1986 is amended—

10 (i) in subsection (c)—

1 (I) in paragraph (1), by striking
2 subparagraphs (B) through (I), and
3 (II) by striking paragraphs (2)
4 through (10), and
5 (ii) in subsection (d), by striking
6 paragraphs (2) through (11).

7 (B) EFFECTIVE DATE.—The amendments
8 made by this paragraph shall apply to elec-
9 tricity, and refined coal, produced and sold
10 after December 31, 2026.

11 (2) REPEAL OF CREDIT FOR WIND FACILITIES
12 AND ELIMINATION OF SECTION 45 OF THE INTERNAL
13 REVENUE CODE OF 1986.—

14 (A) IN GENERAL.—Subpart D of part IV
15 of subchapter A of chapter 1 of the Internal
16 Revenue Code of 1986 is amended by striking
17 section 45 (and by striking the item relating to
18 such section in the table of sections for such
19 subpart).

20 (B) CONFORMING AMENDMENTS.—

21 (i) Section 38 of such Code is amend-
22 ed—

23 (I) in subsection (b), by striking
24 paragraph (8), and

1 (II) in subsection (c)(4)(B), by
2 striking clause (iii).

3 (ii) Section 45J of such Code is
4 amended by adding at the end the fol-
5 lowing new subsection:

6 “(f) REFERENCES TO SECTION 45.—Any reference
7 in this section to any provision of section 45 shall be treat-
8 ed as a reference to such provision as in effect immediately
9 before its repeal.”.

10 (iii) Section 45K(g)(2) of such Code
11 is amended by striking subparagraph (E).

12 (iv) Section 48 of such Code is
13 amended by adding at the end the fol-
14 lowing new subsection:

15 “(e) REFERENCES TO SECTION 45.—Any reference
16 in this section to any provision of section 45 shall be treat-
17 ed as a reference to such provision as in effect immediately
18 before its repeal.”.

19 (v) Section 54(d)(2)(A) of such Code
20 is amended by inserting “(as in effect im-
21 mediately before its repeal)” after “section
22 45(d)”.

23 (vi) Section 54C(d)(1) of such Code is
24 amended by inserting “(as in effect imme-

1 diately before its repeal)” after “section
2 45(d)”.

3 (vii) Section 54D(f)(1)(A)(iv) of such
4 Code is amended by inserting “(as in effect
5 immediately before its repeal)” after “sec-
6 tion 45(d)”.

7 (viii) Section 55(e)(1) of such Code is
8 amended by striking “45(e)(11)(C),”.

9 (C) EFFECTIVE DATE.—The amendments
10 made by this paragraph shall take effect on
11 January 1, 2032.

12 (b) SENSE OF CONGRESS REGARDING FURTHER EX-
13 TENSION.—It is the sense of the Congress that the credit
14 under section 45 of the Internal Revenue Code of 1986
15 should be allowed to expire and should not be extended
16 beyond the expiration dates specified in such section as
17 of the date of the enactment of this Act.