

114TH CONGRESS
1ST SESSION

S. _____

To amend the Internal Revenue Code of 1986 to permanently extend certain energy tax provisions.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Internal Revenue Code of 1986 to permanently extend certain energy tax provisions.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “American Clean Energy Investment Act of 2015”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—REDUCING CARBON POLLUTION AND CREATING JOBS
BY TRANSITIONING TO SUSTAINABLE ENERGY SOURCES**

Sec. 101. Permanent extension and modification of credits with respect to facilities producing energy from certain renewable resources.

- Sec. 102. Permanent extension and modification of energy credit.
 Sec. 103. Permanent extension of qualifying advanced energy project credit.
 Sec. 104. Promoting access to renewable energy and energy efficiency for tax-exempt organizations.

TITLE II—SAVING CONSUMERS AND BUSINESSES MONEY BY
 PROMOTING ENERGY EFFICIENCY

- Sec. 201. Permanent extension of energy efficient commercial buildings deduction.
 Sec. 202. Permanent extension of new energy efficient home credit.
 Sec. 203. Permanent extension and refundability of credit for nonbusiness energy property.
 Sec. 204. Permanent extension, modification, and refundability of credit for residential energy efficient property.

TITLE III—HELPING AMERICANS MOVE BEYOND OIL

- Sec. 301. Permanent extension, increase, and refundability of credit for qualified new plug in electric drive motor vehicles.
 Sec. 302. Permanent extension of credit for hybrid medium- and heavy- duty trucks.
 Sec. 303. Extension of second generation biofuel producer credit.
 Sec. 304. Extension of incentives for biodiesel and renewable diesel.
 Sec. 305. Extension of special allowance for second generation biofuel plant property.
 Sec. 306. Extension and modification of the alternative fuel vehicle refueling property credit.
 Sec. 307. Permanent extension of parity of exclusion from income for employer-provided mass transit and parking benefits.

1 **TITLE I—REDUCING CARBON**
 2 **POLLUTION AND CREATING**
 3 **JOBS BY TRANSITIONING TO**
 4 **SUSTAINABLE ENERGY**
 5 **SOURCES**

6 **SEC. 101. PERMANENT EXTENSION AND MODIFICATION OF**
 7 **CREDITS WITH RESPECT TO FACILITIES PRO-**
 8 **DUCING ENERGY FROM CERTAIN RENEW-**
 9 **ABLE RESOURCES.**

10 (a) EXTENSION FOR QUALIFIED FACILITIES.—Sec-
 11 tion 45(d) of the Internal Revenue Code of 1986 is amend-
 12 ed—

1 (1) in paragraph (1), by striking “, and the
2 construction of which begins before January 1,
3 2015”,

4 (2) in paragraph (2)(A)—

5 (A) in clause (i), by striking “, and the
6 construction of which begins before January 1,
7 2015”, and

8 (B) in clause (ii), by striking “before Jan-
9 uary 1, 2015,” and

10 (C) by striking the flush matter at the end,

11 (3) in paragraph (3)(A), by striking “any facil-
12 ity owned by the taxpayer” and all that follows
13 through the period and inserting the following: “any
14 facility owned by the taxpayer and, in the case of a
15 facility using agricultural livestock waste nutrients,
16 which is originally placed in service after October
17 22, 2004, and the nameplate capacity rating of
18 which is not less than 150 kilowatts.”,

19 (4) in paragraph (4), by striking “and which”
20 and all that follows through the period and inserting
21 the following: “and, in the case of a facility using
22 solar energy, which is placed in service before Janu-
23 ary 1, 2006.”,

24 (5) in paragraph (6), by striking “and the con-
25 struction of which begins before January 1, 2015”,

1 (6) in paragraph (7), by striking “and the con-
2 struction of which begins before January 1, 2015”,

3 (7) in paragraph (9)(A)—

4 (A) in clause (i), by striking “and before
5 January 1, 2015”, and

6 (B) in clause (ii), by striking “and the con-
7 struction of which begins before January 1,
8 2015”, and

9 (8) in paragraph (11)(B), by striking “and the
10 construction of which begins before January 1,
11 2015”.

12 (b) EXTENSION OF ELECTION TO TREAT QUALIFIED
13 FACILITIES AS ENERGY PROPERTY.—Clause (ii) of sec-
14 tion 48(a)(5)(C) of the Internal Revenue Code of 1986
15 is amended by striking “and the construction of which be-
16 gins before January 1, 2015”.

17 (c) LIMITATION ON CREDIT FOR WIND FACILI-
18 TIES.—Section 45(b) of the Internal Revenue Code of
19 1986 is amended by adding at the end the following new
20 paragraph:

21 “(5) LIMITATION FOR WIND FACILITIES.—

22 “(A) IN GENERAL.—In the case of any
23 qualified facility described in subsection (d)(1)
24 the construction of which begins after calendar
25 year after 2021, subsection (a) shall be applied

1 by substituting ‘the applicable amount’ for ‘1.5
 2 cents’.

3 “(B) APPLICABLE AMOUNT.—For purposes
 4 of subparagraph (A), the applicable amount
 5 shall be determined as follows:

“In the case of a facility the construction of which begins—	The applica- ble amount is—
in 2022	2.0 cents
in 2023	1.7 cents
in 2024	1.4 cents
after 2024	1.1 cents.

6 “(C) INFLATION ADJUSTMENT.—The ap-
 7 plicable amount determined under subpara-
 8 graph (B) for any facility shall be adjusted by
 9 the inflation adjustment factor for the calendar
 10 year in which the sale occurs. If any amount as
 11 increased under the preceding sentence is not a
 12 multiple of 0.1 cent, such amount shall be
 13 rounded to the nearest multiple of 0.1 cent.”.

14 (d) EFFECTIVE DATES.—The amendments made by
 15 this section shall take effect on January 1, 2015.

16 **SEC. 102. PERMANENT EXTENSION AND MODIFICATION OF**
 17 **ENERGY CREDIT.**

18 (a) IN GENERAL.—Section 48 of the Internal Rev-
 19 enue Code of 1986 is amended—

20 (1) in subsection (a)—

1 (A) in paragraph (2)(A)(i)(II), by striking
2 “but only with respect to periods ending before
3 January 1, 2017”, and

4 (B) in paragraph (3)(A)—

5 (i) in clause (ii), by striking “but only
6 with respect to periods ending before Janu-
7 ary 1, 2017”, and

8 (ii) in clause (vii), by striking “, but
9 only with respect to periods ending before
10 January 1, 2017”, and

11 (2) in subsection (c)—

12 (A) in paragraph (1), by striking subpara-
13 graph (D),

14 (B) in paragraph (2), by striking subpara-
15 graph (D),

16 (C) in paragraph (3)(A), by inserting
17 “and” at the end of clause (ii), by striking “,
18 and” at the end of clause (iii) and inserting a
19 period, and by striking clause (iv), and

20 (D) in paragraph (4), by striking subpara-
21 graph (C).

22 (b) EXTENSION OF 30 PERCENT INVESTMENT CRED-
23 IT FOR OFFSHORE WIND ENERGY FACILITIES.—

24 (1) IN GENERAL.—

1 (A) IN GENERAL.—Clause (i) of section
2 48(a)(2)(A) of the Internal Revenue Code of
3 1986 is amended by striking “and” at the end
4 of subclause (IV) and by adding at the end the
5 following new subclause:

6 “(V) qualified offshore wind en-
7 ergy property, and”.

8 (B) QUALIFIED OFFSHORE WIND ENERGY
9 PROPERTY DEFINED.—Subsection (c) of section
10 48 of such Code is amended by adding at the
11 end the following new paragraph:

12 “(5) QUALIFIED OFFSHORE WIND ENERGY
13 PROPERTY.—

14 “(A) IN GENERAL.—The term ‘qualified
15 offshore wind energy property’ means property
16 which is part of a qualified offshore wind facil-
17 ity.

18 “(B) QUALIFIED OFFSHORE WIND FACIL-
19 ITY.—For purposes of subparagraph (A), the
20 term ‘qualified offshore wind facility’ means
21 any facility which—

22 “(i) uses wind to generate electricity,

23 and

24 “(ii) is located in—

1 “(I) the inland navigable waters
2 of the Unites States, including the
3 Great Lakes, or

4 “(II) the coastal waters of the
5 United States, including the territorial
6 seas of the United States, the exclu-
7 sive economic zone of the United
8 States, and the outer Continental
9 Shelf of the United States.”.

10 (C) CONFORMING AMENDMENT.—Subpara-
11 graph (A) of section 48(a)(3) of such Code is
12 amended by striking “or” at the end of clause
13 (vi), by inserting “or” at the end of clause (vii),
14 and by adding at the end the following new
15 clause:

16 “(viii) qualified offshore wind energy
17 property,”.

18 (D) COORDINATION WITH CREDIT FOR
19 OTHER WIND FACILITIES.—Section 48(a)(5)(C)
20 of such Code is amended by adding at the end
21 the following new sentence:

22 “Such term shall not include any facility which
23 is a qualified offshore wind facility (as defined
24 in subsection (c)(5)).”

1 (c) LIMITATION ON CREDIT FOR ONSHORE WIND FA-
2 CILITIES.—Paragraph (5) of section 48(a) of the Internal
3 Revenue Code of 1986 is amended by inserting at the end
4 the following new subparagraph:

5 “(E) LIMITATION FOR ONSHORE WIND FA-
6 CILITIES.—In the case of a qualified investment
7 credit facility described in section 45(d)(1), the
8 credit otherwise determined under the section
9 with respect to qualified property which is part
10 of such facility shall not exceed an amount
11 equal to \$200 for each kilowatt hour of capacity
12 of such facility.”.

13 (d) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to periods after December 31,
15 2015, under rules similar to the rules of section 48(m)
16 of the Internal Revenue Code of 1986 (as in effect on the
17 day before the date of the enactment of the Revenue Rec-
18 onciliation Act of 1990).

19 **SEC. 103. PERMANENT EXTENSION OF QUALIFYING AD-**
20 **VANCED ENERGY PROJECT CREDIT.**

21 (a) IN GENERAL.—Section 48C(d)(1)(B) of the In-
22 ternal Revenue Code of 1986 is amended—

23 (1) by inserting “in any calendar year” after
24 “allocated under the program”, and

1 (2) by striking “\$2,300,000,000” and inserting
2 “\$1,000,000,000”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) Section 48C(d)(2)(A) of such Code is
5 amended by striking “during the 2-year period be-
6 ginning on the date the Secretary establishes the
7 program under paragraph (1)”.

8 (2) Section 48C(d)(4) of such Code is amended
9 by striking subparagraphs (A) and (B) and inserting
10 the following:

11 “(A) REVIEW.—Not later than 4 years
12 after the close of any calendar year for which
13 allocations were made under this section, the
14 Secretary shall review the credits allocated
15 under this section for such calendar year.

16 “(B) REDISTRIBUTION.—The Secretary
17 may reallocate credits awarded under this sec-
18 tion for a calendar year if the Secretary deter-
19 mines that any certification made pursuant to
20 paragraph (2) has been revoked pursuant to
21 paragraph (2)(B) because the project subject to
22 the certification has been delayed as a result of
23 third party opposition or litigation to the pro-
24 posed project.”.

1 (3) Section 48C(d)(4)(C) of such Code is
2 amended by striking “the Secretary is authorized to
3 conduct an additional program for applications for
4 certification” and inserting “notwithstanding para-
5 graph (2)(A), the Secretary is authorized to accept
6 additional applications for certification with respect
7 to such amounts.”.

8 **SEC. 104. PROMOTING ACCESS TO RENEWABLE ENERGY**
9 **AND ENERGY EFFICIENCY FOR TAX-EXEMPT**
10 **ORGANIZATIONS.**

11 (a) **IN GENERAL.**—Upon application, the Secretary
12 of the Treasury shall, subject to the requirements of this
13 section, provide a grant to each eligible entity who places
14 in service specified energy property to reimburse such per-
15 son for a portion of the expense of such property as pro-
16 vided in subsection (b). No grant shall be made under this
17 section with respect to any property unless such property
18 is placed in service after 2015.

19 (b) **GRANT AMOUNT.**—

20 (1) **IN GENERAL.**—The amount of the grant
21 under subsection (a) with respect to any specified
22 energy property shall be the applicable percentage of
23 the basis of such property.

1 (2) APPLICABLE PERCENTAGE.—For purposes
2 of paragraph (1), the term “applicable percentage”
3 means—

4 (A) 30 percent in the case of any property
5 described in paragraphs (1) through (4) of sub-
6 section (d), and

7 (B) 10 percent in the case of any other
8 property.

9 (3) DOLLAR LIMITATIONS.—In the case of
10 property described in paragraph (1), (2), (6), or (7)
11 of subsection (d), the amount of any grant under
12 this section with respect to such property shall not
13 exceed the limitation described in section
14 48(a)(5)(E), 48(c)(1)(B), 48(c)(2)(B), or
15 48(c)(3)(B) of the Internal Revenue Code of 1986,
16 respectively, with respect to such property.

17 (c) TIME FOR PAYMENT OF GRANT.—The Secretary
18 of the Treasury shall make payment of any grant under
19 subsection (a) during the 60-day period beginning on the
20 later of—

21 (1) the date of the application for such grant,
22 or

23 (2) the date the specified energy property for
24 which the grant is being made is placed in service.

1 (d) SPECIFIED ENERGY PROPERTY.—For purposes
2 of this section, the term “specified energy property”
3 means any of the following:

4 (1) QUALIFIED FACILITIES.—Any qualified
5 property (as defined in section 48(a)(5)(D) of the
6 Internal Revenue Code of 1986) which is part of a
7 qualified facility (within the meaning of section 45
8 of such Code) described in paragraph (1), (2), (3),
9 (4), (6), (7), (9), or (11) of section 45(d) of such
10 Code.

11 (2) QUALIFIED FUEL CELL PROPERTY.—Any
12 qualified fuel cell property (as defined in section
13 48(c)(1) of such Code).

14 (3) SOLAR PROPERTY.—Any property described
15 in clause (i) or (ii) of section 48(a)(3)(A) of such
16 Code.

17 (4) QUALIFIED SMALL WIND ENERGY PROP-
18 erty.—Any qualified small wind energy property
19 (as defined in section 48(c)(4) of such Code).

20 (5) GEOTHERMAL PROPERTY.—Any property
21 described in clause (iii) of section 48(a)(3)(A) of
22 such Code.

23 (6) QUALIFIED MICROTURBINE PROPERTY.—
24 Any qualified microturbine property (as defined in
25 section 48(c)(2) of such Code).

1 (7) COMBINED HEAT AND POWER SYSTEM
2 PROPERTY.—Any combined heat and power system
3 property (as defined in section 48(c)(3) of such
4 Code).

5 (8) GEOTHERMAL HEAT PUMP PROPERTY.—
6 Any property described in clause (vii) of section
7 48(a)(3)(A) of such Code.

8 Such term shall not include any property unless deprecia-
9 tion (or amortization in lieu of depreciation) is allowable
10 with respect to such property

11 (e) APPLICATION OF CERTAIN RULES.—In making
12 grants under this section, the Secretary of the Treasury
13 shall apply rules similar to the rules of section 50 of the
14 Internal Revenue Code of 1986 (other than subsection
15 (b)(3) thereof). In applying such rules, if the property is
16 disposed of, or otherwise ceases to be specified energy
17 property, the Secretary of the Treasury shall provide for
18 the recapture of the appropriate percentage of the grant
19 amount in such manner as the Secretary of the Treasury
20 determines appropriate.

21 (f) ELIGIBLE ENTITY.—For purposes of this section,
22 the term “eligible entity” means any organization de-
23 scribed in section 501(c) of the Internal Revenue Code of
24 1986 and exempt from tax under section 501(a) of such
25 Code.

1 (g) DEFINITIONS.—Terms used in this section which
2 are also used in section 45 or 48 of the Internal Revenue
3 Code of 1986 shall have the same meaning for purposes
4 of this section as when used in such section 45 or 48.
5 Any reference in this section to the Secretary of the Treas-
6 ury shall be treated as including the Secretary’s delegate.

7 (h) APPROPRIATIONS.—There is hereby appropriated
8 to the Secretary of the Treasury such sums as may be
9 necessary to carry out this section.

10 **TITLE II—SAVING CONSUMERS**
11 **AND BUSINESSES MONEY BY**
12 **PROMOTING ENERGY EFFI-**
13 **CIENCY**

14 **SEC. 201. PERMANENT EXTENSION OF ENERGY EFFICIENT**
15 **COMMERCIAL BUILDINGS DEDUCTION.**

16 (a) IN GENERAL.—Section 179D of the Internal Rev-
17 enue Code of 1986 is amended by striking subsection (h).

18 (b) UPDATE OF STANDARD.—

19 (1) IN GENERAL.—Section 179D of the Inter-
20 nal Revenue Code of 1986 is amended by striking
21 “Standard 90.1-2001” each place it appears and in-
22 serting “the applicable ASHRAE standard”.

23 (2) APPLICABLE ASHRAE STANDARD.—Section
24 179D(c)(2) of such Code is amended to read as fol-
25 lows:

1 “(2) APPLICABLE ASHRAE STANDARD.—The
2 term ‘applicable ASHRAE standard’ means—

3 “(A) Standard 90.1-2013 of the American
4 Society of Heating, Refrigerating, and Air Con-
5 ditioning Engineers and the Illuminating Engi-
6 neering Society of North America, or

7 “(B) in the case of any subsequent stand-
8 ard adopted by the American Society of Heat-
9 ing, Refrigerating, and Air Conditioning Engi-
10 neers which supersedes the standard described
11 in subparagraph (A), such subsequent stand-
12 ard.”.

13 (c) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to property placed in service after
15 December 31, 2014.

16 **SEC. 202. PERMANENT EXTENSION OF NEW ENERGY EFFI-
17 CIENT HOME CREDIT.**

18 (a) IN GENERAL.—Section 45L of the Internal Rev-
19 enue Code of 1986 is amended by striking subsection (g).

20 (b) UPDATE OF STANDARD.—

21 (1) IN GENERAL.—Section 45L of the Internal
22 Revenue Code of 1986 is amended by striking “the
23 standards of chapter 4 of the 2006 International
24 Energy Conservation Code, as such Code (including
25 supplements) is in effect on January 1, 2006” each

1 place it appears and inserting “the applicable stand-
2 ards”.

3 (2) APPLICABLE STANDARDS.—Section 45L of
4 such Code, as amended by subsection (a), is amend-
5 ed by adding at the end the following new sub-
6 section:

7 “(h) APPLICABLE STANDARDS.—For purposes of this
8 section, the term ‘applicable standards’ means, with re-
9 spect to any dwelling unit, the standards in effect for resi-
10 dential building energy efficiency under the International
11 Energy Conservation Code on the first day of the taxable
12 year in which construction for the dwelling unit com-
13 menced.”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall apply to homes acquired after December
16 31, 2014.

17 **SEC. 203. PERMANENT EXTENSION AND REFUNDABILITY**
18 **OF CREDIT FOR NONBUSINESS ENERGY**
19 **PROPERTY.**

20 (a) PERMANENT EXTENSION.—Section 25C of the
21 Internal Revenue Code of 1986 is amended by striking
22 subsection (g).

23 (b) UPDATE OF STANDARDS.—

24 (1) QUALIFIED ENERGY EFFICIENCY IMPROVE-
25 MENTS.—

1 (A) IN GENERAL.—Section 25C(c)(1) of
2 the Internal Revenue Code of 1986 is amended
3 by striking “the prescriptive criteria for such
4 component established by the 2009 Inter-
5 national Energy Conservation Code, as such
6 Code (including supplements) is in effect on the
7 date of the enactment of the American Recov-
8 ery and Reinvestment Tax Act of 2009” and in-
9 serting “the applicable IECC standards”.

10 (B) APPLICABLE IECC STANDARDS.—Sec-
11 tion 25C(c) of such Code is amended by adding
12 at the end the following new paragraph:

13 “(4) APPLICABLE IECC STANDARDS.—For pur-
14 poses of this section, the term ‘applicable IECC
15 standards’ means, with respect to any building enve-
16 lope component, the prescriptive criteria for such
17 component in effect under the International Energy
18 Conservation Code on the first day of the taxable
19 year for which the credit is allowed.”.

20 (2) ENERGY EFFICIENT PROPERTY.—

21 (A) HEAT PUMPS AND AIR CONDI-
22 TIONERS.—

23 (i) IN GENERAL.—Section 25C(d)(3)
24 of the Internal Revenue Code of 1986 is
25 amended by striking “the Consortium for

1 Energy Efficiency, as in effect on January
2 1, 2009” each place it appears and insert-
3 ing “the applicable CEE standards”.

4 (ii) APPLICABLE CEE STANDARDS.—
5 Section 25C(d) of such Code is amended
6 by adding at the end the following new
7 paragraph:

8 “(7) APPLICABLE CEE STANDARDS.—For pur-
9 poses of this section, the term ‘applicable CEE
10 standards’ means, with respect to any property, the
11 standards established by the Consortium fo Energy
12 Efficiency that are in effect for such property on the
13 first day of the taxable year for which the credit is
14 allowed.”.

15 (B) OTHER ENERGY EFFICIENT BUILDING
16 PROPERTY.—Paragraph (3) of section 25C(d)
17 of such Code is amended—

18 (i) in subparagraph (A), by inserting
19 “and meets Energy Star program certifi-
20 cation requirements as of the first day of
21 the taxable year in which the property
22 placed in service” after “procedure”,

23 (ii) in subparagraph (C), by inserting
24 “and meets Energy Star program certifi-
25 cation requirements as of the first day of

1 the taxable year in which the property
2 placed in service” after “90 percent”, and

3 (iii) in subparagraph (E)—

4 (I) by striking “and which” and
5 inserting “which”, and

6 (II) by inserting “, and which
7 meets Energy Star program certifi-
8 cation requirements as of the first day
9 of the taxable year in which the prop-
10 erty placed in service” after “75 per-
11 cent”.

12 (C) FURNACES AND HOT WATER BOIL-
13 ERS.—Paragraph (4) of section 25C(d) of such
14 Code is amended by inserting “and meets En-
15 ergy Star program certification requirements as
16 of the first day of the taxable year in which the
17 property placed in service” after “95”.

18 (D) ADVANCED MAIN AIR CIRCULATING
19 FANS.—Paragraph (5) of section 25C(d) of
20 such Code is amended—

21 (i) by striking “and which” and in-
22 serting “, which”, and

23 (ii) by inserting “, and which meets
24 Energy Star program certification require-
25 ments as of the first day of the taxable

1 year in which the property placed in serv-
2 ice” after “test procedures”).

3 (c) CREDIT MADE REFUNDABLE.—

4 (1) CREDIT MOVED TO SUBPART RELATING TO
5 REFUNDABLE CREDITS.—The Internal Revenue
6 Code of 1986 is amended—

7 (A) by redesignating section 25C as section
8 36C, and

9 (B) by moving section 36C (as amended by
10 subsections (a) and (b) and as redesignated by
11 subparagraph (A)) from subpart A of part IV
12 of subchapter A of chapter 1 to the location im-
13 mediately before section 37 in subpart C of part
14 IV of subchapter A of chapter 1.

15 (2) CONFORMING AMENDMENTS.—

16 (A) Section 1016(a)(33) of such Code is
17 amended—

18 (i) by striking “section 25C(f)” and
19 inserting “section 36C(f)”, and

20 (ii) by striking “under section 25C”
21 and inserting “under section 36C”.

22 (B) The table of sections for subpart A of
23 part IV of subchapter A of chapter 1 of such
24 Code is amended by striking the item relating
25 to section 25C.

1 (C) Paragraph (2) of section 1324(b) of
2 title 31, United States Code, is amended by in-
3 serting “36C,” after “36B,”.

4 (D) The table of sections for subpart C of
5 part IV of subchapter A of chapter 1 of the In-
6 ternal Revenue Code of 1986 is amended by in-
7 serting after the item relating to section 36B
8 the following new item:

“36C. Nonbusiness energy property.”.

9 (d) **EFFECTIVE DATE.**—The amendments made by
10 this section shall apply to property placed in service after
11 December 31, 2014.

12 **SEC. 204. PERMANENT EXTENSION, MODIFICATION, AND**
13 **REFUNDABILITY OF CREDIT FOR RESIDEN-**
14 **TIAL ENERGY EFFICIENT PROPERTY.**

15 (a) **PERMANENT EXTENSION.**—Section 25D of the
16 Internal Revenue Code of 1986 is amended by striking
17 subsection (g).

18 (b) **CREDIT ALLOWED FOR ENERGY STORAGE PROP-**
19 **ERTY.**—

20 (1) **IN GENERAL.**—Section 25D(a) of the Inter-
21 nal Revenue Code of 1986 is amended by adding at
22 the end the following new paragraph:

23 “(6) 30 percent of the qualified energy storage
24 property expenditures made by the taxpayer during
25 the taxable year.”.

1 (2) QUALIFIED ENERGY STORAGE PROPERTY
2 EXPENDITURES.—Section 25D(d) of such Code is
3 amended by adding at the end the following new
4 paragraph:

5 “(6) QUALIFIED ENERGY STORAGE PROPERTY
6 EXPENDITURE.—The term ‘qualified energy storage
7 property expenditure’ means an expenditure for
8 property—

9 “(A) which is—

10 “(i) located in a dwelling unit located
11 in the United States and used by the tax-
12 payer as a residence,

13 “(ii) directly connected to the elec-
14 trical grid, and

15 “(iii) designed to receive electrical en-
16 ergy, to store such energy, and—

17 “(I) to convert such energy to
18 electricity and deliver such electricity
19 for sale, or

20 “(II) to use such energy to pro-
21 vide improved reliability or economic
22 benefits to the grid, or

23 “(B) which is—

24 “(i) part of dwelling unit located in
25 the United States which is—

1 “(I) connected to the electrical
2 grid, and

3 “(II) used by the taxpayer as a
4 residence,

5 “(ii) connected to—

6 “(I) qualified solar electric prop-
7 erty, or

8 “(II) qualified small wind energy
9 property, and

10 “(iii) designed to receive electrical en-
11 ergy, store such energy, and to convert
12 such energy to electricity for use by the
13 taxpayer.”.

14 (c) CREDIT MADE REFUNDABLE.—

15 (1) CREDIT MOVED TO SUBPART RELATING TO
16 REFUNDABLE CREDITS.—The Internal Revenue
17 Code of 1986 is amended—

18 (A) by redesignating section 25D as sec-
19 tion 36D, and

20 (B) by moving section 36D (as amended
21 by subsections (a) and (b) and as redesignated
22 by subparagraph (A)) from subpart A of part
23 IV of subchapter A of chapter 1 to the location
24 immediately before section 37 in subpart C of

1 part IV of subchapter A of chapter 1 (as
2 amended by section 203).

3 (2) CONFORMING AMENDMENTS.—

4 (A) Section 36C(e)(1) of the Internal Rev-
5 enue Code of 1986 (as redesignated by section
6 8) is amended by striking “25D(e)” and insert-
7 ing “36D(e)”.

8 (B) Section 45(d)(1) of such Code is
9 amended by striking “section 25D” and insert-
10 ing “section 36D”.

11 (C) Section 1016(a)(34) of such Code is
12 amended—

13 (i) by striking “section 25D(f)” and
14 inserting “section 36D(f)”, and

15 (ii) by striking “under section 25D”
16 and inserting “under section 36D”.

17 (D) The table of sections for subpart A of
18 part IV of subchapter A of chapter 1 of such
19 Code is amended by striking the item relating
20 to section 25D.

21 (E) Paragraph (2) of section 1324(b) of
22 title 31, United States Code, as amended by
23 this Act, is amended by inserting “36D,” after
24 “36C,”.

1 (F) The table of sections for subpart C of
2 part IV of subchapter A of chapter 1 of the In-
3 ternal Revenue Code of 1986, as amended by
4 this Act, is amended by inserting after the item
5 relating to section 36C the following new item:

“36D. Residential energy efficient property.”.

6 (d) EFFECTIVE DATE.—The amendments made by
7 this section shall apply to property placed in service after
8 the date of the enactment of this Act.

9 **TITLE III—HELPING AMERICANS**
10 **MOVE BEYOND OIL**

11 **SEC. 301. PERMANENT EXTENSION, INCREASE, AND**
12 **REFUNDABILITY OF CREDIT FOR QUALIFIED**
13 **NEW PLUG IN ELECTRIC DRIVE MOTOR VEHI-**
14 **CLES.**

15 (a) REPEAL OF PHASEOUT.—Section 30D of the In-
16 ternal Revenue Code of 1986 is amended by striking sub-
17 section (e).

18 (b) EXTENSION FOR 2- AND 3-WHEELED VEHI-
19 CLES.—Section 30D(g)(3)(E) of the Internal Revenue
20 Code of 1986 is amended by striking “and before January
21 1, 2014”.

22 (c) INCREASE IN DOLLAR LIMITATION FOR BATTER
23 CAPACITY.—Paragraph (3) of section 30D(b) of the Inter-
24 nal Revenue Code of 1986 is amended by striking
25 “\$5,000” and inserting “\$7,500”.

1 (d) PERSONAL CREDIT MADE REFUNDABLE.—

2 (1) IN GENERAL.—Section 30D(c)(2) of the In-
3 ternal Revenue Code of 1986 is amended by striking
4 “subpart A” and inserting “subpart C”.

5 (2) TECHNICAL AMENDMENT.—Paragraph (2)
6 of section 1324(b) of title 31, United States Code,
7 as amended by this Act, is amended by inserting
8 “30D(c)(2),” after “36D,”.

9 (e) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to vehicles acquired after Decem-
11 ber 31, 2014.

12 **SEC. 302. PERMANENT EXTENSION OF CREDIT FOR HYBRID**
13 **MEDIUM- AND HEAVY- DUTY TRUCKS.**

14 (a) IN GENERAL.—Section 30B(k) of the Internal
15 Revenue Code of 1986 is amended—

16 (1) by striking “after” in the matter before
17 paragraph (1),

18 (2) by inserting “after” before “December”
19 each place it appears, and

20 (3) in paragraph (3), by inserting “and before
21 the date of the enactment of the American Clean
22 Energy Investment Act of 2015,” after “December
23 31, 2009,”.

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

4 **SEC. 303. EXTENSION OF SECOND GENERATION BIOFUEL**
5 **PRODUCER CREDIT.**

6 (a) IN GENERAL.—Clause (i) of section 40(b)(6)(J)
7 of the Internal Revenue Code of 1986 is amended by strik-
8 ing “January 1, 2015” and inserting “January 1, 2023”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 this subsection shall apply to qualified second generation
11 biofuel production after December 31, 2014.

12 **SEC. 304. EXTENSION AND REFORM OF BIODIESEL TAX IN-**
13 **CENTIVES.**

14 (a) INCOME TAX CREDIT.—

15 (1) EXTENSION.—

16 (A) CREDITS FOR BIODIESEL AND RENEW-
17 ABLE DIESEL USED AS FUEL.—Subsection (g)
18 of section 40A is amended by striking “Decem-
19 ber 31, 2014” and inserting “December 31,
20 2022”.

21 (B) EFFECTIVE DATE.—The amendment
22 made by this paragraph shall apply to fuel sold
23 or used after December 31, 2014.

24 (2) REFORM OF INCOME TAX CREDIT.—

1 (A) IN GENERAL.—So much of section
2 40A as precedes subsection (c) is amended to
3 read as follows:

4 **“SEC. 40A. BIODIESEL FUELS CREDIT.**

5 “(a) IN GENERAL.—For purposes of section 38, in
6 the case of an eligible taxpayer, the biodiesel fuels credit
7 determined under this section for the taxable year is \$1.00
8 for each gallon of biodiesel produced by the taxpayer which
9 during the taxable year—

10 “(1) is sold by the producer of such biodiesel to
11 another person—

12 “(A) for use by such other person’s trade
13 or business as a fuel or in the production of a
14 biodiesel mixture (other than casual off-farm
15 production), or

16 “(B) who sells such biodiesel at retail to
17 another person and places such biodiesel in the
18 fuel tank of such other person, or

19 “(2) is used by such producer for any purpose
20 described in paragraph (1).

21 “(b) INCREASED CREDIT FOR SMALL PRODUCERS.—

22 “(1) IN GENERAL.—In the case of any eligible
23 small biodiesel producer, subsection (a) shall be ap-
24 plied by increasing the dollar amount contained
25 therein by 10 cents.

1 “(2) LIMITATION.—Paragraph (1) shall only
2 apply with respect to the first 15,000,000 gallons of
3 biodiesel produced by any eligible small biodiesel
4 producer during any taxable year.”.

5 (B) DEFINITIONS AND SPECIAL RULES.—
6 Section 40A(d) is amended by striking all that
7 follows paragraph (1) and inserting the fol-
8 lowing

9 “(2) ELIGIBLE TAXPAYER.—

10 “(A) IN GENERAL.—The term ‘eligible tax-
11 payer’ means, with respect to any gallon of bio-
12 diesel, the producer of such gallon if such pro-
13 ducer has paid the tax imposed by section 4081
14 on such biodiesel.

15 “(B) SPECIAL RULE FOR ELIGIBLE DIS-
16 CRETIONARY BLENDERS.—For purposes of this
17 section (other than subsection (b)), an eligible
18 discretionary blender shall be treated as the
19 producer of any gallon of biodiesel which is
20 used to make a qualified biodiesel mixture if—

21 “(i) the producer of such biodiesel
22 (determined without regard to this sub-
23 paragraph)—

1 “(I) did not pay the tax imposed
2 under section 4081 with respect to
3 such gallon, and

4 “(II) assigns the credit allowed
5 under this section to the eligible dis-
6 cretionary blender in such form and
7 manner as provided by the Secretary,
8 and

9 “(ii) such eligible discretionary blend-
10 er pays the tax imposed under section
11 4081 with respect to such gallon.

12 For purposes of the preceding sentence, an eli-
13 gible discretionary blender shall be treated as
14 producing a gallon of biodiesel in the taxable
15 year in which the sale or use of the qualified
16 biodiesel mixture occurs.

17 “(C) ELIGIBLE DISCRETIONARY BLEND-
18 ER.—For purposes of subparagraph (B), the
19 term ‘eligible discretionary blender’ means any
20 person who—

21 “(i) is registered under section 4101
22 as a blender of qualified biodiesel mixtures,
23 and

24 “(ii) has used 10,000,000 or more
25 gallons of biodiesel in the production of

1 qualified biodiesel mixtures in the pre-
2 ceding taxable year.

3 “(3) BIODIESEL MIXTURE; QUALIFIED BIO-
4 DIESEL MIXTURE.—

5 “(A) BIODIESEL MIXTURE.—The term
6 ‘biodiesel mixture’ means a mixture consists of
7 biodiesel and diesel fuel (as defined in section
8 4083(a)(3)), determined without regard to any
9 use of kerosene.

10 “(B) QUALIFIED BIODIESEL MIXTURE.—

11 “(i) IN GENERAL.—The term ‘quali-
12 fied biodiesel mixture’ means a biodiesel
13 mixture which is produced by an eligible
14 discretionary blender and—

15 “(I) sold by such eligible discre-
16 tionary blender to any person for use
17 as a fuel, or

18 “(II) used by such eligible discre-
19 tionary blender as a fuel.

20 “(ii) SALE OR USE MUST BE IN
21 TRADE OR BUSINESS, ETC.—A biodiesel
22 mixture shall not be treated as a qualified
23 biodiesel mixture unless the sale or use de-
24 scribed in clause (i) is in a trade or busi-
25 ness of the eligible discretionary blender.

1 “(4) BIODIESEL NOT USED FOR A QUALIFIED
2 PURPOSE.—If—

3 “(A) any credit was determined with re-
4 spect to any biodiesel under this section, and

5 “(B) any person uses such biodiesel for a
6 purpose not described in subsection (a),

7 then there is hereby imposed on such person a tax
8 equal to the product of the rate applicable under
9 subsection (a) and the number of gallons of such
10 biodiesel.

11 “(5) PASS-THRU IN THE CASE OF ESTATES AND
12 TRUSTS.—Under regulations prescribed by the Sec-
13 retary, rules similar to the rules of subsection (d) of
14 section 52 shall apply.

15 “(6) LIMITATION TO BIODIESEL WITH CONNEC-
16 TION TO THE UNITED STATES.—No credit shall be
17 determined under subsection (a) with respect to bio-
18 diesel unless such biodiesel is produced in the United
19 States. For purposes of this paragraph, the term
20 ‘United States’ includes any possession of the
21 United States.”.

22 (C) RULES FOR SMALL BIODIESEL PRO-
23 DUCERS.—

24 (i) IN GENERAL.—Section 40A(e) is
25 amended—

1 (I) by striking “agri-biodiesel”
2 each place it appears in paragraphs
3 (1) and (5)(A) and inserting “bio-
4 diesel”,

5 (II) by striking “subsection
6 (b)(4)(C)” each place it appears in
7 paragraphs (2) and (3) and inserting
8 “subsection (b)(2)”, and

9 (III) by striking “subsection
10 (a)(3)” each place it appears in para-
11 graphs (5)(A), (6)(A)(i), and (6)(B)(i)
12 and inserting “subsection (b)”.

13 (ii) The heading for subsection (e) of
14 section 40A is amended by striking “AGRI-
15 BIODIESEL” and inserting “BIODIESEL”.

16 (iii) The headings for paragraphs (1)
17 and (6) of section 40A(e) are each amend-
18 ed by striking “AGRI-BIODIESEL” and in-
19 serting “BIODIESEL”.

20 (D) CONFORMING AMENDMENTS RELATED
21 TO RENEWABLE DIESEL.—Section 40A(f) is
22 amended—

23 (i) by striking “Subsection (b)(4)”
24 and inserting “Subsection (b)”, and

1 (ii) by striking paragraph (4) and in-
2 serting the following:

3 “(4) CERTAIN AVIATION FUEL.—Except as pro-
4 vided in the last 3 sentences of paragraph (2), the
5 term ‘renewable diesel’ shall include fuel derived
6 from biomass which meets the requirements of a De-
7 partment of Defense specification for military jet
8 fuel or an American Society of Testing and Mate-
9 rials specification for aviation turbine fuel.”.

10 (E) REGISTRATION OF ELIGIBLE DISCRE-
11 TIONARY BLENDERS.—Section 4101(a)(1) is
12 amended—

13 (i) by striking “and” before “every
14 person producing second generation
15 biofuel”, and

16 (ii) by inserting “, and every person
17 producing qualified biodiesel mixtures (as
18 defined in section 40A(d)(3))” after “sec-
19 tion 40(b)(6)(E)) in excess of 10,000,000
20 gallons per year”.

21 (F) CLERICAL AMENDMENT.—The table of
22 sections for subpart D of part IV of subchapter
23 A of chapter 1 is amended by striking the item
24 relating to section 40A and inserting the fol-
25 lowing new item:

“Sec. 40A. Biodiesel fuels credit.”.

1 (G) EFFECTIVE DATE.—The amendments
2 made by this paragraph shall apply to fuel sold
3 or used after December 31, 2015.

4 (b) EXCISE TAX INCENTIVES.—

5 (1) EXTENSION.—

6 (A) IN GENERAL.—Paragraph (6) of sec-
7 tion 6426(c) is amended by striking “December
8 31, 2014” and inserting “December 31, 2022”.

9 (B) PAYMENTS.—Subparagraph (B) of
10 section 6427(e)(6) is amended by striking “De-
11 cember 31, 2014” and inserting “December 31,
12 2022”.

13 (C) EFFECTIVE DATE.—The amendments
14 made by this paragraph shall apply to fuel sold
15 or used after December 31, 2014.

16 (D) SPECIAL RULE FOR CERTAIN PERIODS
17 DURING 2015.—Notwithstanding any other pro-
18 vision of law, in the case of any biodiesel mix-
19 ture credit properly determined under section
20 6426(c) of the Internal Revenue Code of 1986
21 for periods after December 31, 2014, and on or
22 before the last day of the first calendar quarter
23 ending after the date of the enactment of this
24 Act, such credit shall be allowed, and any re-
25 fund or payment attributable to such credit (in-

1 including any payment under section 6427(e) of
2 such Code) shall be made, only in such manner
3 as the Secretary of the Treasury (or the Sec-
4 retary's delegate) shall provide. Such Secretary
5 shall issue guidance within 30 days after the
6 date of the enactment of this Act providing for
7 a one-time submission of claims covering peri-
8 ods described in the preceding sentence. Such
9 guidance shall provide for a 180-day period for
10 the submission of such claims (in such manner
11 as prescribed by such Secretary) to begin not
12 later than 30 days after such guidance is
13 issued. Such claims shall be paid by such Sec-
14 retary not later than 60 days after receipt. If
15 such Secretary has not paid pursuant to a claim
16 filed under this subsection within 60 days after
17 the date of the filing of such claim, the claim
18 shall be paid with interest from such date de-
19 termined by using the overpayment rate and
20 method under section 6621 of such Code.

21 (2) REFORM OF EXCISE TAX CREDIT.—

22 (A) IN GENERAL.—Subsection (c) of sec-
23 tion 6426 is amended—

24 (i) by striking all that precedes para-
25 graph (6) and inserting the following:

1 “(c) BIODIESEL PRODUCTION CREDIT.—

2 “(1) IN GENERAL.—For purposes of this sec-
3 tion, in the case of an eligible taxpayer, the biodiesel
4 production credit is \$1.00 for each gallon of bio-
5 diesel produced by the taxpayer and which—

6 “(A) is sold by such producer to another
7 person—

8 “(i) for use by such other person’s
9 trade or business as a fuel or in the pro-
10 duction of a biodiesel mixture (other than
11 casual off-farm production), or

12 “(ii) who sells such biodiesel at retail
13 to another person and places such biodiesel
14 in the fuel tank of such other person, or

15 “(B) is used by such producer for any pur-
16 pose described in subparagraph (A).

17 “(2) SPECIAL RULE FOR ELIGIBLE DISCRE-
18 TIONARY BLENDERS.—For purposes of this sub-
19 section and section 6427(e)(3), an eligible discre-
20 tionary blender shall be treated as the producer of
21 any gallon of biodiesel which is used to make a
22 qualified biodiesel mixture if—

23 “(A) the producer of such biodiesel (deter-
24 mined without regard to this subparagraph)—

1 “(i) did not pay the tax imposed
2 under section 4081 with respect to such
3 gallon, and

4 “(ii) assigns the credit allowed under
5 this section to the eligible discretionary
6 blender in such form and manner as pro-
7 vided by the Secretary, and

8 “(B) such eligible discretionary blender
9 pays the tax imposed under section 4081 with
10 respect to such gallon.

11 For purposes of the preceding sentence, an eligible
12 discretionary blender shall not be treated as pro-
13 ducing a gallon of biodiesel before the date on which
14 the sale or use of the qualified biodiesel mixture oc-
15 curs.

16 “(3) DEFINITIONS.—Any term used in this sub-
17 section which is also used in section 40A shall have
18 the meaning given such term by section 40A.”, and

19 (ii) by redesignating paragraph (6), as
20 amended by paragraph (1)(A), as para-
21 graph (4).

22 (B) PRODUCER REGISTRATION REQUIRE-
23 MENT.—Subsection (a) of section 6426 is
24 amended by striking “subsections (d) and (e)”

1 in the flush sentence at the end and inserting
2 “subsections (c), (d), and (e)”.

3 (C) RECAPTURE.—

4 (i) IN GENERAL.—Subsection (f) of
5 section 6426 is amended—

6 (I) by striking “or biodiesel”
7 each place it appears in subpara-
8 graphs (A) and (B)(i) of paragraph
9 (1),

10 (II) by striking “or biodiesel mix-
11 ture” in paragraph (1)(A), and

12 (III) by redesignating paragraph
13 (2) as paragraph (3) and by inserting
14 after paragraph (1) the following new
15 paragraph:

16 “(2) BIODIESEL.—If any credit was determined
17 under this section or paid pursuant to section
18 6427(e) with respect to the production of any bio-
19 diesel and any person uses such biodiesel for a pur-
20 pose not described in subsection (c)(1), then there is
21 hereby imposed on such person a tax equal to \$1 for
22 each gallon of such biodiesel.”.

23 (ii) CONFORMING AMENDMENTS.—

24 (I) Paragraph (3) of section
25 6426(f), as redesignated by clause

1 (i)(III), is amended by inserting “or
2 (2)” after “paragraph (1)”.

3 (II) The heading for paragraph
4 (1) of section 6426(f) is amended by
5 striking “IMPOSITION OF TAX” and
6 inserting “IN GENERAL”.

7 (D) LIMITATION.—Section 6426(i) is
8 amended—

9 (i) in paragraph (2)—

10 (I) by striking “biodiesel or”, and

11 (II) by striking “BIODIESEL
12 AND” in the heading, and

13 (ii) by inserting after paragraph (2)

14 the following new paragraph:

15 “(3) BIODIESEL.—No credit shall be deter-
16 mined under this section with respect to biodiesel
17 unless such biodiesel is produced in the United
18 States.”.

19 (E) CLERICAL AMENDMENTS.—

20 (i) The heading of section 6426 is
21 amended by striking “**ALCOHOL FUEL,**
22 **BIODIESEL, AND ALTERNATIVE FUEL**
23 **MIXTURES**” and inserting “**ALCOHOL**
24 **FUEL MIXTURES, BIODIESEL PRODUC-**

1 **TION, AND ALTERNATIVE FUEL MIX-**
2 **TURES”.**

3 (ii) The item relating to section 6426
4 in the table of sections for subchapter B of
5 chapter 65 is amended by striking “alcohol
6 fuel, biodiesel, and alternative fuel mix-
7 tures” and inserting “alcohol fuel mix-
8 tures, biodiesel production, and alternative
9 fuel mixtures”.

10 (F) **EFFECTIVE DATE.**—The amendments
11 made by this paragraph shall apply to fuel sold
12 or used after December 31, 2015.

13 (3) **REFORM OF EXCISE PAYMENTS OF CRED-**
14 **IT.**—

15 (A) **IN GENERAL.**—Subsection (e) of sec-
16 tion 6427, as amended by paragraph (1)(B), is
17 amended—

18 (i) by striking “or the biodiesel mix-
19 ture credit” in paragraph (1),

20 (ii) by redesignating paragraphs (3)
21 through (6) as paragraphs (4) through (7),
22 respectively, and by inserting after para-
23 graph (2) the following new paragraph:

24 “(3) **BIODIESEL PRODUCTION CREDIT.**—If any
25 person produces biodiesel and sells or uses such bio-

1 diesel as provided in section 6426(c)(1), the Sec-
2 retary shall pay (without interest) to such person an
3 amount equal to the biodiesel production credit with
4 respect to such biodiesel.”,

5 (iii) by striking “paragraph (1) or
6 (2)” each place it appears in paragraphs
7 (4) and (6), as redesignated by paragraph
8 (2), and inserting “paragraph (1), (2), or
9 (3)”,

10 (iv) by striking “alternative fuel” each
11 place it appears in paragraphs (4) and (6),
12 as redesignated by paragraph (2), and in-
13 serting “fuel”, and

14 (v) by striking “biodiesel mixture (as
15 defined in section 6426(c)(3))” in para-
16 graph (7)(B), as so redesignated, and in-
17 serting “biodiesel (within the meaning of
18 section 40A)”.

19 (B) EFFECTIVE DATE.—The amendments
20 made by this paragraph shall apply to fuel sold
21 or used after December 31, 2015.

22 (c) TREATMENT OF BIODIESEL AS A TAXABLE
23 FUEL.—

24 (1) IN GENERAL.—

1 (A) TAXABLE FUEL INCLUDES BIO-
2 DIESEL.—Paragraph (1) of section 4083(a) is
3 amended by striking “and” at the end of sub-
4 paragraph (B), by striking the period at the
5 end of subparagraph (C) and inserting “, and”,
6 and by adding at the end the following new sub-
7 paragraph:

8 “(D) biodiesel.”.

9 (B) BIODIESEL DEFINED.—Subsection (a)
10 of section 4083 is amended by adding at the
11 end the following new paragraph:

12 “(4) BIODIESEL.—The term ‘biodiesel’ has the
13 meaning given such term under section 40A(d)(1),
14 determined without regard to the last sentence
15 thereof.”.

16 (2) BIODIESEL PRODUCTION FACILITIES
17 TREATED AS REFINERIES.—

18 (A) IN GENERAL.—Subsection (a) of sec-
19 tion 4081 is amended by adding at the end the
20 following new paragraph:

21 “(5) BIODIESEL PRODUCTION FACILITIES AND
22 BLENDING FACILITIES TREATED AS REFINERIES.—
23 For purposes of this part—

24 “(A) any facility which is used to produce
25 biodiesel, and

1 “(B) any biodiesel blending facility,
2 shall be treated as a refinery with respect to bio-
3 diesel.”.

4 (B) BIODIESEL BLENDING FACILITY DE-
5 FINED.—Section 4083 is amended by adding at
6 the end the following new subsection:

7 “(e) BIODIESEL BLENDING FACILITY.—For pur-
8 poses of this subpart, the term ‘biodiesel blending facility’
9 means any facility that is operated by an eligible discre-
10 tionary blender (as defined in section 40A(d)(2)(C)).”.

11 (C) BULK TRANSFERS.—Subparagraph
12 (B) of section 4081(a)(1) is amended by adding
13 at the end the following new clause:

14 “(iii) SPECIAL RULES FOR BIO-
15 DIESEL.—The tax imposed by this para-
16 graph shall not apply to the removal or
17 entry of biodiesel to any refinery or ter-
18 minal if the person removing or entering
19 the biodiesel and the operator of the refin-
20 ery or terminal are registered under sec-
21 tion 4101.”.

22 (3) RATE OF TAX.—Subparagraph (A)(iii) of
23 section 4081(a)(2) is amended by striking “diesel
24 fuel or kerosene” and inserting “diesel fuel, ker-
25 osene, or biodiesel”.

1 (4) EXEMPTIONS.—

2 (A) IN GENERAL.—Section 4082 is amend-
3 ed by striking “diesel fuel and kerosene” each
4 place it appears in subsections (a), (c), and (g)
5 and inserting “diesel fuel, kerosene, and bio-
6 diesel”.

7 (B) CONFORMING AMENDMENT.—Subpara-
8 graph (A) of section 4082(d)(1) is amended by
9 inserting “biodiesel,” after “diesel fuel,”.

10 (5) OTHER CONFORMING AMENDMENTS.—

11 (A) The heading for paragraph (1) of sec-
12 tion 4041(a) is amended by striking “DIESEL
13 FUEL AND KEROSENE” and inserting “DIESEL
14 FUEL, KEROSENE, AND BIODIESEL”.

15 (B) Paragraph (2) of section 6416(b) is
16 amended by striking “diesel fuel or kerosene”
17 and inserting “diesel fuel, kerosene, or bio-
18 diesel”.

19 (C) Section 6427(l) is amended—

20 (i) by striking “diesel fuel or ker-
21 osene” each place it appears in paragraph
22 (1) and (5)(A) and inserting “diesel fuel,
23 kerosene, or biodiesel”,

24 (ii) by striking “DIESEL FUEL AND
25 KEROSENE” in the heading and inserting

1 “DIESEL FUEL, KEROSENE, AND BIO-
2 DIESEL”, and

3 (iii) by striking “DIESEL FUEL OR
4 KEROSENE” in the heading of paragraph
5 (5) and inserting “DIESEL FUEL, KER-
6 OSENE, OR BIODIESEL”.

7 (D) Section 6715(c)(1) is amended by
8 striking “diesel fuel or kerosene” and inserting
9 “diesel fuel, kerosene, or biodiesel”.

10 (6) EFFECTIVE DATE.—The amendments made
11 by this subsection shall apply to biodiesel sold or
12 used after December 31, 2015.

13 **SEC. 305. EXTENSION OF SPECIAL ALLOWANCE FOR SEC-**
14 **OND GENERATION BIOFUEL PLANT PROP-**
15 **ERTY.**

16 (a) IN GENERAL.—Subparagraph (D) of section
17 168(l)(2) of the Internal Revenue Code of 1986 is amend-
18 ed to read as follows:

19 “(D) the construction of which begins be-
20 fore January 1, 2023.”.

21 (b) EFFECTIVE DATE.—The amendment made by
22 this section shall apply to property placed in service after
23 December 31, 2014.

1 **SEC. 306. EXTENSION AND MODIFICATION OF THE ALTER-**
2 **NATIVE FUEL VEHICLE REFUELING PROP-**
3 **ERTY CREDIT.**

4 (a) IN GENERAL.—Section 30C of the Internal Rev-
5 enue Code of 1986 is amended—

6 (1) by amending subsection (c) to read as fol-
7 lows:

8 “(c) QUALIFIED ALTERNATIVE FUEL VEHICLE RE-
9 FUELING PROPERTY.—For purposes of this section, the
10 term ‘qualified alternative fuel vehicle refueling property’
11 means any of the following:

12 “(1) A pump or blender pump that is capable
13 of dispensing a fuel mixture that is at least 50 per-
14 cent ethanol.

15 “(2) A pump or blender pump that is capable
16 of dispensing a fuel mixture that is at least 50 per-
17 cent biodiesel or renewable diesel.

18 “(3) A pump that is capable of dispensing a
19 biofuel and petroleum blend, at least 50 percent of
20 which is a renewable fuel (as defined in section
21 211(o)(1) of the Clean Air Act (42 U.S.C.
22 7545(o)(1)).

23 “(4) A direct current electric charging station
24 with a power rating of at least 40 kilowatts.

25 “(5) An alternating current electric charging
26 station with a voltage rating between 208 volts and

1 240 volts and a power rating between 2.5 kilowatts
2 and 20 kilowatts.

3 “(6) Hydrogen fuel-cell refilling infrastructure.

4 “(7) Any other infrastructure that the Adminis-
5 trator may prescribe by regulation that is capable of
6 dispensing a fuel that is not less than a 50-percent
7 mixture of a renewable fuel (as defined in section
8 211(o)(1) of the Clean Air Act (42 U.S.C.
9 7545(o)(1)).”,

10 (2) in subsection (e)—

11 (A) by striking paragraphs (5) through
12 (7), and

13 (B) by inserting after paragraph (4) the
14 following new paragraph:

15 “(5) RECAPTURE RULES.—The Secretary shall,
16 by regulations, provide for recapturing the benefit of
17 any credit allowable under subsection (a) with re-
18 spect to any property which ceases to be property el-
19 igible for such credit.”, and

20 (3) by amending subsection (g) to read as fol-
21 lows:

22 “(g) TERMINATION.—This section shall not apply to
23 any property placed in service after December 31, 2022.”.

1 (4) EFFECTIVE DATE.—The amendments made
2 by this section shall apply to property placed in serv-
3 ice after December 31, 2014.

4 **SEC. 307. PERMANENT EXTENSION OF PARITY OF EXCLU-**
5 **SION FROM INCOME FOR EMPLOYER-PRO-**
6 **VIDED MASS TRANSIT AND PARKING BENE-**
7 **FITS.**

8 (a) IN GENERAL.—Section 132(f)(2) of the Internal
9 Revenue Code of 1986 is amended—

10 (1) by striking “\$100” in subparagraph (A)
11 and inserting “\$250”,

12 (2) by striking “\$175” in subparagraph (B)
13 and inserting “\$250”, and

14 (3) by striking the last sentence.

15 (b) INFLATION ADJUSTMENT CONFORMING AMEND-
16 MENTS.—Subparagraph (A) of section 132(f)(6) is
17 amended—

18 (1) by striking the last sentence,

19 (2) by striking “1999” and inserting “2015”,
20 and

21 (3) by striking “1998” and inserting “2014”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall apply to taxable years beginning after
24 2014.