

112TH CONGRESS  
1ST SESSION

# S. 1858

To amend the Internal Revenue Code of 1986 to provide an investment credit for equipment used to fabricate solar energy property, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 10, 2011

Mr. MENENDEZ introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code of 1986 to provide an investment credit for equipment used to fabricate solar energy property, and for other purposes.

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 “Solar Jobs Creation  
5 Act”.

6 **SEC. 2. INVESTMENT CREDIT FOR EQUIPMENT USED TO**  
7 **FABRICATE SOLAR ENERGY PROPERTY.**

8 (a) IN GENERAL.—Subparagraph (A) of section  
9 48(a)(3) of the Internal Revenue Code of 1986 (defining

1 energy property) is amended by striking “or” at the end  
2 of clause (vi), by adding “or” at the end of clause (vii),  
3 and by inserting after clause (vii) the following new clause:

4 “(viii) equipment designed to be used  
5 for the fabrication of property described in  
6 clause (i) or paragraph (1) or (2) of sec-  
7 tion 25D(d), including solar cells and mod-  
8 ules that convert sunlight to electricity, but  
9 only with respect to periods ending before  
10 January 1, 2017.”.

11 (b) CREDIT PERCENTAGE.—Clause (i) of section  
12 48(a)(2)(A) of the Internal Revenue Code of 1986 (defin-  
13 ing energy percentage) is amended by striking “and” at  
14 the end of subclause (III) and by inserting after subclause  
15 (IV) the following new subclause:

16 “(V) energy property described  
17 in paragraph (3)(A)(viii), and”.

18 (c) EFFECTIVE DATE.—The amendments made by  
19 this section shall apply to periods after the date of the  
20 enactment of this Act, under rules similar to the rules of  
21 section 48(m) of the Internal Revenue Code of 1986 (as  
22 in effect on the day before the date of the enactment of  
23 the Revenue Reconciliation Act of 1990).

1 **SEC. 3. ENERGY CREDIT ALLOWED FOR WATER HEATERS**  
2 **IN POOLS LOCATED ON COMMERCIAL PROP-**  
3 **ERTY.**

4 (a) **IN GENERAL.**—Section 48(a)(3)(A)(i) of the In-  
5 ternal Revenue Code of 1986 is amended by inserting “lo-  
6 cated at a single family residence” after “swimming pool”.

7 (b) **EFFECTIVE DATE.**—The amendment made by  
8 this section shall apply to property placed in service after  
9 the date of the enactment of this Act.

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