

116TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mr. CARPER (for himself and Ms. COLLINS) 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 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.—

19 “(I) IN GENERAL.—For purposes
20 of this subparagraph, the term ‘appli-
21 cable year’ means the later of—

22 “(aa) calendar year 2027, or

23 “(bb) the calendar year sub-
24 sequent to the first calendar year
25 in which the Secretary, in con-

1 sultation with the Secretary of
2 Energy, determines that the
3 United States has increased its
4 offshore wind capacity by not less
5 than 3,000 megawatts as com-
6 pared to such capacity on Janu-
7 ary 1, 2020.

8 “(II) EXCLUSION OF CERTAIN
9 FACILITIES.—For purposes of sub-
10 clause (I)(bb), the Secretary shall not
11 include any increase in offshore wind
12 capacity which is attributable to any
13 facility the construction of which
14 began before January 1, 2020.

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

1 the outer Continental Shelf of the United
2 States.

3 “(iv) REPORT ON OFFSHORE WIND
4 CAPACITY.—On January 15, 2026, and an-
5 nually thereafter until the calendar year
6 described in clause (ii)(I)(bb), the Sec-
7 retary, in consultation with the Secretary
8 of Energy, shall issue a report to be made
9 available to the public which discloses the
10 increase in the offshore wind capacity of
11 the United States, as measured in total
12 megawatts, since January 1, 2020.”.

13 (b) EFFECTIVE DATE.—The amendment made by
14 this section shall apply to periods after December 31,
15 2016, 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).