

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 2007\*

Short Title: Reenact Renewable Energy Tax Credit. (Public)

Sponsors: Representatives Harrison, Bryant, Gill (Primary Sponsors); M. Alexander, Bordsen, Carney, Faison, Fisher, Glazier, Goodwin, Heagarty, Hughes, Insko, Jackson, Martin, Mobley, Rapp, Ross, Tarleton, Underhill, and Wray.

Referred to: Energy and Energy Efficiency, if favorable, Finance.

May 26, 2010

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE A TAX CREDIT FOR CONSTRUCTING FACILITIES  
3 MANUFACTURING GREEN ENERGY PROPERTY.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 105-129.15 reads as rewritten:

6 "§ 105-129.15. Definitions.

7 The following definitions apply in this Article:

8 ...

9 (1a) Combined heat and power system property. – Defined in section 48 of the  
10 Code.

11 ...

12 (4b) Property component. – Any part, assembly of parts, material, or supply that  
13 may be incorporated into renewable energy property or combined heat and  
14 power system property.

15 ...."

16 SECTION 2. Article 3B of Chapter 105 of the General Statutes is amended by  
17 adding a new section to read:

18 "§ 105-129.16J. Credit for constructing, expanding, or retooling a facility that  
19 manufactures property components, renewable energy property, or combined  
20 heat and power system property.

21 (a) Credit. – A taxpayer that constructs, installs, and places in service or that expands or  
22 retools already in service in this State a facility for manufacturing property components,  
23 renewable energy property, or combined heat and power system property is allowed a credit  
24 equal to twenty-five percent (25%) of the costs to the taxpayer of constructing and installing,  
25 expanding, or retooling the facility paid during the taxable year. A facility for manufacturing  
26 property components is qualified under this section only if at least seventy-five percent (75%)  
27 of the property components manufactured by the facility are incorporated into renewable  
28 energy property or combined heat and power system property or both.

29 The entire credit may not be taken for the taxable year in which the costs are paid but must  
30 be taken in five equal installments beginning with the taxable year in which the costs are paid.  
31 If, in one of the years in which the installment of a credit accrues, the facility with respect to  
32 which the credit was claimed is disposed of or taken out of service, the credit expires and the  
33 taxpayer may not take any remaining installment of the credit. The taxpayer may, however,  
34 take the portion of an installment that accrued in a previous year and was carried forward to the  
35 extent permitted under G.S. 105-129.17.



1        (b) No Double Benefit. – A taxpayer that claims any other credit allowed under this  
2 Chapter with respect to the costs of constructing and installing, expanding, or retooling a  
3 facility may not take the credit allowed in this section with respect to the same costs.

4        (c) Sunset. – This section is repealed effective for facilities placed in service on or after  
5 January 1, 2017."

6        **SECTION 3.** This act is effective for taxable years beginning on or after January 1,  
7 2010.