

The House Committee on Ways and Means offers the following substitute to HB 818:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 48-7-29.14 of the Official Code of Georgia Annotated, relating to
2 the income tax credit for clean energy property, so as to include certain commercial
3 geothermal heat pumps with the definition of the term "clean energy property"; to provide
4 a limit on the amount of tax credits in certain years; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 48-7-29.14 of the Official Code of Georgia Annotated, relating to the income
9 tax credit for clean energy property, is amended by revising paragraph (3) of subsection (a)
10 as follows:

11 "(3) 'Clean energy property' includes any of the following:

12 (A) Solar energy equipment that uses solar radiation as a substitute for traditional
13 energy for water heating, active space heating and cooling, passive heating, daylighting,
14 generating electricity, distillation, desalinization, or the production of industrial or
15 commercial process heat, as well as related devices necessary for collecting, storing,
16 exchanging, conditioning, or converting solar energy to other useful forms of energy;

17 (B) Energy Star certified geothermal heat pump systems or commercial three-phase
18 geothermal heat pump systems that meet the Energy Star efficiency requirements for
19 energy efficiency ratio (EER) and coefficient of performance (COP);

20 (C) Energy efficient projects as follows:

21 (i) Lighting retrofit projects. 'Lighting retrofit project' means a lighting retrofit
22 system that employs dual switching (ability to switch roughly half the lights off and
23 still have fairly uniform light distribution), delamping, daylighting, relamping, or
24 other controls or processes which reduce annual energy and power consumption by

25 30 percent compared to the American Society of Heating, Refrigerating, and Air
26 Conditioning Engineers 2004 standard (ASHRAE 90.1.2004); and
27 (ii) Energy efficient buildings. 'Energy efficient building' means for other than
28 single-family residential property new or retrofitted buildings that are designed,
29 constructed, and certified to exceed the standards set forth in the American Society
30 of Heating, Refrigerating, and Air Conditioning Engineers 2004 standard (ASHRAE
31 90.1.2004) by 30 percent;

32 (D) Wind equipment required to capture and convert wind energy into electricity or
33 mechanical power as well as related devices that may be required for converting,
34 conditioning, and storing the electricity produced by wind equipment; and
35 (E) Biomass equipment to convert wood residuals into electricity through gasification
36 and pyrolysis."

37 SECTION 2.

38 Said Code section is further amended by revising paragraph (3) of subsection (b) as follows:

39 "(3) In no event shall the total amount of tax credits allowed by this subsection exceed:

- 40 (A) For calendar year 2008, \$2.5 million;
- 41 (B) For calendar year 2009, \$2.5 million;
- 42 (C) For calendar year 2010, \$2.5 million;
- 43 (D) For calendar year 2011, \$2.5 million;
- 44 (E) For calendar year 2012, \$5 million;
- 45 (F) For calendar year 2013, \$5 million; and
- 46 (G) For calendar year 2014, \$5 2.5 million."

47 SECTION 3.

48 All laws and parts of laws in conflict with this Act are repealed.