

AMENDMENT TO RULES
COMMITTEE PRINT 116-63
OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

At the end of title III, add the following:

1 **Subtitle D—Elective Payment for**
2 **Carbon Oxide Sequestration**

3 **SEC. 3401. ELECTIVE PAYMENT FOR CARBON OXIDE SE-**
4 **QUESTRATION.**

5 (a) IN GENERAL.—Subchapter B of chapter 65 of the
6 Internal Revenue Code of 1986 is amended by adding at
7 the end the following new section:

8 **“SEC. 6431. ELECTIVE PAYMENT FOR CARBON OXIDE SE-**
9 **QUESTRATION.**

10 “(a) ENERGY PROPERTY.—In the case of a taxpayer
11 making an election (at such time and in such manner as
12 the Secretary may provide) under this section with respect
13 to any portion of a carbon oxide sequestration credit which
14 would (without regard to this section) be determined
15 under section 45Q with respect to such taxpayer, such tax-
16 payer shall be treated as making a payment against the
17 tax imposed by subtitle A for the taxable year equal to
18 the amount of such portion.

1 “(b) TIMING.—The payment described in subsection
2 (a) shall be treated as made on the later of the due date
3 of the return of tax for such taxable year or the date on
4 which such return is filed.

5 “(c) EXCLUSION FROM GROSS INCOME.—Gross in-
6 come of the taxpayer shall be determined without regard
7 to this section.

8 “(d) DENIAL OF DOUBLE BENEFIT.—Solely for pur-
9 poses of section 38, in the case of a taxpayer making an
10 election under this section, the carbon oxide sequestration
11 credit determined under section 45Q shall be reduced by
12 the amount of the portion of such credit with respect to
13 which the taxpayer makes such election.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 for subchapter B of chapter 65 of such Code is amended
16 by adding at the end the following new item:

“Sec. 6431. Elective payment for carbon oxide sequestration.”.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this section shall apply to property originally placed in
19 service after the date of the enactment of this Act.

