AMENDMENT TO
RULES COMMITTEE PRINT 117–50
OFFERED BY MR. TIFFANY OF WISCONSIN

Add at the end of title VI the following:

SEC. 606. RESTRICTION ON TAX CREDITS FOR RENEWABLE ENERGY PRODUCTION ON AGRICULTURAL LAND.

(a) Solar Property.—

(1) In general.—Section 48 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(e) Denial of credit with respect to certain solar energy property on agricultural land.—

“(1) In general.—Subsection (a) shall not apply to equipment described in subsection (a)(3)(A)(i) that is placed in service by a public utility on agricultural land.

“(2) Definitions.—For purposes of this subsection—

“(A) Agricultural land.—The term ‘agricultural land’ has the meaning given the

“(B) PUBLIC UTILITY.—The term ‘public utility’ has the meaning given the term in section 136(c)(2).”.

(2) CONFORMING AMENDMENT.—Section 48(a)(1) of such Code is amended by inserting “subsection (e) and” after “provided in”.

(b) WIND PROPERTY.—Section 45(e)(6) of such Code is amended to read as follows:

“(6) DENIAL OF CREDIT WITH RESPECT TO CERTAIN ENERGY PROPERTY ON AGRICULTURAL LAND.—

“(A) IN GENERAL.—The credit determined under subsection (a) shall not apply to electricity produced by a solar energy facility or wind facility placed in service after the date of enactment of the Future Agriculture Retention and Management Act of 2022 by a public utility on agricultural land.

“(B) DEFINITIONS.—For the purposes of this paragraph—

“(i) AGRICULTURAL LAND.—The term ‘agricultural land’ has the meaning given
the term ‘eligible land’ in section 1240A of
the Food Security Act of 1985.

“(ii) Public utility.—The term
‘public utility’ has the meaning given the
term in section 136(c)(2).”.

(c) Effective date.—The amendments made by
this section shall apply to property placed in service after
the date of enactment of this Act.