

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1474 Session of
2023

INTRODUCED BY CIRESI, HILL-EVANS, MADDEN, PIELLI, BRENNAN,
SANCHEZ, BOROWSKI, GUENST, NEILSON, SCOTT, CEPEDA-FREYTIZ,
CONKLIN, GREEN, INNAMORATO, OTTEN, CERRATO, SALISBURY,
WEBSTER AND TAKAC, JUNE 21, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 18, 2023

AN ACT

1 Amending Title 12 (Commerce and Trade) of the Pennsylvania
2 Consolidated Statutes, in Property Assessed Clean Energy
3 Program, further providing for purpose ~~and~~, for definitions. <--
4 AND FOR SCOPE OF WORK AND PROVIDING FOR MADE IN AMERICA <--
5 REQUIREMENTS.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 4301 of Title 12 of the Pennsylvania
9 Consolidated Statutes, amended July 7, 2022 (P.L.470, No.43), is
10 amended to read:

11 § 4301. Purpose.

12 This chapter authorizes the establishment of a property
13 assessed clean energy program in the Commonwealth to ensure that
14 owners of agricultural, commercial and industrial properties can
15 obtain low-cost, long-term financing for energy efficiency,
16 electric vehicle charging infrastructure, indoor air quality,
17 resiliency improvement, water conservation and renewable energy
18 projects.

1 Section 2. The definition of "qualified project" in section
2 4302 of Title 12, amended July 7, 2022 (P.L.470, No.43), is
3 amended and the section is amended by adding a definition to
4 read:

5 § 4302. Definitions.

6 The following words and phrases when used in this chapter
7 shall have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 * * *

10 "Electric vehicle charging infrastructure project." The
11 addition of a facility or equipment that is used to charge a
12 battery or other energy storage device of a vehicle that is
13 fully or partially powered by electricity.

14 * * *

15 "Qualified project." The installation or modification of a
16 permanent improvement fixed to a qualifying commercial property
17 that is a clean energy project, electric vehicle charging
18 infrastructure project, resiliency improvement project, indoor
19 air quality project, water conservation project or alternative
20 energy system and the installation is performed by a qualified
21 party in a district. The term includes installation of
22 alternative energy-generating equipment affixed to the land or
23 building.

24 * * *

25 SECTION 3. SECTION 4305 OF TITLE 12 IS AMENDED BY ADDING A <--
26 SUBSECTION TO READ:

27 § 4305. SCOPE OF WORK.

28 * * *

29 (C) NOTIFICATION FOR ALTERNATIVE FUELS TAX.--

30 (1) A MUNICIPALITY OR COUNTY THAT APPROVES AN ELECTRIC

1 VEHICLE CHARGING INFRASTRUCTURE PROJECT UNDER A PROGRAM SHALL
2 SEND A NOTICE TO THE DEPARTMENT OF REVENUE UPON COMPLETION OF
3 THE PROJECT.

4 (2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) SHALL
5 INCLUDE A DESCRIPTION OF THE ELECTRIC VEHICLE CHARGING
6 INFRASTRUCTURE PROJECT, THE DATE OF COMPLETION OF THE
7 ELECTRIC VEHICLE CHARGING INFRASTRUCTURE PROJECT AND CONTACT
8 INFORMATION FOR THE COMMERCIAL PROPERTY OWNER.

9 (3) UPON RECEIPT OF THE NOTICE REQUIRED UNDER PARAGRAPH
10 (1), THE DEPARTMENT OF REVENUE SHALL ENSURE THAT ANY TAX
11 AMOUNT REQUIRED TO BE PAID TO THE DEPARTMENT OF REVENUE UNDER
12 75 PA.C.S. § 9004(D) (RELATING TO IMPOSITION OF TAX,
13 EXEMPTIONS AND DEDUCTIONS) IS COLLECTED FOR THE CHARGING OF
14 ELECTRIC VEHICLES USING FACILITIES OR EQUIPMENT COMPLETED
15 UNDER THE ELECTRIC VEHICLE CHARGING INFRASTRUCTURE PROJECT.

16 SECTION 4. TITLE 12 IS AMENDED BY ADDING A SECTION TO READ:
17 § 4305.1. MADE IN AMERICA REQUIREMENTS.

18 (A) REQUIREMENT.--ELIGIBILITY OF AN ELECTRIC VEHICLE
19 CHARGING INFRASTRUCTURE PROJECT APPLIED FOR UNDER THIS CHAPTER
20 SHALL BE CONTINGENT UPON THE EQUIPMENT BEING PRODUCED OR
21 MANUFACTURED IN THE UNITED STATES. FOR THE PURPOSE OF THIS
22 SECTION, EQUIPMENT SHALL BE CONSIDERED PRODUCED OR MANUFACTURED
23 IN THE UNITED STATES IF AT LEAST 75% OF THE ARTICLES, MATERIALS
24 AND SUPPLIES ARE PRODUCED OR MANUFACTURED IN THE UNITED STATES
25 TO THE EXTENT AVAILABLE.

26 (B) FEDERAL COMPLIANCE.--IF THE EQUIPMENT REQUIRED UNDER
27 SUBSECTION (A) IS NOT AVAILABLE, THE REQUIREMENT SHALL BE
28 CONSIDERED MET IF THE PROJECT IS IN COMPLIANCE WITH:

29 (1) THE NOTICE FROM THE FEDERAL HIGHWAY ADMINISTRATION
30 PUBLISHED IN THE FEDERAL REGISTER ON FEBRUARY 21, 2023; OR

1 (2) 41 U.S.C. CH. 83 (RELATING TO BUY AMERICAN).

2 Section 3 5. This act shall take effect in 60 days.

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