

THE BOND BUYER LEGISLATIVE STATUS REPORT

LEGISLATION	CURRENT LAW	PROPOSED LAW	CURRENT STATUS
HR 537: Sustainable Water Infrastructure Investment Act of 2009	Under the tax code, tax-exempt bonds used to finance water and wastewater projects are private-activity bonds that can only be issued under state volume caps, which are based on population figures.	The bill, introduced Jan. 14 by Rep. Bill Pascrell Jr., D-N.J., a member of the House Ways and Means Committee, would amend the tax code to remove the volume cap for private-activity bonds used to finance water and sewage facilities.	The measure has been referred to the House Ways and Means Committee.
HR 760: Advanced Broadband Infrastructure Bond Initiative of 2009	The tax law currently does not contain any provisions allowing tax-credit bonds to be issued to finance broadband infrastructure projects.	The bill, introduced by Rep. Anna Eshoo, D-Calif., Jan. 28, would create a category of tax-credit bonds to finance broadband infrastructure projects that would provide residential or small business consumers with high-speed Internet access. It would authorize state and local governments to issue up to \$1 billion of qualified advanced broadband infrastructure bonds for each calendar year between 2009 and 2011. Other issuers, including entities that receive certificates of public convenience and necessity from localities, could issue up to \$10 billion of them in each of those calendar years.	The bill, which is co-sponsored by Reps. Edward Markey, D-Mass., and Mike Thompson, D-Calif., has been referred to the House Ways and Means and the Energy and Commerce committees.
HR 1060: NADBank Guarantees	The federal tax code currently prohibits federal guarantees of tax-exempt bonds, except for housing, because of the concern that the tax-free status of the bonds and a guarantee would constitute a double-dip of federal benefits.	The bill was introduced by Rep. Charles A. Gonzalez, D-Tex., to clarify that a guarantee from the North American Development Bank would not be considered a federal guarantee that would jeopardize the status of tax-exempt bonds. NADBank, based in San Antonio, was created under the North American Free Trade Agreement to project grants and loans to help communities along the U.S.-Mexico border finance environmental projects.	The bill is currently pending before the House Ways and Means Committee.
HR 5581: New CREBs for Qualified Biogas Projects	The federal tax code currently does not permit new clean renewable energy bonds to be used to finance biogas projects.	The bill, introduced by Rep. Ron Kind, D-Wis., would allow new CREBs to be used to finance "qualified biogas property," which it defines as property in which microorganisms called anaerobic digesters convert into a gas that is at least 52% methane that can be captured and used as fuel. It also would direct the Treasury Department, in conjunction with the National Renewable Energy Laboratory, to conduct a study of biogas. The study would compare it to natural gas, identify the optimum methods for producing high-quality biogas, and recommend ways to expand production to meet the nation's growing energy needs.	The bill has been referred to the House Ways and Means Committee, where Kind is a member, and the House Science and Technology Committee.

Note: This chart includes legislation introduced in the 111th Congress, which convened in January 2009 and extends through the end of 2010. Any bill introduced in the two-year period remains active until the session ends.