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(Original Signature of Member)

116TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Internal Revenue Code of 1986 to extend certain expiring provisions, to provide disaster relief, and for other purposes.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mr. THOMPSON of California introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Internal Revenue Code of 1986 to extend certain expiring provisions, to provide disaster relief, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; ETC.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Taxpayer Certainty and Disaster Tax Relief Act of  
6 2019”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for  
8 this Act is as follows:

Sec. 1. Short title; etc.

TITLE I—EXTENSION OF CERTAIN EXPIRING PROVISIONS

Subtitle A—Tax Relief and Support for Families and Individuals

- Sec. 101. Exclusion from gross income of discharge of qualified principal residence indebtedness.
- Sec. 102. Treatment of mortgage insurance premiums as qualified residence interest.
- Sec. 103. Reduction in medical expense deduction floor.
- Sec. 104. Deduction of qualified tuition and related expenses.
- Sec. 105. Black lung disability trust fund excise tax.

Subtitle B—Incentives for Employment, Economic Growth, and Community Development

- Sec. 111. Indian employment credit.
- Sec. 112. Railroad track maintenance credit.
- Sec. 113. Mine rescue team training credit.
- Sec. 114. 7-year recovery period for motorsports entertainment complexes.
- Sec. 115. Accelerated depreciation for business property on Indian reservations.
- Sec. 116. Expensing rules for certain productions.
- Sec. 117. Empowerment zone tax incentives.
- Sec. 118. American Samoa economic development credit.

Subtitle C—Incentives for Energy Production, Efficiency, and Green Economy Jobs

- Sec. 121. Biodiesel and renewable diesel.
- Sec. 122. Second generation biofuel producer credit.
- Sec. 123. Nonbusiness energy property.
- Sec. 124. Qualified fuel cell motor vehicles.
- Sec. 125. Alternative fuel refueling property credit.
- Sec. 126. 2-wheeled plug-in electric vehicle credit.
- Sec. 127. Credit for electricity produced from certain renewable resources.
- Sec. 128. Production credit for Indian coal facilities.
- Sec. 129. Energy efficient homes credit.
- Sec. 130. Special allowance for second generation biofuel plant property.
- Sec. 131. Energy efficient commercial buildings deduction.
- Sec. 132. Special rule for sales or dispositions to implement FERC or State electric restructuring policy for qualified electric utilities.
- Sec. 133. Extension and clarification of excise tax credits relating to alternative fuels.
- Sec. 134. Oil spill liability trust fund rate.

Subtitle D—Certain Provisions Expiring at the End of 2019

- Sec. 141. New markets tax credit.
- Sec. 142. Employer credit for paid family and medical leave.
- Sec. 143. Work opportunity credit.
- Sec. 144. Certain provisions related to beer, wine, and distilled spirits.
- Sec. 145. Look-thru rule for related controlled foreign corporations.
- Sec. 146. Credit for health insurance costs of eligible individuals.

TITLE II—ESTATE AND GIFT TAX

- Sec. 201. Reduction of unified credit against estate tax.

## TITLE III—DISASTER TAX RELIEF

- Sec. 301. Definitions.
- Sec. 302. Special disaster-related rules for use of retirement funds.
- Sec. 303. Employee retention credit for employers affected by qualified disasters.
- Sec. 304. Other disaster-related tax relief provisions.
- Sec. 305. Automatic extension of filing deadlines in case of certain taxpayers affected by Federally declared disasters.
- Sec. 306. Modification of the tax rate for the excise tax on investment income of private foundations.
- Sec. 307. Additional low-income housing credit allocations for qualified 2017 and 2018 California disaster areas.
- Sec. 308. Treatment of certain possessions.

1           (c) AMENDMENT OF 1986 CODE.—Except as other-  
 2 wise expressly provided, whenever in this Act an amend-  
 3 ment or repeal is expressed in terms of an amendment  
 4 to, or repeal of, a section or other provision, the reference  
 5 shall be considered to be made to a section or other provi-  
 6 sion of the Internal Revenue Code of 1986.

7                           **TITLE I—EXTENSION OF**  
 8                           **CERTAIN EXPIRING PROVISIONS**  
 9                           **Subtitle A—Tax Relief and Support**  
 10                           **for Families and Individuals**

11           **SEC. 101. EXCLUSION FROM GROSS INCOME OF DISCHARGE**  
 12                           **OF QUALIFIED PRINCIPAL RESIDENCE IN-**  
 13                           **DEBTEDNESS.**

14           (a) IN GENERAL.—Section 108(a)(1)(E) is amended  
 15 by striking “January 1, 2018” each place it appears and  
 16 inserting “January 1, 2021”.

17           (b) CONFORMING AMENDMENT.—Section 108(h)(2)  
 18 is amended by inserting “and determined without regard

1 to the substitution described in section  
2 163(h)(3)(F)(i)(II)” after “clause (ii) thereof”.

3 (c) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply to discharges of indebtedness after  
5 December 31, 2017.

6 **SEC. 102. TREATMENT OF MORTGAGE INSURANCE PRE-**  
7 **MIUMS AS QUALIFIED RESIDENCE INTEREST.**

8 (a) IN GENERAL.—Section 163(h)(3)(E)(iv)(I) is  
9 amended by striking “December 31, 2017” and inserting  
10 “December 31, 2020”.

11 (b) EFFECTIVE DATE.—The amendment made by  
12 this section shall apply to amounts paid or incurred after  
13 December 31, 2017.

14 **SEC. 103. REDUCTION IN MEDICAL EXPENSE DEDUCTION**  
15 **FLOOR.**

16 (a) IN GENERAL.—Section 213(f) is amended to read  
17 as follows:

18 “(f) TEMPORARY SPECIAL RULE.—In the case of tax-  
19 able years beginning before January 1, 2021, subsection  
20 (a) shall be applied with respect to a taxpayer by sub-  
21 stituting ‘7.5 percent’ for ‘10 percent.’”.

22 (b) ALTERNATIVE MINIMUM TAX.—Section 56(b)(1)  
23 is amended by striking subparagraph (B) and by redesignig-  
24 nating subparagraphs (C), (D), (E), and (F), as subpara-  
25 graphs (B), (C), (D), and (E), respectively.

1 (c) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply to taxable years ending after De-  
3 cember 31, 2018.

4 **SEC. 104. DEDUCTION OF QUALIFIED TUITION AND RE-**  
5 **LATED EXPENSES.**

6 (a) IN GENERAL.—Section 222(e) is amended by  
7 striking “December 31, 2017” and inserting “December  
8 31, 2020”.

9 (b) EFFECTIVE DATE.—The amendment made by  
10 this section shall apply to taxable years beginning after  
11 December 31, 2017.

12 **SEC. 105. BLACK LUNG DISABILITY TRUST FUND EXCISE**  
13 **TAX.**

14 (a) IN GENERAL.—Section 4121(e)(2)(A) is amended  
15 by striking “December 31, 2018” and inserting “Decem-  
16 ber 31, 2020”.

17 (b) EFFECTIVE DATE.—The amendment made by  
18 this section shall apply on and after the first day of the  
19 first calendar month beginning after the date of the enact-  
20 ment of this Act.

1 **Subtitle B—Incentives for Employ-**  
2 **ment, Economic Growth, and**  
3 **Community Development**

4 **SEC. 111. INDIAN EMPLOYMENT CREDIT.**

5 (a) IN GENERAL.—Section 45A(f) is amended by  
6 striking “December 31, 2017” and inserting “December  
7 31, 2020”.

8 (b) EFFECTIVE DATE.—The amendment made by  
9 this section shall apply to taxable years beginning after  
10 December 31, 2017.

11 **SEC. 112. RAILROAD TRACK MAINTENANCE CREDIT.**

12 (a) IN GENERAL.—Section 45G(f) is amended by  
13 striking “January 1, 2018” and inserting “January 1,  
14 2021”.

15 (b) SAFE HARBOR ASSIGNMENTS.—Any assignment,  
16 including related expenditures paid or incurred, under sec-  
17 tion 45G(b)(2) of the Internal Revenue Code of 1986 for  
18 a taxable year beginning on or after January 1, 2018, and  
19 before January 1, 2019, shall be treated as effective as  
20 of the close of such taxable year if made pursuant to a  
21 written agreement entered into no later than 90 days fol-  
22 lowing the date of the enactment of this Act.

23 (c) EFFECTIVE DATE.—The amendment made by  
24 this section shall apply to expenditures paid or incurred  
25 during taxable years beginning after December 31, 2017.

1 **SEC. 113. MINE RESCUE TEAM TRAINING CREDIT.**

2 (a) IN GENERAL.—Section 45N(e) is amended by  
3 striking “December 31, 2017” and inserting “December  
4 31, 2020”.

5 (b) EFFECTIVE DATE.—The amendment made by  
6 this section shall apply to taxable years beginning after  
7 December 31, 2017.

8 **SEC. 114. 7-YEAR RECOVERY PERIOD FOR MOTORSPORTS**  
9 **ENTERTAINMENT COMPLEXES.**

10 (a) IN GENERAL.—Section 168(i)(15)(D) is amended  
11 by striking “December 31, 2017” and inserting “Decem-  
12 ber 31, 2020”.

13 (b) EFFECTIVE DATE.—The amendment made by  
14 this section shall apply to property placed in service after  
15 December 31, 2017.

16 **SEC. 115. ACCELERATED DEPRECIATION FOR BUSINESS**  
17 **PROPERTY ON INDIAN RESERVATIONS.**

18 (a) IN GENERAL.—Section 168(j)(9) is amended by  
19 striking “December 31, 2017” and inserting “December  
20 31, 2020”.

21 (b) EFFECTIVE DATE.—The amendment made by  
22 this section shall apply to property placed in service after  
23 December 31, 2017.

1 **SEC. 116. EXPENSING RULES FOR CERTAIN PRODUCTIONS.**

2 (a) IN GENERAL.—Section 181(g) is amended by  
3 striking “December 31, 2017” and inserting “December  
4 31, 2020”.

5 (b) EFFECTIVE DATE.—The amendment made by  
6 this section shall apply to productions commencing after  
7 December 31, 2017.

8 **SEC. 117. EMPOWERMENT ZONE TAX INCENTIVES.**

9 (a) IN GENERAL.—Section 1391(d)(1)(A)(i) is  
10 amended by striking “December 31, 2017” and inserting  
11 “December 31, 2020”.

12 (b) TREATMENT OF CERTAIN TERMINATION DATES  
13 SPECIFIED IN NOMINATIONS.—In the case of a designa-  
14 tion of an empowerment zone the nomination for which  
15 included a termination date which is contemporaneous  
16 with the date specified in subparagraph (A)(i) of section  
17 1391(d)(1) of the Internal Revenue Code of 1986 (as in  
18 effect before the enactment of this Act), subparagraph (B)  
19 of such section shall not apply with respect to such des-  
20 ignation if, after the date of the enactment of this section,  
21 the entity which made such nomination amends the nomi-  
22 nation to provide for a new termination date in such man-  
23 ner as the Secretary of the Treasury (or the Secretary’s  
24 designee) may provide.



1 (c) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) shall apply to taxable years beginning after  
3 December 31, 2017.

4 **SEC. 118. AMERICAN SAMOA ECONOMIC DEVELOPMENT**  
5 **CREDIT.**

6 (a) IN GENERAL.—Section 119(d) of division A of  
7 the Tax Relief and Health Care Act of 2006 is amended—

8 (1) by striking “January 1, 2018” each place  
9 it appears and inserting “January 1, 2021”,

10 (2) by striking “first 12 taxable years” in para-  
11 graph (1) and inserting “first 15 taxable years”,

12 (3) by striking “first 6 taxable years” in para-  
13 graph (2) and inserting “first 9 taxable years”, and

14 (4) by adding at the end the following flush  
15 sentence:

16 “In the case of a corporation described in subsection  
17 (a)(2), the Internal Revenue Code of 1986 shall be applied  
18 and administered without regard to the amendments made  
19 by section 401(d)(1) of the Tax Technical Corrections Act  
20 of 2018.”.

21 (b) CONFORMING AMENDMENT.—Section 119(e) of  
22 division A of the Tax Relief and Health Care Act of 2006  
23 is amended by inserting “(as in effect before its repeal)”  
24 after “section 199 of the Internal Revenue Code of 1986”.

1 (c) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply to taxable years beginning after  
3 December 31, 2017.

4 **Subtitle C—Incentives for Energy**  
5 **Production, Efficiency, and**  
6 **Green Economy Jobs**

7 **SEC. 121. BIODIESEL AND RENEWABLE DIESEL.**

8 (a) INCOME TAX CREDIT.—

9 (1) IN GENERAL.—Section 40A(g) is amended  
10 by striking “December 31, 2017” and inserting  
11 “December 31, 2020”.

12 (2) EFFECTIVE DATE.—The amendment made  
13 by this subsection shall apply to fuel sold or used  
14 after December 31, 2017.

15 (b) EXCISE TAX INCENTIVES.—

16 (1) TERMINATION.—

17 (A) IN GENERAL.—Section 6426(e)(6) is  
18 amended by striking “December 31, 2017” and  
19 inserting “December 31, 2020”.

20 (B) PAYMENTS.—Section 6427(e)(6)(B) is  
21 amended by striking “December 31, 2017” and  
22 inserting “December 31, 2020”.

23 (2) EFFECTIVE DATE.—The amendments made  
24 by this subsection shall apply to fuel sold or used  
25 after December 31, 2017.

1           (3) SPECIAL RULE.—Notwithstanding any other  
2           provision of law, in the case of any biodiesel mixture  
3           credit properly determined under section 6426(c) of  
4           the Internal Revenue Code of 1986 for the period  
5           beginning on January 1, 2018, and ending with the  
6           close of the last calendar quarter beginning before  
7           the date of the enactment of this Act, such credit  
8           shall be allowed, and any refund or payment attrib-  
9           utable to such credit (including any payment under  
10          section 6427(e) of such Code) shall be made, only in  
11          such manner as the Secretary of the Treasury (or  
12          the Secretary’s delegate) shall provide. Such Sec-  
13          retary shall issue guidance within 30 days after the  
14          date of the enactment of this Act providing for a  
15          one-time submission of claims covering periods de-  
16          scribed in the preceding sentence. Such guidance  
17          shall provide for a 180-day period for the submission  
18          of such claims (in such manner as prescribed by  
19          such Secretary) to begin not later than 30 days after  
20          such guidance is issued. Such claims shall be paid  
21          by such Secretary not later than 60 days after re-  
22          ceipt. If such Secretary has not paid pursuant to a  
23          claim filed under this subsection within 60 days  
24          after the date of the filing of such claim, the claim  
25          shall be paid with interest from such date deter-

1       mined by using the overpayment rate and method  
2       under section 6621 of such Code.

3 **SEC. 122. SECOND GENERATION BIOFUEL PRODUCER**  
4                   **CREDIT.**

5       (a) **IN GENERAL.**—Section 40(b)(6)(J)(i) is amended  
6 by striking “January 1, 2018” and inserting “January 1,  
7 2021”.

8       (b) **EFFECTIVE DATE.**—The amendment made by  
9 this section shall apply to qualified second generation  
10 biofuel production after December 31, 2017.

11 **SEC. 123. NONBUSINESS ENERGY PROPERTY.**

12       (a) **IN GENERAL.**—Section 25C(g)(2) is amended by  
13 striking “December 31, 2017” and inserting “December  
14 31, 2020”.

15       (b) **TECHNICAL AMENDMENT.**—Section 25C(d)(3) is  
16 amended—

17           (1) by striking “an energy factor of at least  
18 2.0” in subparagraph (A) and inserting “a Uniform  
19 Energy Factor of at least 2.2”, and

20           (2) by striking “an energy factor” in subpara-  
21 graph (D) and inserting “a Uniform Energy Fac-  
22 tor”.

23       (c) **EFFECTIVE DATE.**—The amendments made by  
24 this section shall apply to property placed in service after  
25 December 31, 2017.

1 **SEC. 124. QUALIFIED FUEL CELL MOTOR VEHICLES.**

2 (a) IN GENERAL.—Section 30B(k)(1) is amended by  
3 striking “December 31, 2017” and inserting “December  
4 31, 2020”.

5 (b) EFFECTIVE DATE.—The amendment made by  
6 this section shall apply to property purchased after De-  
7 cember 31, 2017.

8 **SEC. 125. ALTERNATIVE FUEL REFUELING PROPERTY**  
9 **CREDIT.**

10 (a) IN GENERAL.—Section 30C(g) is amended by  
11 striking “December 31, 2017” and inserting “December  
12 31, 2020”.

13 (b) EFFECTIVE DATE.—The amendment made by  
14 this section shall apply to property placed in service after  
15 December 31, 2017.

16 **SEC. 126. 2-WHEELED PLUG-IN ELECTRIC VEHICLE CREDIT.**

17 (a) IN GENERAL.—Section 30D(g)(3)(E)(ii) is  
18 amended by striking “January 1, 2018” and inserting  
19 “January 1, 2021”.

20 (b) EFFECTIVE DATE.—The amendment made by  
21 this section shall apply to vehicles acquired after Decem-  
22 ber 31, 2017.

23 **SEC. 127. CREDIT FOR ELECTRICITY PRODUCED FROM**  
24 **CERTAIN RENEWABLE RESOURCES.**

25 (a) IN GENERAL.—The following provisions of sec-  
26 tion 45(d) are each amended by striking “January 1,

1 2018” each place it appears and inserting “January 1,  
2 2021”:

3 (1) Paragraph (2)(A).

4 (2) Paragraph (3)(A).

5 (3) Paragraph (4)(B).

6 (4) Paragraph (6).

7 (5) Paragraph (7).

8 (6) Paragraph (9).

9 (7) Paragraph (11)(B).

10 (b) EXTENSION OF ELECTION TO TREAT QUALIFIED  
11 FACILITIES AS ENERGY PROPERTY.—Section  
12 48(a)(5)(C)(ii) is amended by striking “January 1, 2018  
13 (January 1, 2020, in the case of any facility which is de-  
14 scribed in paragraph (1) of section 45(d))” and inserting  
15 “January 1, 2021”.

16 (c) APPLICATION OF EXTENSION TO WIND FACILI-  
17 TIES.—

18 (1) IN GENERAL.—Section 45(d)(1) is amended  
19 by striking “January 1, 2020” and inserting “Janu-  
20 ary 1, 2021”.

21 (2) APPLICATION OF PHASEOUT PERCENT-  
22 AGE.—Sections 45(b)(5)(C) and 48(a)(5)(E)(iii) are  
23 each amended by striking “and before January 1,  
24 2020,”.

1 (d) EFFECTIVE DATE.—The amendments made by  
2 this section shall take effect on January 1, 2018.

3 **SEC. 128. PRODUCTION CREDIT FOR INDIAN COAL FACILI-**  
4 **TIES.**

5 (a) IN GENERAL.—Section 45(e)(10)(A) is amended  
6 by striking “12-year period” each place it appears and in-  
7 serting “15-year period”.

8 (b) EFFECTIVE DATE.—The amendment made by  
9 this section shall apply to coal produced after December  
10 31, 2017.

11 **SEC. 129. ENERGY EFFICIENT HOMES CREDIT.**

12 (a) IN GENERAL.—Section 45L(g) is amended by  
13 striking “December 31, 2017” and inserting “December  
14 31, 2020”.

15 (b) EFFECTIVE DATE.—The amendment made by  
16 this section shall apply to homes acquired after December  
17 31, 2017.

18 **SEC. 130. SPECIAL ALLOWANCE FOR SECOND GENERATION**  
19 **BIOFUEL PLANT PROPERTY.**

20 (a) IN GENERAL.—Section 168(l)(2)(D) is amended  
21 by striking “January 1, 2018” and inserting “January 1,  
22 2021”.

23 (b) EFFECTIVE DATE.—The amendment made by  
24 this section shall apply to property placed in service after  
25 December 31, 2017.

1 **SEC. 131. ENERGY EFFICIENT COMMERCIAL BUILDINGS DE-**  
2 **DUCTION.**

3 (a) IN GENERAL.—Section 179D(h) is amended by  
4 striking “December 31, 2017” and inserting “December  
5 31, 2020”.

6 (b) EFFECTIVE DATES.—The amendment made by  
7 subsection (a) shall apply to property placed in service  
8 after December 31, 2017.

9 **SEC. 132. SPECIAL RULE FOR SALES OR DISPOSITIONS TO**  
10 **IMPLEMENT FERC OR STATE ELECTRIC RE-**  
11 **STRUCTURING POLICY FOR QUALIFIED ELEC-**  
12 **TRIC UTILITIES.**

13 (a) IN GENERAL.—Section 451(k)(3) is amended by  
14 striking “January 1, 2018” and inserting “January 1,  
15 2021”.

16 (b) EFFECTIVE DATE.—The amendment made by  
17 this section shall apply to dispositions after December 31,  
18 2017.

19 **SEC. 133. EXTENSION AND CLARIFICATION OF EXCISE TAX**  
20 **CREDITS RELATING TO ALTERNATIVE FUELS.**

21 (a) EXTENSION.—

22 (1) IN GENERAL.—Sections 6426(d)(5) and  
23 6426(e)(3) are each amended by striking “December  
24 31, 2017” and inserting “December 31, 2020”.

25 (2) OUTLAY PAYMENTS FOR ALTERNATIVE  
26 FUELS.—Section 6427(e)(6)(C) is amended by strik-



1 ing “December 31, 2017” and inserting “December  
2 31, 2020”.

3 (3) SPECIAL RULE.—Notwithstanding any other  
4 provision of law, in the case of any alternative fuel  
5 credit properly determined under section 6426(d) of  
6 the Internal Revenue Code of 1986 for the period  
7 beginning on January 1, 2018, and ending with the  
8 close of the last calendar quarter beginning before  
9 the date of the enactment of this Act, such credit  
10 shall be allowed, and any refund or payment attrib-  
11 utable to such credit (including any payment under  
12 section 6427(e) of such Code) shall be made, only in  
13 such manner as the Secretary of the Treasury (or  
14 the Secretary’s delegate) shall provide. Such Sec-  
15 retary shall issue guidance within 30 days after the  
16 date of the enactment of this Act providing for a  
17 one-time submission of claims covering periods de-  
18 scribed in the preceding sentence. Such guidance  
19 shall provide for a 180-day period for the submission  
20 of such claims (in such manner as prescribed by  
21 such Secretary) to begin not later than 30 days after  
22 such guidance is issued. Such claims shall be paid  
23 by such Secretary not later than 60 days after re-  
24 ceipt. If such Secretary has not paid pursuant to a  
25 claim filed under this subsection within 60 days

1 after the date of the filing of such claim, the claim  
2 shall be paid with interest from such date deter-  
3 mined by using the overpayment rate and method  
4 under section 6621 of such Code.

5 (4) EFFECTIVE DATE.—The amendments made  
6 by this subsection shall apply to fuel sold or used  
7 after December 31, 2017.

8 (b) CLARIFICATION OF RULES REGARDING ALTER-  
9 NATIVE FUEL MIXTURE CREDIT.—

10 (1) IN GENERAL.—Paragraph (2) of section  
11 6426(e) is amended by striking “mixture of alter-  
12 native fuel” and inserting “mixture of alternative  
13 fuel (other than a fuel described in subparagraph  
14 (A), (C), or (F) of subsection (d)(2))”.

15 (2) EFFECTIVE DATE.—The amendment made  
16 by this section shall apply to—

17 (A) fuel sold or used on or after the date  
18 of the enactment of this Act, and

19 (B) fuel sold or used before such date of  
20 enactment, but only to the extent that credits  
21 and claims of credit under section 6426(e) of  
22 the Internal Revenue Code of 1986 with respect  
23 to such sale or use have not been paid or al-  
24 lowed as of such date.

1 **SEC. 134. OIL SPILL LIABILITY TRUST FUND RATE.**

2 (a) IN GENERAL.—Section 4611(f)(2) is amended by  
3 striking “December 31, 2018” and inserting “December  
4 31, 2020”.

5 (b) EFFECTIVE DATE.—The amendment made by  
6 this section shall apply on and after the first day of the  
7 first calendar month beginning after the date of the enact-  
8 ment of this Act.

9 **Subtitle D—Certain Provisions**  
10 **Expiring at the End of 2019**

11 **SEC. 141. NEW MARKETS TAX CREDIT.**

12 (a) IN GENERAL.—Section 45D(f)(1) is amended by  
13 striking “and” at the end of subparagraph (F), by striking  
14 the period at the end of subparagraph (G) and inserting  
15 “, and”, and by adding at the end the following new sub-  
16 paragraph:

17 “(H) \$5,000,000,000 for 2020.”.

18 (b) CARRYOVER OF UNUSED LIMITATION.—Section  
19 45D(f)(3) is amended by striking “2024” and inserting  
20 “2025”.

21 (c) EFFECTIVE DATE.—The amendments made by  
22 this section shall apply to calendar years beginning after  
23 December 31, 2019.

1 **SEC. 142. EMPLOYER CREDIT FOR PAID FAMILY AND MED-**  
2 **ICAL LEAVE.**

3 (a) IN GENERAL.—Section 45S(i) is amended by  
4 striking “December 31, 2019” and inserting “December  
5 31, 2020”.

6 (b) EFFECTIVE DATE.—The amendment made by  
7 this section shall apply to wages paid in taxable years be-  
8 ginning after December 31, 2019.

9 **SEC. 143. WORK OPPORTUNITY CREDIT.**

10 (a) IN GENERAL.—Section 51(c)(4) is amended by  
11 striking “December 31, 2019” and inserting “December  
12 31, 2020”.

13 (b) EFFECTIVE DATE.—The amendment made by  
14 this section shall apply to individuals who begin work for  
15 the employer after December 31, 2019.

16 **SEC. 144. CERTAIN PROVISIONS RELATED TO BEER, WINE,**  
17 **AND DISTILLED SPIRITS.**

18 (a) EXEMPTION FOR AGING PROCESS OF BEER,  
19 WINE, AND DISTILLED SPIRITS.—

20 (1) IN GENERAL.—Section 263A(f)(4)(B) is  
21 amended by striking “December 31, 2019” and in-  
22 serting “December 31, 2020”.

23 (2) EFFECTIVE DATE.—The amendment made  
24 by this subsection shall apply to interest costs paid  
25 or accrued after December 31, 2019.

26 (b) REDUCED RATE OF EXCISE TAX ON BEER.—

1           (1) IN GENERAL.—Paragraphs (1)(C) and  
2           (2)(A) of section 5051(a) are each amended by  
3           striking “January 1, 2020” and inserting “January  
4           1, 2021”.

5           (2) EFFECTIVE DATE.—The amendments made  
6           by this subsection shall apply to beer removed after  
7           December 31, 2019.

8           (c) TRANSFER OF BEER BETWEEN BONDED FACILI-  
9           TIES.—

10           (1) IN GENERAL.—Section 5414(b)(3) is  
11           amended by striking “December 31, 2019” and in-  
12           serting “December 31, 2020”.

13           (2) EFFECTIVE DATE.—The amendment made  
14           by this subsection shall apply to calendar quarters  
15           beginning after December 31, 2019.

16           (d) REDUCED RATE OF EXCISE TAX ON CERTAIN  
17           WINE.—

18           (1) IN GENERAL.—Section 5041(c)(8)(A) is  
19           amended by striking “January 1, 2020” and insert-  
20           ing “January 1, 2021”.

21           (2) CONFORMING AMENDMENT.—The heading  
22           of section 5041(c)(8) is amended by striking “SPE-  
23           CIAL RULE FOR 2018 AND 2019” and inserting  
24           “TEMPORARY SPECIAL RULE”.

1           (3) EFFECTIVE DATE.—The amendments made  
2           by this subsection shall apply to wine removed after  
3           December 31, 2019.

4           (e) ADJUSTMENT OF ALCOHOL CONTENT LEVEL FOR  
5 APPLICATION OF EXCISE TAXES.—

6           (1) IN GENERAL.—Paragraphs (1) and (2) of  
7           section 5041(b) are each amended by striking “Jan-  
8           uary 1, 2020” and inserting “January 1, 2021”.

9           (2) EFFECTIVE DATE.—The amendments made  
10          by this subsection shall apply to wine removed after  
11          December 31, 2019.

12          (f) DEFINITION OF MEAD AND LOW ALCOHOL BY  
13 VOLUME WINE.—

14          (1) IN GENERAL.—Section 5041(h)(3) is  
15          amended by striking “December 31, 2019” and in-  
16          serting “December 31, 2020”.

17          (2) EFFECTIVE DATE.—The amendment made  
18          by this subsection shall apply to wine removed after  
19          December 31, 2019.

20          (g) REDUCED RATE OF EXCISE TAX ON CERTAIN  
21 DISTILLED SPIRITS.—

22          (1) IN GENERAL.—Section 5001(c)(3) is  
23          amended by striking “December 31, 2019” and in-  
24          serting “December 31, 2020”.

1           (2) CONFORMING AMENDMENT.—The heading  
2 of section 5001(c) is amended by striking “RE-  
3 DUCED RATE FOR 2018 AND 2019” and inserting  
4 “TEMPORARY REDUCED RATE”.

5           (3) EFFECTIVE DATE.—The amendments made  
6 by this subsection shall apply to distilled spirits re-  
7 moved after December 31, 2019.

8 (h) BULK DISTILLED SPIRITS.—

9           (1) IN GENERAL.—Section 5212 is amended by  
10 striking “January 1, 2020” and inserting “January  
11 1, 2021”.

12           (2) EFFECTIVE DATE.—The amendment made  
13 by this subsection shall apply to distilled spirits  
14 transferred in bond after December 31, 2019.

15 (i) SIMPLIFICATION OF RULES REGARDING  
16 RECORDS, STATEMENTS, AND RETURNS.—

17           (1) IN GENERAL.—Section 5555(a) is amended  
18 by striking “January 1, 2020” and inserting “Janu-  
19 ary 1, 2021”.

20           (2) EFFECTIVE DATE.—The amendment made  
21 by this subsection shall apply to calendar quarters  
22 beginning after December 31, 2019.

1 **SEC. 145. LOOK-THRU RULE FOR RELATED CONTROLLED**  
2 **FOREIGN CORPORATIONS.**

3 (a) IN GENERAL.—Section 954(c)(6)(C) is amended  
4 by striking “January 1, 2020” and inserting “January 1,  
5 2021”.

6 (b) EFFECTIVE DATE.—The amendment made by  
7 this section shall apply to taxable years of foreign corpora-  
8 tions beginning after December 31, 2019, and to taxable  
9 years of United States shareholders with or within which  
10 such taxable years of foreign corporations end.

11 **SEC. 146. CREDIT FOR HEALTH INSURANCE COSTS OF ELI-**  
12 **GIBLE INDIVIDUALS.**

13 (a) IN GENERAL.—Section 35(b)(1)(B) is amended  
14 by striking “January 1, 2020” and inserting “January 1,  
15 2021”.

16 (b) EFFECTIVE DATE.—The amendment made by  
17 this section shall apply to months beginning after Decem-  
18 ber 31, 2019.

19 **TITLE II—ESTATE AND GIFT TAX**

20 **SEC. 201. REDUCTION OF UNIFIED CREDIT AGAINST ES-**  
21 **TATE TAX.**

22 (a) IN GENERAL.—Section 2010(c)(3)(C) is amended  
23 by striking “January 1, 2026” and inserting “January 1,  
24 2023”.



1 (b) EFFECTIVE DATE.—The amendment made by  
2 this section shall apply to estates of decedents dying and  
3 gifts made after December 31, 2022.

## 4 **TITLE III—DISASTER TAX** 5 **RELIEF**

### 6 **SEC. 301. DEFINITIONS.**

7 For purposes of this title—

8 (1) QUALIFIED DISASTER AREA.—

9 (A) IN GENERAL.—The term “qualified  
10 disaster area” means any area with respect to  
11 which a major disaster was declared, during the  
12 period beginning on January 1, 2018, and end-  
13 ing on the date which is 60 days after the date  
14 of the enactment of this Act, by the President  
15 under section 401 of the Robert T. Stafford  
16 Disaster Relief and Emergency Assistance Act  
17 if the incident period of the disaster with re-  
18 spect to which such declaration is made begins  
19 on or before the date of the enactment of this  
20 Act.

21 (B) DENIAL OF DOUBLE BENEFIT.—Such  
22 term shall not include the California wildfire  
23 disaster area (as defined in section 20101 of  
24 subdivision 2 of division B of the Bipartisan  
25 Budget Act of 2018).

1           (2) QUALIFIED DISASTER ZONE.—The term  
2           “qualified disaster zone” means that portion of any  
3           qualified disaster area which was determined by the  
4           President, during the period beginning on January  
5           1, 2018, and ending on the date which is 60 days  
6           after the date of the enactment of this Act, to war-  
7           rant individual or individual and public assistance  
8           from the Federal Government under the Robert T.  
9           Stafford Disaster Relief and Emergency Assistance  
10          Act by reason of the qualified disaster with respect  
11          to such disaster area.

12          (3) QUALIFIED DISASTER.—The term “quali-  
13          fied disaster” means, with respect to any qualified  
14          disaster area, the disaster by reason of which a  
15          major disaster was declared with respect to such  
16          area.

17          (4) INCIDENT PERIOD.—The term “incident pe-  
18          riod” means, with respect to any qualified disaster,  
19          the period specified by the Federal Emergency Man-  
20          agement Agency as the period during which such  
21          disaster occurred (except that for purposes of this  
22          title such period shall not be treated as beginning  
23          before January 1, 2018, or ending after the date  
24          which is 30 days after the date of the enactment of  
25          this Act).

1 **SEC. 302. SPECIAL DISASTER-RELATED RULES FOR USE OF**  
2 **RETIREMENT FUNDS.**

3 (a) TAX-FAVORED WITHDRAWALS FROM RETIRE-  
4 MENT PLANS.—

5 (1) IN GENERAL.—Section 72(t) of the Internal  
6 Revenue Code of 1986 shall not apply to any quali-  
7 fied disaster distribution.

8 (2) AGGREGATE DOLLAR LIMITATION.—

9 (A) IN GENERAL.—For purposes of this  
10 subsection, the aggregate amount of distribu-  
11 tions received by an individual which may be  
12 treated as qualified disaster distributions for  
13 any taxable year shall not exceed the excess (if  
14 any) of—

15 (i) \$100,000, over

16 (ii) the aggregate amounts treated as  
17 qualified disaster distributions received by  
18 such individual for all prior taxable years.

19 (B) TREATMENT OF PLAN DISTRIBUTIONS.—If a distribution to an individual would  
20 (without regard to subparagraph (A)) be a  
21 qualified disaster distribution, a plan shall not  
22 be treated as violating any requirement of the  
23 Internal Revenue Code of 1986 merely because  
24 the plan treats such distribution as a qualified  
25 disaster distribution, unless the aggregate  
26

1 amount of such distributions from all plans  
2 maintained by the employer (and any member  
3 of any controlled group which includes the em-  
4 ployer) to such individual exceeds \$100,000.

5 (C) CONTROLLED GROUP.—For purposes  
6 of subparagraph (B), the term “controlled  
7 group” means any group treated as a single  
8 employer under subsection (b), (c), (m), or (o)  
9 of section 414 of the Internal Revenue Code of  
10 1986.

11 (D) SPECIAL RULE FOR INDIVIDUALS AF-  
12 FECTED BY MORE THAN ONE DISASTER.—The  
13 limitation of subparagraph (A) shall be applied  
14 separately with respect to distributions made  
15 with respect to each qualified disaster.

16 (3) AMOUNT DISTRIBUTED MAY BE REPAID.—

17 (A) IN GENERAL.—Any individual who re-  
18 ceives a qualified disaster distribution may, at  
19 any time during the 3-year period beginning on  
20 the day after the date on which such distribu-  
21 tion was received, make 1 or more contributions  
22 in an aggregate amount not to exceed the  
23 amount of such distribution to an eligible retire-  
24 ment plan of which such individual is a bene-  
25 ficiary and to which a rollover contribution of

1 such distribution could be made under section  
2 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or  
3 457(e)(16), of the Internal Revenue Code of  
4 1986, as the case may be.

5 (B) TREATMENT OF REPAYMENTS OF DIS-  
6 TRIBUTIONS FROM ELIGIBLE RETIREMENT  
7 PLANS OTHER THAN IRAS.—For purposes of  
8 the Internal Revenue Code of 1986, if a con-  
9 tribution is made pursuant to subparagraph (A)  
10 with respect to a qualified disaster distribution  
11 from an eligible retirement plan other than an  
12 individual retirement plan, then the taxpayer  
13 shall, to the extent of the amount of the con-  
14 tribution, be treated as having received the  
15 qualified disaster distribution in an eligible roll-  
16 over distribution (as defined in section  
17 402(c)(4) of such Code) and as having trans-  
18 ferred the amount to the eligible retirement  
19 plan in a direct trustee to trustee transfer with-  
20 in 60 days of the distribution.

21 (C) TREATMENT OF REPAYMENTS OF DIS-  
22 TRIBUTIONS FROM IRAS.—For purposes of the  
23 Internal Revenue Code of 1986, if a contribu-  
24 tion is made pursuant to subparagraph (A)  
25 with respect to a qualified disaster distribution

1 from an individual retirement plan (as defined  
2 by section 7701(a)(37) of such Code), then, to  
3 the extent of the amount of the contribution,  
4 the qualified disaster distribution shall be treat-  
5 ed as a distribution described in section  
6 408(d)(3) of such Code and as having been  
7 transferred to the eligible retirement plan in a  
8 direct trustee to trustee transfer within 60 days  
9 of the distribution.

10 (4) DEFINITIONS.—For purposes of this sub-  
11 section—

12 (A) QUALIFIED DISASTER DISTRIBUTION.—Except as provided in paragraph (2),  
13 the term “qualified disaster distribution” means  
14 any distribution from an eligible retirement  
15 plan made—  
16

17 (i) on or after the first day of the in-  
18 cident period of a qualified disaster and  
19 before the date which is 180 days after the  
20 date of the enactment of this Act, and

21 (ii) to an individual whose principal  
22 place of abode at any time during the inci-  
23 dent period of such qualified disaster is lo-  
24 cated in the qualified disaster area with re-  
25 spect to such qualified disaster and who

1           has sustained an economic loss by reason  
2           of such qualified disaster.

3           (B) ELIGIBLE RETIREMENT PLAN.—The  
4           term “eligible retirement plan” shall have the  
5           meaning given such term by section  
6           402(c)(8)(B) of the Internal Revenue Code of  
7           1986.

8           (5) INCOME INCLUSION SPREAD OVER 3-YEAR  
9           PERIOD.—

10           (A) IN GENERAL.—In the case of any  
11           qualified disaster distribution, unless the tax-  
12           payer elects not to have this paragraph apply  
13           for any taxable year, any amount required to be  
14           included in gross income for such taxable year  
15           shall be so included ratably over the 3-taxable-  
16           year period beginning with such taxable year.

17           (B) SPECIAL RULE.—For purposes of sub-  
18           paragraph (A), rules similar to the rules of sub-  
19           paragraph (E) of section 408A(d)(3) of the In-  
20           ternal Revenue Code of 1986 shall apply.

21           (6) SPECIAL RULES.—

22           (A) EXEMPTION OF DISTRIBUTIONS FROM  
23           TRUSTEE TO TRUSTEE TRANSFER AND WITH-  
24           HOLDING RULES.—For purposes of sections  
25           401(a)(31), 402(f), and 3405 of the Internal

1 Revenue Code of 1986, qualified disaster dis-  
2 tributions shall not be treated as eligible roll-  
3 over distributions.

4 (B) QUALIFIED DISASTER DISTRIBUTIONS  
5 TREATED AS MEETING PLAN DISTRIBUTION RE-  
6 QUIREMENTS.—For purposes the Internal Rev-  
7 enue Code of 1986, a qualified disaster dis-  
8 tribution shall be treated as meeting the re-  
9 quirements of sections 401(k)(2)(B)(i),  
10 403(b)(7)(A)(ii), 403(b)(11), and 457(d)(1)(A)  
11 of such Code.

12 (b) RECONTRIBUTIONS OF WITHDRAWALS FOR  
13 HOME PURCHASES.—

14 (1) RECONTRIBUTIONS.—

15 (A) IN GENERAL.—Any individual who re-  
16 ceived a qualified distribution may, during the  
17 applicable period, make 1 or more contributions  
18 in an aggregate amount not to exceed the  
19 amount of such qualified distribution to an eli-  
20 gible retirement plan (as defined in section  
21 402(c)(8)(B) of the Internal Revenue Code of  
22 1986) of which such individual is a beneficiary  
23 and to which a rollover contribution of such dis-  
24 tribution could be made under section 402(c),



1           403(a)(4), 403(b)(8), or 408(d)(3), of such  
2           Code, as the case may be.

3           (B) TREATMENT OF REPAYMENTS.—Rules  
4           similar to the rules of subparagraphs (B) and  
5           (C) of subsection (a)(3) shall apply for purposes  
6           of this subsection.

7           (2) QUALIFIED DISTRIBUTION.—For purposes  
8           of this subsection, the term “qualified distribution”  
9           means any distribution—

10           (A)           described           in           section  
11           401(k)(2)(B)(i)(IV), 403(b)(7)(A)(ii) (but only  
12           to the extent such distribution relates to finan-  
13           cial hardship), 403(b)(11)(B), or 72(t)(2)(F),  
14           of the Internal Revenue Code of 1986,

15           (B) which was to be used to purchase or  
16           construct a principal residence in a qualified  
17           disaster area, but which was not so used on ac-  
18           count of the qualified disaster with respect to  
19           such area, and

20           (C) which was received during the period  
21           beginning on the date which is 180 days before  
22           the first day of the incident period of such  
23           qualified disaster and ending on the date which  
24           is 30 days after the last day of such incident  
25           period.

1           (3) APPLICABLE PERIOD.—For purposes of this  
2 subsection, the term “applicable period” means, in  
3 the case of a principal residence in a qualified dis-  
4 aster area with respect to any qualified disaster, the  
5 period beginning on the first day of the incident pe-  
6 riod of such qualified disaster and ending on the  
7 date which is 180 days after the date of the enact-  
8 ment of this Act.

9           (c) LOANS FROM QUALIFIED PLANS.—

10           (1) INCREASE IN LIMIT ON LOANS NOT TREAT-  
11 ED AS DISTRIBUTIONS.—In the case of any loan  
12 from a qualified employer plan (as defined under  
13 section 72(p)(4) of the Internal Revenue Code of  
14 1986) to a qualified individual made during the 180-  
15 day period beginning on the date of the enactment  
16 of this Act—

17           (A) clause (i) of section 72(p)(2)(A) of  
18 such Code shall be applied by substituting  
19 “\$100,000” for “\$50,000”, and

20           (B) clause (ii) of such section shall be ap-  
21 plied by substituting “the present value of the  
22 nonforfeitable accrued benefit of the employee  
23 under the plan” for “one-half of the present  
24 value of the nonforfeitable accrued benefit of  
25 the employee under the plan”.

1           (2) DELAY OF REPAYMENT.—In the case of a  
2           qualified individual (with respect to any qualified  
3           disaster) with an outstanding loan (on or after the  
4           first day of the incident period of such qualified dis-  
5           aster) from a qualified employer plan (as defined in  
6           section 72(p)(4) of the Internal Revenue Code of  
7           1986)—

8                   (A) if the due date pursuant to subpara-  
9                   graph (B) or (C) of section 72(p)(2) of such  
10                  Code for any repayment with respect to such  
11                  loan occurs during the period beginning on the  
12                  first day of the incident period of such qualified  
13                  disaster and ending on the date which is 180  
14                  days after the last day of such incident period,  
15                  such due date shall be delayed for 1 year (or,  
16                  if later, until the date which is 180 days after  
17                  the date of the enactment of this Act),

18                   (B) any subsequent repayments with re-  
19                   spect to any such loan shall be appropriately  
20                   adjusted to reflect the delay in the due date  
21                   under subparagraph (A) and any interest accru-  
22                   ing during such delay, and

23                   (C) in determining the 5-year period and  
24                   the term of a loan under subparagraph (B) or  
25                   (C) of section 72(p)(2) of such Code, the period

1 described in subparagraph (A) of this para-  
2 graph shall be disregarded.

3 (3) QUALIFIED INDIVIDUAL.—For purposes of  
4 this subsection, the term “qualified individual”  
5 means any individual—

6 (A) whose principal place of abode at any  
7 time during the incident period of any qualified  
8 disaster is located in the qualified disaster area  
9 with respect to such qualified disaster, and

10 (B) who has sustained an economic loss by  
11 reason of such qualified disaster.

12 (d) PROVISIONS RELATING TO PLAN AMEND-  
13 MENTS.—

14 (1) IN GENERAL.—If this subsection applies to  
15 any amendment to any plan or annuity contract,  
16 such plan or contract shall be treated as being oper-  
17 ated in accordance with the terms of the plan during  
18 the period described in paragraph (2)(B)(i).

19 (2) AMENDMENTS TO WHICH SUBSECTION AP-  
20 PLIES.—

21 (A) IN GENERAL.—This subsection shall  
22 apply to any amendment to any plan or annuity  
23 contract which is made—

24 (i) pursuant to any provision of this  
25 section, or pursuant to any regulation

1 issued by the Secretary or the Secretary of  
2 Labor under any provision of this section,  
3 and

4 (ii) on or before the last day of the  
5 first plan year beginning on or after Janu-  
6 ary 1, 2020, or such later date as the Sec-  
7 retary may prescribe.

8 In the case of a governmental plan (as defined  
9 in section 414(d) of the Internal Revenue Code  
10 of 1986), clause (ii) shall be applied by sub-  
11 stituting the date which is 2 years after the  
12 date otherwise applied under clause (ii).

13 (B) CONDITIONS.—This subsection shall  
14 not apply to any amendment unless—

15 (i) during the period—

16 (I) beginning on the date that  
17 this section or the regulation de-  
18 scribed in subparagraph (A)(i) takes  
19 effect (or in the case of a plan or con-  
20 tract amendment not required by this  
21 section or such regulation, the effec-  
22 tive date specified by the plan), and

23 (II) ending on the date described  
24 in subparagraph (A)(ii) (or, if earlier,

1 the date the plan or contract amend-  
2 ment is adopted),  
3 the plan or contract is operated as if such plan  
4 or contract amendment were in effect, and  
5 (ii) such plan or contract amendment  
6 applies retroactively for such period.

7 **SEC. 303. EMPLOYEE RETENTION CREDIT FOR EMPLOYERS**  
8 **AFFECTED BY QUALIFIED DISASTERS.**

9 (a) IN GENERAL.—For purposes of section 38 of the  
10 Internal Revenue Code of 1986, in the case of an eligible  
11 employer, the 2018 qualified disaster employee retention  
12 credit shall be treated as a credit listed at the end of sub-  
13 section (b) of such section. For purposes of this sub-  
14 section, the 2018 qualified disaster employee retention  
15 credit for any taxable year is an amount equal to 40 per-  
16 cent of the qualified wages with respect to each eligible  
17 employee of such employer for such taxable year. The  
18 amount of qualified wages with respect to any employee  
19 which may be taken into account under this subsection  
20 by the employer for any taxable year shall not exceed  
21 \$6,000 (reduced by the amount of qualified wages with  
22 respect to such employee which may be so taken into ac-  
23 count for any prior taxable year).

24 (b) DEFINITIONS.—For purposes of this section—

1           (1) ELIGIBLE EMPLOYER.—The term “eligible  
2 employer” means any employer—

3           (A) which conducted an active trade or  
4 business in a qualified disaster zone at any time  
5 during the incident period of the qualified dis-  
6 aster with respect to such qualified disaster  
7 zone, and

8           (B) with respect to whom the trade or  
9 business described in subparagraph (A) is inop-  
10 erable at any time during the period beginning  
11 on the first day of the incident period of such  
12 qualified disaster and ending on the date of the  
13 enactment of this Act, as a result of damage  
14 sustained by reason of such qualified disaster.

15          (2) ELIGIBLE EMPLOYEE.—The term “eligible  
16 employee” means with respect to an eligible em-  
17 ployer an employee whose principal place of employ-  
18 ment with such eligible employer (determined imme-  
19 diately before the qualified disaster referred to in  
20 paragraph (1)) was in the qualified disaster zone re-  
21 ferred to in such paragraph.

22          (3) QUALIFIED WAGES.—The term “qualified  
23 wages” means wages (as defined in section 51(c)(1)  
24 of the Internal Revenue Code of 1986, but without  
25 regard to section 3306(b)(2)(B) of such Code) paid

1 or incurred by an eligible employer with respect to  
2 an eligible employee at any time on or after the date  
3 on which the trade or business described in para-  
4 graph (1) first became inoperable at the principal  
5 place of employment of the employee (determined  
6 immediately before the qualified disaster referred to  
7 in such paragraph) and before the earlier of—

8 (A) the date on which such trade or busi-  
9 ness has resumed significant operations at such  
10 principal place of employment, or

11 (B) the date which 150 days after the last  
12 day of the incident period of the qualified dis-  
13 aster referred to in paragraph (1).

14 Such term shall include wages paid without regard  
15 to whether the employee performs no services, per-  
16 forms services at a different place of employment  
17 than such principal place of employment, or per-  
18 forms services at such principal place of employment  
19 before significant operations have resumed.

20 (c) CERTAIN RULES TO APPLY.—For purposes of  
21 this subsection, rules similar to the rules of sections  
22 51(i)(1), 52, and 280C(a), of the Internal Revenue Code  
23 of 1986, shall apply.

24 (d) EMPLOYEE NOT TAKEN INTO ACCOUNT MORE  
25 THAN ONCE.—An employee shall not be treated as an eli-



1 gible employee for purposes of this subsection for any pe-  
2 riod with respect to any employer if such employer is al-  
3 lowed a credit under section 51 of the Internal Revenue  
4 Code of 1986 with respect to such employee for such pe-  
5 riod.

6 **SEC. 304. OTHER DISASTER-RELATED TAX RELIEF PROVI-**  
7 **SIONS.**

8 (a) TEMPORARY INCREASE IN LIMITATION ON  
9 QUALIFIED CONTRIBUTIONS.—

10 (1) SUSPENSION OF CURRENT LIMITATION.—

11 Except as otherwise provided in paragraph (2),  
12 qualified contributions shall be disregarded in apply-  
13 ing subsections (b) and (d) of section 170 of the In-  
14 ternal Revenue Code of 1986.

15 (2) APPLICATION OF INCREASED LIMITATION.—

16 For purposes of section 170 of the Internal Revenue  
17 Code of 1986—

18 (A) INDIVIDUALS.—In the case of an indi-  
19 vidual—

20 (i) LIMITATION.—Any qualified con-  
21 tribution shall be allowed as a deduction  
22 only to the extent that the aggregate of  
23 such contributions does not exceed the ex-  
24 cess of the taxpayer's contribution base (as  
25 defined in subparagraph (H) of section

1 170(b)(1) of such Code) over the amount  
2 of all other charitable contributions allowed  
3 under section 170(b)(1) of such Code.

4 (ii) CARRYOVER.—If the aggregate  
5 amount of qualified contributions made in  
6 the contribution year (within the meaning  
7 of section 170(d)(1) of such Code) exceeds  
8 the limitation of clause (i), such excess  
9 shall be added to the excess described in  
10 section 170(b)(1)(G)(ii).

11 (B) CORPORATIONS.—In the case of a cor-  
12 poration—

13 (i) LIMITATION.—Any qualified con-  
14 tribution shall be allowed as a deduction  
15 only to the extent that the aggregate of  
16 such contributions does not exceed the ex-  
17 cess of the taxpayer's taxable income (as  
18 determined under paragraph (2) of section  
19 170(b) of such Code) over the amount of  
20 all other charitable contributions allowed  
21 under such paragraph.

22 (ii) CARRYOVER.—If the aggregate  
23 amount of qualified contributions made in  
24 the contribution year (within the meaning  
25 of section 170(d)(2) of such Code) exceeds

1           the limitation of clause (i), such excess  
2           shall be appropriately taken into account  
3           under section 170(d)(2) subject to the limi-  
4           tations thereof.

5           (3) QUALIFIED CONTRIBUTIONS.—

6           (A) IN GENERAL.—For purposes of this  
7           subsection, the term “qualified contribution”  
8           means any charitable contribution (as defined  
9           in section 170(c) of the Internal Revenue Code  
10          of 1986) if—

11           (i) such contribution—

12           (I) is paid, during the period be-  
13           ginning on January 1, 2018, and end-  
14           ing on the date which is 60 days after  
15           the date of the enactment of this Act,  
16           in cash to an organization described  
17           in section 170(b)(1)(A) of such Code,  
18           and

19           (II) is made for relief efforts in  
20           one or more qualified disaster areas,

21           (ii) the taxpayer obtains from such or-  
22           ganization contemporaneous written ac-  
23           knowledgment (within the meaning of sec-  
24           tion 170(f)(8) of such Code) that such con-  
25           tribution was used (or is to be used) for

1 relief efforts described in clause (i)(II),  
2 and

3 (iii) the taxpayer has elected the ap-  
4 plication of this subsection with respect to  
5 such contribution.

6 (B) EXCEPTION.—Such term shall not in-  
7 clude a contribution by a donor if the contribu-  
8 tion is—

9 (i) to an organization described in sec-  
10 tion 509(a)(3) of the Internal Revenue  
11 Code of 1986, or

12 (ii) for the establishment of a new, or  
13 maintenance of an existing, donor advised  
14 fund (as defined in section 4966(d)(2) of  
15 such Code).

16 (C) APPLICATION OF ELECTION TO PART-  
17 NERSHIPS AND S CORPORATIONS.—In the case  
18 of a partnership or S corporation, the election  
19 under subparagraph (A)(iii) shall be made sepa-  
20 rately by each partner or shareholder.

21 (b) SPECIAL RULES FOR QUALIFIED DISASTER-RE-  
22 LATED PERSONAL CASUALTY LOSSES.—

23 (1) IN GENERAL.—If an individual has a net  
24 disaster loss for any taxable year—

1 (A) the amount determined under section  
2 165(h)(2)(A)(ii) of the Internal Revenue Code  
3 of 1986 shall be equal to the sum of—

4 (i) such net disaster loss, and

5 (ii) so much of the excess referred to  
6 in the matter preceding clause (i) of sec-  
7 tion 165(h)(2)(A) of such Code (reduced  
8 by the amount in clause (i) of this sub-  
9 paragraph) as exceeds 10 percent of the  
10 adjusted gross income of the individual,

11 (B) section 165(h)(1) of such Code shall  
12 be applied by substituting “\$500” for “\$500  
13 (\$100 for taxable years beginning after Decem-  
14 ber 31, 2009”),

15 (C) the standard deduction determined  
16 under section 63(c) of such Code shall be in-  
17 creased by the net disaster loss, and

18 (D) section 56(b)(1)(E) of such Code shall  
19 not apply to so much of the standard deduction  
20 as is attributable to the increase under sub-  
21 paragraph (C) of this paragraph.

22 (2) NET DISASTER LOSS.—For purposes of this  
23 subsection, the term “net disaster loss” means the  
24 excess of qualified disaster-related personal casualty  
25 losses over personal casualty gains (as defined in

1 section 165(h)(3)(A) of the Internal Revenue Code  
2 of 1986).

3 (3) QUALIFIED DISASTER-RELATED PERSONAL  
4 CASUALTY LOSSES.—For purposes of this sub-  
5 section, the term “qualified disaster-related personal  
6 casualty losses” means losses described in section  
7 165(c)(3) of the Internal Revenue Code of 1986  
8 which arise in a qualified disaster area on or after  
9 the first day of the incident period of the qualified  
10 disaster to which such area relates, and which are  
11 attributable to such qualified disaster.

12 (c) SPECIAL RULE FOR DETERMINING EARNED IN-  
13 COME.—

14 (1) IN GENERAL.—In the case of a qualified in-  
15 dividual, if the earned income of the taxpayer for the  
16 applicable taxable year is less than the earned in-  
17 come of the taxpayer for the preceding taxable year,  
18 the credits allowed under sections 24(d) and 32 of  
19 the Internal Revenue Code of 1986 may, at the elec-  
20 tion of the taxpayer, be determined by sub-  
21 stituting—

22 (A) such earned income for the preceding  
23 taxable year, for

24 (B) such earned income for the applicable  
25 taxable year.

1           (2) QUALIFIED INDIVIDUAL.—For purposes of  
2 this subsection—

3           (A) IN GENERAL.—The term “qualified in-  
4 dividual” means any individual whose principal  
5 place of abode at any time during the incident  
6 period of any qualified disaster was located—

7           (i) in the qualified disaster zone with  
8 respect to such qualified disaster, or

9           (ii) in the qualified disaster area with  
10 respect to such qualified disaster (but out-  
11 side the qualified disaster zone with re-  
12 spect to such qualified disaster) and such  
13 individual was displaced from such prin-  
14 cipal place of abode by reason of such  
15 qualified disaster.

16           (B) HURRICANE SANDY.—The term  
17 “qualified individual” includes any individual  
18 whose principal place of abode at any time dur-  
19 ing the period beginning on October 29, 2012,  
20 and ending on November 3, 2012, was lo-  
21 cated—

22           (i) in that portion of the area de-  
23 scribed in clause (ii) which was determined  
24 by the President to warrant individual or  
25 individual and public assistance from the

1 Federal Government under the Robert T.  
2 Stafford Disaster Relief and Emergency  
3 Assistance Act by reason of Hurricane  
4 Sandy, or

5 (ii) in the area with respect to which  
6 a major disaster was declared by the Presi-  
7 dent under section 401 of the Robert T.  
8 Stafford Disaster Relief and Emergency  
9 Assistance Act by reason of Hurricane  
10 Sandy and such individual was displaced  
11 from such principal place of abode by rea-  
12 son of Hurricane Sandy.

13 (3) APPLICABLE TAXABLE YEAR.—The term  
14 “applicable taxable year” means—

15 (A) in the case of a qualified individual  
16 other than an individual described in subpara-  
17 graph (B), any taxable year which includes any  
18 portion of the incident period of the qualified  
19 disaster to which the qualified disaster area re-  
20 ferred to in paragraph (2)(A) relates, or

21 (B) in the case of a qualified individual de-  
22 scribed in subparagraph (B) of paragraph (2),  
23 any taxable year which includes any portion of  
24 the period described in such subparagraph.



1           (4) EARNED INCOME.—For purposes of this  
2 subsection, the term “earned income” has the mean-  
3 ing given such term under section 32(c) of the Inter-  
4 nal Revenue Code of 1986.

5           (5) SPECIAL RULES.—

6           (A) APPLICATION TO JOINT RETURNS.—

7 For purposes of paragraph (1), in the case of  
8 a joint return for an applicable taxable year—

9           (i) such paragraph shall apply if ei-  
10 ther spouse is a qualified individual, and

11           (ii) the earned income of the taxpayer  
12 for the preceding taxable year shall be the  
13 sum of the earned income of each spouse  
14 for such preceding taxable year.

15           (B) UNIFORM APPLICATION OF ELEC-  
16 TION.—Any election made under paragraph (1)  
17 shall apply with respect to both sections 24(d)  
18 and 32 of the Internal Revenue Code of 1986.

19           (C) ERRORS TREATED AS MATHEMATICAL  
20 ERROR.—For purposes of section 6213 of the  
21 Internal Revenue Code of 1986, an incorrect  
22 use on a return of earned income pursuant to  
23 paragraph (1) shall be treated as a mathe-  
24 matical or clerical error.

1 (D) NO EFFECT ON DETERMINATION OF  
2 GROSS INCOME, ETC.—Except as otherwise pro-  
3 vided in this subsection, the Internal Revenue  
4 Code of 1986 shall be applied without regard to  
5 any substitution under paragraph (1).

6 (E) EXTENSION OF PERIOD OF LIMITA-  
7 TION FOR CERTAIN INDIVIDUALS AFFECTED BY  
8 HURRICANE SANDY.—

9 (i) IN GENERAL.—In the case of an  
10 individual described in paragraph (2)(B),  
11 the period of limitation prescribed by sec-  
12 tion 6511(a) of the Internal Revenue Code  
13 of 1986 for any applicable taxable year  
14 shall be extended until the date prescribed  
15 by law (including extensions) for filing the  
16 return of tax for the taxable year that in-  
17 cludes the date of the enactment of this  
18 Act, and section 6511(b)(2) of such Code  
19 shall not apply to any claim of credit or re-  
20 fund with respect to the return for such  
21 applicable tax year.

22 (ii) AMENDMENTS, ETC. RESTRICTED  
23 TO CHANGES TO EARNED INCOME.—Clause  
24 (i) shall apply only with respect to amend-  
25 ments to the return of tax, and claims for

1 credit or refund, relating to a change in  
2 the earned income of the individual.

3 **SEC. 305. AUTOMATIC EXTENSION OF FILING DEADLINES**  
4 **IN CASE OF CERTAIN TAXPAYERS AFFECTED**  
5 **BY FEDERALLY DECLARED DISASTERS.**

6 (a) IN GENERAL.—Section 7508A is amended by  
7 adding at the end the following new subsection:

8 “(d) MANDATORY 60-DAY EXTENSION.—

9 “(1) IN GENERAL.—In the case of any qualified  
10 taxpayer, the period—

11 “(A) beginning on the earliest incident  
12 date specified in the declaration to which the  
13 disaster area referred to in paragraph (2) re-  
14 lates, and

15 “(B) ending on the date which is 60 days  
16 after the latest incident date so specified,  
17 shall be disregarded in the same manner as a period  
18 specified under subsection (a).

19 “(2) QUALIFIED TAXPAYER.—For purposes of  
20 this subsection, the term ‘qualified taxpayer’  
21 means—

22 “(A) any individual whose principal resi-  
23 dence (for purposes of section 1033(h)(4)) is lo-  
24 cated in a disaster area,

1           “(B) any taxpayer if the taxpayer’s prin-  
2           cipal place of business (other than the business  
3           of performing services as an employee) is lo-  
4           cated in a disaster area,

5           “(C) any individual who is a relief worker  
6           affiliated with a recognized government or phil-  
7           anthropic organization and who is assisting in  
8           a disaster area,

9           “(D) any taxpayer whose records necessary  
10          to meet a deadline for an act described in sec-  
11          tion 7508(a)(1) are maintained in a disaster  
12          area,

13          “(E) any individual visiting a disaster area  
14          who was killed or injured as a result of the dis-  
15          aster, and

16          “(F) solely with respect to a joint return,  
17          any spouse of an individual described in any  
18          preceding subparagraph of this paragraph.

19          “(3) DISASTER AREA.—For purposes of this  
20          subsection, the term ‘disaster area’ has the meaning  
21          given such term under subparagraph (B) of section  
22          165(i)(5) with respect to a Federally declared dis-  
23          aster (as defined in subparagraph (A) of such sec-  
24          tion).

1           “(4) APPLICATION TO RULES REGARDING PEN-  
2           SIONS.—In the case of any person described in sub-  
3           section (b), a rule similar to the rule of paragraph  
4           (1) shall apply for purposes of subsection (b) with  
5           respect to—

6                   “(A) making contributions to a qualified  
7                   retirement plan (within the meaning of section  
8                   4974(c)) under section 219(f)(3), 404(a)(6),  
9                   404(h)(1)(B), or 404(m)(2),

10                   “(B) making distributions under section  
11                   408(d)(4),

12                   “(C) recharacterizing contributions under  
13                   section 408A(d)(6), and

14                   “(D) making a rollover under section  
15                   402(c), 403(a)(4), 403(b)(8), or 408(d)(3).

16           “(5) COORDINATION WITH PERIODS SPECIFIED  
17           BY THE SECRETARY.—Any period described in para-  
18           graph (1) with respect to any person (including by  
19           reason of the application of paragraph (4)) shall be  
20           in addition to (or concurrent with, as the case may  
21           be) any period specified under subsection (a) or (b)  
22           with respect to such person.”.

23           (b) EFFECTIVE DATE.—The amendment made by  
24           this section shall apply to federally declared disasters de-  
25           clared after the date of the enactment of this Act.

1 **SEC. 306. MODIFICATION OF THE TAX RATE FOR THE EX-**  
2 **CISE TAX ON INVESTMENT INCOME OF PRI-**  
3 **VATE FOUNDATIONS.**

4 (a) IN GENERAL.—Section 4940(a) is amended by  
5 striking “2 percent” and inserting “1.39 percent”.

6 (b) ELIMINATION OF REDUCED TAX WHERE FOUN-  
7 DATION MEETS CERTAIN DISTRIBUTION REQUIRE-  
8 MENTS.—Section 4940 of such Code is amended by strik-  
9 ing subsection (e).

10 (c) EFFECTIVE DATE.—The amendments made by  
11 this subsection shall apply to taxable years beginning after  
12 the date of the enactment of this Act.

13 **SEC. 307. ADDITIONAL LOW-INCOME HOUSING CREDIT AL-**  
14 **LOCATIONS FOR QUALIFIED 2017 AND 2018**  
15 **CALIFORNIA DISASTER AREAS.**

16 (a) IN GENERAL.—For purposes of section 42 of the  
17 Internal Revenue Code of 1986, the State housing credit  
18 ceiling for California for calendar year 2019 shall be in-  
19 creased by the lesser of—

20 (1) the aggregate housing credit dollar amount  
21 allocated by the State housing credit agencies of  
22 California for such calendar year to buildings located  
23 in qualified 2017 and 2018 California disaster areas,  
24 or

1           (2) 50 percent of the sum of the State housing  
2           credit ceilings for California for calendar years 2017  
3           and 2018.

4           (b) ALLOCATIONS TREATED AS MADE FIRST FROM  
5           ADDITIONAL ALLOCATION FOR PURPOSES OF DETER-  
6           MINING CARRYOVER.—For purposes of determining the  
7           unused State housing credit ceiling for any calendar year  
8           under section 42(h)(3)(C) of the Internal Revenue Code  
9           of 1986, any increase in the State housing credit ceiling  
10          under subsection (a) shall be treated as an amount de-  
11          scribed in clause (ii) of such section.

12          (c) DEFINITIONS.—For purposes of this section—

13           (1) QUALIFIED 2017 AND 2018 CALIFORNIA DIS-  
14           ASTER AREAS.—The term “qualified 2017 and 2018  
15           California disaster areas” means any area in Cali-  
16           fornia which was determined by the President (be-  
17           fore January 1, 2019) to warrant individual or indi-  
18           vidual and public assistance from the Federal Gov-  
19           ernment under the Robert T. Stafford Disaster Re-  
20           lief and Emergency Assistance Act by reason of a  
21           major disaster the incident period of which begins or  
22           ends in calendar year 2017 or 2018. Notwith-  
23           standing section 301, for purposes of the preceding  
24           sentence, the term “incident period” means the pe-  
25           riod specified by the Federal Emergency Manage-

1           ment Agency as the period during which the disaster  
2           occurred.

3           (2) OTHER DEFINITIONS.—Terms used in this  
4           section which are also used in section 42 of the In-  
5           ternal Revenue Code of 1986 shall have the same  
6           meaning in this section as in such section 42.

7   **SEC. 308. TREATMENT OF CERTAIN POSSESSIONS.**

8           (a) PAYMENTS TO POSSESSIONS WITH MIRROR  
9   CODE TAX SYSTEMS.—The Secretary of the Treasury  
10          shall pay to each possession of the United States which  
11          has a mirror code tax system amounts equal to the loss  
12          (if any) to that possession by reason of the application  
13          of the provisions of this title. Such amounts shall be deter-  
14          mined by the Secretary of the Treasury based on informa-  
15          tion provided by the government of the respective posses-  
16          sion.

17          (b) PAYMENTS TO OTHER POSSESSIONS.—The Sec-  
18          retary of the Treasury shall pay to each possession of the  
19          United States which does not have a mirror code tax sys-  
20          tem amounts estimated by the Secretary of the Treasury  
21          as being equal to the aggregate benefits (if any) that  
22          would have been provided to residents of such possession  
23          by reason of the provisions of this title if a mirror code  
24          tax system had been in effect in such possession. The pre-  
25          ceding sentence shall not apply unless the respective pos-



1 session has a plan, which has been approved by the Sec-  
2 retary of the Treasury, under which such possession will  
3 promptly distribute such payments to its residents.

4 (c) MIRROR CODE TAX SYSTEM.—For purposes of  
5 this section, the term “mirror code tax system” means,  
6 with respect to any possession of the United States, the  
7 income tax system of such possession if the income tax  
8 liability of the residents of such possession under such sys-  
9 tem is determined by reference to the income tax laws of  
10 the United States as if such possession were the United  
11 States.

12 (d) TREATMENT OF PAYMENTS.—For purposes of  
13 section 1324 of title 31, United States Code, the payments  
14 under this section shall be treated in the same manner  
15 as a refund due from a credit provision referred to in sub-  
16 section (b)(2) of such section.