

112TH CONGRESS
1ST SESSION

H. R. 1428

To amend the Internal Revenue Code of 1986 to extend the Renewal Community program through end of 2012.

IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 2011

Mr. HIGGINS (for himself, Ms. TSONGAS, Mr. LEWIS of Georgia, Mr. FILNER, Mr. TONKO, Mr. COHEN, and Ms. MOORE) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to extend the Renewal Community program through end of 2012.

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. RENEWAL COMMUNITY TAX INCENTIVES.**

4 (a) IN GENERAL.—Subsection (b) of section 1400E
5 of the Internal Revenue Code of 1986 is amended—

6 (1) by striking “December 31, 2009” in para-
7 graphs (1)(A) and (3) and inserting “December 31,
8 2012”; and

9 (2) by striking “January 1, 2010” in paragraph
10 (3) and inserting “January 1, 2013”.

1 (b) ZERO-PERCENT CAPITAL GAINS RATE.—

2 (1) ACQUISITION DATE.—Paragraphs (2)(A)(i),
3 (3)(A), (4)(A)(i), and (4)(B)(i) of section 1400F(b)
4 of such Code are each amended by striking “Janu-
5 ary 1, 2010” and inserting “January 1, 2013”.

6 (2) LIMITATION ON PERIOD OF GAINS.—Para-
7 graph (2) of section 1400F(c) of such Code is
8 amended—

9 (A) by striking “December 31, 2014” and
10 inserting “December 31, 2017”; and

11 (B) by striking “2014” in the heading and
12 inserting “2017”.

13 (3) APPLICABLE RULES.—Subsection (d) of sec-
14 tion 1400F is amended—

15 (A) by striking “December 31, 2014” the
16 first place it appears and inserting “December
17 31, 2017”, and

18 (B) by striking “December 31, 2014” the
19 second place it appears and inserting “Decem-
20 ber 31, 2016”.

21 (c) COMMERCIAL REVITALIZATION DEDUCTION.—

22 (1) EXTENSION.—

23 (A) IN GENERAL.—Subsection (g) of sec-
24 tion 1400I of such Code is amended by striking

1 “December 31, 2009” and inserting “December
2 31, 2012”.

3 (B) CONFORMING AMENDMENT.—Subpara-
4 graph (A) of section 1400I(d)(2) of such Code
5 is amended by striking “after 2001 and before
6 2010” and inserting “which begins after 2001
7 and before the date referred to in subsection
8 (g)”.

9 (2) CARRYFORWARD OF UNALLOCATED STATE
10 COMMERCIAL REVITALIZATION EXPENDITURE CEIL-
11 ING.—

12 (A) IN GENERAL.—Paragraph (1) of sec-
13 tion 1400I(d) of such Code is amended to read
14 as follows:

15 “(1) IN GENERAL.—The aggregate commercial
16 revitalization expenditure amount which a commer-
17 cial revitalization agency may allocate for any cal-
18 endar year is the amount equal to the sum of—

19 “(A) the amount of the State commercial
20 revitalization expenditure ceiling determined
21 under this paragraph for such calendar year for
22 such agency (determined without regard to sub-
23 paragraph (B)), and

24 “(B) the aggregate of the unused State
25 commercial revitalization expenditure ceilings

1 determined under this paragraph for such agen-
2 cy for each of the 2 preceding calendar years.
3 For purposes of subparagraph (B), amounts of ex-
4 penditure ceiling shall be treated as allocated by an
5 agency first from unused amounts for the second
6 preceding calendar year, then from unused amounts
7 for the 1st preceding calendar year, and then from
8 amounts from the current year State allocation.”.

9 (B) EFFECTIVE DATE.—The amendment
10 made by this subsection shall apply to calendar
11 years beginning after the date of the enactment
12 of this Act.

13 (d) INCREASED EXPENSING UNDER SECTION 179.—
14 Subparagraph (A) of section 1400J(b)(1) of such Code is
15 amended by striking “January 1, 2010” and inserting
16 “January 1, 2013”.

17 (e) TREATMENT OF CERTAIN TERMINATION DATES
18 SPECIFIED IN NOMINATIONS.—In the case of a designa-
19 tion of a renewal community the nomination for which in-
20 cluded a termination date which is contemporaneous with
21 the date specified in subparagraph (A) of section
22 1400E(b)(1) of the Internal Revenue Code of 1986 (as
23 in effect before the enactment of this Act), subparagraph
24 (B) of such section shall not apply with respect to such
25 designation unless, after the date of the enactment of this

1 section, the entity which made such nomination reconfirms
2 such termination date, or amends the nomination to pro-
3 vide for a new termination date, in such manner as the
4 Secretary of the Treasury (or the Secretary's designee)
5 may provide.

6 (f) EFFECTIVE DATES.—

7 (1) IN GENERAL.—Except as otherwise pro-
8 vided in this subsection, the amendments made by
9 this section shall apply to periods after December
10 31, 2009.

11 (2) ACQUISITIONS.—The amendments made by
12 subsections (b)(1) and (d) shall apply to acquisitions
13 after December 31, 2009.

14 (3) COMMERCIAL REVITALIZATION DEDUC-
15 TION.—

16 (A) IN GENERAL.—The amendment made
17 by subsection (c)(1) shall apply to buildings
18 placed in service after December 31, 2009.

19 (B) CONFORMING AMENDMENT.—The
20 amendment made by subsection (c)(2) shall
21 apply to calendar years beginning after Decem-
22 ber 31, 2009.

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