

112TH CONGRESS
1ST SESSION

H. R. 2443

To amend the Internal Revenue Code of 1986 to increase the limitation on expensing certain depreciable assets for certain businesses that hire veterans.

IN THE HOUSE OF REPRESENTATIVES

JULY 7, 2011

Mr. MILLER of Florida 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 increase the limitation on expensing certain depreciable assets for certain businesses that hire veterans.

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.**

4 This Act may be cited as the “Tax Credit to Hire
5 Veterans Act of 2011”.

1 **SEC. 2. INCREASED EXPENSING FOR CERTAIN BUSINESSES**

2 **HIRING VETERANS.**

3 (a) IN GENERAL.—Section 179 of the Internal Rev-
4 enue Code of 1986 is amended by adding at the end the
5 following new subsection:

6 “(g) SPECIAL RULES FOR SMALL EMPLOYERS HIR-
7 ING VETERANS.—

8 “(1) IN GENERAL.—In the case of an eligible
9 small employer, the limitation under subsection
10 (b)(1) for the taxable year (after the application of
11 subsection (b)(2)) shall be increased by an amount
12 equal to—

13 “(A) \$25,000, multiplied by,

14 “(B) the number of veteran new-hires of
15 such employer.

16 “(2) LIMITATION.—The number of veteran
17 new-hires which may be taken into account by an
18 employer for any taxable year under paragraph (1)
19 shall not exceed 25.

20 “(3) DEFINITIONS AND SPECIAL RULE.—For
21 purposes of this subsection—

22 “(A) ELIGIBLE SMALL EMPLOYER.—For
23 purposes of this subsection, the term ‘eligible
24 small employer’ means any person who carries
25 on a trade or business—

1 “(i) the gross receipts of which for the
2 preceding taxable year did not exceed
3 \$5,000,000, or

4 “(ii) in the case of a trade or business
5 to which subparagraph (A) does not apply,
6 which employed not more than 500 full-
7 time employees during the preceding tax-
8 able year.

9 “(B) VETERAN NEW-HIRE.—The term
10 ‘veteran new-hire’ means, with respect to any
11 employer for the taxable year, an individual—

12 “(i) who is a veteran (as defined in
13 section 101 of title 38, United States
14 Code),

15 “(ii) who was a full-time employee of
16 the employer during the 1-year period be-
17 ginning with the date the employment with
18 the employer began,

19 “(iii) with respect to whom such 1-
20 year period ends during the taxable year,

21 “(iv) who certifies by signed affidavit,
22 under penalties of perjury, that such indi-
23 vidual was unemployed on day before the
24 date the employment with the employer
25 began,

1 “(v) who is not employed by the em-
2 ployer to replace another employee of such
3 employer unless such other employee sepa-
4 rated from employment voluntarily or for
5 cause,

6 “(vi) who is not an individual de-
7 scribed in section 51(i)(1) (applied by sub-
8 stituting ‘employer’ for ‘taxpayer’ each
9 place it appears),

10 “(vii) who has not been a veteran
11 new-hire with respect to such employer for
12 any preceding taxable year, and

13 “(viii) who has not been employed by
14 the employer at any time during the 180-
15 day period ending on the date the employ-
16 ment with the employer began.

17 “(C) FULL-TIME.—An employee shall be
18 treated as full time if such employee is em-
19 ployed on average at least 38 hours of service
20 per week.

21 “(D) CONTROLLED GROUPS.—All persons
22 which are treated as a single employer under
23 subsections (a) and (b) of section 52 shall be
24 treated as a single taxpayer.

1 “(4) TERMINATION.—This subsection shall not
2 apply to taxable years beginning after December 31,
3 2014.”.

4 (b) EFFECTIVE DATE.—The amendment made by
5 this section shall apply with respect to individuals who
6 begin work for the employer after the date of the enact-
7 ment of this Act.

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