

115TH CONGRESS  
1ST SESSION

# H. R. 2849

To provide emergency tax relief for persons affected by severe storms and flooding occurring in Louisiana.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2017

Mr. GRAVES of Louisiana (for himself, Mr. RICHMOND, Mr. ABRAHAM, and Mr. HIGGINS of Louisiana) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To provide emergency tax relief for persons affected by severe storms and flooding occurring in Louisiana.

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 “Louisiana Flood and Storm Devastation Tax Relief Act  
6 of 2017”.

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

Sec. 1. Short title, etc.

Sec. 2. Louisiana Storm and Flood Disaster Area.

TITLE I—SPECIAL RULES FOR USE OF RETIREMENT FUNDS FOR  
RELIEF RELATING TO LOUISIANA STORMS AND FLOODING

- Sec. 101. Tax-favored withdrawals from retirement plans for relief relating to Louisiana storms and flooding.
- Sec. 102. Recontributions of withdrawals for home purchases canceled due to the Louisiana storms and flooding.
- Sec. 103. Loans from qualified plans for relief relating to Louisiana storms and flooding.
- Sec. 104. Provisions relating to plan amendments.

TITLE J—EMPLOYMENT RELIEF

- Sec. 201. Work opportunity tax credit for Louisiana storm and flood employees.
- Sec. 202. Employee retention credit for employers affected by Louisiana storms and flooding.

TITLE K—CHARITABLE GIVING INCENTIVES

- Sec. 301. Temporary suspension of limitations on charitable contributions.
- Sec. 302. Additional exemption for housing Louisiana storm and flood displaced individuals.
- Sec. 303. Increase in standard mileage rate for charitable use of vehicles.
- Sec. 304. Mileage reimbursements to charitable volunteers excluded from gross income.
- Sec. 305. Charitable deduction for contributions of book inventories to public schools.

TITLE L—ADDITIONAL TAX RELIEF PROVISIONS

- Sec. 401. Exclusions of certain cancellations of indebtedness by reason of Louisiana storms and flooding.
- Sec. 402. Suspension of certain limitations on personal casualty losses.
- Sec. 403. Required exercise of authority under section 7508A for tax relief relating to Louisiana storms and flooding.
- Sec. 404. Special rules for mortgage revenue bonds relating to Louisiana storms and flooding.
- Sec. 405. Extension of replacement period for nonrecognition of gain for property located in Louisiana storm and flood disaster area.
- Sec. 406. Special rule for determining earned income.
- Sec. 407. Secretarial authority to make adjustments regarding taxpayer and dependency status.
- Sec. 408. Low-income housing credit.
- Sec. 409. Application of new markets tax credit to investments in community development entities serving Louisiana storm and flood disaster area.
- Sec. 410. Tax-exempt bond financing.
- Sec. 411. Expensing for certain demolition and clean-up costs.
- Sec. 412. Extension of expensing for environmental remediation costs.
- Sec. 413. Treatment of net operating losses attributable to Louisiana storm and flood disaster area losses.
- Sec. 414. Increased expensing for qualified timber property.
- Sec. 415. Disaster loss carryback.
- Sec. 416. Housing relief for individuals affected by Louisiana storms and flooding.

1 **SEC. 2. LOUISIANA STORM AND FLOOD DISASTER AREA.**

2 For purposes of this Act—

3 (1) LOUISIANA STORM AND FLOOD DISASTER  
4 AREA.—The term “Louisiana storm and flood dis-  
5 aster area” means an area with respect to which a  
6 major disaster has been declared by the President  
7 under section 401 of the Robert T. Stafford Disaster  
8 Relief and Emergency Assistance Act—

9 (A) before September 3, 2016, by reason  
10 of severe storms and flooding occurring in Lou-  
11 isiana during August of 2016,

12 (B) before April 21, 2016, by reason of se-  
13 vere storms and flooding occurring in Louisiana  
14 during March and April of 2016, and

15 (C) before February 12, 2017, by reason  
16 of tornadoes, storms, and straight line winds  
17 occurring in Louisiana on February 7, 2017.

18 (2) CORE DISASTER AREA.—The term “core  
19 disaster area” means that portion of the Louisiana  
20 storm and flood disaster area determined by the  
21 President to warrant individual or individual and  
22 public assistance from the Federal Government  
23 under such Act.

24 (3) APPLICABLE DISASTER DATE.—The term  
25 “applicable disaster date” means, with respect to  
26 any Louisiana storm and flood disaster area, the

1 date of the first day of the period during which the  
 2 severe storms and flooding giving rise to the Presi-  
 3 dential declaration described in paragraph (1) oc-  
 4 curred.

5 **TITLE I—SPECIAL RULES FOR**  
 6 **USE OF RETIREMENT FUNDS**  
 7 **FOR RELIEF RELATING TO**  
 8 **LOUISIANA STORMS AND**  
 9 **FLOODING**

10 **SEC. 101. TAX-FAVORED WITHDRAWALS FROM RETIRE-**  
 11 **MENT PLANS FOR RELIEF RELATING TO LOU-**  
 12 **ISIANA STORMS AND FLOODING.**

13 (a) **IN GENERAL.**—Section 72(t) of the Internal Rev-  
 14 enue Code of 1986 shall not apply to any qualified Lou-  
 15 isiana storm and flood distribution.

16 (b) **AGGREGATE DOLLAR LIMITATION.**—

17 (1) **IN GENERAL.**—For purposes of this section,  
 18 the aggregate amount of distributions received by an  
 19 individual which may be treated as qualified Lou-  
 20 isiana storm and flood distributions for any taxable  
 21 year shall not exceed the excess (if any) of—

22 (A) \$100,000, over

23 (B) the aggregate amounts treated as  
 24 qualified Louisiana storm and flood distribu-

1           tions received by such individual for all prior  
2           taxable years.

3           (2) TREATMENT OF PLAN DISTRIBUTIONS.—If  
4           a distribution to an individual would (without regard  
5           to paragraph (1)) be a qualified Louisiana storm  
6           and flood distribution, a plan shall not be treated as  
7           violating any requirement of the Internal Revenue  
8           Code of 1986 merely because the plan treats such  
9           distribution as a qualified Louisiana storm and flood  
10          distribution, unless the aggregate amount of such  
11          distributions from all plans maintained by the em-  
12          ployer (and any member of any controlled group  
13          which includes the employer) to such individual ex-  
14          ceeds \$100,000.

15          (3) CONTROLLED GROUP.—For purposes of  
16          paragraph (2), the term “controlled group” means  
17          any group treated as a single employer under sub-  
18          section (b), (c), (m), or (o) of section 414 of such  
19          Code.

20          (c) AMOUNT DISTRIBUTED MAY BE REPAID.—

21          (1) IN GENERAL.—Any individual who receives  
22          a qualified Louisiana storm and flood distribution  
23          may, at any time during the 3-year period beginning  
24          on the day after the date on which such distribution  
25          was received, make one or more contributions in an

1 aggregate amount not to exceed the amount of such  
2 distribution to an eligible retirement plan of which  
3 such individual is a beneficiary and to which a roll-  
4 over contribution of such distribution could be made  
5 under section 402(c), 403(a)(4), 403(b)(8),  
6 408(d)(3), or 457(e)(16) of such Code, as the case  
7 may be.

8 (2) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM ELIGIBLE RETIREMENT PLANS OTHER  
9 THAN IRAS.—For purposes of such Code, if a contribu-  
10 tion is made pursuant to paragraph (1) with re-  
11 spect to a qualified Louisiana storm and flood dis-  
12 tribution from an eligible retirement plan other than  
13 an individual retirement plan, then the taxpayer  
14 shall, to the extent of the amount of the contribu-  
15 tion, be treated as having received the qualified Lou-  
16 isiana storm and flood distribution in an eligible roll-  
17 over distribution (as defined in section 402(c)(4) of  
18 such Code) and as having transferred the amount to  
19 the eligible retirement plan in a direct trustee to  
20 trustee transfer within 60 days of the distribution.

22 (3) TREATMENT OF REPAYMENTS FOR DIS-  
23 TRIBUTIONS FROM IRAS.—For purposes of such  
24 Code, if a contribution is made pursuant to para-  
25 graph (1) with respect to a qualified Louisiana

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

10 (d) DEFINITIONS.—For purposes of this section—

11 (1) QUALIFIED LOUISIANA STORM AND FLOOD-  
12 ING DISTRIBUTION.—Except as provided in sub-  
13 section (b), the term “qualified Louisiana storm and  
14 flooding distribution” means any distribution from  
15 an eligible retirement plan made on or after the ap-  
16 plicable disaster date, to an individual whose prin-  
17 cipal residence on or after such date, is located in  
18 the Louisiana storm and flood disaster area and who  
19 has sustained an economic loss by reason of the se-  
20 vere storms and flooding giving rise to the Presi-  
21 dential declaration described in section 2(1).

22 (2) ELIGIBLE RETIREMENT PLAN.—The term  
23 “eligible retirement plan” shall have the meaning  
24 given such term by section 402(c)(8)(B) of such  
25 Code.

1 (e) INCOME INCLUSION SPREAD OVER 3-YEAR PE-  
2 RIOD FOR QUALIFIED LOUISIANA STORM AND FLOODING  
3 DISTRIBUTIONS.—

4 (1) IN GENERAL.—In the case of any qualified  
5 Louisiana storm and flood distribution, unless the  
6 taxpayer elects not to have this subsection apply for  
7 any taxable year, any amount required to be in-  
8 cluded in gross income for such taxable year shall be  
9 so included ratably over the 3-taxable-year period  
10 beginning with such taxable year.

11 (2) SPECIAL RULE.—For purposes of para-  
12 graph (1), rules similar to the rules of subparagraph  
13 (E) of section 408A(d)(3) of such Code shall apply.

14 (f) SPECIAL RULES.—

15 (1) EXEMPTION OF DISTRIBUTIONS FROM  
16 TRUSTEE TO TRUSTEE TRANSFER AND WITH-  
17 HOLDING RULES.—For purposes of sections  
18 401(a)(31), 402(f), and 3405 of such Code, qualified  
19 Louisiana storm and flood distributions shall not be  
20 treated as eligible rollover distributions.

21 (2) QUALIFIED LOUISIANA STORM AND FLOOD-  
22 ING DISTRIBUTIONS TREATED AS MEETING PLAN  
23 DISTRIBUTION REQUIREMENTS.—For purposes of  
24 such Code, a qualified Louisiana storm and flood  
25 distribution shall be treated as meeting the require-



1       ments of sections 401(k)(2)(B)(i), 403(b)(7)(A)(ii),  
2       403(b)(11), and 457(d)(1)(A) of such Code.

3 **SEC. 102. RECONTRIBUTIONS OF WITHDRAWALS FOR HOME**  
4                   **PURCHASES CANCELED DUE TO THE LOU-**  
5                   **ISIANA STORMS AND FLOODING.**

6       (a) RECONTRIBUTIONS.—

7           (1) IN GENERAL.—Any individual who received  
8       a qualified distribution may, during the period be-  
9       ginning on the applicable disaster date, and ending  
10      on December 31, 2017, make one or more contribu-  
11     tions in an aggregate amount not to exceed the  
12     amount of such qualified distribution to an eligible  
13     retirement plan (as defined in section 402(c)(8)(B)  
14     of the Internal Revenue Code of 1986) of which such  
15     individual is a beneficiary and to which a rollover  
16     contribution of such distribution could be made  
17     under section 402(c), 403(a)(4), 403(b)(8), or  
18     408(d)(3) of such Code, as the case may be.

19          (2) TREATMENT OF REPAYMENTS.—Rules simi-  
20      lar to the rules of paragraphs (2) and (3) of section  
21      101(c) of this Act shall apply for purposes of this  
22      section.

23      (b) QUALIFIED DISTRIBUTION DEFINED.—For pur-  
24      poses of this section, the term “qualified distribution”  
25      means any distribution—

1 (1) described in section 401(k)(2)(B)(i)(IV),  
2 403(b)(7)(A)(ii) (but only to the extent such dis-  
3 tribution relates to financial hardship),  
4 403(b)(11)(B), or 72(t)(2)(F) of such Code,

5 (2)(A) received after—

6 (i) February 10, 2016, and before Au-  
7 gust 11, 2016, in the case of the disaster  
8 specified in section 2(1)(A),

9 (ii) September 30, 2016, and before  
10 April 1, 2017, in the case of the disaster  
11 specified in section 2(1)(B), or

12 (iii) August 7, 2017, and before Feb-  
13 ruary 8, 2018, in the case of the disaster  
14 specified in section 2(1)(C), and

15 (B) which was to be used to purchase or con-  
16 struct a principal residence in the Louisiana storm  
17 and flood disaster area, but which was not so pur-  
18 chased or constructed on account of the severe  
19 storms and flooding giving rise to the Presidential  
20 declaration described in section 2(1).

21 **SEC. 103. LOANS FROM QUALIFIED PLANS FOR RELIEF RE-**  
22 **LATING TO LOUISIANA STORMS AND FLOOD-**  
23 **ING.**

24 (a) INCREASE IN LIMIT ON LOANS NOT TREATED AS  
25 DISTRIBUTIONS.—In the case of any loan from a qualified

1 employer plan (as defined under section 72(p)(4) of the  
2 Internal Revenue Code of 1986) to a qualified individual  
3 made after the date of enactment of this Act and before  
4 January 1, 2018—

5 (1) clause (i) of section 72(p)(2)(A) of such  
6 Code shall be applied by substituting “\$100,000”  
7 for “\$50,000”, and

8 (2) clause (ii) of such section shall be applied  
9 by substituting “the present value of the nonforfeit-  
10 able accrued benefit of the employee under the plan”  
11 for “one-half of the present value of the nonforfeit-  
12 able accrued benefit of the employee under the  
13 plan”.

14 (b) DELAY OF REPAYMENT.—In the case of a quali-  
15 fied individual with an outstanding loan on or after the  
16 date that is 5 days before the applicable disaster date,  
17 from a qualified employer plan (as defined in section  
18 72(p)(4) of such Code)—

19 (1) if the due date pursuant to subparagraph  
20 (B) or (C) of section 72(p)(2) of such Code for any  
21 repayment with respect to such loan occurs during  
22 the period beginning on the date that is 5 days be-  
23 fore the applicable disaster date, and ending on De-  
24 cember 31, 2017, such due date shall be delayed for  
25 1 year,

1           (2) any subsequent repayments with respect to  
2           any such loan shall be appropriately adjusted to re-  
3           flect the delay in the due date under paragraph (1)  
4           and any interest accruing during such delay, and

5           (3) in determining the 5-year period and the  
6           term of a loan under subparagraph (B) or (C) of  
7           section 72(p)(2) of such Code, the period described  
8           in paragraph (1) shall be disregarded.

9           (c) **QUALIFIED INDIVIDUAL.**—For purposes of this  
10          section, the term “qualified individual” means an indi-  
11          vidual whose principal place of abode on the date that is  
12          5 days before the applicable disaster date, is located in  
13          the Louisiana storm and flood disaster area and who has  
14          sustained an economic loss by reason of the severe storms  
15          and flooding giving rise to the Presidential declaration de-  
16          scribed in section 2(1).

17          **SEC. 104. PROVISIONS RELATING TO PLAN AMENDMENTS.**

18          (a) **IN GENERAL.**—If this section applies to any  
19          amendment to any plan or annuity contract, such plan or  
20          contract shall be treated as being operated in accordance  
21          with the terms of the plan during the period described in  
22          subsection (b)(2)(A).

23          (b) **AMENDMENTS TO WHICH SECTION APPLIES.**—

1           (1) IN GENERAL.—This section shall apply to  
2 any amendment to any plan or annuity contract  
3 which is made—

4           (A) pursuant to any amendment made by  
5 this title, or pursuant to any regulation issued  
6 by the Secretary of the Treasury or the Sec-  
7 retary of Labor under this title, and

8           (B) on or before the last day of the first  
9 plan year beginning on or after January 1,  
10 2018, or such later date as the Secretary of the  
11 Treasury may prescribe.

12 In the case of a governmental plan (as defined in  
13 section 414(d) of the Internal Revenue Code of  
14 1986), subparagraph (B) shall be applied by sub-  
15 stituting the date which is 2 years after the date  
16 otherwise applied under subparagraph (B).

17           (2) CONDITIONS.—This section shall not apply  
18 to any amendment unless—

19           (A) during the period—

20           (i) beginning on the date the legisla-  
21 tive or regulatory amendment described in  
22 paragraph (1)(A) takes effect (or in the  
23 case of a plan or contract amendment not  
24 required by such legislative or regulatory

1 amendment, the effective date specified by  
2 the plan), and

3 (ii) ending on the date described in  
4 paragraph (1)(B) (or, if earlier, the date  
5 the plan or contract amendment is adopt-  
6 ed),

7 the plan or contract is operated as if such plan  
8 or contract amendment were in effect, and

9 (B) such plan or contract amendment ap-  
10 plies retroactively for such period.

## 11 **TITLE J—EMPLOYMENT RELIEF**

### 12 **SEC. 201. WORK OPPORTUNITY TAX CREDIT FOR LOU-** 13 **ISIANA STORM AND FLOOD EMPLOYEES.**

14 (a) IN GENERAL.—For purposes of section 51 of the  
15 Internal Revenue Code of 1986, a Louisiana storm and  
16 flood employee shall be treated as a member of a targeted  
17 group.

18 (b) LOUISIANA STORM AND FLOOD EMPLOYEE.—  
19 For purposes of this section, the term “Louisiana storm  
20 and flood employee” means—

21 (1) any individual who on the applicable dis-  
22 aster date, had a principal place of abode in the core  
23 disaster area and who is hired before January 1,  
24 2019, for a position the principal place of employ-

1       ment of which is located in the core disaster area,  
2       and

3           (2) any individual who on such date had a prin-  
4       cipal place of abode in the core disaster area, who  
5       is displaced from such abode by reason of the severe  
6       storms and flooding giving rise to the Presidential  
7       declaration described in section 2(1), and who is  
8       hired during the period beginning on such date and  
9       ending on December 31, 2017.

10       (c) REASONABLE IDENTIFICATION ACCEPTABLE.—In  
11       lieu of the certification requirement under section  
12       51(d)(13)(A) of such Code, an individual may provide to  
13       the employer reasonable evidence that the individual is a  
14       Louisiana storm and flood employee, and subparagraph  
15       (B) of such section shall be applied as if such evidence  
16       were a certification described in such subparagraph.

17       (d) SPECIAL RULES FOR DETERMINING CREDIT.—  
18       For purposes of applying subpart F of part IV of sub-  
19       chapter A of chapter 1 of such Code to wages paid or in-  
20       curred to any Louisiana storm and flood employee—

21           (1) section 51(c)(4) of such Code shall not  
22       apply, and

23           (2) section 51(i)(2) of such Code shall not  
24       apply with respect to the first hire of such employee  
25       as a Louisiana storm and flood employee, unless

1 such employee was an employee of the employer on  
2 the applicable disaster date.

3 **SEC. 202. EMPLOYEE RETENTION CREDIT FOR EMPLOYERS**  
4 **AFFECTED BY LOUISIANA STORMS AND**  
5 **FLOODING.**

6 (a) IN GENERAL.—In the case of an eligible em-  
7 ployer, there shall be allowed as a credit against the tax  
8 imposed by chapter 1 of the Internal Revenue Code of  
9 1986 for the taxable year an amount equal to 40 percent  
10 of the qualified wages with respect to each eligible em-  
11 ployee of such employer for such taxable year. For pur-  
12 poses of the preceding sentence, the amount of qualified  
13 wages which may be taken into account with respect to  
14 any individual shall not exceed \$6,000.

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

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

18 (A) which conducted an active trade or  
19 business on the applicable disaster date, in a  
20 core disaster area, and

21 (B) with respect to whom the trade or  
22 business described in subparagraph (A) is inop-  
23 erable on or after the applicable disaster date,  
24 and before January 1, 2018, as a result of  
25 damage sustained by reason of the severe



1 storms and flooding giving rise to the Presi-  
2 dential declaration described in section 2(1).

3 (2) ELIGIBLE EMPLOYEE.—The term “eligible  
4 employee” means with respect to an eligible em-  
5 ployer an employee whose principal place of employ-  
6 ment on the applicable disaster date, with such eligi-  
7 ble employer was in a core disaster area.

8 (3) QUALIFIED WAGES.—The term “qualified  
9 wages” means wages (as defined in section 51(c)(1)  
10 of such Code, but without regard to section  
11 3306(b)(2)(B) of such Code) paid or incurred by an  
12 eligible employer with respect to an eligible employee  
13 on or after the applicable disaster date, and before  
14 January 1, 2018, which occurs during the period—

15 (A) beginning on the date on which the  
16 trade or business described in paragraph (1)  
17 first became inoperable at the principal place of  
18 employment of the employee immediately before  
19 the severe storms and flooding giving rise to the  
20 Presidential declaration described in section  
21 2(1), and

22 (B) ending on the date on which such  
23 trade or business has resumed significant oper-  
24 ations at such principal place of employment.

1       Such term shall include wages paid without regard  
2       to whether the employee performs no services, per-  
3       forms services at a different place of employment  
4       than such principal place of employment, or per-  
5       forms services at such principal place of employment  
6       before significant operations have resumed.

7       (c) CREDIT NOT ALLOWED FOR LARGE BUSI-  
8       NESSES.—The term “eligible employer” shall not include  
9       any trade or business for any taxable year if such trade  
10      or business employed an average of more than 200 em-  
11      ployees on business days during the taxable year.

12      (d) CERTAIN RULES TO APPLY.—For purposes of  
13      this section, rules similar to the rules of sections 51(i)(1),  
14      52, and 280C(a) of such Code shall apply.

15      (e) EMPLOYEE NOT TAKEN INTO ACCOUNT MORE  
16      THAN ONCE.—An employee shall not be treated as an eli-  
17      gible employee for purposes of this section for any period  
18      with respect to any employer if such employer is allowed  
19      a credit under section 51 of such Code with respect to  
20      such employee for such period.

21      (f) CREDIT TO BE PART OF GENERAL BUSINESS  
22      CREDIT.—The credit allowed under this section shall be  
23      added to the current year business credit under section  
24      38(b) of such Code and shall be treated as a credit allowed

1 under subpart D of part IV of subchapter A of chapter  
2 1 of such Code.

3 **TITLE K—CHARITABLE GIVING**  
4 **INCENTIVES**

5 **SEC. 301. TEMPORARY SUSPENSION OF LIMITATIONS ON**  
6 **CHARITABLE CONTRIBUTIONS.**

7 (a) IN GENERAL.—Except as otherwise provided in  
8 subsection (b), section 170(b) of the Internal Revenue  
9 Code of 1986 shall not apply to qualified contributions and  
10 such contributions shall not be taken into account for pur-  
11 poses of applying subsections (b) and (d) of section 170  
12 of such Code to other contributions.

13 (b) TREATMENT OF EXCESS CONTRIBUTIONS.—For  
14 purposes of section 170 of such Code—

15 (1) INDIVIDUALS.—In the case of an indi-  
16 vidual—

17 (A) LIMITATION.—Any qualified contribu-  
18 tion shall be allowed only to the extent that the  
19 aggregate of such contributions does not exceed  
20 the excess of the taxpayer's contribution base  
21 (as defined in subparagraph (G) of section  
22 170(b)(1) of such Code) over the amount of all  
23 other charitable contributions allowed under  
24 such section 170(b)(1).

1           (B) CARRYOVER.—If the aggregate  
2 amount of qualified contributions made in the  
3 contribution year (within the meaning of section  
4 170(d)(1) of such Code) exceeds the limitation  
5 of subparagraph (A), such excess shall be added  
6 to the excess described in the portion of sub-  
7 paragraph (A) of such section which precedes  
8 clause (i) thereof for purposes of applying such  
9 section.

10           (2) CORPORATIONS.—In the case of a corpora-  
11 tion—

12           (A) LIMITATION.—Any qualified contribu-  
13 tion shall be allowed only to the extent that the  
14 aggregate of such contributions does not exceed  
15 the excess of the taxpayer's taxable income (as  
16 determined under paragraph (2) of section  
17 170(b) of such Code) over the amount of all  
18 other charitable contributions allowed under  
19 such paragraph.

20           (B) CARRYOVER.—Rules similar to the  
21 rules of paragraph (1)(B) shall apply for pur-  
22 poses of this paragraph.

23           (c) EXCEPTION TO OVERALL LIMITATION ON  
24 ITEMIZED DEDUCTIONS.—So much of any deduction al-  
25 lowed under section 170 of such Code as does not exceed

1 the qualified contributions paid during the taxable year  
2 shall not be treated as an itemized deduction for purposes  
3 of section 68 of such Code.

4 (d) QUALIFIED CONTRIBUTIONS.—

5 (1) IN GENERAL.—For purposes of this section,  
6 the term “qualified contribution” means any chari-  
7 table contribution (as defined in section 170(c) of  
8 such Code)—

9 (A) paid during the period beginning on  
10 the applicable disaster date, and ending on Au-  
11 gust 31, 2017, in cash to an organization de-  
12 scribed in section 170(b)(1)(A) of such Code  
13 (other than an organization described in section  
14 509(a)(3) of such Code),

15 (B) in the case of a contribution paid by  
16 a corporation, such contribution is for relief ef-  
17 forts related to the severe storms and flooding  
18 giving rise to the Presidential declaration de-  
19 scribed in section 2(1), and

20 (C) with respect to which the taxpayer has  
21 elected the application of this section.

22 (2) EXCEPTION.—Such term shall not include a  
23 contribution if the contribution is for establishment  
24 of a new, or maintenance in an existing, segregated  
25 fund or account with respect to which the donor (or

1 any person appointed or designated by such donor)  
 2 has, or reasonably expects to have, advisory privi-  
 3 leges with respect to distributions or investments by  
 4 reason of the donor's status as a donor.

5 (3) APPLICATION OF ELECTION TO PARTNER-  
 6 SHIPS AND S CORPORATIONS.—In the case of a part-  
 7 nership or S corporation, the election under para-  
 8 graph (1)(C) shall be made separately by each part-  
 9 ner or shareholder.

10 **SEC. 302. ADDITIONAL EXEMPTION FOR HOUSING LOU-**  
 11 **ISIANA STORM AND FLOOD DISPLACED INDI-**  
 12 **VIDUALS.**

13 (a) IN GENERAL.—In the case of taxable years of a  
 14 natural person beginning in 2016 or 2017, for purposes  
 15 of the Internal Revenue Code of 1986, taxable income  
 16 shall be reduced by \$600 for each Louisiana storm and  
 17 flood displaced individual of the taxpayer for the taxable  
 18 year.

19 (b) LIMITATIONS.—

20 (1) DOLLAR LIMITATION.—The reduction under  
 21 subsection (a) shall not exceed \$2,500, reduced by  
 22 the amount of the reduction under this section for  
 23 all prior taxable years.

24 (2) INDIVIDUALS TAKEN INTO ACCOUNT ONLY  
 25 ONCE.—An individual shall not be taken into ac-

1 count under subsection (a) if such individual was  
2 taken into account under such subsection by the tax-  
3 payer for any prior taxable year.

4 (3) IDENTIFYING INFORMATION REQUIRED.—

5 An individual shall not be taken into account under  
6 subsection (a) for a taxable year unless the taxpayer  
7 identification number of such individual is included  
8 on the return of the taxpayer for such taxable year.

9 (c) LOUISIANA STORM AND FLOOD DISPLACED INDI-  
10 VIDUAL.—For purposes of this section, the term “Lou-  
11 isiana storm and flood displaced individual” means, with  
12 respect to any taxpayer for any taxable year, any natural  
13 person if—

14 (1) such person’s principal place of abode on  
15 the applicable disaster date, was in the Louisiana  
16 storm and flood disaster area,

17 (2)(A) in the case of such an abode located in  
18 the core disaster area, such person is displaced from  
19 such abode, or

20 (B) in the case of such an abode located outside  
21 of the core disaster area, such person is displaced  
22 from such abode, and—

23 (i) such abode was damaged by the severe  
24 storms and flooding giving rise to the Presi-  
25 dential declaration described in section 2(1), or

1           (ii) such person was evacuated from such  
2           abode by reason of such storms and flooding,  
3           and

4           (3) such person is provided housing free of  
5           charge by the taxpayer in the principal residence of  
6           the taxpayer for a period of 60 consecutive days  
7           which ends in such taxable year.

8   Such term shall not include the spouse or any dependent  
9   of the taxpayer.

10       (d) COMPENSATION FOR HOUSING.—No deduction  
11   shall be allowed under this section if the taxpayer receives  
12   any rent or other amount (from any source) in connection  
13   with the providing of such housing.

14   **SEC. 303. INCREASE IN STANDARD MILEAGE RATE FOR**  
15                           **CHARITABLE USE OF VEHICLES.**

16       Notwithstanding section 170(i) of the Internal Rev-  
17   enue Code of 1986, for purposes of computing the deduc-  
18   tion under section 170 of such Code for use of a vehicle  
19   described in subsection (f)(12)(E)(i) of such section for  
20   provision of relief during the period beginning on the ap-  
21   plicable disaster date, and ending on December 31, 2017,  
22   and related to the severe storms and flooding giving rise  
23   to the Presidential declaration described in section 2(1),  
24   the standard mileage rate shall be 70 percent of the stand-  
25   ard mileage rate in effect under section 162(a) of such



1 Code at the time of such use. Any increase under this sec-  
2 tion shall be rounded to the next highest cent.

3 **SEC. 304. MILEAGE REIMBURSEMENTS TO CHARITABLE**  
4 **VOLUNTEERS EXCLUDED FROM GROSS IN-**  
5 **COME.**

6 (a) IN GENERAL.—For purposes of the Internal Rev-  
7 enue Code of 1986, gross income of an individual for tax-  
8 able years ending on or after the applicable disaster date,  
9 does not include amounts received, from an organization  
10 described in section 170(c) of such Code, as reimburse-  
11 ment of operating expenses with respect to use of a pas-  
12 senger automobile for the benefit of such organization in  
13 connection with providing relief during the period begin-  
14 ning on the applicable disaster date, and ending on De-  
15 cember 31, 2017, and relating to the severe storms and  
16 flooding giving rise to the Presidential declaration de-  
17 scribed in section 2(1). The preceding sentence shall apply  
18 only to the extent that the expenses which are reimbursed  
19 would be deductible under chapter 1 of such Code if sec-  
20 tion 274(d) of such Code were applied—

21 (1) by using the standard business mileage rate  
22 in effect under section 162(a) at the time of such  
23 use, and

1           (2) as if the individual were an employee of an  
2           organization not described in section 170(e) of such  
3           Code.

4           (b) APPLICATION TO VOLUNTEER SERVICES  
5 ONLY.—Subsection (a) shall not apply with respect to any  
6 expenses relating to the performance of services for com-  
7 pensation.

8           (c) NO DOUBLE BENEFIT.—No deduction or credit  
9 shall be allowed under any other provision of such Code  
10 with respect to the expenses excludable from gross income  
11 under subsection (a).

12 **SEC. 305. CHARITABLE DEDUCTION FOR CONTRIBUTIONS**  
13 **OF BOOK INVENTORIES TO PUBLIC SCHOOLS.**

14           (a) IN GENERAL.—For purposes of section 170 of the  
15 Internal Revenue Code of 1986, subsection (e)(3)(D) shall  
16 be applied—

17           (1) as if clause (iv) thereof applied to the period  
18 beginning on the applicable disaster date and ending  
19 on December 31, 2017, and

20           (2) to a qualified book contribution to a public  
21 school located in the core disaster area.

22           (b) QUALIFIED BOOK CONTRIBUTION.—For pur-  
23 poses of subsection (a), the term “qualified book contribu-  
24 tion” has the meaning given such term by section  
25 170(e)(3)(D)(ii) of the Internal Revenue Code of 1986.

1           **TITLE L—ADDITIONAL TAX**  
2                   **RELIEF PROVISIONS**

3   **SEC. 401. EXCLUSIONS OF CERTAIN CANCELLATIONS OF IN-**  
4                   **DEBTEDNESS BY REASON OF LOUISIANA**  
5                   **STORMS AND FLOODING.**

6           (a) **IN GENERAL.**—For purposes of the Internal Rev-  
7   enue Code of 1986, gross income shall not include any  
8   amount which (but for this section) would be includible  
9   in gross income by reason of the discharge (in whole or  
10  in part) of indebtedness of a natural person described in  
11  subsection (b) by an applicable entity (as defined in sec-  
12  tion 6050P(c)(1) of such Code).

13          (b) **PERSONS DESCRIBED.**—A natural person is de-  
14  scribed in this subsection if the principal place of abode  
15  of such person on the applicable disaster date, was lo-  
16  cated—

17               (1) in the core disaster area, or

18               (2) in the Louisiana storm and flood disaster  
19   area (but outside the core disaster area) and such  
20   person suffered economic loss by reason of the se-  
21   vere storms and flooding giving rise to the Presi-  
22   dential declaration described in section 2(1).

23          (c) **EXCEPTIONS.**—

1           (1) BUSINESS INDEBTEDNESS.—Subsection (a)  
2           shall not apply to any indebtedness incurred in con-  
3           nection with a trade or business.

4           (2) REAL PROPERTY OUTSIDE CORE DISASTER  
5           AREA.—Subsection (a) shall not apply to any dis-  
6           charge of indebtedness to the extent that real prop-  
7           erty constituting security for such indebtedness is lo-  
8           cated outside of the Louisiana storm and flood dis-  
9           aster area.

10          (d) DENIAL OF DOUBLE BENEFIT.—For purposes of  
11          the Internal Revenue Code of 1986, the amount excluded  
12          from gross income under subsection (a) shall be treated  
13          in the same manner as an amount excluded under section  
14          108(a) of such Code.

15          (e) EFFECTIVE DATE.—This section shall apply to  
16          discharges made on or after the applicable disaster date,  
17          and before January 1, 2018.

18          **SEC. 402. SUSPENSION OF CERTAIN LIMITATIONS ON PER-**  
19                                    **SONAL CASUALTY LOSSES.**

20          Paragraphs (1) and (2)(A) of section 165(h) of the  
21          Internal Revenue Code of 1986 shall not apply to losses  
22          described in section 165(c)(3) of such Code which arise  
23          in the Louisiana storm and flood disaster area on or after  
24          the applicable disaster date, and which are attributable to  
25          the severe storms and flooding giving rise to the Presi-

1 denial declaration described in section 2(1). In the case  
2 of any other losses, section 165(h)(2)(A) of such Code  
3 shall be applied without regard to the losses referred to  
4 in the preceding sentence.

5 **SEC. 403. REQUIRED EXERCISE OF AUTHORITY UNDER SEC-**  
6 **TION 7508A FOR TAX RELIEF RELATING TO**  
7 **LOUISIANA STORMS AND FLOODING.**

8 (a) IN GENERAL.—In the case of any taxpayer deter-  
9 mined by the Secretary of the Treasury to be affected by  
10 the Presidentially declared disaster relating to the severe  
11 storms and flooding giving rise to the Presidential declara-  
12 tion described in section 2(1)—

13 (1) any relief provided by the Secretary of the  
14 Treasury under section 7508A of the Internal Rev-  
15 enue Code of 1986 shall be for a period ending not  
16 earlier than August 31, 2017, and shall be treated  
17 as applying to the filing of returns relating to, and  
18 the payment of, employment and excise taxes; and

19 (2) with respect to any income tax liability, the  
20 Secretary of the Treasury shall abate any interest,  
21 penalty, additional amount, or addition to tax which  
22 accrued during the period beginning on August 11,  
23 2016, and ending on January 17, 2017.

1 (b) EFFECTIVE DATE.—Subsection (a) shall apply  
2 for any period for performing an act which has not expired  
3 before the applicable disaster date.

4 **SEC. 404. SPECIAL RULES FOR MORTGAGE REVENUE**  
5 **BONDS RELATING TO LOUISIANA STORMS**  
6 **AND FLOODING.**

7 (a) IN GENERAL.—In the case of financing provided  
8 with respect to a qualified Louisiana storm and flood re-  
9 covery residence, section 143(d) of the Internal Revenue  
10 Code of 1986 shall be applied as if such residence were  
11 a targeted area residence.

12 (b) QUALIFIED LOUISIANA STORMS AND FLOODING  
13 RECOVERY RESIDENCE.—For purposes of this section, the  
14 term “qualified Louisiana storm and flood recovery resi-  
15 dence” means—

16 (1) any residence in the core disaster area, and

17 (2) any other residence if—

18 (A) such other residence is located in the  
19 same State as the principal residence referred  
20 to in subparagraph (B), and

21 (B) the mortgagor with respect to such  
22 other residence owned a principal residence on  
23 the applicable disaster date, which—

24 (i) was located in the Louisiana storm  
25 and flood disaster area, and

1                   (ii) was rendered uninhabitable by  
2                   reason of the severe storms and flooding  
3                   giving rise to the Presidential declaration  
4                   described in section 2(1).

5           (c) SPECIAL RULE FOR HOME IMPROVEMENT  
6 LOANS.—In the case of any loan with respect to a resi-  
7 dence in the Louisiana storm and flood disaster area, sec-  
8 tion 143(k)(4) of such Code shall be applied by sub-  
9 stituting \$150,000 for the dollar amount contained there-  
10 in to the extent such loan is for the repair of damage by  
11 reason of the severe storms and flooding giving rise to the  
12 Presidential declaration described in section 2(1).

13           (d) APPLICATION.—Subsection (a) shall not apply to  
14 financing provided after December 31, 2018.

15 **SEC. 405. EXTENSION OF REPLACEMENT PERIOD FOR NON-**  
16 **RECOGNITION OF GAIN FOR PROPERTY LO-**  
17 **CATED IN LOUISIANA STORM AND FLOOD**  
18 **DISASTER AREA.**

19           Section 1033(a)(2)(B)(i) of the Internal Revenue  
20 Code of 1986 shall be applied by substituting “5 years”  
21 for “2 years” with respect to property in the Louisiana  
22 storm and flood disaster area which is compulsorily or in-  
23 voluntarily converted on or after the applicable disaster  
24 date, by reason of the severe storms and flooding giving  
25 rise to the Presidential declaration described in section

1 2(1), but only if substantially all of the use of the replace-  
2 ment property is in such area.

3 **SEC. 406. SPECIAL RULE FOR DETERMINING EARNED IN-**  
4 **COME.**

5 (a) **IN GENERAL.**—In the case of a qualified indi-  
6 vidual, if the earned income of the taxpayer for the taxable  
7 year which includes the applicable disaster date, is less  
8 than the earned income of the taxpayer for the preceding  
9 taxable year, the credits allowed under sections 24(d) and  
10 32 of the Internal Revenue Code of 1986 may, at the elec-  
11 tion of the taxpayer, be determined by substituting—

12 (1) such earned income for the preceding tax-  
13 able year, for

14 (2) such earned income for the taxable year  
15 which includes the applicable disaster date.

16 (b) **QUALIFIED INDIVIDUAL.**—For purposes of this  
17 section, the term “qualified individual” means any indi-  
18 vidual whose principal place of abode on the applicable dis-  
19 aster date, was located—

20 (1) in the core disaster area, or

21 (2) in the Louisiana storm and flood disaster  
22 area (but outside the core disaster area) and such  
23 individual was displaced from such principal place of  
24 abode by reason of the severe storms and flooding



1 giving rise to the Presidential declaration described  
2 in section 2(1).

3 (c) EARNED INCOME.—For purposes of this section,  
4 the term “earned income” has the meaning given such  
5 term under section 32(c) of such Code.

6 (d) SPECIAL RULES.—

7 (1) APPLICATION TO JOINT RETURNS.—For  
8 purposes of subsection (a), in the case of a joint re-  
9 turn for a taxable year which includes the applicable  
10 disaster date—

11 (A) such subsection shall apply if either  
12 spouse is a qualified individual, and

13 (B) the earned income of the taxpayer for  
14 the preceding taxable year shall be the sum of  
15 the earned income of each spouse for such pre-  
16 ceding taxable year.

17 (2) UNIFORM APPLICATION OF ELECTION.—  
18 Any election made under subsection (a) shall apply  
19 with respect to both section 24(d) and section 32 of  
20 such Code.

21 (3) ERRORS TREATED AS MATHEMATICAL  
22 ERROR.—For purposes of section 6213 of such  
23 Code, an incorrect use on a return of earned income  
24 pursuant to subsection (a) shall be treated as a  
25 mathematical or clerical error.

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

6 **SEC. 407. SECRETARIAL AUTHORITY TO MAKE ADJUST-**  
7                                   **MENTS REGARDING TAXPAYER AND DEPEND-**  
8                                   **ENCY STATUS.**

9           With respect to taxable years beginning in 2016 or  
10          2017, the Secretary of the Treasury or the Secretary's del-  
11          egate may make such adjustments in the application of  
12          the internal revenue laws as may be necessary to ensure  
13          that taxpayers do not lose any deduction or credit or expe-  
14          rience a change of filing status by reason of temporary  
15          relocations by reason of the severe storms and flooding  
16          giving rise to the Presidential declaration described in sec-  
17          tion 2(1). Any adjustments made under the preceding sen-  
18          tence shall ensure that an individual is not taken into ac-  
19          count by more than one taxpayer with respect to the same  
20          tax benefit.

21 **SEC. 408. LOW-INCOME HOUSING CREDIT.**

22          (a) ADDITIONAL HOUSING CREDIT DOLLAR  
23          AMOUNT.—

24                 (1) IN GENERAL.—For purposes of section 42  
25          of the Internal Revenue Code of 1986, in the case

1 of calendar years 2017, 2018, and 2019, the State  
2 housing credit ceiling of Louisiana shall be increased  
3 by the lesser of—

4 (A) the aggregate housing credit dollar  
5 amount allocated by the State housing credit  
6 agency of Louisiana to buildings located in the  
7 Louisiana storm and flood disaster area for  
8 such calendar year, or

9 (B) the Louisiana storm and flood housing  
10 amount for such State for such calendar year.

11 (2) LOUISIANA STORM AND FLOOD HOUSING  
12 AMOUNT.—For purposes of paragraph (1), the term  
13 “Louisiana storm and flood housing amount”  
14 means, for any calendar year, the amount equal to  
15 the product of \$18.00 multiplied by the portion of  
16 the Louisiana population which is in the Louisiana  
17 storm and flood disaster area (as determined on the  
18 basis of the most recent census estimate of resident  
19 population released by the Bureau of the Census be-  
20 fore August 28, 2016).

21 (3) ALLOCATIONS TREATED AS MADE FIRST  
22 FROM ADDITIONAL ALLOCATION AMOUNT FOR PUR-  
23 POSES OF DETERMINING CARRYOVER.—For pur-  
24 poses of determining the unused State housing cred-  
25 it ceiling under section 42(h)(3)(C) of such Code for

1 any calendar year, any increase in the State housing  
2 credit ceiling under paragraph (1) shall be treated  
3 as an amount described in clause (ii) of such section.

4 (b) ADDITIONAL HOUSING CREDIT DOLLAR AMOUNT  
5 FOR LOUISIANA.—For purposes of section 42 of such  
6 Code, in the case of calendar years 2017 and 2018, the  
7 State housing credit ceiling of Louisiana shall each be in-  
8 creased by \$3,500,000.

9 (c) DIFFICULT DEVELOPMENT AREA.—

10 (1) IN GENERAL.—For purposes of section 42  
11 of such Code, in the case of property placed in serv-  
12 ice during the period beginning on January 1, 2017,  
13 and ending on December 31, 2021, the Louisiana  
14 storm and flood disaster area—

15 (A) shall be treated as difficult develop-  
16 ment areas designated under subclause (I) of  
17 section 42(d)(5)(B)(iii) of such Code, and

18 (B) shall not be taken into account for  
19 purposes of applying the limitation under sub-  
20 clause (II) of such section.

21 (2) APPLICATION.—Paragraph (1) shall apply  
22 only to—

23 (A) housing credit dollar amounts allocated  
24 during the period beginning on January 1,  
25 2017, and ending on December 31, 2019, and

1           (B) buildings placed in service during the  
2           period described in paragraph (1) to the extent  
3           that paragraph (1) of section 42(h) does not  
4           apply to any building by reason of paragraph  
5           (4) thereof, but only with respect to bonds  
6           issued after December 31, 2016.

7           (d) SPECIAL RULE FOR APPLYING INCOME TESTS.—

8           In the case of property placed in service—

9           (1) during 2017, 2018, or 2019,

10          (2) in the Louisiana storm and flood disaster  
11          area, and

12          (3) in a nonmetropolitan area (as defined in  
13          section 42(d)(5)(B)(iv)(IV)),

14          section 42 of such Code shall be applied by substituting  
15          “national nonmetropolitan median gross income (deter-  
16          mined under rules similar to the rules of section  
17          142(d)(2)(B))” for “area median gross income” in sub-  
18          paragraphs (A) and (B) of section 42(g)(1) of such Code.

19          (e) DEFINITIONS.—Any term used in this section  
20          which is also used in section 42 shall have the same mean-  
21          ing as when used in such section.

1 **SEC. 409. APPLICATION OF NEW MARKETS TAX CREDIT TO**  
2 **INVESTMENTS IN COMMUNITY DEVELOP-**  
3 **MENT ENTITIES SERVING LOUISIANA STORM**  
4 **AND FLOOD DISASTER AREA.**

5 For purposes of section 45D of the Internal Revenue  
6 Code of 1986—

7 (1) a qualified community development entity  
8 shall be eligible for an allocation under subsection  
9 (f)(2) thereof of the increase in the new markets tax  
10 credit limitation described in paragraph (2) only if  
11 a significant mission of such entity is the recovery  
12 and redevelopment of the Louisiana storm and flood  
13 disaster area,

14 (2) the new markets tax credit limitation other-  
15 wise determined under subsection (f)(1) thereof shall  
16 be increased by an amount equal to—

17 (A) \$300,000,000 for 2016 and 2017, to  
18 be allocated among qualified community devel-  
19 opment entities to make qualified low-income  
20 community investments within the Louisiana  
21 storm and flood disaster area, and

22 (B) \$400,000,000 for 2018, to be so allo-  
23 cated, and

24 (3) subsection (f)(3) thereof shall be applied  
25 separately with respect to the amount of the increase  
26 under paragraph (2).

1 **SEC. 410. TAX-EXEMPT BOND FINANCING.**

2 (a) IN GENERAL.—For purposes of the Internal Rev-  
3 enue Code of 1986—

4 (1) any qualified Louisiana storm and flood dis-  
5 aster area bond described in paragraph (2)(A)(i)  
6 shall be treated as an exempt facility bond, and

7 (2) any qualified Louisiana storm and flood dis-  
8 aster area bond described in paragraph (2)(A)(ii)  
9 shall be treated as a qualified mortgage bond.

10 (b) QUALIFIED LOUISIANA STORM AND FLOOD DIS-  
11 ASTER AREA BOND.—For purposes of this subsection, the  
12 term “qualified Louisiana storm and flood disaster area  
13 bond” means any bond issued as part of an issue if—

14 (1)(A) 95 percent or more of the net proceeds  
15 (as defined in section 150(a)(3) of such Code) of  
16 such issue are to be used for qualified project costs,  
17 or

18 (B) such issue meets the requirements of a  
19 qualified mortgage issue, except as otherwise pro-  
20 vided in this subsection,

21 (2) such bond is issued by Louisiana, or any  
22 political subdivision thereof,

23 (3) such bond is designated for purposes of this  
24 section by—

25 (A) in the case of a bond which is required  
26 under State law to be approved by the bond

1           commission of Louisiana, such bond commis-  
2           sion, and

3                   (B) in the case of any other bond, the Gov-  
4           ernor of Louisiana,

5           (4) such bond is issued after the date of the en-  
6           actment of this section and before January 1, 2023,  
7           and

8           (5) no portion of the proceeds of such issue is  
9           to be used to provide any property described in sec-  
10          tion 144(c)(6)(B) of such Code.

11          (c) LIMITATION ON BONDS.—

12           (1) AGGREGATE AMOUNT DESIGNATED.—The  
13          maximum aggregate face amount of bonds which  
14          may be designated under this subsection with re-  
15          spect to any State shall not exceed the product of  
16          \$2,500 multiplied by the portion of the Louisiana  
17          population which is in the Louisiana storm and flood  
18          disaster area (as determined on the basis of the  
19          most recent census estimate of resident population  
20          released by the Bureau of the Census before August  
21          28, 2016).

22           (2) MOVABLE PROPERTY.—No bonds shall be  
23          issued which are to be used for movable fixtures and  
24          equipment.



1 (d) QUALIFIED PROJECT COSTS.—For purposes of  
2 this subsection, the term “qualified project costs”  
3 means—

4 (1) the cost of any qualified residential rental  
5 project (as defined in section 142(d) of such Code)  
6 located in the Louisiana storm and flood disaster  
7 area, and

8 (2) the cost of acquisition, construction, recon-  
9 struction, and renovation of—

10 (A) nonresidential real property (including  
11 fixed improvements associated with such prop-  
12 erty) located in the Louisiana storm and flood  
13 disaster area, and

14 (B) public utility property (as defined in  
15 section 168(i)(10) of such Code) located in the  
16 Louisiana storm and flood disaster area.

17 (e) SPECIAL RULES.—In applying this title to any  
18 qualified Louisiana storm and flood disaster area bond,  
19 the following modifications shall apply:

20 (1) Section 142(d)(1) of such Code (defining  
21 qualified residential rental project) shall be ap-  
22 plied—

23 (A) by substituting “60 percent” for “50  
24 percent” in subparagraph (A) thereof, and

1 (B) by substituting “70 percent” for “60  
2 percent” in subparagraph (B) thereof.

3 (2) Section 143 of such Code (relating to mort-  
4 gage revenue bonds: qualified mortgage bond and  
5 qualified veterans’ mortgage bond) shall be ap-  
6 plied—

7 (A) only with respect to owner-occupied  
8 residences in the Louisiana storm and flood dis-  
9 aster area,

10 (B) by treating any such residence in the  
11 Louisiana storm and flood disaster area as a  
12 targeted area residence,

13 (C) by applying subsection (f)(3) thereof  
14 without regard to subparagraph (A) thereof,  
15 and

16 (D) by substituting “\$150,000” for  
17 “\$15,000” in subsection (k)(4) thereof.

18 (3) Except as provided in section 143 of such  
19 Code, repayments of principal on financing provided  
20 by the issue of which such bond is a part may not  
21 be used to provide financing.

22 (4) Section 146 of such Code (relating to vol-  
23 ume cap) shall not apply.

24 (5) Section 147(d)(2) of such Code (relating to  
25 acquisition of existing property not permitted) shall

1 be applied by substituting “50 percent” for “15 per-  
2 cent” each place it appears.

3 (6) Section 148(f)(4)(C) of such Code (relating  
4 to exception from rebate for certain proceeds to be  
5 used to finance construction expenditures) shall  
6 apply to the available construction proceeds of bonds  
7 which are part of an issue described in subsection  
8 (b)(1)(A).

9 (7) Section 57(a)(5) of such Code (relating to  
10 tax-exempt interest) shall not apply.

11 (f) SPECIAL RULE FOR REPAIRS AND RECONSTRUC-  
12 TIONS.—

13 (1) IN GENERAL.—For purposes of section 143  
14 of the Internal Revenue Code of 1986 and this sec-  
15 tion, any qualified Louisiana storm and flood dis-  
16 aster area repair or reconstruction shall be treated  
17 as a qualified rehabilitation.

18 (2) QUALIFIED LOUISIANA STORM AND FLOOD  
19 DISASTER AREA REPAIR OR RECONSTRUCTION.—For  
20 purposes of subparagraph (A), the term “qualified  
21 Louisiana storm and flood disaster area repair or re-  
22 construction” means any repair of damage caused by  
23 the severe storms and flooding giving rise to the  
24 Presidential declaration described in section 2(1) (or  
25 reconstruction of such building in the case of dam-

1 age constituting destruction) if the expenditures for  
2 such repair or reconstruction are 25 percent or more  
3 of the mortgagor's adjusted basis in the residence.  
4 For purposes of the preceding sentence, the mortga-  
5 gor's adjusted basis shall be determined as of the  
6 completion of the repair or reconstruction or, if  
7 later, the date on which the mortgagor acquires the  
8 residence.

9 (3) TERMINATION.—This paragraph shall apply  
10 only to owner-financing provided after the date of  
11 the enactment of this subsection and before January  
12 1, 2023.

13 **SEC. 411. EXPENSING FOR CERTAIN DEMOLITION AND**  
14 **CLEAN-UP COSTS.**

15 (a) IN GENERAL.—A taxpayer may elect to treat 50  
16 percent of any qualified Louisiana storm and flood dis-  
17 aster area clean-up cost as an expense which is not charge-  
18 able to capital account. Any cost so treated shall be al-  
19 lowed as a deduction for the taxable year in which such  
20 cost is paid or incurred.

21 (b) QUALIFIED LOUISIANA STORM AND FLOOD DIS-  
22 ASTER AREA CLEAN-UP COST.—For purposes of this sub-  
23 section, the term “qualified Louisiana storm and flood dis-  
24 aster area clean-up cost” means any amount paid or in-  
25 curred during the period beginning on the applicable dis-

1 aster date, and ending on December 31, 2018, for the re-  
2 moval of debris from, or the demolition of structures on,  
3 real property which is located in the Louisiana storm and  
4 flood disaster area and which is—

5 (1) held by the taxpayer for use in a trade or  
6 business or for the production of income, or

7 (2) property described in section 1221(a)(1) in  
8 the hands of the taxpayer.

9 For purposes of the preceding sentence, amounts paid or  
10 incurred shall be taken into account only to the extent that  
11 such amount would (but for subsection (a)) be chargeable  
12 to capital account.

13 **SEC. 412. EXTENSION OF EXPENSING FOR ENVIRON-**  
14 **MENTAL REMEDIATION COSTS.**

15 With respect to any qualified environmental remedi-  
16 ation expenditure (as defined in section 198(b)) paid or  
17 incurred on or after the applicable disaster date, in con-  
18 nection with a qualified contaminated site located in the  
19 Louisiana storm and flood disaster area, section 198 (re-  
20 lating to expensing of environmental remediation costs)  
21 shall be applied—

22 (1) in the case of expenditures paid or incurred  
23 on or after the applicable disaster date, and before  
24 January 1, 2019, by substituting “December 31,  
25 2018” for the date contained in section 198(h), and

1           (2) except as provided in section 198(d)(2), by  
2           treating petroleum products (as defined in section  
3           4612(a)(3)) as a hazardous substance.

4 **SEC. 413. TREATMENT OF NET OPERATING LOSSES ATTRIB-**  
5                           **UTABLE TO LOUISIANA STORM AND FLOOD**  
6                           **DISASTER AREA LOSSES.**

7           (a) IN GENERAL.—If a portion of any net operating  
8           loss of the taxpayer for any taxable year is a qualified  
9           Louisiana storm and flood disaster area loss, the following  
10          rules shall apply:

11           (1) EXTENSION OF CARRYBACK PERIOD.—Sec-  
12          tion 172(b)(1) of the Internal Revenue Code of 1986  
13          shall be applied with respect to such portion—

14                   (A) by substituting “5 taxable years” for  
15                   “2 taxable years” in subparagraph (A)(i) there-  
16                   of, and

17                   (B) by not taking such portion into ac-  
18                   count in determining any eligible loss of the  
19                   taxpayer under subparagraph (F) thereof for  
20                   the taxable year.

21           (2) SUSPENSION OF 90 PERCENT AMT LIMITA-  
22          TION.—Section 56(d)(1) of such Code shall be ap-  
23          plied by increasing the amount determined under  
24          subparagraph (A)(ii)(I) thereof by the sum of the

1 carrybacks and carryovers of any net operating loss  
2 attributable to such portion.

3 (b) QUALIFIED LOUISIANA STORM AND FLOOD DIS-  
4 ASTER AREA LOSS.—

5 (1) IN GENERAL.—For purposes of subsection  
6 (a), the term “qualified Louisiana storm and flood  
7 disaster area loss” means the lesser of—

8 (A) the excess of—

9 (i) the net operating loss for such tax-  
10 able year, over

11 (ii) the specified liability loss for such  
12 taxable year to which a 10-year carryback  
13 applies under section 172(b)(1)(C) of such  
14 Code, or

15 (B) the aggregate amount of the following  
16 deductions to the extent taken into account in  
17 computing the net operating loss for such tax-  
18 able year:

19 (i) Any deduction for any qualified  
20 Louisiana storm and flood disaster area  
21 casualty loss.

22 (ii) Any deduction for moving ex-  
23 penses paid or incurred after the applicable  
24 disaster date, and before January 1, 2019,  
25 and allowable under this chapter to any

1 taxpayer in connection with the employ-  
2 ment of any individual—

3 (I) whose principal place of abode  
4 was located in the Louisiana storm  
5 and flood disaster area before the ap-  
6 plicable disaster date,

7 (II) who was unable to remain in  
8 such abode as the result of the severe  
9 storms and flooding giving rise to the  
10 Presidential declaration described in  
11 section 2(1), and

12 (III) whose principal place of em-  
13 ployment with the taxpayer after such  
14 expense is located in the Louisiana  
15 storm and flood disaster area.

16 For purposes of this subparagraph, the  
17 term “moving expenses” has the meaning  
18 given such term by section 217(b) of such  
19 Code, except that the taxpayer’s former  
20 residence and new residence may be the  
21 same residence if the initial vacating of the  
22 residence was as the result of the severe  
23 storms and flooding giving rise to the  
24 Presidential declaration described in sec-  
25 tion 2(1).



1 (iii) Any deduction allowable under  
2 this chapter for expenses paid or incurred  
3 on or after the applicable disaster date,  
4 and before January 1, 2019, to tempo-  
5 rarily house any employee of the taxpayer  
6 whose principal place of employment is in  
7 the Louisiana storm and flood disaster  
8 area.

9 (iv) Any deduction for depreciation  
10 (or amortization in lieu of depreciation) al-  
11 lowable under this chapter with respect to  
12 any qualified Louisiana storm and flood  
13 disaster area property for the taxable year  
14 such property is placed in service.

15 (v) Any deduction allowable under this  
16 chapter for repair expenses (including ex-  
17 penses for removal of debris) paid or in-  
18 curred on or after the applicable disaster  
19 date, and before January 1, 2019, with re-  
20 spect to any damage attributable to the se-  
21 vere storms and flooding giving rise to the  
22 Presidential declaration described in sec-  
23 tion 2(1) and in connection with property  
24 which is located in the Louisiana storm  
25 and flood disaster area.

1           (2) QUALIFIED LOUISIANA STORM AND FLOOD  
2 DISASTER AREA PROPERTY.—For purposes of this  
3 subsection—

4           (A) IN GENERAL.—The term “qualified  
5 Louisiana storm and flood disaster area prop-  
6 erty” means property—

7           (i)(I) which is described in section  
8 168(k)(2)(A)(i) of the Internal Revenue  
9 Code of 1986, or

10           (II) which is nonresidential real prop-  
11 erty or residential rental property,

12           (ii) substantially all of the use of  
13 which is in the Louisiana storm and flood  
14 disaster area and is in the active conduct  
15 of a trade or business by the taxpayer in  
16 such area,

17           (iii) the original use of which in the  
18 Louisiana storm and flood disaster area  
19 commences with the taxpayer on or after  
20 the applicable disaster date,

21           (iv) which is acquired by the taxpayer  
22 by purchase (as defined in section 179(d)  
23 of such Code) on or after the applicable  
24 disaster date, but only if no written bind-  
25 ing contract for the acquisition was in ef-

1           fect before the applicable disaster date,  
2           and

3                   (v) which is placed in service by the  
4           taxpayer on or before December 31, 2018  
5           (December 31, 2019, in the case of non-  
6           residential real property and residential  
7           rental property).

8           (B) EXCEPTIONS.—

9                   (i)    ALTERNATIVE    DEPRECIATION  
10           PROPERTY.—Such term shall not include  
11           any property described in section  
12           168(k)(2)(D) of such Code.

13                   (ii)   TAX-EXEMPT    BOND-FINANCED  
14           PROPERTY.—Such term shall not include  
15           any property any portion of which is fi-  
16           nanced with the proceeds of any obligation  
17           the interest on which is exempt from tax  
18           under section 103 of such Code.

19                   (iii)   QUALIFIED    REVITALIZATION  
20           BUILDINGS.—Such term shall not include  
21           any qualified revitalization building with  
22           respect to which the taxpayer has elected  
23           the application of paragraph (1) or (2) of  
24           section 1400I(a) of such Code.

1 (c) QUALIFIED LOUISIANA STORM AND FLOOD AREA  
2 CASUALTY LOSS.—

3 (1) IN GENERAL.—For purposes of paragraph  
4 (1)(B)(i), the term “qualified Louisiana storm and  
5 flood area casualty loss” means any uncompensated  
6 section 1231 loss (as defined in section  
7 1231(a)(3)(B) of such Code) of property located in  
8 the Louisiana storm and flood disaster area, if—

9 (A) such loss is allowed as a deduction  
10 under section 165 of such Code for the taxable  
11 year, and

12 (B) such loss is by reason of the storms  
13 and flooding giving rise to the Presidential dec-  
14 laration described in section 2(1).

15 (2) REDUCTION FOR GAINS FROM INVOLUN-  
16 TARY CONVERSION.—The amount of qualified Lou-  
17 isiana storm and flood area casualty loss which  
18 would (but for this paragraph) be taken into account  
19 under paragraph (1) for any taxable year shall be  
20 reduced by the amount of any gain recognized by the  
21 taxpayer for such year from the involuntary conver-  
22 sion by reason of the storms and flooding giving rise  
23 to the Presidential declaration described in section  
24 2(1) of property located in the Louisiana storm and  
25 flood disaster area.

1           (3) COORDINATION WITH GENERAL DISASTER  
2 LOSS RULES.—Section 165(i) of such Code shall not  
3 apply to any qualified Louisiana storm and flood  
4 disaster area casualty loss to the extent such loss is  
5 taken into account under this subsection.

6           (4) SPECIAL RULES.—For purposes of para-  
7 graph (1), rules similar to the rules of paragraphs  
8 (2) and (3) of section 172(i) of such Code shall  
9 apply with respect to such portion.

10 **SEC. 414. INCREASED EXPENSING FOR QUALIFIED TIMBER**  
11 **PROPERTY.**

12       (a) IN GENERAL.—In the case of qualified timber  
13 property any portion of which is located in the Louisiana  
14 storm and flood disaster area, the limitation under sub-  
15 paragraph (B) of section 194(b)(1) of such Code shall be  
16 increased by the lesser of—

17           (1) the limitation which would (but for this sec-  
18 tion) apply under such subparagraph, or

19           (2) the amount of reforestation expenditures  
20 (as defined in section 194(c)(3) of such Code) paid  
21 or incurred by the taxpayer with respect to such  
22 qualified timber property during the specified por-  
23 tion of the taxable year.

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

1           (1) SPECIFIED PORTION.—The term “specified  
2           portion” means that portion of the taxable year  
3           which is on or after the applicable disaster date, and  
4           before January 1, 2019.

5           (2) QUALIFIED TIMBER PROPERTY.—The term  
6           “qualified timber property” has the meaning given  
7           such term in section 194(c)(1) of such Code.

8   **SEC. 415. DISASTER LOSS CARRYBACK.**

9           (a) IN GENERAL.—In the case of a loss occurring in  
10          the Louisiana storm and flood disaster area and attrib-  
11          utable to the severe storms and flooding giving rise to the  
12          Presidential declaration described in section 2(1), at the  
13          election of the taxpayer, section 165(i)(1) of the Internal  
14          Revenue Code of 1986 shall be applied by substituting  
15          “any of the 3 taxable years preceding” for “the taxable  
16          year immediately preceding”.

17          (b) SPECIAL RULES.—

18                 (1) DETERMINED WITHOUT REGARD TO AD-  
19                 JUSTED GROSS INCOME.—Any loss described in sub-  
20                 section (a) shall be determined for the taxable year  
21                 without regard to section 165(h)(2)(A) of such Code.

22                 (2) TREATED AS SALE OR EXCHANGE.—Not-  
23                 withstanding section 165(h)(2)(B) of such Code, any  
24                 loss described in subsection (a) shall be treated as  
25                 a loss from a sale or exchange of a capital asset.

1 **SEC. 416. HOUSING RELIEF FOR INDIVIDUALS AFFECTED**  
2 **BY LOUISIANA STORMS AND FLOODING.**

3 (a) EXCLUSION OF EMPLOYER-PROVIDED HOUSING  
4 FOR INDIVIDUAL AFFECTED BY LOUISIANA STORMS AND  
5 FLOODING.—

6 (1) IN GENERAL.—Gross income of a qualified  
7 employee shall not include the value of any lodging  
8 furnished in kind to such employee (and such em-  
9 ployee’s spouse or any of such employee’s depend-  
10 ents) by or on behalf of a qualified employer for any  
11 month during the taxable year.

12 (2) LIMITATION.—The amount which may be  
13 excluded under paragraph (1) for any month for  
14 which lodging is furnished during the taxable year  
15 shall not exceed \$600.

16 (3) TREATMENT OF EXCLUSION.—The exclu-  
17 sion under paragraph (1) shall be treated as an ex-  
18 clusion under section 119 of such Code (other than  
19 for purposes of sections 3121(a)(19) and  
20 3306(b)(14) of such Code).

21 (b) EMPLOYER CREDIT FOR HOUSING EMPLOYEES  
22 AFFECTED BY LOUISIANA STORMS AND FLOODING.—For  
23 purposes of section 38, in the case of a qualified employer,  
24 the Louisiana storm and flood housing credit for any  
25 month during the taxable year is an amount equal to 30  
26 percent of any amount which is excludable from the gross

1 income of a qualified employee of such employer under  
2 subsection (a) and not otherwise excludable under section  
3 119 of such Code.

4 (c) QUALIFIED EMPLOYEE.—For purposes of this  
5 section, the term “qualified employee” means, with respect  
6 to any month, an individual—

7 (1) who had a principal residence (as defined in  
8 section 121 of such Code) in the Louisiana storm  
9 and flood disaster area on the applicable disaster  
10 date, and

11 (2) who performs substantially all employment  
12 services—

13 (A) in the Louisiana storm and flood dis-  
14 aster area, and

15 (B) for the qualified employer which fur-  
16 nishes lodging to such individual.

17 (d) QUALIFIED EMPLOYER.—For purposes of this  
18 section, the term “qualified employer” means any em-  
19 ployer with a trade or business located in the Louisiana  
20 storm and flood disaster area.

21 (e) CERTAIN RULES TO APPLY.—For purposes of  
22 this subsection, rules similar to the rules of sections  
23 51(i)(1) and 52 of such Code shall apply.

24 (f) APPLICATION OF SECTION.—This section shall  
25 apply to lodging furnished during the period—



1           (1) beginning on the first day of the first  
2           month beginning after the date of the enactment of  
3           this section, and

4           (2) ending on the date which is 6 months after  
5           the first day described in paragraph (1).

6           (g) TREATED AS PART OF GENERAL BUSINESS  
7 CREDIT.—The Louisiana storm and flood housing credit  
8 determined under subsection (b) shall be treated as listed  
9 in section 38(b) of the Internal Revenue Code of 1986.

○