

Union Calendar No. 11

114TH CONGRESS
1ST SESSION

H. R. 641

[Report No. 114–17]

To amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2015

Mr. KELLY of Pennsylvania (for himself, Mr. THOMPSON of California, Mr. BENISHEK, Mr. BLUMENAUER, Mrs. CAPPS, Mr. COSTELLO of Pennsylvania, Mr. DENT, Mr. DOGGETT, Ms. ESTY, Mr. FRELINGHUYSEN, Mr. GARAMENDI, Mr. JOYCE, Ms. KAPTUR, Mr. KIND, Ms. KUSTER, Mr. LARSON of Connecticut, Mrs. LUMMIS, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MEEHAN, Mr. NEAL, Mr. RANGEL, Mr. REED, Ms. LINDA T. SÁNCHEZ of California, Mr. SCHOCK, Mr. SENSENBRENNER, Ms. TSONGAS, Mr. WALZ, Mr. GIBSON, Mr. SMITH of Missouri, Mr. MARINO, Mr. YOUNG of Alaska, Mr. WELCH, Mr. ZINKE, Mr. MURPHY of Florida, and Mr. SANFORD) introduced the following bill; which was referred to the Committee on Ways and Means

FEBRUARY 9, 2015

Additional sponsors: Mr. DESJARLAIS, Mr. FITZPATRICK, Mr. MURPHY of Pennsylvania, Mr. PITTS, Mr. PETERSON, Mr. TIPTON, Mr. LANGEVIN, Ms. PINGREE, Mr. MACARTHUR, Mr. SWALWELL of California, Mr. PAULSEN, Mr. BARLETTA, Mr. POLIS, Mr. YOUNG of Indiana, Mr. SEAN PATRICK MALONEY of New York, Mr. SESSIONS, Mr. ROSKAM, Mr. WILLIAMS, and Mr. SIMPSON

FEBRUARY 9, 2015

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 2, 2015]

A BILL

To amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

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 “Conservation Easement*
 5 *Incentive Act of 2015”.*

6 **SEC. 2. SPECIAL RULE FOR QUALIFIED CONSERVATION**

7 **CONTRIBUTIONS MADE PERMANENT.**

8 *(a) IN GENERAL.—*

9 *(1) INDIVIDUALS.—Subparagraph (E) of section*
 10 *170(b)(1) of the Internal Revenue Code of 1986 (relat-*
 11 *ing to contributions of qualified conservation con-*
 12 *tributions) is amended by striking clause (vi).*

13 *(2) CORPORATIONS.—Subparagraph (B) of sec-*
 14 *tion 170(b)(2) of such Code (relating to qualified con-*
 15 *servation contributions) is amended by striking clause*
 16 *(iii).*

17 *(b) CONTRIBUTIONS OF CAPITAL GAIN REAL PROP-*
 18 *ERTY MADE FOR CONSERVATION PURPOSES BY NATIVE*
 19 *CORPORATIONS.—*

20 *(1) IN GENERAL.—Section 170(b)(2) of such*
 21 *Code is amended by redesignating subparagraph (C)*
 22 *as subparagraph (D), and by inserting after subpara-*
 23 *graph (B) the following new subparagraph:*

24 *“(C) QUALIFIED CONSERVATION CONTRIBU-*
 25 *TIONS BY CERTAIN NATIVE CORPORATIONS.—*

1 “(i) *IN GENERAL.*—Any qualified con-
2 servation contribution (as defined in sub-
3 section (h)(1)) which—

4 “(I) is made by a Native Corpora-
5 tion, and

6 “(II) is a contribution of property
7 which was land conveyed under the
8 Alaska Native Claims Settlement Act,
9 shall be allowed to the extent that the aggre-
10 gate amount of such contributions does not
11 exceed the excess of the taxpayer’s taxable
12 income over the amount of charitable con-
13 tributions allowable under subparagraph
14 (A).

15 “(ii) *CARRYOVER.*—If the aggregate
16 amount of contributions described in clause
17 (i) exceeds the limitation of clause (i), such
18 excess shall be treated (in a manner con-
19 sistent with the rules of subsection (d)(2))
20 as a charitable contribution to which clause
21 (i) applies in each of the 15 succeeding tax-
22 able years in order of time.

23 “(iii) *NATIVE CORPORATION.*—For
24 purposes of this subparagraph, the term
25 ‘Native Corporation’ has the meaning given

1 *such term by section 3(m) of the Alaska Na-*
2 *tive Claims Settlement Act.”.*

3 (2) *CONFORMING AMENDMENTS.—*

4 (A) *Section 170(b)(2)(A) of such Code is*
5 *amended by striking “subparagraph (B) applies”*
6 *and inserting “subparagraph (B) or (C) ap-*
7 *plies”.*

8 (B) *Section 170(b)(2)(B)(ii) of such Code is*
9 *amended by striking “15 succeeding years” and*
10 *inserting “15 succeeding taxable years”.*

11 (3) *VALID EXISTING RIGHTS PRESERVED.—Noth-*
12 *ing in this subsection (or any amendment made by*
13 *this subsection) shall be construed to modify the exist-*
14 *ing property rights validly conveyed to Native Cor-*
15 *porations (within the meaning of section 3(m) of the*
16 *Alaska Native Claims Settlement Act) under such Act.*

17 (c) *EFFECTIVE DATE.—The amendments made by this*
18 *section shall apply to contributions made in taxable years*
19 *beginning after December 31, 2014.*

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