

118TH CONGRESS  
2D SESSION

# H. R. 8149

To amend the Internal Revenue Code of 1986 to clarify the tax treatment of digital asset rewards.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2024

Mr. FERGUSON (for himself and Mr. NICKEL) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to clarify the tax treatment of digital asset rewards.

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. DIGITAL ASSET REWARDS INCLUDED IN GROSS**

4 **INCOME UPON SALE OR DISPOSITION.**

5 (a) IN GENERAL.—Part II of subchapter B of chap-  
6 ter 1 of the Internal Revenue Code of 1986 is amended  
7 by adding at the end the following new section:

8 **“SEC. 92. DIGITAL ASSET REWARDS.**

9 “(a) IN GENERAL.—If, pursuant to a blockchain con-  
10 sensus mechanism with respect to any digital asset, a per-

1 son acquires (directly, or indirectly through a service pro-  
2 vider) a reward of a digital asset—

3 “(1) no income or gain shall result at the time  
4 of such acquisition, and

5 “(2) on the disposition of such digital asset in  
6 any taxable year, the income or gain (if any) with  
7 respect to such asset shall be the income or gain, as  
8 the case may be, from the disposition for such tax-  
9 able year.

10 “(b) DEFINITIONS.—For purposes of this section—

11 “(1) DIGITAL ASSET.—The term ‘digital asset’  
12 shall have the meaning given such term under sec-  
13 tion 6045(g)(3)(D).

14 “(2) BLOCKCHAIN CONSENSUS MECHANISM.—  
15 The term ‘blockchain consensus mechanism’ means,  
16 with respect to any digital asset, a process by which  
17 a person commits resources in connection with vali-  
18 dating the legitimacy of transactions and related en-  
19 tries in the cryptographically secured distributed  
20 ledger to which such digital asset relates.”.

21 (b) CLERICAL AMENDMENT.—The table of sections  
22 for part II of subchapter B of chapter 1 of such Code  
23 is amended by adding at the end the following new item:

“Sec. 92. Digital asset rewards.”.

1           (c) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply to taxable years beginning after  
3 December 31, 2023.

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