

117TH CONGRESS
2D SESSION

H. R. 8353

To amend the Internal Revenue Code of 1986 to make incarcerated taxpayers ineligible for recovery rebates, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2022

Mr. BUDD introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Internal Revenue Code of 1986 to make incarcerated taxpayers ineligible for recovery rebates, and for other purposes.

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 “Pay Victims Not Pris-
5 oners Act”.

1 SEC. 2. INCARCERATED TAXPAYERS MADE INELIGIBLE FOR**2 2021 RECOVERY REBATE CREDITS.**

3 (a) 2021 RECOVERY REBATES.—Section 6428B of
4 the Internal Revenue Code of 1986 is amended by redesign-
5 nating subsections (h) and (i) as subsections (i) and (j),
6 respectively, by striking “subsection (h)(1)” each place it
7 appears and inserting “subsection (i)(1)”, and by insert-
8 ing after subsection (g) the following new subsection:

9 “(h) SPECIAL RULES WITH RESPECT TO PRIS-
10 ONERS.—

11 “(1) DISALLOWANCE OF CREDIT.—

12 “(A) IN GENERAL.—Subject to subparagraph (B), no credit shall be allowed under subpara-
13 graph (B), no credit shall be allowed under sub-
14 section (a) to an eligible individual who is, for
15 each day during calendar year 2021, described
16 in clause (i), (ii), or (iii) of section 202(x)(1)(A)
17 of the Social Security Act (42 U.S.C.
18 402(x)(1)(A)).

19 “(B) JOINT RETURN.—In the case of a
20 joint return where 1 spouse is described in sub-
21 paragraph (A), subsection (g) shall be applied
22 by treating such spouse as having failed to in-
23 clude the valid identification number of such
24 spouse on the return of tax for the taxable year.

25 “(2) DENIAL OF ADVANCE REFUND OR CRED-
26 IT.—No refund or credit shall be made or allowed

1 under subsection (f) with respect to any individual
2 whom the Secretary has knowledge is, at the time of
3 any determination made pursuant to paragraph (3)
4 of such subsection, described in clause (i), (ii), or
5 (iii) of section 202(x)(1)(A) of the Social Security
6 Act.”.

7 (b) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to taxable years beginning after
9 December 31, 2020.

10 **SEC. 3. DISCLOSURE OF CERTAIN PRISONER TAX RETURN**
11 **INFORMATION TO DEPARTMENT OF JUSTICE.**

12 (a) IN GENERAL.—Section 6103(l) of the Internal
13 Revenue Code of 1986 is amended by adding at the end
14 the following new paragraph:

15 “(23) DISCLOSURE OF RETURN INFORMATION
16 TO DEPARTMENT OF JUSTICE TO CARRY OUT THE
17 PAY VICTIMS NOT PRISONERS ACT.—

18 (A) IN GENERAL.—The Secretary shall,
19 upon written request from the Attorney General,
20 disclose to officers, employees, and contractors
21 of the Department of Justice the return information
22 of a taxpayer whose prisoner
23 commissary account may be subject to adjustment
24 under section 4 of the Pay Victims Not

1 Prisoners Act. Such return information shall be
2 limited to—

7 “(I) the amount of the refund-
8 able credit allowed to such taxpayer
9 under such section,

“(II) verification of whether such refundable credit was disbursed electronically or via paper check,

17 “(IV) the date on which such re-
18 fund was disbursed, and

19 “(V) if applicable, the fact that
20 there was no refund disbursed to such
21 taxpayer with respect to such sec-
22 tion ”

23 (b) EFFECTIVE DATE.—The amendment made by
24 this section shall apply to disclosures made after the date
25 of the enactment of this Act.

1 **SEC. 4. PAYMENT OF OUTSTANDING JUDGMENTS AGAINST**
2 **FEDERAL PRISONERS USING 2021 RECOVERY**
3 **REBATE CREDITS.**

4 (a) IDENTIFICATION OF PRISONERS WHO RECEIVED
5 2021 RECOVERY REBATE CREDITS.—Not later than 90
6 days after the date of enactment of this Act, the Attorney
7 General shall identify—

8 (1) the Federal prisoners who received a dis-
9 bursement of a refundable credit under section
10 6428B of the Internal Revenue Code of 1986, which
11 was disbursed to the prisoner's commissary account;
12 and

13 (2) of the Federal prisoners identified under
14 paragraph (1), the prisoners who owe money pursu-
15 ant to a judgment issued by a Federal court.

16 (b) PAYMENT OF OUTSTANDING JUDGMENTS.—Not
17 later than 90 days after the date of enactment of this Act,
18 the Attorney General shall make payments on any judg-
19 ment described in subsection (a)(2) using amounts re-
20 maining in the prisoner's commissary account from the
21 disbursement described in subsection (a)(1).

