

117TH CONGRESS
1ST SESSION

S. 2936

To amend the CARES Act and the Internal Revenue Code of 1986 to modify the treatment of related individuals under the employee retention tax credit.

IN THE SENATE OF THE UNITED STATES

OCTOBER 5, 2021

Mr. CASSIDY introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the CARES Act and the Internal Revenue Code of 1986 to modify the treatment of related individuals under the employee retention tax credit.

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. TREATMENT OF RELATED INDIVIDUALS UNDER**
4 **EMPLOYEE RETENTION TAX CREDIT.**

5 (a) AMENDMENTS TO CARES ACT.—

6 (1) IN GENERAL.—Section 2301(e) of the
7 Coronavirus Aid, Relief, and Economic Security Act
8 is amended by inserting “(applied without regard to
9 the phrase ‘(determined with the application of sec-

1 tion 267(c))’ in subparagraph (A) thereof)” after
2 “51(i)(1)”.

3 (2) EFFECTIVE DATE.—The amendment made
4 by this subsection shall apply to wages paid after
5 March 12, 2020.

6 (b) AMENDMENT TO INTERNAL REVENUE CODE OF
7 1986.—

8 (1) IN GENERAL.—Section 3134(e) of the Inter-
9 nal Revenue Code of 1986 is amended by inserting
10 “(applied without regard to the phrase ‘(determined
11 with the application of section 267(c))’ in subpara-
12 graph (A) thereof)” after “51(i)(1)”.

13 (2) EFFECTIVE DATE.—The amendment made
14 by this subsection shall apply to wages paid after
15 June 30, 2021.

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