

118TH CONGRESS
1ST SESSION

S. 93

To exclude from gross income certain assistance provided to farmers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2023

Mr. BOOKER (for himself, Ms. STABENOW, Mr. WARNOCK, and Ms. SMITH) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To exclude from gross income certain assistance provided to farmers, 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 “Family Farmer and
5 Rancher Tax Fairness Act of 2023”.

6 **SEC. 2. TAX TREATMENT OF CERTAIN ASSISTANCE TO**
7 **FARMERS, ETC.**

8 For purposes of the Internal Revenue Code of 1986,
9 in the case of any payment described in section 1006(e)
10 of the American Rescue Plan Act of 2021 (as amended

1 by section 22007 of Public Law 117–169) or section
2 22006 of Public Law 117–169—

3 (1) such payment shall not be included in the
4 gross income of the person on whose behalf, or to
5 whom, such payment is made,

6 (2) no deduction shall be denied, no tax at-
7 tribute shall be reduced, and no basis increase shall
8 be denied, by reason of the exclusion from gross in-
9 come provided by paragraph (1), and

10 (3) in the case of a partnership or S corpora-
11 tion on whose behalf, or to whom, such a payment
12 is made—

13 (A) any amount excluded from income by
14 reason of paragraph (1) shall be treated as tax
15 exempt income for purposes of sections 705 and
16 1366 of such Code, and

17 (B) except as provided by the Secretary of
18 the Treasury (or the Secretary’s delegate), any
19 increase in the adjusted basis of a partner’s in-
20 terest in a partnership under section 705 of
21 such Code with respect to any amount described
22 in subparagraph (A) shall equal the partner’s
23 distributive share of deductions resulting from
24 interest that is part of such payment and the
25 partner’s share, as determined under section

1 752 of such Code, of principal that is part of
2 such payment.

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