

107TH CONGRESS  
1ST SESSION

# H. R. 1208

To amend the Internal Revenue Code of 1986 to allow individuals a refund of up to 5 percent of the income tax otherwise payable for taxable year 2000.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2001

Mr. FOLEY (for himself, Mr. HOUGHTON, and Mr. COLLINS) 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 allow individuals a refund of up to 5 percent of the income tax otherwise payable for taxable year 2000.

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 “Working Americans’  
5       Tax Rebate Act of 2001”.

**6       SEC. 2. REFUND OF 2000 INDIVIDUAL INCOME TAXES.**

7       (a) IN GENERAL.—Subchapter B of chapter 65 of the  
8       Internal Revenue Code of 1986 (relating to rules of special

1 application) is amended by adding at the end the following  
2 new section:

3 **“SEC. 6428. REFUND OF 2000 INDIVIDUAL INCOME TAXES.**

4 “(a) IN GENERAL.—Each individual shall be treated  
5 as having made a payment against the tax imposed by  
6 chapter 1 for such individual’s first taxable year beginning  
7 in 2000 in an amount equal to 5 percent of the amount  
8 of such individual’s net income tax for such taxable year.

9 “(b) MINIMUM PAYMENT.—The amount treated as  
10 paid by reason of this section shall not be less than the  
11 lesser of—

12 “(1) the amount of the taxpayer’s net income  
13 tax for such taxpayer’s first taxable year beginning  
14 in 2000, or

15 “(2) \$100 (\$50 in the case of a married indi-  
16 vidual filing a separate return).

17 “(c) MAXIMUM PAYMENT.—The amount treated as  
18 paid by reason of this section shall not exceed \$500 (\$250  
19 in the case of a married individual filing a separate re-  
20 turn).

21 “(d) NET INCOME TAX.—For purposes of this sec-  
22 tion, the term ‘net income tax’ means the amount equal  
23 to the excess (if any) of—

1               “(1) the sum of the regular tax liability (as de-  
2               fined in section 26(b)) plus the tax imposed by sec-  
3               tion 55, over

4               “(2) the sum of the credits allowable under part  
5               IV of subchapter A (other than the credits allowable  
6               by sections 31 and 34).

7               “(e) DATE PAYMENT DEEMED MADE.—The payment  
8               provided by this section shall be deemed made on the later  
9               of—

10               “(1) the date prescribed by law (determined  
11               without extensions) for filing the return of tax im-  
12               posed by chapter 1 for the taxable year, or

13               “(2) the date on which the taxpayer files his re-  
14               turn of tax imposed by chapter 1 for the taxable  
15               year.

16               “(f) JOINT RETURNS.—For purposes of this section,  
17               in the case of a joint return, both spouses shall be treated  
18               as 1 individual.

19               “(g) MARITAL STATUS.—The determination of mar-  
20               ital status shall be made for purposes of this section under  
21               section 7703.

22               “(h) CERTAIN PERSONS NOT ELIGIBLE.—This sec-  
23               tion shall not apply to—

24               “(1) any estate or trust, and

25               “(2) any nonresident alien individual.

1       “(i) DISALLOWANCE OF INTEREST.—Interest shall  
2 not be allowed on amounts treated as a payment under  
3 subsection (a).”

4       (b) CLERICAL AMENDMENT.—The table of sections  
5 for subchapter B of chapter 65 of such Code is amended  
6 by adding at the end the following new item:

“Sec. 6428. Refund of 2000 individual income taxes.”

7       (c) EFFECTIVE DATE.—The amendments made by  
8 this section shall apply to taxable years beginning after  
9 December 31, 1999.

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