

107TH CONGRESS  
1ST SESSION

# H. R. 2280

To amend the Internal Revenue Code of 1986 to permit cooperatives to pay dividends on preferred stock without reducing patronage dividends.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2001

Mr. HERGER (for himself, Mr. ENGLISH, Mr. HAYWORTH, Mr. RAMSTAD, Mrs. THURMAN, Mr. POMEROY, and Mr. STARK) 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 permit cooperatives to pay dividends on preferred stock without reducing patronage dividends.

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 “Cooperative Dividend  
5       Equity Act of 2001”.

1   **SEC. 2. PAYMENT OF DIVIDENDS ON STOCK OF COOPERA-**  
2                   **TIVES WITHOUT REDUCING PATRONAGE**  
3                   **DIVIDENDS.**

4       (a) **IN GENERAL.**—Subsection (a) of section 1388 of  
5   the Internal Revenue Code of 1986 (relating to patronage  
6   dividend defined) is amended by adding at the end the  
7   following: “For purposes of paragraph (3), net earnings  
8   shall not be reduced by amounts paid during the year as  
9   dividends on capital stock or other proprietary capital in-  
10  terests of the organization to the extent that the articles  
11  of incorporation or bylaws of such organization or other  
12  contract with patrons provide that such dividends are in  
13  addition to amounts otherwise payable to patrons which  
14  are derived from business done with or for patrons during  
15  the taxable year.”.

16       (b) **EFFECTIVE DATE.**—The amendment made by  
17  this section shall apply to distributions in taxable years  
18  beginning after the date of the enactment of this Act.

