

107TH CONGRESS
1ST SESSION

H. R. 3059

To provide for retiree health care by allowing steel companies a partial refund of net operating loss carryforwards.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 9, 2001

Mrs. JONES of Ohio (for herself, Mr. VISCLOSKY, Mr. STUPAK, and Mr. TOOMEY) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To provide for retiree health care by allowing steel companies a partial refund of net operating loss carryforwards.

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 “Retiree Health Assist-
5 ance Act of 2001”.

6 **SEC. 2. PARTIAL REFUND OF CERTAIN STEEL COMPANY**
7 **NET OPERATING LOSS CARRYFORWARDS.**

8 (a) IN GENERAL.—If any eligible taxpayer makes an
9 election under this section, such taxpayer shall be treated
10 as having made a payment of the tax imposed by chapter

1 1 of the Internal Revenue Code of 1986 for each taxable
2 year ending after December 31, 2001, in an amount equal
3 to the qualified direct cost (as defined in section
4 419(c)(3)) for the preceding taxable year of post-retire-
5 ment medical and life insurance benefits provided by the
6 taxpayer.

7 (b) LIMITATION.—The amount treated as paid under
8 subsection (a) for any taxable year shall not exceed the
9 excess (if any) of—

10 (1) 35 percent of the taxpayer’s existing quali-
11 fied carryovers, over

12 (2) the aggregate amount treated as paid under
13 subsection (a) for all prior taxable years.

14 (c) ELIGIBLE TAXPAYER.—For purposes of this sec-
15 tion, the term “eligible taxpayer” means any taxpayer
16 whose principal trade or business for the taxpayer’s first
17 taxable year ending after December 31, 2001, is the pro-
18 duction of steel from raw materials.

19 (d) EXISTING QUALIFIED CARRYOVERS.—For pur-
20 poses of this section, the term “existing qualified
21 carryovers” means the aggregate of the amounts which
22 are net operating loss carryovers under section 172(b) of
23 the Internal Revenue Code of 1986 to the taxpayer’s first
24 taxable year ending after December 31, 2001, to the ex-
25 tent such carryovers are attributable to net operating

1 losses arising in taxable years beginning before January
2 1, 1996, and for which the taxpayer's principal trade or
3 business was the production of steel from raw materials.

4 (e) SPECIAL RULES.—

5 (1) REDUCTION IN CARRYOVERS.—If a tax-
6 payer elects the application of this section, such tax-
7 payer's existing qualified carryovers shall be reduced
8 to zero.

9 (2) ELECTION.—An election under this section
10 may be made only on or before the due date (includ-
11 ing extensions) for filing the return of tax imposed
12 by chapter 1 of the Internal Revenue Code of 1986
13 for the taxpayer's first taxable year ending after De-
14 cember 31, 2001. Such an election, once made, shall
15 be irrevocable.

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