

108TH CONGRESS  
1ST SESSION

# H. R. 301

To amend the Internal Revenue Code of 1986 to eliminate the tax on the net capital gain of taxpayers other than corporations.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2003

Mr. KNOLLENBERG 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 eliminate the tax on the net capital gain of taxpayers other than corporations.

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 “Job Creation Act of  
5       2003”.

6       **SEC. 2. EXCLUSION OF NET CAPITAL GAIN OF TAXPAYERS**  
7       **OTHER THAN CORPORATIONS.**

8       (a) IN GENERAL.—Part I of subchapter P of chapter  
9       1 of the Internal Revenue Code of 1986 (relating to treat-

1 ment of capital gains) is amended by adding at the end  
 2 the following new section:

3 **“SEC. 1203. EXCLUSION OF NET CAPITAL GAIN OF TAX-**  
 4 **PAYERS OTHER THAN CORPORATIONS.**

5 “In the case of a taxpayer other than a corporation,  
 6 gross income shall not include an amount equal to the net  
 7 capital gain of the taxpayer for the taxable year.”

8 (b) CONFORMING AMENDMENTS.—

9 (1) Section 1 of such Code is amended by strik-  
 10 ing subsection (h).

11 (2) Subsection (b) of section 55 of such Code  
 12 is amended by striking paragraph (3).

13 (3) Section 1222 of such Code is amended by  
 14 adding at the end the following new sentence:

15 “Determinations under this section shall be made before  
 16 the application of section 1203.”

17 (4) The table of sections for part I of sub-  
 18 chapter P of chapter 1 of such Code is amended by  
 19 adding at the end the following new item:

“Sec. 1203. Exclusion of net capital gain of taxpayers other than  
 corporations.”

20 (c) EFFECTIVE DATE.—The amendments made by  
 21 this section shall apply to taxable years beginning after  
 22 December 31, 2002.

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