

109TH CONGRESS
1ST SESSION

H. R. 875

To amend the Internal Revenue Code of 1986 to allow businesses to expense qualified security devices.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2005

Mr. WELLER introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to allow businesses to expense qualified security devices.

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 “Public Safety and Pro-
5 tection Investment Act of 2005”.

6 **SEC. 2. BUSINESS DEDUCTION FOR PURCHASE AND IN-**
7 **STALLATION OF SECURITY DEVICES.**

8 (a) IN GENERAL.—Part VI of subchapter B of chap-
9 ter 1 of the Internal Revenue Code of 1986 (relating to
10 itemized deductions for individuals and corporations) is

1 amended by inserting after section 179B the following new
2 section:

3 **“SEC. 179C. SECURITY DEVICE PURCHASES.**

4 “(a) ALLOWANCE OF DEDUCTION.—A taxpayer may
5 elect to treat the cost of any qualifying security device as
6 an expense which is not chargeable to capital account. Any
7 cost so treated shall be allowed as a deduction for the tax-
8 able year in which such device is placed in service.

9 “(b) DEFINITIONS.—For purposes of this section—

10 “(1) QUALIFYING SECURITY DEVICE.—The
11 term ‘qualifying security device’ means a security
12 device (to which section 168 applies) which is ac-
13 quired by purchase (as defined in section 179(d)(2))
14 and which is installed or placed in service in a build-
15 ing which is owned or occupied by the taxpayer and
16 which is located in the United States.

17 “(2) SECURITY DEVICE.—The term ‘security
18 device’ means any of the following:

19 “(A) An electronic access control device or
20 system.

21 “(B) Biometric identification or
22 verification device or system.

23 “(C) Closed-circuit television or other sur-
24 veillance and security cameras and equipment.

1 “(D) Locks for doors and windows, includ-
2 ing tumbler, key, and numerical or other coded
3 devices.

4 “(E) Computers and software used to com-
5 bat cyberterrorism.

6 “(F) Electronic alarm systems to provide
7 detection notification and off-premises trans-
8 mission of an unauthorized entry, attack, or
9 fire.

10 “(G) An electronic device capable of track-
11 ing or verifying the presence of assets.

12 “(H) High efficiency air filtering systems.

13 “(I) Mechanical and non-mechanical vehi-
14 cle arresting barricades.

15 “(J) Metal detectors.

16 “(K) Signal repeating devices for emer-
17 gency response personnel wireless communica-
18 tion systems.

19 “(L) Components, wiring, system displays,
20 terminals, auxiliary power supplies, computer
21 systems, software, networking infrastructure
22 and other equipment necessary or incidental to
23 the operation of any item described in any of
24 the preceding subparagraphs.

1 “(3) BUILDING.—The term ‘building’ includes
2 any structure or part of a structure used for com-
3 mercial, retail, or business purposes.

4 “(c) SPECIAL RULES.—

5 “(1) BASIS REDUCTION.—For purposes of this
6 subtitle, if a deduction is allowed under this section
7 with respect to the purchase of a qualifying security
8 device, the basis of such device shall be reduced by
9 the amount of the deduction so allowed.

10 “(2) CERTAIN RULES TO APPLY.—Rules similar
11 to the rules of section 179(b)(3), section 179(c), and
12 paragraphs (3), (4), (8), and (10) of section 179(d),
13 shall apply for purposes of this section.”.

14 (b) CONFORMING AND CLERICAL AMENDMENTS.—

15 (1) Section 263(a)(1) of such Code is amended
16 by striking “or” at the end of subparagraph (H), by
17 striking the period at the end of subparagraph (I)
18 and inserting “, or”, and by inserting after subpara-
19 graph (I) the following new subparagraph:

20 “(J) expenditures for which a deduction is
21 allowed under section 179C.”.

22 (2) Section 312(k)(3)(B) of such Code is
23 amended by striking “or 179B” each place it ap-
24 pears in the heading and text and inserting “179B,
25 or 179C”.

1 (3) Section 1016(a) of such Code is amended
2 by striking “and” at the end of paragraph (30), by
3 striking the period at the end of paragraph (31) and
4 inserting “, and”, and by inserting after paragraph
5 (31) the following new paragraph:

6 “(32) to the extent provided in section
7 179C(d)(1),”.

8 (4) Section 1245(a) of such Code is amended
9 by inserting “179C,” after “179B,” both places it
10 appears in paragraphs (2)(C) and (3)(C).

11 (5) The table of sections for part VI of sub-
12 chapter B of chapter 1 of such Code is amended by
13 inserting after the item relating to section 179B the
14 following new item:

“Sec. 179C. Security device purchases.”.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this Act shall apply to taxable years ending after the date
17 of the enactment of this Act.

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