

110TH CONGRESS  
2D SESSION

# S. 3120

To amend the Internal Revenue Code of 1986 to increase the income limitation for qualified performing artists eligible for an above-the-line deduction for performance expenses.

---

IN THE SENATE OF THE UNITED STATES

JUNE 12, 2008

Mr. SCHUMER (for himself and Mrs. FEINSTEIN) introduced the following bill;  
which was read twice and referred to the Committee on Finance

---

## A BILL

To amend the Internal Revenue Code of 1986 to increase the income limitation for qualified performing artists eligible for an above-the-line deduction for performance expenses.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. INCREASED INCOME LIMITATION FOR QUALI-**  
 2 **FIED PERFORMING ARTISTS ELIGIBLE FOR**  
 3 **ABOVE-THE-LINE DEDUCTION FOR PERFORM-**  
 4 **ANCE EXPENSES.**

5 (a) IN GENERAL.—Section 62(b) of the Internal Rev-  
 6 enue Code of 1986 (defining qualified performing artist)  
 7 is amended—

8 (1) by striking “\$16,000” in paragraph (1)(C)  
 9 and inserting “\$30,000”,

10 (2) by striking subparagraph (B) of paragraph  
 11 (3) and inserting the following new subparagraph:

12 “(B) APPLICATION OF PARAGRAPH (1).—In  
 13 the case of a joint return—

14 “(i) paragraph (1) shall be applied  
 15 separately with respect to each spouse, and

16 “(ii) paragraph (1)(C) shall be applied  
 17 with respect to one-half of their combined  
 18 adjusted gross income.”, and

19 (3) by adding at the end the following new  
 20 paragraph:

21 “(4) INFLATION ADJUSTMENT.—In the case of  
 22 any taxable year beginning in a calendar year after  
 23 2008, the dollar amount contained in paragraph  
 24 (1)(C) shall be increased by an amount equal to—

25 “(A) such dollar amount, multiplied by

1           “(B) the cost-of-living adjustment deter-  
2           mined under section 1(f)(3) for the calendar  
3           year in which the taxable year begins, deter-  
4           mined by substituting ‘calendar year 2007’ for  
5           ‘calendar year 1992’ in subparagraph (B)  
6           thereof.

7           Any increase determined under the preceding sen-  
8           tence shall be rounded to the nearest multiple of  
9           \$50.”.

10          (b) EFFECTIVE DATE.—The amendments made by  
11          this section shall apply to taxable years beginning after  
12          December 31, 2007.

○