

111TH CONGRESS
1ST SESSION

H. R. 3568

To amend the Internal Revenue Code of 1986 to encourage charitable contributions of real property for conservation purposes by Native Corporations.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2009

Mr. YOUNG of Alaska 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 encourage charitable contributions of real property for conservation purposes by Native 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. ENCOURAGEMENT OF CONTRIBUTIONS OF**
4 **CAPITAL GAIN REAL PROPERTY MADE FOR**
5 **CONSERVATION PURPOSES BY NATIVE COR-**
6 **PORATIONS.**

7 (a) IN GENERAL.—Paragraph (2) of section 170(b)
8 of the Internal Revenue Code of 1986 is amended by re-
9 designating subparagraph (C) as subparagraph (D), and

1 by inserting after subparagraph (B) the following new
2 subparagraph:

3 “(C) QUALIFIED CONSERVATION CON-
4 TRIBUTIONS BY CERTAIN NATIVE CORPORA-
5 TIONS.—

6 “(i) IN GENERAL.—Any qualified con-
7 servation contribution (as defined in sub-
8 section (h)(1)) which—

9 “(I) is made by a Native Cor-
10 poration, and

11 “(II) is a contribution of prop-
12 erty which was land conveyed under
13 the Alaska Native Claims Settlement
14 Act,

15 shall be allowed to the extent that the ag-
16 gregate amount of such contributions does
17 not exceed the excess of the taxpayer’s tax-
18 able income over the amount of charitable
19 contributions allowable under subpara-
20 graph (A).

21 “(ii) CARRYOVER.—If the aggregate
22 amount of contributions described in clause
23 (i) exceeds the limitation of clause (i), such
24 excess shall be treated (in a manner con-
25 sistent with the rules of subsection (d)(2))

1 as a charitable contribution to which clause
2 (i) applies in each of the 15 succeeding
3 years in order of time.

4 “(iii) DEFINITION.—For purposes of
5 clause (i), the term ‘Native Corporation’
6 has the meaning given such term by sec-
7 tion 3(m) of the Alaska Native Claims Set-
8 tlement Act.

9 “(iv) VALID EXISTING RIGHTS PRE-
10 SERVED.—Nothing in this provision shall
11 be construed to modify the existing prop-
12 erty rights validly conveyed to Native Cor-
13 porations under the Alaska Native Claims
14 Settlement Act.”

15 (b) CONFORMING AMENDMENT.—Section
16 170(b)(2)(A) of such Code is amended by striking “sub-
17 paragraph (B) applies” and inserting “subparagraphs (B)
18 or (C) apply”.

19 (c) EFFECTIVE DATE.—The amendments made by
20 this section shall apply to contributions made in taxable
21 years beginning after January 1, 2009.

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