

111TH CONGRESS
1ST SESSION

H. R. 3708

To amend the Internal Revenue Code of 1986 to exclude from gross income the earned income of a spouse of a member of the Armed Forces of the United States serving in a combat zone.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 1, 2009

Mr. GARRETT of New Jersey 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 exclude from gross income the earned income of a spouse of a member of the Armed Forces of the United States serving in a combat zone.

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 “Strengthening Amer-
5 ica’s Military Families Act of 2009”.

1 **SEC. 2. EXCLUSION FROM GROSS INCOME FOR EARNED IN-**
2 **COME OF A SPOUSE OF A MEMBER OF THE**
3 **ARMED FORCES SERVING IN A COMBAT**
4 **ZONE.**

5 (a) IN GENERAL.—Section 112 of the Internal Rev-
6 enue Code of 1986 (relating to certain combat zone com-
7 pensation of members of the Armed Forces) is amended
8 by redesignating subsections (c) and (d) as subsections (d)
9 and (e), respectively, and by inserting after subsection (b)
10 the following new subsection:

11 “(c) SPOUSES OF MEMBERS OF THE ARMED
12 FORCES.—

13 “(1) IN GENERAL.—In the case of an individual
14 who is the spouse of a member of the Armed Forces
15 of the United States during any part of any month
16 during the taxable year, gross income does not in-
17 clude the earned income of such individual for such
18 month if the compensation of such member was ex-
19 cluded from gross income for such month by reason
20 of subsection (a), (b), or (e).

21 “(2) LIMITATION.—The amount excluded under
22 paragraph (1) for any month shall not exceed the
23 maximum amount specified in subsection (b) for
24 such month.

1 “(3) EARNED INCOME.—For purposes of para-
 2 graph (1), the term ‘earned income’ has the meaning
 3 given such term by section 911(d)(2).

4 “(4) MARITAL STATUS.—For purposes of this
 5 subsection, marital status shall be determined under
 6 section 7703, except that subsection (a)(1) thereof
 7 shall be applied on a monthly basis instead of an
 8 taxable year basis.”.

9 (b) CONFORMING AMENDMENTS.—

10 (1) The heading for section 112 of such Code
 11 is amended to read as follows:

12 **“SEC. 112. CERTAIN COMBAT ZONE-RELATED COMPENSA-**
 13 **TION OF MEMBERS OF THE ARMED FORCES.”.**

14 (2) The item relating to section 112 in the table
 15 of sections for part III of subchapter B of chapter
 16 1 of such Code is amended to read as follows:

 “Sec. 112. Certain combat zone-related compensation of members of the Armed
 Forces.”.

17 (c) EFFECTIVE DATE.—The amendments made by
 18 this section shall apply to taxable years beginning after
 19 December 31, 2008.

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