

111TH CONGRESS  
2D SESSION

# H. R. 4930

To amend the Internal Revenue Code of 1986 to provide a partial exclusion from gross income of gain from the sale of non-principal residences.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 2010

Mr. HELLER 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 provide a partial exclusion from gross income of gain from the sale of non-principal residences.

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. EXCLUSION OF GAIN FROM SALE OF NON-PRIN-**  
4 **CIPAL RESIDENCES.**

5 (a) IN GENERAL.—Part III of subchapter B of chap-  
6 ter 1 of the Internal Revenue Code of 1986 is amended  
7 by inserting after section 121 the following new section:

1 **“SEC. 121A. EXCLUSION OF GAIN FROM SALE OF NON-PRIN-**  
2 **CIPAL RESIDENCE.**

3 “(a) IN GENERAL.—Gross income shall not include  
4 gain from the sale or exchange of property if—

5 “(1) such property is acquired during the 1-  
6 year period beginning on the date of the enactment  
7 of this section,

8 “(2) such property is held by the taxpayer and  
9 used as a dwelling unit for a period of not less than  
10 2 years, and

11 “(3) such property is located in a high fore-  
12 closure rate area.

13 “(b) LIMITATION.—The amount of gain excluded  
14 from gross income under subsection (a) with respect to  
15 any sale or exchange shall not exceed \$50,000 (\$100,000  
16 in the case of a joint return).

17 “(c) HIGH FORECLOSURE RATE AREA.—For pur-  
18 poses of this section, the term ‘high foreclosure rate area’  
19 means the 200 political subdivisions determined by the  
20 Secretary of the Treasury to have the highest rates of  
21 foreclosures, except that such 200 political subdivisions  
22 shall include at least 1 political subdivision of each State.

23 “(d) APPLICATION OF CERTAIN RULES.—Rules simi-  
24 lar to the rules of subsections (d), (e), and (f) of section  
25 121 shall apply for purposes of this section.”.

1       (b) PUBLICATION OF LIST OF HIGH FORECLOSURE  
2 AREAS.—Not later than 60 days after the date of the en-  
3 actment of this Act, the Secretary of the Treasury (or the  
4 Secretary’s designee) shall publish the list of the 200 polit-  
5 ical subdivisions determined to have the highest fore-  
6 closure rates under section 121A(c) of the Internal Rev-  
7 enue Code of 1986, as added by this section.

8       (c) CLERICAL AMENDMENT.—The table of sections  
9 for part III of subchapter B of chapter 1 of such Code  
10 is amended by inserting after the time relating to section  
11 121 the following new item:

“Sec. 121A. Exclusion of gain from sale of non-principal residence.”.

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