

111TH CONGRESS
1ST SESSION

S. 1673

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2009

Mr. BEGICH (for himself and Ms. MURKOWSKI) 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 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. SHORT TITLE.**

4 This Act may be cited as the “Alaska Native Con-
5 servation Parity Act of 2009”.

1 **SEC. 2. ENCOURAGEMENT OF CONTRIBUTIONS OF CAPITAL**
 2 **GAIN REAL PROPERTY MADE FOR CONSERVA-**
 3 **TION PURPOSES BY NATIVE CORPORATIONS.**

4 (a) IN GENERAL.—Paragraph (2) of section 170(b)
 5 of the Internal Revenue Code of 1986 is amended by re-
 6 designating subparagraph (C) as subparagraph (D), and
 7 by inserting after subparagraph (B) the following new
 8 subparagraph:

9 “(C) QUALIFIED CONSERVATION CON-
 10 TRIBUTIONS BY CERTAIN NATIVE CORPORA-
 11 TIONS.—

12 “(i) IN GENERAL.—Any qualified con-
 13 servation contribution (as defined in sub-
 14 section (h)(1)) which—

15 “(I) is made by a Native Cor-
 16 poration, and

17 “(II) is a contribution of prop-
 18 erty which was land conveyed under
 19 the Alaska Native Claims Settlement
 20 Act,

21 shall be allowed to the extent that the ag-
 22 gregate amount of such contributions does
 23 not exceed the excess of the taxpayer’s tax-
 24 able income over the amount of charitable
 25 contributions allowable under subpara-
 26 graph (A).

1 “(ii) CARRYOVER.—If the aggregate
 2 amount of contributions described in clause
 3 (i) exceeds the limitation of clause (i), such
 4 excess shall be treated (in a manner con-
 5 sistent with the rules of subsection (d)(2))
 6 as a charitable contribution to which clause
 7 (i) applies in each of the 15 succeeding
 8 years in order of time.

9 “(iii) DEFINITION.—For purposes of
 10 clause (i), the term ‘Native Corporation’
 11 has the meaning given such term by sec-
 12 tion 3(m) of the Alaska Native Claims Set-
 13 tlement Act.”.

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

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

21 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
 22 tion or the amendments made by this section shall be con-
 23 strued to modify any existing property rights conveyed to
 24 Native Corporations (withing the meaning of section 3(m)

1 of the Alaska Native Claims Settlement Act) under such
2 Act.

