111TH CONGRESS
1ST SESSION

S. 2841

To amend the Internal Revenue Code of 1986 to allow S corporations the
deduction for charitable contributions of inventory.

———————————————

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2009

Mr. BURRIS 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 allow S
corporations the deduction for charitable contributions
of inventory.

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 "S Corporation Inven-

5 tory Contribution Act of 2009".

6 **SEC. 2. S CORPORATIONS ALLOWED DEDUCTION FOR**

7   **CHARITABLE CONTRIBUTIONS OF INVEN-**

8   **TORY.**

9   (a) IN GENERAL.—Section 170(e)(3)(A) of the Inter-

10 nal Revenue Code of 1986 (relating to certain contribu-

1 tions of inventory and other property) is amended by strik-

2 ing ''(other than a corporation which is an S corpora-

3 tion)''.

4   (b) LIMITATION.—Section 170(e)(3)(A) of such Code

5 is amended by adding at the end the following flush sen-

6 tence:

7   ''In the case of a taxpayer other than a C cor-

8   poration, the aggregate amount of such con-

9   tributions for any taxable year which may be

10   taken into account under this subparagraph

11   shall not exceed 10 percent of the taxpayer's

12   aggregate net income for such taxable year

13   from all trades or businesses from which such

14   contributions were made, computed without re-

15   gard to this section.''.

16   (c) CONFORMING AMENDMENTS.—

17   (1) Subclause (I) of section 170(c)(3)(C)(i) of

18   such Code is amended by striking ''C corporation''

19   and inserting ''corporation''.

20   (2) Subparagraph (C) of section 170(c)(3) of

21   such Code is amended by striking clause (ii) and by

22   redesignating clauses (iii) and (iv) as clauses (ii) and

23   (iii), respectively.

24   (d) EFFECTIVE DATE.—The amendments made by

25 this section shall apply to contributions made after De-

1 cember 31, 2009, and to taxable years ending after such

2 date.

○