

111TH CONGRESS  
1ST SESSION

# S. 2928

To amend the Internal Revenue Code of 1986 to extend certain disaster tax relief provisions, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 23, 2009

Mr. GRASSLEY introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code of 1986 to extend certain disaster tax relief provisions, and for other purposes.

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 “Heartland Disaster  
5 Tax Relief Extension Act of 2009”.

6 **TITLE I—HEARTLAND DISASTER**  
7 **AREAS**

8 **SEC. 101. CREDIT TO HOLDERS OF TAX CREDIT BONDS.**

9 Section 702(d)(7)(C) of the Heartland Disaster Tax  
10 Relief Act of 2008 (Public Law 110–343; 122 Stat. 3918)

1 is amended by striking “January 1, 2010” and inserting  
 2 “January 1, 2011”.

3 **SEC. 102. EDUCATION TAX BENEFITS.**

4 Section 702(d)(8) of the Heartland Disaster Tax Re-  
 5 lief Act of 2008 (Public Law 110–343; 122 Stat. 3918)  
 6 is amended by striking “or 2009” and inserting “2009,  
 7 or 2010”.

8 **SEC. 103. SPECIAL RULES FOR USE OF RETIREMENT**  
 9 **FUNDS.**

10 Section 702(d)(10) of the Heartland Disaster Tax  
 11 Relief Act of 2008 (Public Law 110–343; 122 Stat. 3918)  
 12 is amended—

13 (1) by striking “January 1, 2010” both places  
 14 it appears and inserting “January 1, 2011”, and

15 (2) by striking “December 31, 2009” both  
 16 places it appears and inserting “December 31,  
 17 2010”.

18 **SEC. 104. ADJUSTMENTS REGARDING TAXPAYER AND DE-**  
 19 **PENDENCY STATUS.**

20 Section 702(d)(15) of the Heartland Disaster Tax  
 21 Relief Act of 2008 (Public Law 110–343; 122 Stat. 3918)  
 22 is amended by striking “or 2009” and inserting “2009,  
 23 or 2010”.

1 **SEC. 105. EFFECTIVE DATE.**

2 The amendments made by this title shall take effect  
3 as if included in the enactment of section 702 of the  
4 Heartland Disaster Tax Relief Act of 2008.

5 **TITLE II—NATIONAL DISASTER**  
6 **AREAS**

7 **SEC. 201. LOSSES ATTRIBUTABLE TO FEDERALLY DE-**  
8 **CLARED DISASTERS.**

9 (a) NO LIMIT FOR 2010.—Paragraph (1) of section  
10 165(h) of the Internal Revenue Code of 1986 is amended  
11 by striking “\$500 (\$100 for taxable years beginning after  
12 December 31, 2009)” and inserting “\$100 (\$0 for taxable  
13 years beginning after December 31, 2009, and before Jan-  
14 uary 1, 2011)”.

15 (b) EFFECTIVE DATE.—The amendment made by  
16 this section shall apply to taxable years beginning after  
17 December 31, 2009.

18 **SEC. 202. EXPENSING OF QUALIFIED DISASTER EXPENSES.**

19 (a) IN GENERAL.—Subparagraph (A) of section  
20 198A(b)(2) of the Internal Revenue Code of 1986 is  
21 amended by striking “January 1, 2010” and inserting  
22 “January 1, 2011”.

23 (b) EFFECTIVE DATE.—The amendment made by  
24 this section shall apply to disasters occurring after Decem-  
25 ber 31, 2009.

1 **SEC. 203. NET OPERATING LOSSES ATTRIBUTABLE TO FED-**  
 2 **ERALLY DECLARED DISASTERS.**

3 (a) IN GENERAL.—Subclause (I) of section  
 4 172(j)(1)(A)(i) of the Internal Revenue Code of 1986 is  
 5 amended by striking “January 1, 2010” and inserting  
 6 “January 1, 2011”.

7 (b) EFFECTIVE DATE.—The amendment made by  
 8 this section shall apply to disasters occurring after Decem-  
 9 ber 31, 2009.

10 **SEC. 204. WAIVER OF CERTAIN MORTGAGE REVENUE BOND**  
 11 **REQUIREMENTS.**

12 (a) IN GENERAL.—Paragraph (11) of section 143(k)  
 13 of the Internal Revenue Code of 1986 is amended by strik-  
 14 ing “January 1, 2010” and inserting “January 1, 2011”.

15 (b) EFFECTIVE DATE.—The amendment made by  
 16 this section shall apply to bonds issued after December  
 17 31, 2009.

18 **SEC. 205. SPECIAL DEPRECIATION ALLOWANCE FOR QUALI-**  
 19 **FIED DISASTER PROPERTY.**

20 (a) IN GENERAL.—Subclause (I) of section  
 21 168(n)(2)(A)(ii) of the Internal Revenue Code of 1986 is  
 22 amended by striking “January 1, 2010” and inserting  
 23 “January 1, 2011”.

1       (b) EFFECTIVE DATE.—The amendment made by  
2 this section shall apply to disasters occurring after Decem-  
3 ber 31, 2009.

