

111TH CONGRESS
2D SESSION

S. 3350

To amend the Internal Revenue Code of 1986 to permanently modify the limitations on the deduction of interest by financial institutions which hold tax-exempt bonds, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 12, 2010

Mr. BINGAMAN (for himself and Mr. CRAPO) 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 permanently modify the limitations on the deduction of interest by financial institutions which hold tax-exempt bonds, 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 “Municipal Bond Mar-
5 ket Support Act of 2010”.

1 **SEC. 2. PERMANENT MODIFICATION OF SMALL ISSUER EX-**
 2 **CEPTION TO TAX-EXEMPT INTEREST EX-**
 3 **PENSE ALLOCATION RULES FOR FINANCIAL**
 4 **INSTITUTIONS.**

5 (a) PERMANENT INCREASE IN LIMITATION.—Sub-
 6 paragraphs (C)(i), (D)(i), and (D)(iii)(II) of section
 7 265(b)(3) of the Internal Revenue Code of 1986 are each
 8 amended by striking “\$10,000,000” and inserting
 9 “\$30,000,000”.

10 (b) PERMANENT MODIFICATION OF OTHER SPECIAL
 11 RULES.—Paragraph (3) of section 265(b) of the Internal
 12 Revenue Code of 1986 is amended—

13 (1) by redesignating clauses (iv), (v), and (vi)
 14 of subparagraph (G) as clauses (ii), (iii), and (iv) of
 15 such subparagraph, respectively, and

16 (2) by striking so much of subparagraph (G) as
 17 precedes such clauses and inserting the following:

18 “(G) QUALIFIED 501(c)(3) BONDS TREATED
 19 AS ISSUED BY EXEMPT ORGANIZATION.—In the
 20 case of a qualified 501(c)(3) bond (as defined
 21 in section 145), this paragraph shall be applied
 22 by treating the 501(c)(3) organization for
 23 whose benefit such bond was issued as the
 24 issuer.

25 “(H) SPECIAL RULE FOR QUALIFIED
 26 FINANCINGS.—

1 “(i) IN GENERAL.—In the case of a
2 qualified financing issue—

3 “(I) subparagraph (F) shall not
4 apply, and

5 “(II) any obligation issued as a
6 part of such issue shall be treated as
7 a qualified tax-exempt obligation if
8 the requirements of this paragraph
9 are met with respect to each qualified
10 portion of the issue (determined by
11 treating each qualified portion as a
12 separate issue which is issued by the
13 qualified borrower with respect to
14 which such portion relates).”.

15 (c) INFLATION ADJUSTMENT.—Paragraph (3) of sec-
16 tion 265(b) of the Internal Revenue Code of 1986, as
17 amended by subsection (b), is amended by adding at the
18 end the following new subparagraph:

19 “(I) INFLATION ADJUSTMENT.—In the
20 case of any calendar year after 2011, the
21 \$30,000,000 amounts contained in subpara-
22 graphs (C)(i), (D)(i), and (D)(iii)(II) shall each
23 be increased by an amount equal to—

24 “(i) such dollar amount, multiplied by

1 “(ii) the cost-of-living adjustment de-
2 termined under section 1(f)(3) for such
3 calendar year, determined by substituting
4 ‘calendar year 2010’ for ‘calendar year
5 1992’ in subparagraph (B) thereof.

6 Any increase determined under the preceding
7 sentence shall be rounded to the nearest mul-
8 tiple of \$100,000.”.

9 (d) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to obligations issued after Decem-
11 ber 31, 2010.

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