

113TH CONGRESS
1ST SESSION

H. R. 2373

To amend the Internal Revenue Code of 1986 to provide individual and corporate income tax relief and to extend 100 percent bonus depreciation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2013

Mr. BROUN of Georgia (for himself, Mr. WESTMORELAND, Mr. CHABOT, Mr. LAMBORN, Mr. GOHMERT, Mr. FRANKS of Arizona, and Mr. LONG) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to provide individual and corporate income tax relief and to extend 100 percent bonus depreciation, 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 “Jumpstarting Our
5 Business Sector Act of 2013”.

1 **SEC. 2. CORPORATE INCOME TAX RATES REDUCED TO**
 2 **ZERO.**

3 (a) **REGULAR TAX.**—Subsection (b) of section 11 of
 4 the Internal Revenue Code of 1986 is amended to read
 5 as follows:

6 “(b) **AMOUNT OF TAX.**—The amount of the tax im-
 7 posed by subsection (a) shall be 0 percent of taxable in-
 8 come.”.

9 (b) **ALTERNATIVE MINIMUM TAX.**—Section
 10 55(b)(1)(B)(i) of such Code is amended by striking “20
 11 percent” and inserting “0 percent”.

12 (c) **EFFECTIVE DATE.**—The amendments made by
 13 this section shall apply to taxable years beginning after
 14 December 31, 2013.

15 **SEC. 3. EXCLUSION FOR NET CAPITAL GAIN.**

16 (a) **IN GENERAL.**—Part III of subchapter B of chap-
 17 ter 1 of the Internal Revenue Code of 1986 (relating to
 18 items specifically excluded from gross income) is amended
 19 by inserting before section 101 the following new section:

20 **“SEC. 100. EXCLUSION FOR NET CAPITAL GAIN.**

21 “Gross income shall not include net capital gain.”.

22 (b) **CONFORMING AMENDMENTS.**—

23 (1) Section 1 of such Code is amended by strik-
 24 ing subsection (h).

25 (2) Subchapter P of chapter 1 of such Code is
 26 amended by striking part I.

1 (3) The table of sections for part III of sub-
 2 chapter B of chapter 1 of such Code is amended by
 3 inserting before the first item the following new
 4 item:

“Sec. 100. Exclusion for net capital gain.”.

5 (4) The table of parts for subchapter P of chap-
 6 ter 1 of such Code is amended by striking the item
 7 relating to part I.

8 (c) EFFECTIVE DATE.—The amendments made by
 9 this section shall apply to taxable years ending after the
 10 date of the enactment of this Act.

11 **SEC. 4. 3-YEAR EXTENSION OF BONUS DEPRECIATION AND**
 12 **100 PERCENT EXPENSING FOR CERTAIN BUSI-**
 13 **NESS ASSETS.**

14 (a) IN GENERAL.—

15 (1) BONUS DEPRECIATION.—Paragraph (2) of
 16 section 168(k) of the Internal Revenue Code of 1986
 17 is amended—

18 (A) by striking “January 1, 2015” in sub-
 19 paragraph (A)(iv) and inserting “January 1,
 20 2018”, and

21 (B) by striking “January 1, 2014” each
 22 place it appears and inserting “January 1,
 23 2017”.

24 (2) 100 PERCENT EXPENSING.—Paragraph (5)
 25 of section 168(k) is amended to read as follows:

1 “(5) TEMPORARY 100 PERCENT BONUS DEPRE-
 2 CIATION.—Paragraph (1)(A) shall be applied by sub-
 3 stituting ‘100 percent’ for ‘50 percent’ in the case
 4 of qualified property—

5 “(A) which is acquired by the taxpayer
 6 (under rules similar to the rules of clauses (ii)
 7 and (iii) of paragraph (2)(A))—

8 “(i) after September 8, 2010, and be-
 9 fore January 1, 2012, or

10 “(ii) after December 31, 2012, and
 11 before January 1, 2018, and

12 “(B) which is placed in service by the tax-
 13 payer—

14 “(i) before January 1, 2012 (January
 15 1, 2013, in the case of property described
 16 in subparagraph (2)(B) or (2)(C)), or

17 “(ii) in the case of property described
 18 in subparagraph (A)(ii), before January 1,
 19 2017 (January 1, 2018, in the case of
 20 property described in subparagraph (2)(B)
 21 or (2)(C)).”.

22 (b) SPECIAL RULES RELATING TO ELECTION TO AC-
 23 CELERATE AMT CREDIT IN LIEU OF BONUS DEPRECI-
 24 TION.—

1 (1) IN GENERAL.—Subclause (II) of section
 2 168(k)(4)(D)(iii) of such Code is amended by strik-
 3 ing “2014” and inserting “2017”.

4 (2) ROUND 4 EXTENSION PROPERTY.—Para-
 5 graph (4) of section 168(k) of such Code is amended
 6 by adding at the end the following new subpara-
 7 graph:

8 “(K) SPECIAL RULES FOR ROUND 4 EX-
 9 TENSION PROPERTY.—

10 “(i) IN GENERAL.—In the case of
 11 round 4 extension property, this paragraph
 12 shall be applied without regard to—

13 “(I) the limitation described in
 14 subparagraph (B)(i) thereof, and

15 “(II) the business credit increase
 16 amount under subparagraph (E)(iii)
 17 thereof.

18 “(ii) TAXPAYERS PREVIOUSLY ELECT-
 19 ING ACCELERATION.—In the case of a tax-
 20 payer who made the election under sub-
 21 paragraph (A) for its first taxable year
 22 ending after March 31, 2008, a taxpayer
 23 who made the election under subparagraph
 24 (H)(ii) for its first taxable year ending
 25 after December 31, 2008, a taxpayer who

1 made the election under subparagraph
2 (I)(iii) for its first taxable year ending
3 after December 31, 2010, or a taxpayer
4 who made the election under subparagraph
5 (J)(iii) for its first taxable year ending
6 after December 31, 2012—

7 “(I) the taxpayer may elect not
8 to have this paragraph apply to round
9 4 extension property, but

10 “(II) if the taxpayer does not
11 make the election under subclause (I),
12 in applying this paragraph to the tax-
13 payer the bonus depreciation amount,
14 maximum amount, and maximum in-
15 crease amount shall be computed and
16 applied to eligible qualified property
17 which is round 4 extension property.

18 The amounts described in subclause (II)
19 shall be computed separately from any
20 amounts computed with respect to eligible
21 qualified property which is not round 4 ex-
22 tension property.

23 “(iii) TAXPAYERS NOT PREVIOUSLY
24 ELECTING ACCELERATION.—In the case of
25 a taxpayer who neither made the election

1 under subparagraph (A) for its first tax-
2 able year ending after March 31, 2008,
3 nor made the election under subparagraph
4 (H)(ii) for its first taxable year ending
5 after December 31, 2008, nor made the
6 election under subparagraph (I)(iii) for any
7 taxable year ending after December 31,
8 2010, nor made the election under sub-
9 paragraph (J)(iii) for its first taxable year
10 ending after December 31, 2012—

11 “(I) the taxpayer may elect to
12 have this paragraph apply to its first
13 3 taxable years ending after December
14 31, 2013, and each subsequent tax-
15 able year, and

16 “(II) if the taxpayer makes the
17 election under subclause (I), this
18 paragraph shall only apply to eligible
19 qualified property which is round 4
20 extension property.

21 “(iv) ROUND 4 EXTENSION PROP-
22 erty.—For purposes of this subpara-
23 graph, the term ‘round 4 extension prop-
24 erty’ means property which is eligible
25 qualified property solely by reason of the

1 extension of the application of the special
2 allowance under paragraph (1) pursuant to
3 the amendments made by section 4(a)(1)
4 of the Jumpstarting Our Business Sector
5 Act of 2013 (and the application of such
6 extension to this paragraph pursuant to
7 the amendment made by section 4(b)(1) of
8 such Act).”.

9 (3) CONFORMING AMENDMENTS.—

10 (A) The heading for subsection (k) of sec-
11 tion 168 of such Code is amended by striking
12 “JANUARY 1, 2014” and inserting “JANUARY
13 1, 2017”.

14 (B) The heading for clause (ii) of section
15 168(k)(2)(B) of such Code is amended by strik-
16 ing “PRE-JANUARY 1, 2014” and inserting “PRE-
17 JANUARY 1, 2017”.

18 (C) Subparagraph (C) of section 168(n)(2)
19 of such Code is amended by striking “January
20 1, 2014” and inserting “January 1, 2017”.

21 (D) Subparagraph (D) of section
22 1400L(b)(2) of such Code is amended by strik-
23 ing “January 1, 2014” and inserting “January
24 1, 2017”.

1 (E) Subparagraph (B) of section
2 1400N(d)(3) of such Code is amended by strik-
3 ing “January 1, 2014” and inserting “January
4 1, 2017”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 this section shall apply to property placed in service after
7 December 31, 2013, in taxable years ending after such
8 date.

9 **SEC. 5. REPEAL OF ESTATE AND GIFT TAXES.**

10 (a) IN GENERAL.—Subtitle B of the Internal Rev-
11 enue Code of 1986 (relating to estate, gift, and genera-
12 tion-skipping taxes) is hereby repealed.

13 (b) EFFECTIVE DATE.—The repeal made by sub-
14 section (a) shall apply to estates of decedents dying, gifts
15 made, and generation-skipping transfers made after the
16 date of the enactment of this Act.

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