

114TH CONGRESS
2D SESSION

S. 3208

To amend the Internal Revenue Code of 1986 to make the Child and Dependent Care Tax Credit fully refundable, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 13, 2016

Mr. KING 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 make the Child and Dependent Care Tax Credit fully refundable, 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 “Access to Childcare
5 Expansion Act” or the “ACE Act”.

6 **SEC. 2. REFUNDABILITY OF CHILD AND DEPENDENT CARE**
7 **TAX CREDIT.**

8 (a) IN GENERAL.—The Internal Revenue Code of
9 1986 is amended—

1 (1) by redesignating section 21 as section 36C,
2 and

3 (2) by moving section 36C, as so redesignated,
4 from subpart A of part IV of subchapter A of chap-
5 ter 1 to the location immediately before section 37
6 in subpart C of part IV of subchapter A of chapter
7 1.

8 (b) TECHNICAL AMENDMENTS.—

9 (1) Paragraph (1) of section 23(f) of the Inter-
10 nal Revenue Code of 1986 is amended by striking
11 “21(e)” and inserting “36C(e)”.

12 (2) Paragraph (6) of section 35(g) of such Code
13 is amended by striking “21(e)” and inserting
14 “36C(e)”.

15 (3) Paragraph (1) of section 36C(a) of such
16 Code (as redesignated by subsection (a)) is amended
17 by striking “this chapter” and inserting “this sub-
18 title”.

19 (4) Subparagraph (C) of section 129(a)(2) of
20 such Code is amended by striking “section 21(e)”
21 and inserting “section 36C(e)”.

22 (5) Paragraph (2) of section 129(b) of such
23 Code is amended by striking “section 21(d)(2)” and
24 inserting “section 36C(d)(2)”.

1 (6) Paragraph (1) of section 129(e) of such
2 Code is amended by striking “section 21(b)(2)” and
3 inserting “section 36C(b)(2)”.

4 (7) Subsection (e) of section 213 of such Code
5 is amended by striking “section 21” and inserting
6 “section 36C”.

7 (8) Subparagraph (H) of section 6213(g)(2) of
8 such Code is amended by striking “section 21” and
9 inserting “section 36C”.

10 (9) Subparagraph (L) of section 6213(g)(2) of
11 such Code is amended by striking “section 21, 24,
12 or 32,” and inserting “section 24, 32, or 36C,”.

13 (10) Paragraph (2) of section 1324(b) of title
14 31, United States Code, is amended by inserting
15 “36C,” after “36B,”.

16 (11) The table of sections for subpart C of part
17 IV of subchapter A of chapter 1 of the Internal Rev-
18 enue Code of 1986 is amended by inserting after the
19 item relating to section 36B the following:

“Sec. 36C. Expenses for household and dependent care services necessary for
gainful employment.”.

20 (12) The table of sections for subpart A of such
21 part IV is amended by striking the item relating to
22 section 21.

1 (c) EFFECTIVE DATE.—The amendments made by
 2 this section shall apply to taxable years beginning after
 3 December 31, 2016.

4 **SEC. 3. ENHANCEMENT OF THE CHILD AND DEPENDENT**
 5 **CARE TAX CREDIT.**

6 (a) IN GENERAL.—Section 36C of the Internal Rev-
 7 enue Code of 1986, as redesignated by section 2 of this
 8 Act, is amended—

9 (1) in paragraph (1) of subsection (a), by strik-
 10 ing “35 percent reduced (but not below 20 percent)”
 11 and inserting “50 percent reduced (but not below 35
 12 percent)”;

13 (2) by redesignating subsection (f) as sub-
 14 section (g), and

15 (3) by inserting after subsection (e) the fol-
 16 lowing new subsection:

17 “(f) INFLATION ADJUSTMENT.—

18 “(1) IN GENERAL.—In the case of any taxable
 19 year beginning after 2016, each of the dollar
 20 amounts in subsections (a)(2) and (c) shall be in-
 21 creased by an amount equal to—

22 “(A) such dollar amount, multiplied by

23 “(B) the cost-of-living adjustment deter-
 24 mined under section 1(f)(3) for the calendar
 25 year in which the taxable year begins, deter-

1 mined by substituting ‘calendar year 2015’ for
2 ‘calendar year 1992’ in subparagraph (B)
3 thereof.

4 “(2) ROUNDING.—If any increase determined
5 under paragraph (1) is not a multiple of \$50, such
6 increase shall be rounded to the nearest multiple of
7 \$50.”.

8 (b) EFFECTIVE DATE.—The amendments made by
9 this section shall apply to taxable years beginning after
10 December 31, 2016.

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