

115TH CONGRESS
2D SESSION

H. R. 5382

To accelerate the income tax benefits for charitable cash contributions for the relief of the families of the slain or injured victims of the Marjory Stoneman Douglas High School shooting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2018

Mr. CURBELO of Florida (for himself, Mr. DEUTCH, and Mr. BUCHANAN) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To accelerate the income tax benefits for charitable cash contributions for the relief of the families of the slain or injured victims of the Marjory Stoneman Douglas High School shooting, 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 “Marjory Stoneman
5 Douglas High School Family Support Act of 2018”.

1 **SEC. 2. SPECIAL RULES FOR CHARITABLE CASH CONTRIBU-**
2 **TIONS FOR THE RELIEF OF THE FAMILIES OF**
3 **THE SLAIN OR INJURED VICTIMS OF THE**
4 **MARJORY STONEMAN DOUGLAS HIGH**
5 **SCHOOL SHOOTING.**

6 (a) **QUALIFIED CONTRIBUTION.**—For purposes of
7 this section, a qualified contribution is a cash contribution
8 made for the relief of the spouses, dependents, or guard-
9 ians of the slain or injured victims of the Marjory
10 Stoneman Douglas High School shooting that occurred on
11 February 14, 2018, for which a charitable contribution de-
12 duction is allowable under section 170 of the Internal Rev-
13 enue Code of 1986.

14 (b) **ACCELERATION OF INCOME TAX BENEFITS.**—
15 For purposes of section 170 of the Internal Revenue Code
16 of 1986, a taxpayer may treat any qualified contribution
17 made on after February 13, 2018, and before April 18,
18 2018, as if such contribution was made on December 31,
19 2017, and not in 2018.

20 (c) **RECORDKEEPING.**—In the case of a qualified con-
21 tribution, a telephone bill showing the name of the donee
22 organization, the date of the contribution, and the amount
23 of the contribution shall be treated as meeting the record-
24 keeping requirements of section 170(f)(17) of the Internal
25 Revenue Code of 1986.

1 (d) CLARIFICATION THAT CONTRIBUTION WILL NOT
2 FAIL TO QUALIFY AS A CHARITABLE CONTRIBUTION.—

3 A cash contribution made for the relief of the spouses,
4 dependents, or guardians of the slain or injured victims
5 of the Marjory Stoneman Douglas High School shooting
6 that occurred on February 14, 2018, shall not fail to be
7 treated as a charitable contribution for purposes of section
8 170 of the Internal Revenue Code of 1986 and subsection
9 (a) of this section merely because such contribution is for
10 the exclusive benefit of such spouses, dependents, or
11 guardians. The preceding sentence shall apply to contribu-
12 tions made on or after February 14, 2018.

13 (e) CLARIFICATION THAT PAYMENTS BY CHARI-
14 TABLE ORGANIZATIONS TO FAMILIES TREATED AS EX-
15 EMPT PAYMENTS.—For purposes of the Internal Revenue
16 Code of 1986, payments made on or after February 14,
17 2018, and on or before October 15, 2018, to the spouse,
18 any dependent (as defined in section 152 of such Code),
19 or any guardian of the slain or injured victims of the Mar-
20 jory Stoneman Douglas High School shooting that oc-
21 curred on February 14, 2018, by an organization which
22 (determined without regard to any such payments) would
23 be an organization exempt from tax under section 501(a)
24 of such Code shall—

1 (1) be treated as related to the purpose or func-
2 tion constituting the basis for such organization's
3 exemption under such section; and

4 (2) shall not be treated as inuring to the benefit
5 of any private individual,

6 if such payments are made in good faith using a reason-
7 able and objective formula which is consistently applied
8 with respect to such victims.

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