

116TH CONGRESS
1ST SESSION

H. R. 1260

To amend the Internal Revenue Code of 1986 to extend the charitable deduction to all taxpayers regardless of whether a taxpayer itemizes deductions in order to encourage and increase charitable giving.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2019

Mr. DANNY K. DAVIS of Illinois 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 extend the charitable deduction to all taxpayers regardless of whether a taxpayer itemizes deductions in order to encourage and increase charitable giving.

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. UNIVERSAL DEDUCTION FOR CHARITABLE GIV-**
4 **ING.**

5 (a) IN GENERAL.—Section 62(a) of the Internal Rev-
6 enue Code of 1986 is amended by inserting after para-
7 graph (21) the following new paragraph:

1 “(22) CHARITABLE CONTRIBUTIONS.—The de-
2 duction allowed by section 170 (reduced by the por-
3 tion thereof disallowed under section 68).”.

4 (b) APPLICATION OF OVERALL LIMITATION ON
5 ITEMIZED DEDUCTIONS.—Section 68 of such Code is
6 amended by adding at the end the following new sub-
7 section:

8 “(g) APPLICATION TO DEDUCTION FOR CHARITABLE
9 CONTRIBUTIONS.—

10 “(1) IN GENERAL.—For purposes of this sec-
11 tion, the deduction allowed by section 170 shall be
12 treated as an itemized deduction.

13 “(2) APPLICATION OF LIMITATION TO ABOVE-
14 THE-LINE DEDUCTION.—For purposes of section
15 62(a)(22), the portion of the deduction allowed by
16 section 170 for any taxable year which is disallowed
17 under this section is the portion bearing the same
18 ratio as—

19 “(A) the amount of the reduction under
20 subsection (a) for such taxable year, bears to

21 “(B) the amount of the itemized deduc-
22 tions otherwise allowable for such taxable
23 year.”.

1 (c) CONFORMING AMENDMENT.—Section
2 170(b)(1)(H) of such Code is amended by inserting “this
3 section and” after “computed without regard to”.

4 (d) EFFECTIVE DATE.—

5 (1) IN GENERAL.—The amendments made by
6 this section shall apply to taxable years beginning
7 after the date of the enactment of this Act.

8 (2) CROSS REFERENCE.—For suspension of the
9 application of section 68 of the Internal Revenue
10 Code of 1986 (including the amendments to such
11 section made by subsection (b)), see section 68(f) of
12 such Code.

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