

116TH CONGRESS
1ST SESSION

S. 170

To amend the Internal Revenue Code of 1986 to limit the amount of certain qualified conservation contributions.

IN THE SENATE OF THE UNITED STATES

JANUARY 16, 2019

Mr. DAINES (for himself and Ms. STABENOW) 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 limit the amount of certain qualified conservation contributions.

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 “Charitable Conserva-
5 tion Easement Program Integrity Act of 2019”.

1 **SEC. 2. LIMITATION ON PARTNER'S DEDUCTION FOR**
2 **QUALIFIED CONSERVATION CONTRIBUTIONS**
3 **MADE BY PARTNERSHIP.**

4 (a) IN GENERAL.—Section 170(h) of the Internal
5 Revenue Code of 1986 is amended by adding at the end
6 the following new paragraph:

7 “(7) LIMITATION ON PARTNERSHIP ALLOCA-
8 TION OF CONTRIBUTIONS.—

9 “(A) IN GENERAL.—In the case of any
10 qualified conservation contributions of any part-
11 nership (whether directly or as a distributive
12 share of such contributions of another partner-
13 ship), no amount of such contributions may be
14 taken into account under this section by any
15 partner of such partnership as a distributive
16 share of such contributions if the aggregate
17 amount so taken into account by such partner
18 for the taxable year would (but for this para-
19 graph) exceed 2.5 times such partner's adjusted
20 basis in such partnership (determined as of the
21 close of such taxable year and without regard to
22 such contributions). The preceding sentence
23 shall apply only with respect to the first 3 tax-
24 able years of such partner which end after the
25 date on which such partner first became a part-
26 ner in the partnership.

1 “(B) EXCEPTION FOR FAMILY PARTNER-
 2 SHIPS.—Subparagraph (A) shall not apply with
 3 respect to any partnership if substantially all of
 4 the partnership interests in such partnership
 5 are held by individuals who are related within
 6 the meaning of section 152(d)(2).

7 “(C) REGULATIONS.—The Secretary shall
 8 prescribe such regulations or other guidance as
 9 may be necessary to carry out, and prevent the
 10 avoidance of, the purposes of this paragraph.”.

11 (b) EFFECTIVE DATE.—This section shall apply to
 12 contributions made in taxable years ending after Decem-
 13 ber 23, 2016. No inference is intended as the appropriate
 14 treatment of contributions made in taxable years ending
 15 on or before such date or as to any activity not described
 16 in section 170(h)(7) of the Internal Revenue Code of
 17 1986, as added by this section.

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