

114TH CONGRESS
1ST SESSION

H. R. 3213

To amend the Internal Revenue Code of 1986 to make 100 percent bonus depreciation permanent.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2015

Mr. WILLIAMS 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 make
100 percent bonus depreciation permanent.

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 “Fixed Asset Relief Act
5 of 2015”.

6 **SEC. 2. BONUS DEPRECIATION INCREASED TO 100 PER-**
7 **CENT AND MADE PERMANENT.**

8 (a) INCREASE.—Section 168(k)(1)(A) of the Internal
9 Revenue Code of 1986 is amended by striking “50 per-
10 cent” and inserting “100 percent”.

1 (b) MADE PERMANENT.—Section 168(k)(2) of the
2 Internal Revenue Code of 1986 is amended to read as fol-
3 lows:

4 “(2) QUALIFIED PROPERTY.—For purposes of
5 this subsection—

6 “(A) IN GENERAL.—The term ‘qualified
7 property’ means property—

8 “(i)(I) to which this section applies
9 which has a recovery period of 20 years or
10 less,

11 “(II) which is computer software (as
12 defined in section 167(f)(1)(B)) for which
13 a deduction is allowable under section
14 167(a) without regard to this subsection,

15 “(III) which is water utility property,
16 or

17 “(IV) which is qualified leasehold im-
18 provement property, and

19 “(ii) the original use of which com-
20 mences with the taxpayer.

21 “(B) EXCEPTION FOR ALTERNATIVE DE-
22 PRECIATION PROPERTY.—The term ‘qualified
23 property’ shall not include any property to
24 which the alternative depreciation system under
25 subsection (g) applies, determined—

1 “(i) without regard to paragraph (7)
2 of subsection (g) (relating to election to
3 have system apply), and

4 “(ii) after application of section
5 280F(b) (relating to listed property with
6 limited business use).

7 “(C) SPECIAL RULES.—

8 “(i) SALE-LEASEBACKS.—For pur-
9 poses of clause (ii) and subparagraph
10 (A)(ii), if property is—

11 “(I) originally placed in service
12 by a person, and

13 “(II) sold and leased back by
14 such person within 3 months after the
15 date such property was originally
16 placed in service,

17 such property shall be treated as originally
18 placed in service not earlier than the date
19 on which such property is used under the
20 leaseback referred to in subclause (II).

21 “(ii) SYNDICATION.—For purposes of
22 subparagraph (A)(ii), if—

23 “(I) property is originally placed
24 in service by the lessor of such prop-
25 erty,

1 “(II) such property is sold by
2 such lessor or any subsequent pur-
3 chaser within 3 months after the date
4 such property was originally placed in
5 service (or, in the case of multiple
6 units of property subject to the same
7 lease, within 3 months after the date
8 the final unit is placed in service, so
9 long as the period between the time
10 the first unit is placed in service and
11 the time the last unit is placed in
12 service does not exceed 12 months),
13 and

14 “(III) the user of such property
15 after the last sale during such 3-
16 month period remains the same as
17 when such property was originally
18 placed in service,

19 such property shall be treated as originally
20 placed in service not earlier than the date
21 of such last sale.

22 “(D) COORDINATION WITH SECTION
23 280F.—For purposes of section 280F—

24 “(i) AUTOMOBILES.—In the case of a
25 passenger automobile (as defined in section

280F(d)(5)) which is qualified property,
the Secretary shall increase the limitation
under section 280F(a)(1)(A)(i) by \$8,000.

“(ii) LISTED PROPERTY.—The deduction allowable under paragraph (1) shall be taken into account in computing any recapture amount under section 280F(b)(2).

“(iii) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2015, the \$8,000 amount in clause (i) shall be increased by an amount equal to—

“(I) such dollar amount, multiplied by

“(II) the automobile price inflation adjustment determined under section 280F(d)(7)(B)(i) for the calendar year in which such taxable year begins by substituting ‘2014’ for ‘1987’ in subclause (II) thereof.

If any increase under the preceding sentence is not a multiple of \$100, such increase shall be rounded to the nearest multiple of \$100.

1 “(E) DEDUCTION ALLOWED IN COMPUTING
2 MINIMUM TAX.—For purposes of determining
3 alternative minimum taxable income under sec-
4 tion 55, the deduction under section 167 for
5 qualified property shall be determined without
6 regard to any adjustment under section 56.”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to property placed in service after
9 December 31, 2014.

○