

116TH CONGRESS
1ST SESSION

H. R. 4011

To amend the Internal Revenue Code of 1986 to require lead remediation for qualified opportunity zone property originally constructed before January 1, 1978.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2019

Mr. CUMMINGS (for himself and Ms. TLAIB) 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 require lead remediation for qualified opportunity zone property originally constructed before January 1, 1978.

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 “Opportunity Zone
5 Lead Remediation Impact Act of 2019”.

6 **SEC. 2. LEAD REMEDIATION REQUIREMENTS FOR QUALI-**
7 **FIED OPPORTUNITY FUNDS.**

8 (a) LEAD REMEDIATION REQUIREMENTS FOR PRE-
9 1978 PROPERTY.—Section 1400Z–2(d)(2)(D) of the In-

1 ternal Revenue Code of 1986 is amended by adding at the
 2 end the following new clause:

3 “(iv) LEAD REMEDIATION REQUIRE-
 4 MENTS FOR PRE-1978 PROPERTY.—For
 5 purposes of subparagraph (A)(ii), no resi-
 6 dential property originally constructed be-
 7 fore January 1, 1978, shall be treated as
 8 substantially improved by the qualified op-
 9 portunity zone fund unless, after improve-
 10 ment—

11 “(I) such property contains no
 12 painted surfaces that exceed the levels
 13 described in section 302(c) of the
 14 Lead-Based Paint Poisoning and Pre-
 15 vention Act, and

16 “(II) any pipes and fixtures of
 17 such property are lead free (as such
 18 term is defined in section 1417 of the
 19 Safe Water Drinking Act).”.

20 (b) DONATION OF OPPORTUNITY FUND ASSETS.—
 21 Section 1400Z–2(d)(1) Internal Revenue Code of 1986 is
 22 amended by striking “that holds” and all that following
 23 through the period at the end and inserting the following:
 24 “that—

1 “(A) holds at least 88 percent of its assets
2 in qualified opportunity zone property, deter-
3 mined by the average of the percentage of
4 qualified opportunity zone property held in the
5 fund as measured—

6 “(i) on the last day of the first 6-
7 month period of the taxable year of the
8 fund, and

9 “(ii) on the last day of the taxable
10 year of the fund, and

11 “(B) donates not less than 2 percent of
12 amounts invested in such fund for use for reme-
13 diation of lead hazards in paint, dust, soil, and
14 drinking water in residential properties, non-
15 residential buildings housing child care facilities
16 (within the meaning of section 305 of the Toxic
17 Substances Control Act), or school facilities
18 (within the meaning of section 501 of such Act)
19 in a qualified opportunity zone.”.

20 (c) EFFECTIVE DATE.—The amendments made by
21 this Act shall apply to capital gains realized in taxable
22 years beginning after the date of the enactment of this
23 Act.

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