

117TH CONGRESS
1ST SESSION

H. R. 3058

To temporarily allow a deduction for the trade or business expenses of employees.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2021

Mr. MORELLE introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To temporarily allow a deduction for the trade or business expenses of employees.

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 “Home Office Deduc-
5 tion Act of 2021”.

6 **SEC. 2. TEMPORARY DEDUCTION FOR TRADE OR BUSINESS**

7 **EXPENSES OF EMPLOYEES.**

8 (a) IN GENERAL.—For purposes of the Internal Rev-
9 enue Code of 1986—

1 (1) the qualified employee trade or business de-
2 ductions of any taxpayer for any taxable year shall
3 not be treated as itemized deductions, and

4 (2) in the case of an taxpayer who does not
5 elect to itemize such taxpayer’s deductions for any
6 taxable year, the taxable income of such taxpayer for
7 such taxable shall be reduced by the qualified em-
8 ployee trade or business deductions of such taxpayer
9 for such taxable year.

10 (b) QUALIFIED EMPLOYEE TRADE OR BUSINESS DE-
11 DUCTIONS.—For purposes of this section, the term “quali-
12 fied employee trade or business deductions” means so
13 much of the deductions allowed by section 162 of the In-
14 ternal Revenue Code of 1986 (determined without regard
15 to section 67(g) of such Code) as are attributable to
16 amounts paid or incurred—

17 (1) in the trade or business of being an em-
18 ployee, and

19 (2) during the period beginning on March 13,
20 2020, and ending on December 31, 2021.

21 (c) PHASE-OUT BASED ON MODIFIED ADJUSTED
22 GROSS INCOME.—

23 (1) IN GENERAL.—In the case of any taxpayer
24 for any taxable year, the amount of qualified em-
25 ployee trade or business deductions taken into ac-

1 count under subsection (a) (determined without re-
2 gard to this subsection) shall be reduced (but not
3 below zero) by the amount which bears the same
4 ratio to the amount of such deductions (as so deter-
5 mined) as—

6 (A) the excess of—

7 (i) the taxpayer's modified adjusted
8 gross income for such taxable year, over

9 (ii) \$200,000 (\$400,000 in the case of
10 a joint return), bears to

11 (B) \$50,000 (\$100,000 in the case of a
12 joint return).

13 (2) MODIFIED ADJUSTED GROSS INCOME.—For
14 purposes of this subsection, the term “modified ad-
15 justed gross income” means the adjusted gross in-
16 come of the taxpayer (as defined in section 62 of the
17 Internal Revenue Code of 1986) for the taxable year
18 increased by any amount excluded from gross in-
19 come under sections 911, 931, and 933 of such
20 Code.

○