

118TH CONGRESS  
1ST SESSION

# H. R. 4967

To amend the Internal Revenue Code of 1986 to allow for deductions for the performance of certain services by a taxpayer, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2023

Ms. BUDZINSKI (for herself and Mr. MOLINARO) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to allow for deductions for the performance of certain services by a taxpayer, and for other purposes.

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. ALLOWANCE OF DEDUCTION FOR CERTAIN EX-**  
4 **PENSES OF BEING AN EMPLOYEE.**

5 (a) ABOVE-THE-LINE DEDUCTION FOR CERTAIN EX-  
6 PENSES.—Section 62(a)(1) of the Internal Revenue Code  
7 of 1986 is amended by adding at the end the following  
8 new sentence: “The limitation under the preceding sen-  
9 tence shall not apply to deductions which are attributable  
10 to a trade or business consisting of the performance of

1 services by the taxpayer as an employee if such deductions  
2 are for construction tools, personal protective clothing and  
3 gear, and other expenses in connection with such place of  
4 employment which are necessary for such individual to be  
5 able to work.”.

6 (b) ALLOWANCE OF MISCELLANEOUS ITEMIZED DE-  
7 DUCTION FOR OTHER EXPENSES OF THE TRADE OR  
8 BUSINESS OF BEING AN EMPLOYEE.—Section 67(g) of  
9 the Internal Revenue Code of 1986 is amended—

10 (1) by striking “2025.—Notwithstanding sub-  
11 section (a),” and inserting “2025.—

12 “(1) IN GENERAL.—Notwithstanding subsection  
13 (a), except as provided in paragraph (2),”, and

14 (2) by adding at the end the following:

15 “(2) EXCEPTIONS FOR EXPENSES OF THE  
16 TRADE OR BUSINESS OF BEING AN EMPLOYEE.—

17 “(A) IN GENERAL.—Paragraph (1) shall  
18 not apply to miscellaneous itemized deductions  
19 for any taxable year which are itemized deduc-  
20 tions attributable to a trade or business carried  
21 on by the taxpayer which consists of the per-  
22 formance of services by the taxpayer as an em-  
23 ployee.

24 “(B) APPLICATION OF 2-PERCENT TEST.—

25 In applying subsection (a) for any taxable year

1           to which this paragraph applies, only the  
2           itemized deductions described in subparagraph  
3           (A) shall be taken into account as miscellaneous  
4           itemized deductions.”.

5           (c) EFFECTIVE DATE.—The amendments made by  
6 this section shall apply to taxable years beginning after  
7 December 31, 2023.

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