

114TH CONGRESS
1ST SESSION

S. 330

To amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 2, 2015

Mr. HELLER (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 make permanent the special rule for contributions of qualified conservation contributions, 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. SHORT TITLE.**

4 This Act may be cited as the “Conservation Ease-
5 ment Incentive Act of 2015”.

6 **SEC. 2. SPECIAL RULE FOR CONTRIBUTIONS OF QUALIFIED**

7 **CONSERVATION CONTRIBUTIONS MADE PER-**
8 **MANENT.**

9 (a) IN GENERAL.—

1 (1) INDIVIDUALS.—Subparagraph (E) of sec-
 2 tion 170(b)(1) of the Internal Revenue Code of
 3 1986, as amended by the Tax Increase Prevention
 4 Act of 2014, is amended by striking clause (vi).

5 (2) CORPORATIONS.—Subparagraph (B) of sec-
 6 tion 170(b)(2) of such Code, as amended by such
 7 Act, is amended by striking clause (iii).

8 (b) CONTRIBUTIONS OF CAPITAL GAIN REAL PROP-
 9 ERTY MADE FOR CONSERVATION PURPOSES BY NATIVE
 10 CORPORATIONS.—

11 (1) IN GENERAL.—Section 170(b)(2) of such
 12 Code is amended by redesignating subparagraph (C)
 13 as subparagraph (D), and by inserting after sub-
 14 paragraph (B) the following new subparagraph:

15 “(C) QUALIFIED CONSERVATION CON-
 16 TRIBUTIONS BY CERTAIN NATIVE CORPORA-
 17 TIONS.—

18 “(i) IN GENERAL.—Any qualified con-
 19 servation contribution (as defined in sub-
 20 section (h)(1)) which—

21 “(I) is made by a Native Cor-
 22 poration, and

23 “(II) is a contribution of prop-
 24 erty which was land conveyed under

1 the Alaska Native Claims Settlement
2 Act,
3 shall be allowed to the extent that the ag-
4 gregate amount of such contributions does
5 not exceed the excess of the taxpayer's tax-
6 able income over the amount of charitable
7 contributions allowable under subpara-
8 graph (A).

9 “(ii) CARRYOVER.—If the aggregate
10 amount of contributions described in clause
11 (i) exceeds the limitation of clause (i), such
12 excess shall be treated (in a manner con-
13 sistent with the rules of subsection (d)(2))
14 as a charitable contribution to which clause
15 (i) applies in each of the 15 succeeding
16 years in order of time.

17 “(iii) NATIVE CORPORATION.—For
18 purposes of this subparagraph, the term
19 ‘Native Corporation’ has the meaning
20 given such term by section 3(m) of the
21 Alaska Native Claims Settlement Act.”.

22 (2) CONFORMING AMENDMENT.—Section
23 170(b)(2)(A) of such Code is amended by striking
24 “subparagraph (B) applies” and inserting “subpara-
25 graph (B) or (C) applies”.

1 (3) VALID EXISTING RIGHTS PRESERVED.—

2 Nothing in this subsection (or any amendment made
3 by this subsection) shall be construed to modify the
4 existing property rights validly conveyed to Native
5 Corporations (within the meaning of section 3(m) of
6 the Alaska Native Claims Settlement Act) under
7 such Act.

8 (c) EFFECTIVE DATE.—The amendments made by
9 this section shall apply to contributions made in taxable
10 years beginning after December 31, 2014.

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