

118TH CONGRESS
2D SESSION

S. 3976

To amend the Internal Revenue Code of 1986 to reinstate the deduction for personal casualty losses as in effect prior to the enactment of Public Law 115–97 (commonly referred to as the “Tax Cuts and Jobs Act”).

IN THE SENATE OF THE UNITED STATES

MARCH 19, 2024

Ms. BALDWIN (for herself and Mr. WELCH) 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 reinstate the deduction for personal casualty losses as in effect prior to the enactment of Public Law 115–97 (commonly referred to as the “Tax Cuts and Jobs Act”).

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 “Tax Relief for Victims
5 of Crimes, Scams, and Disasters Act”.

1 **SEC. 2. REINSTATEMENT OF DEDUCTION FOR PERSONAL**
2 **CASUALTY LOSS.**

3 (a) IN GENERAL.—Section 165(h) of the Internal
4 Revenue Code of 1986 is amended by striking paragraph
5 (5).

6 (b) EFFECTIVE DATE.—The amendment made by
7 this section shall apply to taxable years beginning after
8 December 31, 2017.

9 **SEC. 3. EXTENSION OF AMENDED RETURN WINDOW FOR**
10 **PERSONAL CASUALTY LOSS.**

11 (a) IN GENERAL.—In the case of a taxpayer who filed
12 a return for a taxable year ending before January 1, 2022,
13 with respect to which a deduction could have been taken
14 by the taxpayer under section 165(h) of the Internal Rev-
15 enue Code of 1986 but for the fact that such deduction
16 was suspended at the time of filing—

17 (1) the period of limitation prescribed by sec-
18 tion 6511(a) of such Code for any such taxable year
19 shall be extended until the date prescribed by law
20 (including extensions) for filing the return of tax for
21 the taxable year that includes the date of the enact-
22 ment of this Act; and

23 (2) section 6511(b)(2) of such Code shall not
24 apply to any claim of credit or refund with respect
25 to such return.

1 (b) EXTENSION RESTRICTED TO CASUALTY LOSS
2 DEDUCTION.—Subsection (a) shall apply only with respect
3 to amendments to the return of tax and claims for credit
4 or refund of a taxpayer to the extent such amendments
5 or claims relate to the deduction for casualty losses under
6 section 165(h) of the Internal Revenue Code of 1986.

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