

118TH CONGRESS  
1ST SESSION

# S. 566

To amend the Internal Revenue Code of 1986 to modify and extend the deduction for charitable contributions for individuals not itemizing deductions.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 2023

Mr. LANKFORD (for himself, Mr. COONS, Mr. RUBIO, Ms. CORTEZ MASTO, Ms. HASSAN, Mr. WARNOCK, Ms. COLLINS, Ms. KLOBUCHAR, Mr. SCOTT of South Carolina, Mr. PETERS, and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code of 1986 to modify and extend the deduction for charitable contributions for individuals not itemizing deductions.

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 “Charitable Act”.

1 **SEC. 2. MODIFICATION AND EXTENSION OF DEDUCTION**  
2 **FOR CHARITABLE CONTRIBUTIONS FOR INDIVIDUALS NOT ITEMIZING DEDUCTIONS.**  
3

4 (a) **IN GENERAL.**—Subsection (p) of section 170 of  
5 the Internal Revenue Code of 1986 is amended to read  
6 as follows:

7 “(p) **SPECIAL RULE FOR TAXPAYERS WHO DO NOT**  
8 **ELECT TO ITEMIZE DEDUCTIONS.**—In the case of a tax-  
9 able year beginning in 2023 or 2024, the deduction under  
10 this subsection for the taxable year shall be equal to so  
11 much of the deduction determined under this section  
12 (without regard to this subsection) for such taxable year  
13 as does not exceed an amount equal to  $\frac{1}{3}$  of the amount  
14 of the standard deduction with respect to such individual  
15 for such taxable year. This subsection shall apply only in  
16 the case of an individual who does not elect to itemize de-  
17 ductions for the taxable year.”.

18 (b) **ELIMINATION OF PENALTY.**—

19 (1) **IN GENERAL.**—Section 6662(b) of the In-  
20 ternal Revenue Code of 1986 is amended by striking  
21 paragraph (9) and by redesignating paragraph (10)  
22 as paragraph (9).

23 (2) **INCREASED PENALTY.**—Section 6662 of  
24 such Code is amended by striking subsection (l).

25 (3) **CONFORMING AMENDMENTS.**—

1 (A) Sections 6662(h)(2)(D) of such Code  
2 is amended by striking “subsection (b)(10)”  
3 and inserting “subsection (b)(9)”.

4 (B) Section 6664(c)(2) of such Code is  
5 amended by striking “section 6662(b)(10)” and  
6 inserting “section 6662(b)(9)”.

7 (C) Section 6751(b)(2)(A) of such Code is  
8 amended by striking “by reason of paragraph  
9 (9) or (10) of subsection (b) thereof” and in-  
10 sserting “by reason of subsection (b)(9) there-  
11 of”.

12 (c) EFFECTIVE DATE.—The amendments made by  
13 this section shall apply to taxable years beginning after  
14 December 31, 2022.

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