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(Original Signature of Member)

114TH CONGRESS
1ST SESSION

H. R. 641

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

IN THE HOUSE OF REPRESENTATIVES

Mr. KELLY of Pennsylvania (for himself and Mr. THOMPSON of California) introduced the following bill; which was referred to the Committee on

A BILL

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

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”.

1 **SEC. 2. SPECIAL RULE FOR CONTRIBUTIONS OF QUALIFIED**
2 **CONSERVATION CONTRIBUTIONS MADE PER-**
3 **MANENT.**

4 (a) IN GENERAL.—

5 (1) INDIVIDUALS.—Subparagraph (E) of sec-
6 tion 170(b)(1) of the Internal Revenue Code of 1986
7 (relating to contributions of qualified conservation
8 contributions) is amended by striking clause (vi).

9 (2) CORPORATIONS.—Subparagraph (B) of sec-
10 tion 170(b)(2) of such Code (relating to qualified
11 conservation contributions) is amended by striking
12 clause (iii).

13 (b) CONTRIBUTIONS OF CAPITAL GAIN REAL PROP-
14 erty MADE FOR CONSERVATION PURPOSES BY NATIVE
15 CORPORATIONS.—

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

20 “(C) QUALIFIED CONSERVATION CON-
21 TRIBUTIONS BY CERTAIN NATIVE CORPORA-
22 TIONS.—

23 “(i) IN GENERAL.—Any qualified con-
24 servation contribution (as defined in sub-
25 section (h)(1)) which—

1 “(I) is made by a Native Cor-
2 poration, and

3 “(II) is a contribution of prop-
4 erty which was land conveyed under
5 the Alaska Native Claims Settlement
6 Act,

7 shall be allowed to the extent that the ag-
8 gregate amount of such contributions does
9 not exceed the excess of the taxpayer’s tax-
10 able income over the amount of charitable
11 contributions allowable under subpara-
12 graph (A).

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

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

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

5 (3) VALID EXISTING RIGHTS PRESERVED.—
6 Nothing in this subsection (or any amendment made
7 by this subsection) shall be construed to modify the
8 existing property rights validly conveyed to Native
9 Corporations (within the meaning of section 3(m) of
10 the Alaska Native Claims Settlement Act) under
11 such Act.

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