



JOINT COMMITTEE ON TAXATION  
March 24, 2026  
JCX-10-26

**DESCRIPTION OF THE CHAIRMAN’S AMENDMENT  
IN THE NATURE OF A SUBSTITUTE TO H.R. 2347,  
THE “SURVIVOR JUSTICE TAX PREVENTION ACT”**

The Chairman’s amendment in the nature of a substitute (“AINS”) strikes the language of H.R. 2347 (the “bill”) and replaces it with similar language with the following changes.

The bill provides that, for purposes of the exclusion from gross income of section 104(a)(2) of the Internal Revenue Code of 1986, in no event shall damages be treated as not having been adequately substantiated as being on account of a sexual act or sexual contact merely because there are no medical records of such act or contact. The amendment strikes this provision and instead amends section 104(a)(2) to provide that for purposes of the exclusion from gross income, any sexual act or sexual contact is so defined whether or not there are medical records or observable injuries of such act or contact. The AINS adds that no inference may be drawn from this amendment with respect to whether the term “personal physical injuries or physical sickness” as used in section 104(a)(2) includes injuries or sickness with respect to which there are no medical records or observable injuries.

The bill provides that, for purposes of the exclusion from gross income of section 104(a)(2), damages are treated as on account of a sexual act or sexual contact if the judgment or agreement providing for such damages states that such damages are so on account. The amendment strikes this provision and instead amends section 104(a)(2) to provide that for purposes of the exclusion from gross income, if a decision or agreement states that any damages received therefrom are on account of a sexual act or sexual contact, such statement suffices to shift the burden of proof in any court proceeding to the Secretary of the Treasury as to whether such damages are so on account. Lastly, the amendment replaces the word “judgment” with “decision” each time it appears in the effective date of the bill.

The proposal is estimated to have the following effect on Federal fiscal year budget receipts:

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<b>Fiscal Years</b>												
<b>[Millions of Dollars]</b>												
<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>	<u>2031</u>	<u>2032</u>	<u>2033</u>	<u>2034</u>	<u>2035</u>	<u>2036</u>	<u>2026-31</u>	<u>2026-36</u>
-3	-7	-8	-8	-8	-8	-9	-9	-9	-10	-10	-42	-89

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NOTE: Details may not add to totals due to rounding. The date of enactment is assumed to be April 30, 2026.