

103^D CONGRESS
1ST SESSION

H. R. 170

To temporarily permit penalty-free withdrawals from individual retirement plans and section 401(k) plans.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. DUNCAN introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To temporarily permit penalty-free withdrawals from individual retirement plans and section 401(k) plans.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PENALTY-FREE WITHDRAWALS FROM INDIVID-**
2 **UAL RETIREMENT PLANS AND SECTION 401(k)**
3 **PLANS DURING 1-YEAR PERIOD**

4 (a) IN GENERAL.—Notwithstanding any other provi-
5 sion of law, in the case of any distribution from an eligible
6 plan during the 1-year period beginning on the date of
7 the enactment of this Act—

8 (1) section 72(t) of the Internal Revenue Code
9 of 1986 (relating to 10-percent additional tax on
10 early distributions from qualified retirement plans)
11 shall not apply, and

12 (2) for purposes of such Code, gross income
13 shall not include 10 percent of the portion of such
14 distribution which would have been includible in
15 gross income if this section had not been enacted.

16 (b) ELIGIBLE PLAN.—For purposes of this section,
17 the term “eligible plan” means—

18 (1) an individual retirement account described
19 in section 408(a) of such Code,

20 (2) an individual retirement annuity described
21 in section 408(b) of such Code, or

22 (3) a qualified cash or deferred arrangement
23 under section 401(k) of such Code.

24 (c) EFFECTIVE DATE.—This section shall apply to
25 taxable years ending on or after the date of the enactment
26 of this Act.

