

104TH CONGRESS  
2D SESSION

# H. R. 4201

To amend the Internal Revenue Code of 1986 to encourage qualified conservation contributions by individuals of capital gain property.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 1996

Mrs. JOHNSON of Connecticut introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to encourage qualified conservation contributions by individuals of capital gain property.

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. MODIFICATIONS TO ENCOURAGE QUALIFIED**  
4 **CONSERVATION CONTRIBUTIONS OF CAP-**  
5 **ITAL GAIN PROPERTY.**

6 (a) **QUALIFIED CONSERVATION CONTRIBUTIONS NOT**  
7 **SUBJECT TO SPECIAL LIMITATION ON CONTRIBUTIONS**  
8 **OF CAPITAL GAIN PROPERTY.**—Subparagraph (C) of sec-

1 tion 170(b)(1) of the Internal Revenue Code of 1986 (re-  
2 lating to special limitation with respect to contributions  
3 described in subparagraph (A) of capital gain property)  
4 is amended by redesignating clause (iv) as clause (v) and  
5 by inserting after clause (iii) the following new clause:

6                   “(iv) Clauses (i) and (ii) shall not  
7                   apply to any qualified conservation con-  
8                   tribution (as defined in subsection (h)) de-  
9                   scribed in subparagraph (A) of capital gain  
10                  property.”

11           (b) UNLIMITED CARRYOVER OF QUALIFIED CON-  
12   SERVATION CONTRIBUTIONS OF CAPITAL GAIN PROP-  
13   ERTY.—Paragraph (1) of section 170(d) of such Code is  
14   amended by adding at the end the following new subpara-  
15   graph:

16                   “(C) UNLIMITED CARRYOVER OF QUALI-  
17                   FIED CONSERVATION CONTRIBUTIONS OF CAP-  
18                   ITAL GAIN PROPERTY.—The 5 taxable year lim-  
19                   itation in subparagraph (A) shall not apply to  
20                   any qualified conservation contribution (as de-  
21                   fined in subsection (h)) described in subsection  
22                   (b)(1)(A) of capital gain property (as defined in  
23                   subsection (b)(1)(C)(v)). For purposes of this  
24                   paragraph, the excess described in the material  
25                   preceding clause (i) of subparagraph (A) shall

1           be treated as attributable to contributions de-  
2           scribed in the preceding sentence of the sub-  
3           paragraph to the extent of such contributions.”

4       (c) EFFECTIVE DATE.—The amendment made by  
5 this section shall apply to taxable years beginning after  
6 the date of the enactment of this Act.

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