

107TH CONGRESS
1ST SESSION

H. R. 2822

To amend the Internal Revenue Code of 1986 to allow taxpayers to include compensation received for compulsory or involuntary commercial plant conversions as income or gain over a 10-year period.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2001

Mrs. THURMAN (for herself, Mr. FOLEY, Mr. BOYD, Mr. DOYLE, Mr. FILNER, Mr. GEKAS, Mr. HASTINGS of Florida, Mr. PETERSON of Pennsylvania, Mr. PLATTS, Mr. PUTNAM, Ms. ROS-LEHTINEN, Ms. WATSON of California, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to allow taxpayers to include compensation received for compulsory or involuntary commercial plant conversions as income or gain over a 10-year period.

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 “Growers’ Tax Fairness
5 Act of 2001”.

1 **SEC. 2. 10-YEAR RATABLE INCOME INCLUSION FOR COM-**
2 **PULSORY OR INVOLUNTARY COMMERCIAL**
3 **PLANT CONVERSION COMPENSATION.**

4 (a) IN GENERAL.—Part I of subchapter Q of chapter
5 1 of the Internal Revenue Code of 1986 (relating to in-
6 come averaging) is amended by inserting after section
7 1301 the following new section:

8 **“SEC. 1302. 10-YEAR RATABLE INCOME INCLUSION FOR**
9 **COMPULSORY OR INVOLUNTARY COMMER-**
10 **CIAL PLANT CONVERSION COMPENSATION.**

11 “(a) IN GENERAL.—At the election of the taxpayer,
12 any amount taken into account as income or gain by rea-
13 son of receiving compulsory or involuntary commercial
14 plant conversion compensation shall be included in the in-
15 come of the taxpayer ratably over the 10-year period be-
16 ginning with the taxable year in which the compensation
17 is received or accrued by the taxpayer.

18 “(b) COMPULSORY OR INVOLUNTARY COMMERCIAL
19 PLANT CONVERSION COMPENSATION.—

20 “(1) IN GENERAL.—For purposes of subsection
21 (a), the term ‘compulsory or involuntary commercial
22 plant conversion compensation’ means—

23 “(A) a citrus canker tree payment,

24 “(B) plum pox virus compensation pay-
25 ment, or

26 “(C) a Pierce’s disease payment.

1 “(2) CITRUS CANKER TREE PAYMENT.—For
2 purposes of paragraph (1), the term ‘citrus canker
3 tree payment’ means a payment made to an owner
4 of a commercial citrus grove to recover income that
5 was lost as a result of the removal of commercial cit-
6 rus trees to control canker under the amendments to
7 the citrus canker regulations (7 C.F.R. 301) made
8 by the final rule published in the Federal Register
9 by the Secretary of Agriculture on June 18, 2001
10 (66 Fed. Reg. 32713, Docket No. 00–37–4).

11 “(3) PLUM POX VIRUS COMPENSATION PAY-
12 MENT.—For purposes of paragraph (1), the term
13 ‘plum pox virus compensation payment’ means a
14 payment made as compensation for the quarantine
15 and destruction of commercial stone fruit trees and
16 any *Prunus* spp. plant material pursuant to the Dec-
17 laration of Extraordinary Emergency Because of
18 Plum Pox Virus published by the Secretary of Agri-
19 culture on March 2, 2000 (65 Fed. Reg. 11280–
20 11281, Docket No. 00–001–1).

21 “(4) PIERCE’S DISEASE PAYMENT.—For pur-
22 poses of paragraph (1), the term ‘Pierce’s disease
23 payment’ means payment made by the Secretary of
24 Agriculture to growers for losses due to Pierce’s dis-
25 ease.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for part I of subchapter Q of chapter 1 of such Code is
3 amended by inserting after the item relating to section
4 1301 the following new item:

 “Sec. 1302. 10-year ratable income inclusion for compulsory or
 involuntary commercial plant conversion compensa-
 tion.”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 this section shall apply to payments made before, on, or
7 after the date of the enactment of this Act.

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