

116TH CONGRESS
2D SESSION

H. R. 6354

To amend the Internal Revenue Code of 1986 to provide a one-time emergency tax credit to small businesses to cover rent and mortgage payments.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2020

Mr. KIND (for himself, Mr. RICE of South Carolina, Ms. SEWELL of Alabama, and Mr. KELLY of Pennsylvania) 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 provide a one-time emergency tax credit to small businesses to cover rent and mortgage payments.

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 “Small Business Assist-
5 ance Act of 2020”.

6 **SEC. 2. TAX CREDIT TO SMALL BUSINESSES TO COVER**
7 **RENT AND MORTGAGE PAYMENTS.**

8 (a) ALLOWANCE OF CREDIT.—

1 (1) IN GENERAL.—In the case of an eligible
2 small business, there shall be allowed as a credit
3 against the tax imposed by chapter 1 of the Internal
4 Revenue Code of 1986 for the first taxable year be-
5 ginning on or after January 1, 2019, an amount
6 equal to the sum of any qualified rent or mortgage
7 expenditures which—

8 (A) relate to any real property which is
9 primarily used in a trade or business of such el-
10 igible small business which is a qualified trade
11 or business (as defined in section 199A(d)), and

12 (B) are paid or incurred by such eligible
13 small business during the first 4 months of
14 2020.

15 (2) LIMITATION.—The amount of the credit al-
16 lowable to a taxpayer under paragraph (1) for any
17 taxable year shall not exceed \$50,000.

18 (b) ELIGIBLE SMALL BUSINESS.—For purposes of
19 this section—

20 (1) IN GENERAL.—The term “eligible small
21 business” means, with respect to calendar year
22 2019, an employer who has employed an average of
23 not greater than 500 full-time employees on business
24 days during such calendar year.

1 (2) APPLICATION OF AGGREGATION RULE FOR
2 EMPLOYERS.—All persons treated as a single em-
3 ployer under subsection (b), (c), (m), or (o) of sec-
4 tion 414 of the Internal Revenue Code of 1986 shall
5 be treated as 1 employer.

6 (c) QUALIFIED RENT OR MORTGAGE EXPENDI-
7 TURES.—For purposes of this section, the term “qualified
8 rent or mortgage expenditures” means an expenditure for
9 rent or mortgage payments (not including any amounts
10 attributable to utilities) that are paid pursuant to a con-
11 tract entered into before the date of the enactment of this
12 Act.

13 (d) EXPEDITED AMENDED RETURN PROCESS.—In
14 the case of any eligible small business which has timely
15 filed an amendment to the tax return for such business
16 for the taxable year described in subsection (a) for the
17 sole purpose of claiming the credit allowed under this sec-
18 tion, the Secretary of the Treasury (or the Secretary’s del-
19 egate) shall establish a separate and expedited process for
20 reviewing and processing such amended returns.

21 (e) REGULATIONS.—The Secretary of the Treasury
22 (or the Secretary’s delegate) shall prescribe such regula-
23 tions or guidance as may be necessary to carry out the
24 provisions of this section, including regulations and guid-
25 ance to prevent and identify fraud through the use of rel-

1 evant information submitted by third parties which relates
2 to the rent or mortgage expenditures claimed by a tax-
3 payer for purposes of the credit allowed under this section.

4 (f) EFFECTIVE DATE.—This section shall take effect
5 on the date of enactment of this Act.

