

108TH CONGRESS
1ST SESSION

H. R. 3508

To amend the Internal Revenue Code of 1986 to expand the tax benefits for the New York Liberty Zone.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2003

Mr. HOUGHTON (for himself and Mr. RANGEL) 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 expand the tax benefits for the New York Liberty Zone.

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. EXPANSION OF NEW YORK LIBERTY ZONE TAX**

4 **BENEFITS.**

5 (a) **EXTENSION OF TAX-EXEMPT BOND FINANC-**
6 **ING.**—Subparagraph (D) of section 1400L(d)(2) of the
7 Internal Revenue Code of 1986 is amended by striking
8 “2005” and inserting “2010”.

9 (b) **INCREASE IN MAXIMUM AMOUNT OF BONDS FOR**
10 **RESIDENTIAL PROPERTY.**—Clause (ii) of section

1 1400L(d)(3)(B) of such Code is amended by striking
2 “\$1,600,000,000” and inserting “\$3,000,000,000”.

3 (c) ELIMINATION OF SQUARE FOOTAGE REQUIRE-
4 MENT FOR NON-PUBLIC UTILITY PROJECTS.—

5 (1) IN GENERAL.—Subparagraph (B) of section
6 1400L(d)(4) of such Code is amended to read as fol-
7 lows:

8 “(B) COSTS FOR CERTAIN PROPERTY OUT-
9 SIDE ZONE INCLUDED.—In the case of certain
10 property located outside the New York Liberty
11 Zone but within the City of New York, such
12 term includes the cost of—

13 “(i) acquisition, construction, recon-
14 struction, and renovation of nonresidential
15 real property (including fixed tenant im-
16 provements associated with such property),
17 if such property is part of a project which
18 consists of at least 100,000 square feet of
19 usable office or other commercial space lo-
20 cated in a single building or multiple adja-
21 cent buildings, or

22 “(ii) acquisition, construction, and in-
23 stallation of real and personal property for
24 one or more electric generation facilities

1 with an installed capacity of no more than
2 300 megawatts each.”.

3 (2) **INSTALLED CAPACITY DEFINED.**—Para-
4 graph (4) of section 1400L(d) of such Code is
5 amended by adding at the end the following new
6 subparagraph:

7 “(C) **INSTALLED CAPACITY DEFINED.**—
8 The term ‘installed capacity’ means, with re-
9 spect to any site, the installed capacity of all
10 electrical generating equipment placed in service
11 at such site. Such term includes the capacity of
12 equipment installed during the 3 taxable years
13 following the taxable year in which the equip-
14 ment is placed in service.”.

15 (3) **EFFECTIVE DATE.**—The amendments made
16 by this subsection shall apply to property placed in
17 service after December 31, 2003.

18 (d) **ELECTION OUT TECHNICAL AMENDMENT.**—

19 (1) **IN GENERAL.**—Subsection (c) of section
20 1400L of such Code is amended by adding at the
21 end the following new paragraph:

22 “(5) **ELECTION OUT.**—For purposes of this
23 subsection, rules similar to the rules of section
24 168(k)(2)(C)(iii) shall apply.”.

1 (2) EFFECTIVE DATE.—The amendment made
2 by this subsection shall take effect as if included in
3 the amendments made by section 301 of the Job
4 Creation and Worker Assistance Act of 2002.

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