

110TH CONGRESS  
1ST SESSION

# H. R. 2936

To amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain improvements to retail space.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2007

Mr. NEAL of Massachusetts (for himself, Mr. ENGLISH of Pennsylvania, Mr. DAVIS of Alabama, Mr. SAM JOHNSON of Texas, and Mr. RAMSTAD) 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 provide a shorter recovery period for the depreciation of certain improvements to retail space.

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. RECOVERY PERIOD FOR DEPRECIATION OF**  
4 **CERTAIN IMPROVEMENTS TO RETAIL SPACE.**

5 (a) 15-YEAR RECOVERY PERIOD.—Subparagraph  
6 (E) of section 168(e)(3) of the Internal Revenue Code of  
7 1986 (relating to 15-year property) is amended by striking  
8 “and” at the end of clause (vii), by striking the period

1 at the end of clause (viii) and inserting “, and”, and by  
2 adding at the end the following new clause:

3 “(ix) any qualified retail improvement  
4 property.”.

5 (b) QUALIFIED RETAIL IMPROVEMENT PROPERTY.—

6 Subsection (e) of section 168 of the Internal Revenue  
7 Code of 1986 is amended by adding at the end the fol-  
8 lowing new paragraph:

9 “(8) QUALIFIED RETAIL IMPROVEMENT PROP-  
10 ERTY.—

11 “(A) IN GENERAL.—The term ‘qualified  
12 retail improvement property’ means any im-  
13 provement to an interior portion of a building  
14 which is nonresidential real property if—

15 “(i) such portion is open to the gen-  
16 eral public and is used in the trade or  
17 business of selling tangible personal prop-  
18 erty or services to the general public; and

19 “(ii) such improvement is placed in  
20 service more than 3 years after the date  
21 the building was first placed in service.

22 “(B) CERTAIN IMPROVEMENTS NOT IN-  
23 CLUDED.—Such term shall not include any im-  
24 provement for which the expenditure is attrib-  
25 utable to—

1                   “(i) the enlargement of the building,  
 2                   “(ii) any elevator or escalator, or  
 3                   “(iii) the internal structural frame-  
 4                   work of the building.”.

5           (c) REQUIREMENT TO USE STRAIGHT LINE METH-  
 6 OD.—Paragraph (3) of section 168(b) of the Internal Rev-  
 7 enue Code of 1986 is amended by adding at the end the  
 8 following new subparagraph:

9                   “(I) Qualified retail improvement property  
 10                   described in subsection (e)(8).”.

11           (d) ALTERNATIVE SYSTEM.—The table contained in  
 12 section 168(g)(3)(B) of the Internal Revenue Code of  
 13 1986 is amended by inserting after the item relating to  
 14 subparagraph (E)(viii) the following new item:

          “(E)(ix) ..... 39”.

15           (e) EFFECTIVE DATE.—The amendments made by  
 16 this section shall apply to qualified retail improvement  
 17 property placed in service after the date of the enactment  
 18 of this Act.

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