

116TH CONGRESS  
1ST SESSION

# S. 1475

To amend the Internal Revenue Code to extend and modify certain charitable tax provisions.

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IN THE SENATE OF THE UNITED STATES

MAY 15, 2019

Mr. THUNE (for himself, Mr. CASEY, Mr. WYDEN, and Mr. ROBERTS) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code to extend and modify certain charitable tax provisions.

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 “Charities Helping  
5 Americans Regularly Throughout the Year Act of 2019”.

6 **SEC. 2. DETERMINATION OF STANDARD MILEAGE RATE**  
7 **FOR CHARITABLE CONTRIBUTIONS DEDUC-**  
8 **TION.**

9 (a) DETERMINATION OF STANDARD MILEAGE RATE  
10 FOR CHARITABLE CONTRIBUTIONS DEDUCTION.—Sub-

1 section (i) of section 170 of the Internal Revenue Code  
2 of 1986 is amended to read as follows:

3 “(i) STANDARD MILEAGE RATE FOR USE OF PAS-  
4 Senger Automobile.—For purposes of computing the  
5 deduction under this section for use of a passenger auto-  
6 mobile, the standard mileage rate shall be the rate deter-  
7 mined by the Secretary, which rate shall not be less than  
8 the standard mileage rate used for purposes of section  
9 213.”.

10 (b) EFFECTIVE DATE.—The amendment made by  
11 this section shall apply to miles traveled after the date  
12 of the enactment of this Act.

13 **SEC. 3. MANDATORY E-FILE BY EXEMPT ORGANIZATIONS.**

14 (a) IN GENERAL.—Section 6033 of the Internal Rev-  
15 enue Code of 1986 is amended by redesignating subsection  
16 (n) as subsection (o) and by inserting after subsection (m)  
17 the following new subsection:

18 “(n) MANDATORY ELECTRONIC FILING.—Any orga-  
19 nization required to file a return under this section shall  
20 file such return in electronic form.”.

21 (b) CONFORMING AMENDMENT.—Paragraph (7) of  
22 section 527(j) of such Code is amended by striking “if the  
23 organization has” and all that follows through “such cal-  
24 endar year”.

1       (c) INSPECTION OF ELECTRONICALLY FILED AN-  
 2 NUAL RETURNS.—Subsection (b) of section 6104 of such  
 3 Code is amended by adding at the end the following: “Any  
 4 annual return required to be filed electronically under sec-  
 5 tion 6033(n) shall be made available by the Secretary to  
 6 the public as soon as practicable in a machine readable  
 7 format.”.

8       (d) EFFECTIVE DATE.—

9           (1) IN GENERAL.—Except as provided in para-  
 10 graph (2), the amendments made by this section  
 11 shall apply to taxable years beginning after the date  
 12 of the enactment of this Act.

13          (2) TRANSITIONAL RELIEF.—

14           (A) SMALL ORGANIZATIONS.—

15           (i) IN GENERAL.—In the case of any  
 16 small organizations, or any other organiza-  
 17 tions for which the Secretary of the Treas-  
 18 ury or the Secretary’s delegate (hereafter  
 19 referred to in this paragraph as the “Sec-  
 20 retary”) determines the application of the  
 21 amendments made by this section would  
 22 cause undue burden without a delay, the  
 23 Secretary may delay the application of  
 24 such amendments, but such delay shall not  
 25 apply to any taxable year beginning on or

1 after the date 2 years after of the enact-  
2 ment of this Act.

3 (ii) SMALL ORGANIZATION.—For pur-  
4 poses of clause (i), the term “small organi-  
5 zation” means any organization—

6 (I) the gross receipts of which for  
7 the taxable year are less than  
8 \$200,000; and

9 (II) the aggregate gross assets of  
10 which at the end of the taxable year  
11 are less than \$500,000.

12 (B) ORGANIZATIONS FILING FORM 990—  
13 T.—In the case of any organization described in  
14 section 511(a)(2) of the Internal Revenue Code  
15 of 1986 which is subject to the tax imposed by  
16 section 511(a)(1) of such Code on its unrelated  
17 business taxable income, or any organization re-  
18 quired to file a return under section 6033 of  
19 such Code and include information under sub-  
20 section (e) thereof, the Secretary may delay the  
21 application of the amendments made by this  
22 section, but such delay shall not apply to any  
23 taxable year beginning on or after the date 2  
24 years after of the enactment of this Act.

1 **SEC. 4. MODIFICATION OF RULES RELATING TO DONOR AD-**  
 2 **VISED FUNDS.**

3 (a) ALLOWANCE OF TAX-FREE CHARITABLE DIS-  
 4 TRIBUTIONS FROM INDIVIDUAL RETIREMENT AC-  
 5 COUNTS.—

6 (1) IN GENERAL.—Clause (i) of section  
 7 408(d)(8)(B) of the Internal Revenue Code of 1986  
 8 is amended by striking “or any fund or account de-  
 9 scribed in section 4966(d)(2)”.

10 (2) EFFECTIVE DATE.—The amendment made  
 11 by this subsection shall apply to distributions made  
 12 in taxable years beginning after December 31, 2018.

13 (b) RETURN DISCLOSURES.—

14 (1) DISTRIBUTIONS.—Subsection (k) of section  
 15 6033 of the Internal Revenue Code of 1986 is  
 16 amended—

17 (A) in paragraph (2), by striking “and” at  
 18 the end;

19 (B) in paragraph (3), by striking the pe-  
 20 riod at the end and inserting a comma; and

21 (C) by adding at the end the following new  
 22 paragraphs:

23 “(4) list the total number of such funds which  
 24 were in existence for the 36-month period ending at  
 25 the close of such taxable year,

1           “(5) list the total number of funds described in  
2       paragraph (4) which made at least 1 grant during  
3       the period described in such paragraph, and

4           “(6) set forth—

5               “(A) whether such organization has a pub-  
6       licly available policy with respect to funds which  
7       are inactive, dormant, or do not make distribu-  
8       tions during the period described in paragraph  
9       (4),

10           “(B) a description of the organization’s  
11       policy for responding to funds described in sub-  
12       paragraph (A) or a statement that no such pol-  
13       icy is in effect, and

14           “(C) whether such organization regularly  
15       and consistently monitors and enforces compli-  
16       ance with the policy described in subparagraph  
17       (A) with respect to such funds.”.

18       (2) EFFECTIVE DATE.—The amendment made  
19       by this subsection shall apply to returns for taxable  
20       years beginning after December 31, 2019.

1 **SEC. 5. MODIFICATION OF THE TAX RATE FOR THE EXCISE**  
2 **TAX ON INVESTMENT INCOME OF PRIVATE**  
3 **FOUNDATIONS.**

4 (a) IN GENERAL.—Section 4940(a) of the Internal  
5 Revenue Code of 1986 is amended by striking “2 percent”  
6 and inserting “1 percent”.

7 (b) ELIMINATION OF REDUCED TAX WHERE FOUN-  
8 DATION MEETS CERTAIN DISTRIBUTION REQUIRE-  
9 MENTS.—Section 4940 of such Code is amended by strik-  
10 ing subsection (e).

11 (c) EFFECTIVE DATE.—The amendments made by  
12 this section shall apply to taxable years beginning after  
13 the date of the enactment of this Act.

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