

116TH CONGRESS
2D SESSION

S. 3784

To amend the Internal Revenue Code of 1986 to provide monthly rebates to every individual residing in the United States during the COVID-19 pandemic.

IN THE SENATE OF THE UNITED STATES

MAY 20, 2020

Ms. HARRIS (for herself, Mr. SANDERS, Mr. MARKEY, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to provide monthly rebates to every individual residing in the United States during the COVID-19 pandemic.

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 “Monthly Economic Cri-
5 sis Support Act”.

1 **SEC. 2. MONTHLY REBATES TO INDIVIDUALS DURING CO-**
 2 **RONAVIRUS PANDEMIC.**

3 (a) IN GENERAL.—Subchapter B of chapter 65 of the
 4 Internal Revenue Code of 1986 is amended by inserting
 5 after section 6428 the following new section:

6 **“SEC. 6428A. MONTHLY REBATES TO INDIVIDUALS DURING**
 7 **CORONAVIRUS PANDEMIC.**

8 “(a) IN GENERAL.—

9 “(1) DETERMINATION OF REBATE AMOUNT.—

10 “(A) IN GENERAL.—On each applicable
 11 date, an eligible individual shall be treated as
 12 having made a payment against the tax im-
 13 posed by chapter 1 for the applicable taxable
 14 year in an amount equal to the sum of—

15 “(i) \$2,000 (\$4,000 in the case of eli-
 16 gible individuals filing a joint return), plus

17 “(ii) an amount equal to the product
 18 of \$2,000 multiplied by the number of de-
 19 pendents (as defined in section 152) of the
 20 taxpayer.

21 “(B) LIMITATION WITH RESPECT TO DE-
 22 PENDENTS.—The number of dependents of the
 23 taxpayer which may be taken into account for
 24 purposes of subparagraph (A)(ii) shall not ex-
 25 ceed 3.

1 “(2) LIMITATION BASED ON ADJUSTED GROSS
 2 INCOME.—The amount determined under paragraph
 3 (1)(A) (determined without regard to this para-
 4 graph) shall be reduced (but not below zero) by 10
 5 percent of so much of the taxpayer’s adjusted gross
 6 income as exceeds—

7 “(A) \$200,000 in the case of a joint re-
 8 turn,

9 “(B) \$150,000 in the case of a head of
 10 household, and

11 “(C) \$100,000 in the case of a taxpayer
 12 not described in subparagraph (A) or (B).

13 “(b) APPLICABLE DATE.—For purposes of this sec-
 14 tion, the term ‘applicable date’ means the first day of any
 15 month during the period—

16 “(1) beginning March 2020, and

17 “(2) ending on the third month beginning after
 18 the date on which the Secretary of Health and
 19 Human Services determines that the public health
 20 emergency declared by such Secretary under section
 21 319 of the Public Health Service Act (42 U.S.C.
 22 247d) on January 31, 2020, with respect to COVID-
 23 19, has ended.

24 “(c) OTHER DEFINITIONS.—For purposes of this
 25 section—

1 “(1) ELIGIBLE INDIVIDUAL.—The term ‘eligible
2 individual’ means any individual other than—

3 “(A) any nonresident alien individual,

4 “(B) any individual with respect to whom
5 a deduction under section 151 is allowable to
6 another taxpayer for an applicable taxable year
7 beginning in the calendar year in which the in-
8 dividual’s taxable year begins, and

9 “(C) an estate or trust.

10 “(2) APPLICABLE TAXABLE YEAR.—The term
11 ‘applicable taxable year’ means the taxable year end-
12 ing in the calendar year preceding the date on which
13 the payment under subsection (a) is treated as
14 made.

15 “(d) OTHER RULES.—

16 “(1) TIMING AND MANNER OF PAYMENTS.—

17 “(A) TIMING.—The Secretary shall, sub-
18 ject to the provisions of this title, refund or
19 credit any overpayment attributable to this sec-
20 tion as rapidly as possible.

21 “(B) ALTERNATE INFORMATION.—

22 “(i) IN GENERAL.—For purposes of
23 disbursing refunds payable under this sub-
24 section to any eligible individual, if such
25 individual has not, as of any applicable

1 date, filed a tax return for the applicable
 2 taxable year, the Secretary shall—

3 “(I) use return information with
 4 respect to such individual for the tax-
 5 able year preceding such applicable
 6 taxable year, or

7 “(II) in the case of an individual
 8 who has not filed a tax return for the
 9 applicable year or the taxable year de-
 10 scribed in subclause (I), use any ap-
 11 plicable information provided by any
 12 relevant Federal and State agencies.

13 “(ii) COORDINATION AND NOTIFICA-
 14 TION.—

15 “(I) IN GENERAL.—For purposes
 16 of clause (i)(II), the Secretary shall—

17 “(aa) coordinate with the
 18 heads of relevant Federal and
 19 State agencies to receive applica-
 20 ble information with respect to
 21 any individuals who may be eligi-
 22 ble to receive a refund payment
 23 pursuant to this section, and

24 “(bb) establish, in such form
 25 and manner as is deemed appro-

1 appropriate by the Secretary, an alter-
2 native method of reporting infor-
3 mation necessary to determine
4 the amount of any refund pay-
5 ments for which such individuals
6 may be eligible, including meth-
7 ods specifically designed to iden-
8 tify and account for foster youth
9 and individuals experiencing
10 homelessness.

11 “(C) DELIVERY OF PAYMENTS.—Notwith-
12 standing any other provision of law, the Sec-
13 retary may certify and disburse refunds payable
14 under this subsection—

15 “(i) electronically to any account to
16 which the payee authorized, on or after
17 January 1, 2018, the delivery of a refund
18 of taxes under this title or of a Federal
19 payment (as defined in section 3332 of
20 title 31, United States Code), or

21 “(ii) through such other means as are
22 determined appropriate by the Secretary,
23 including through the use of stored value
24 cards and online payment systems.

1 “(D) WAIVER OF CERTAIN RULES.—Not-
2 withstanding section 3325 of title 31, United
3 States Code, or any other provision of law, with
4 respect to any payment of a refund under this
5 subsection, a disbursing official in the executive
6 branch of the United States Government may
7 modify payment information received from an
8 officer or employee described in section
9 3325(a)(1)(B) of such title for the purpose of
10 facilitating the accurate and efficient delivery of
11 such payment. Except in cases of fraud or reck-
12 less neglect, no liability under sections 3325,
13 3527, 3528, or 3529 of title 31, United States
14 Code, shall be imposed with respect to pay-
15 ments made under this subparagraph.

16 “(2) REDUCTION OF INITIAL PAYMENT.—With
17 respect to the initial payment of a refund to a tax-
18 payer which is made under this subsection, such
19 payment shall be reduced (but not below zero) by
20 the amount of any refund or credit made or allowed
21 to such taxpayer pursuant to subsection (f) of sec-
22 tion 6428.

23 “(3) NO INTEREST.—No interest shall be al-
24 lowed on any overpayment attributable to a payment
25 deemed made under this section.

1 “(4) NOTICE TO TAXPAYER.—Not later than 15
2 days after the date on which the Secretary distrib-
3 uted any payment to a taxpayer pursuant to this
4 section, notice shall be sent by mail to such tax-
5 payer’s last known address. Such notice shall indi-
6 cate the method by which such payment was made,
7 the amount of such payment, and a phone number
8 for the appropriate point of contact at the Internal
9 Revenue Service to report any failure to receive such
10 payment.

11 “(e) REGULATIONS.—The Secretary shall prescribe
12 such regulations or other guidance as may be necessary
13 to carry out the purposes of this section, including any
14 such measures as are deemed appropriate to avoid allow-
15 ing multiple payments to a taxpayer.”.

16 (b) ADDITIONAL RULES.—

17 (1) TREATMENT OF POSSESSIONS.—Rules simi-
18 lar to the rules of subsection (c) of section 2201 of
19 the CARES Act (Public Law 116–136) shall apply
20 for purposes of section 6428A of such Code (as
21 added by subsection (a)).

22 (2) EXCEPTION FROM REDUCTION OR OFF-
23 SET.—Any credit or refund allowed or made to any
24 individual by reason of section 6428A of the Internal
25 Revenue Code of 1986 (as added by subsection (a))

1 or by reason of paragraph (1) of this subsection
 2 shall not be—

3 (A) subject to reduction or offset pursuant
 4 to section 3716 or 3720A of title 31, United
 5 States Code;

6 (B) subject to reduction or offset pursuant
 7 to subsection (c), (d), (e), or (f) of section 6402
 8 of the Internal Revenue Code of 1986; or

9 (C) reduced or offset by other assessed
 10 Federal taxes that would otherwise be subject
 11 to levy or collection.

12 (3) PUBLIC AWARENESS CAMPAIGN.—Rules
 13 similar to the rules of subsection (e) of section 2201
 14 of the CARES Act shall apply for purposes of sec-
 15 tion 6428A of such Code (as added by subsection
 16 (a)).

17 (4) PROHIBITION ON GARNISHMENT.—

18 (A) DEFINITIONS.—In this paragraph, the
 19 terms “financial institution”, “freeze”, “gar-
 20 nish”, and “garnishment order” have the mean-
 21 ings given the terms in section 212.3 of title
 22 31, Code of Federal Regulations, as in effect on
 23 the date of enactment of this Act.

24 (B) PROHIBITION.—No financial institu-
 25 tion may garnish or freeze any portion of a re-

1 fund made to any debtor by reason of section
2 6428A of the Internal Revenue Code of 1986
3 (as added by subsection (a)) or by reason of
4 paragraph (1) pursuant to a garnishment order.

5 (c) APPROPRIATIONS TO CARRY OUT REBATES.—
6 Immediately upon the enactment of this Act, out of any
7 money in the Treasury not otherwise appropriated, there
8 shall be appropriated \$250,000,000 to the Department of
9 the Treasury to carry out the purposes of this section and
10 section 6428A of the Internal Revenue Code of 1986, to
11 remain available until expended.

12 (d) WAIVER OF FEES BY INSURED DEPOSITORY IN-
13 STITUTIONS.—No insured depository institution, as de-
14 fined in section 3 of the Federal Deposit Insurance Act
15 (12 U.S.C. 1813), may impose a fee on a person for cash-
16 ing any check for a refund payable under section 6428A
17 of the Internal Revenue Code of 1986 (as added by sub-
18 section (a)) or subsection (b)(1).

19 (e) CONFORMING AMENDMENTS.—

20 (1) Section 6211(b)(4)(A) of the Internal Rev-
21 enue Code of 1986 is amended by striking “and
22 6428” and inserting “6428, and 6428A”.

23 (2) Paragraph (2) of section 1324(b) of title
24 31, United States Code, is amended by inserting
25 “6428A,” after “6428,”.

1 (3) The table of sections for subchapter B of
2 chapter 65 of subtitle F of the Internal Revenue
3 Code of 1986 is amended by inserting after the item
4 relating to section 6428 the following:

“Sec. 6428A. Monthly rebates to individuals during coronavirus pandemic.”.

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