

HR 3090

Job Creation and Worker Assistance Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Taxation

Introduced: Oct 11, 2001

Current Status: Became Public Law No: 107-147.

Latest Action: Became Public Law No: 107-147. (Mar 9, 2002)

Law: 107-147 (Enacted Mar 9, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/house-bill/3090>

Sponsor

Name: Rep. Thomas, William M. [R-CA-21]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Reported By	Nov 9, 2001
Ways and Means Committee	House	Reported By	Oct 17, 2001

Subjects & Policy Tags

Policy Area:

Taxation

Related Bills

Bill	Relationship	Last Action
107 HRES 360	Procedurally related	Mar 7, 2002: Motion to reconsider laid on the table Agreed to without objection.
107 HRES 270	Procedurally related	Oct 24, 2001: Motion to reconsider laid on the table Agreed to without objection.

Summary (as of Mar 7, 2002)

Job Creation and Worker Assistance Act of 2002 - **Title I: Business Provisions** - Amends the Internal Revenue Code (IRC) to allow an additional first year 30 percent depreciation allowance for property which has a recovery period of 20 years or less, is water utility property, or computer software, and which was acquired between September 10, 2001, and September 11, 2004, and is placed in service before January 1, 2005. Allows certain other property to qualify for such allowance under certain conditions if it has a recovery period of at least ten years or is transportation property.

(Sec. 102) Extends the net operating loss carryback period from two to five years for such business losses arising between September 10, 2001, and September 11, 2004. Provides a temporary suspension of a specified limit on certain carryovers of such losses for purposes of an alternative tax deduction on them.

Title II: Unemployment Assistance - Temporary Extended Unemployment Compensation Act of 2002 - Allows States to opt to enter into agreements for a program of temporary extended unemployment compensation (TEUC), which extends UC for up to an additional 13 weeks for individuals who have exhausted their 26 weeks of regular UC coverage.

(Sec. 202) Sets forth TEUC program requirements for Federal-State agreements, coordination with other UC benefits, formulae for determining amounts in individual TEUC accounts and weekly benefits, payments to States, and financing.

Requires the State agencies that opt to make TEUC agreements to make them to individuals who: (1) either first exhausted all rights to regular compensation under State or Federal law with respect to a benefit year (excluding any benefit year ending before March 15, 2001); and (2) do not have any rights to regular compensation under the State law of any other State, and are not receiving compensation under the unemployment compensation law of any other country.

(Sec. 208) Applies TEUC agreements with States to weeks of unemployment: (1) beginning on or after the first day of the first week after the date on which such agreement is entered into; and (2) ending before January 6, 2003.

(Sec. 209) Amends the Social Security Act to provide for a special transfer of funds in FY 2002 from the Federal unemployment account to State accounts in the Unemployment Trust Fund.

Title III: Tax Incentives for New York City and Distressed Areas - Amends the IRC to expand work opportunity tax credit targeted categories to include certain New York Liberty Zone business employees, with respect to the period between September 10, 2001, and January 1, 2003, as members of a targeted group. Defines the Zone as the area located on or south of Canal Street, East Broadway (east of its intersection with Canal Street), or Grand Street (east of its intersection with East Broadway) in the Borough of Manhattan in the City of New York (NYC). Includes, under certain conditions, business employees of any trade or business located in NYC outside the Zone, as a result of the physical destruction or damage of such place of business by the September 11, 2001, terrorist attack.

(Sec. 301) Includes a special allowance in the depreciation deduction for certain property in the Zone acquired after September 10, 2001.

Provides a five-year recovery period for depreciation of certain leasehold improvement property in the Zone.

Provides for the treatment of a qualified Zone bond as a tax-exempt facility bond. Requires such a bond to be issued for projects to acquire, build, rebuild, and renovate residential rental, nonresidential real, and public utility property in the Zone, or certain nonresidential real property elsewhere NYC if specified conditions are met.

Provides for advance refunding of certain tax-exempt bonds used to finance facilities within NYC (or property functionally

related and subordinate to facilities within NYC for the furnishing of water).

Provides for an increase in IRC section 179 expensing allowed with respect to qualified NY Liberty Zone property placed in service during the taxable year.

Extends from two years to five years the replacement period for nonrecognition of gain with respect to property which is compulsorily or involuntarily converted as a result of the terrorist attacks on September 11, 2001, in the Zone, if substantially all of the use of the replacement property is in NYC.

Sets forth special rules to allow the Zone business employee credit against regular and minimum tax.

Title IV: Miscellaneous and Technical Provisions - Subtitle A: General Miscellaneous Provisions - Amends IRC to allow electronic 1099 forms.

(Sec. 402) Provides that income from the discharge of indebtedness of an S corporation that is excluded from the S corporation's income is not taken into account as an item of income by any shareholder and therefore does not increase the basis of any shareholder's stock in the corporation.

(Sec. 403) Revises requirements concerning the nonaccrual experience method of accounting to make it available only for amounts to be received for the performance of qualified services (health, law, engineering, architecture, accounting, actuarial science, performing arts or consulting) and for services provided by certain small businesses.

(Sec. 404) Allows the exclusion for foster care payments to apply to such payments made by qualified placement agencies (as well as by States and local governments).

(Sec. 405) Amends IRC and the Employee Retirement Income Security Act of 1974 (ERISA) to set forth special rules for determining certain additional premium rates to be paid to the Pension Benefit Guaranty Corporation by defined benefit plans for specified plan years.

(Sec. 406) Allows certain expenses of elementary and secondary school teachers to be taken into account in determining their adjusted gross income.

Subtitle B: Technical Corrections - Makes technical corrections to various Acts, including the IRC, the Economic Growth and Tax Relief Reconciliation Act of 2001, the Community Renewal Tax Relief Act of 2000, the Tax Relief Extension Act of 1999, the Taxpayer Relief Act of 1997, and the Balanced Budget Act of 1997.

(Sec. 418) Amends the Economic Growth and Tax Relief Reconciliation Act of 2001 (Public Law 107-16) to revise provisions relating to increases in: (1) the adoption tax credit and exclusion for employer-provided adoption assistance; and (2) the dependent care tax credit.

Title V: Social Security Held Harmless; Budgetary Treatment of Act - Provides that this Act shall have no impact on the Social Security trust funds.

(Sec. 502) Designates certain amounts under this Act as emergency requirements under the Balanced Budget and Emergency Deficit Control Act of 1985.

Title VI: Extensions of Certain Expiring Provisions - Extends various expiring IRC provisions, including: (1) the allowance of nonrefundable personal credits against regular and minimum tax liability; (2) the credit for qualified electric vehicles; (3) the credit for electricity produced from certain renewable resources; (4) the work opportunity credit; (5) the

welfare-to-work credit; (6) the deduction for clean-fuel vehicles and certain refueling property; (7) taxable income limit on percentage depletion for oil and natural gas produced from marginal properties; (8) qualified zone academy bonds; (9) cover over of tax on distilled spirits; (10) availability of medical savings accounts; (11) incentives for Indian employment and property on Indian reservations; and (12) a revised subpart F exemption for active financing.

(Sec. 610) Amends the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2002 (Public Law 107-116) to extend to health benefits or services furnished through December 31, 2003 (currently 2002) provisions of the Mental Health Parity Act of 1996 (which requires health plans, under ERISA and the Public Health Service Act, and IRC, with certain exceptions, to treat equally for mental and physical health coverage their limits on annual payments and on lifetime payments).

(Sec. 611) Sets forth temporary special rules under the IRC for taxation of life insurance companies.

(Sec. 615) Repeals a requirement for approved diesel or kerosene terminals.

(Sec. 616) Reauthorizes Temporary Assistance for Needy Families (TANF) supplemental grants for population increases under part A of title IV of the Social Security Act for FY 2002.

(Sec. 617) Provides for a one-year extension of the contingency fund under the TANF program.

Actions Timeline

- **Mar 9, 2002:** Signed by President.
- **Mar 9, 2002:** Signed by President.
- **Mar 9, 2002:** Became Public Law No: 107-147.
- **Mar 9, 2002:** Became Public Law No: 107-147.
- **Mar 8, 2002:** Considered by Senate. (consideration: CR S1689-1692)
- **Mar 8, 2002:** Resolving differences -- Senate actions: Senate agreed to House amendment to Senate amendment by Yea-Nay Vote. 85 - 9. Record Vote Number: 44.
- **Mar 8, 2002:** Senate agreed to House amendment to Senate amendment by Yea-Nay Vote. 85 - 9. Record Vote Number: 44.
- **Mar 8, 2002:** Message on Senate action sent to the House.
- **Mar 8, 2002:** Presented to President.
- **Mar 8, 2002:** Presented to President.
- **Mar 7, 2002:** Rule H. Res. 360 passed House.
- **Mar 7, 2002:** Pursuant to the provisions of H. Res. 360, the House moved to agree with an amendment to the Senate amendment.
- **Mar 7, 2002:** DEBATE - Pursuant to H.Res. 360 the House proceeded with one hour of debate on the motion to agree to the Senate amendment to H.R. 3090 with an amendment.
- **Mar 7, 2002:** The previous question was ordered pursuant to the rule.
- **Mar 7, 2002:** Resolving differences -- House actions: On motion that the House agree with an amendment to the Senate amendment Agreed to by the Yeas and Nays: 417 - 3 (Roll no. 52).(consideration: CR H744-767; text as House agreed to Senate amendment: CR H744-757)
- **Mar 7, 2002:** On motion that the House agree with an amendment to the Senate amendment Agreed to by the Yeas and Nays: 417 - 3 (Roll no. 52). (consideration: CR H744-767; text as House agreed to Senate amendment: CR H744-757)
- **Mar 7, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 7, 2002:** Message on House action received in Senate and at desk: House amendment to Senate amendment.
- **Mar 7, 2002:** Considered by Senate. (consideration: CR S1659-1671)
- **Mar 6, 2002:** Rules Committee Resolution H. Res. 360 Reported to House. It shall be in order to take from the Speaker's table the bill H.R. 3090 with the Senate amendment thereto, and to consider in the House a motion to agree to the Senate amendment, with a further amendment. The motion shall be debatable for one hour, equally divided and controlled.
- **Feb 14, 2002:** Considered by Senate. By Unanimous Consent. (consideration: CR S841-842)
- **Feb 14, 2002:** Passed/agreed to in Senate: Passed Senate with an amendment by Voice Vote.
- **Feb 14, 2002:** Passed Senate with an amendment by Voice Vote.
- **Feb 14, 2002:** Message on Senate action sent to the House.
- **Nov 14, 2001:** Considered by Senate. (consideration: CR S11744-11783)
- **Nov 14, 2001:** The committee substitute and title amendment were withdrawn by Unanimous Consent.
- **Nov 13, 2001:** Measure laid before Senate by unanimous consent. (consideration: CR S11678-11708; text of measure as reported in Senate: CR S11678-11696)
- **Nov 9, 2001:** Committee on Finance. Reported by Senator Baucus with an amendment in the nature of a substitute and an amendment to the title. Without written report.
- **Nov 9, 2001:** Committee on Finance. Reported by Senator Baucus with an amendment in the nature of a substitute and an amendment to the title. Without written report.
- **Nov 9, 2001:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 223.
- **Nov 8, 2001:** Committee on Finance. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Oct 24, 2001:** Considered under the provisions of rule H. Res. 270. (consideration: CR H7236-7283; text as reported in House: CR H7236-7242)
- **Oct 24, 2001:** Rule provides for consideration of H.R. 3090 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. All points of order against the bill, as amended, are waived. Measure will be considered read. A specified amendment is in order.

- **Oct 24, 2001:** DEBATE - The House proceeded with one hour of debate on H.R. 3090.
- **Oct 24, 2001:** Rule H. Res. 270 passed House.
- **Oct 24, 2001:** DEBATE - Pursuant to the provisions of H. Res. 270, the House proceeded with one hour of debate on the Rangel amendment in the nature of a substitute.
- **Oct 24, 2001:** Mr. Turner moved to recommit with instructions to Ways and Means.
- **Oct 24, 2001:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the motion to recommit with instructions. The instructions contained in the motion require that the bill be reported back to the House with amendments that: 1) reduce the tax cut provisions of the bill in an amount equal to the expense of financing short and long-term efforts to combat terrorism; 2) provide that the legislation is temporary and is fully offset in the Internal Revenue Code over the next ten years, such that the long-term deficit and national debt are not increased; and 3) provide assistance to workers who lost their jobs and health insurance coverage, and to businesses affected by the economic circumstances following the occurrences of September 11, 2001.
- **Oct 24, 2001:** The previous question on the motion to recommit with instructions was ordered without objection.
- **Oct 24, 2001:** On motion to recommit with instructions Failed by recorded vote: 199 - 230 (Roll no. 403). (text: CR H7280)
- **Oct 24, 2001:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 216 - 214 (Roll no. 404).(text: CR H7242-7247)
- **Oct 24, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 24, 2001:** On passage Passed by the Yeas and Nays: 216 - 214 (Roll no. 404). (text: CR H7242-7247)
- **Oct 24, 2001:** Received in the Senate and Read twice and referred to the Committee on Finance.
- **Oct 23, 2001:** Rules Committee Resolution H. Res. 270 Reported to House. Rule provides for consideration of H.R. 3090 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. All points of order against the bill, as amended, are waived. Measure will be considered read. A specified amendment is in order.
- **Oct 17, 2001:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 107-251.
- **Oct 17, 2001:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 107-251.
- **Oct 17, 2001:** Placed on the Union Calendar, Calendar No. 153.
- **Oct 12, 2001:** Committee Consideration and Mark-up Session Held.
- **Oct 12, 2001:** Ordered to be Reported (Amended) by the Yeas and Nays: 23 - 14.
- **Oct 11, 2001:** Introduced in House
- **Oct 11, 2001:** Introduced in House
- **Oct 11, 2001:** Referred to the House Committee on Ways and Means.