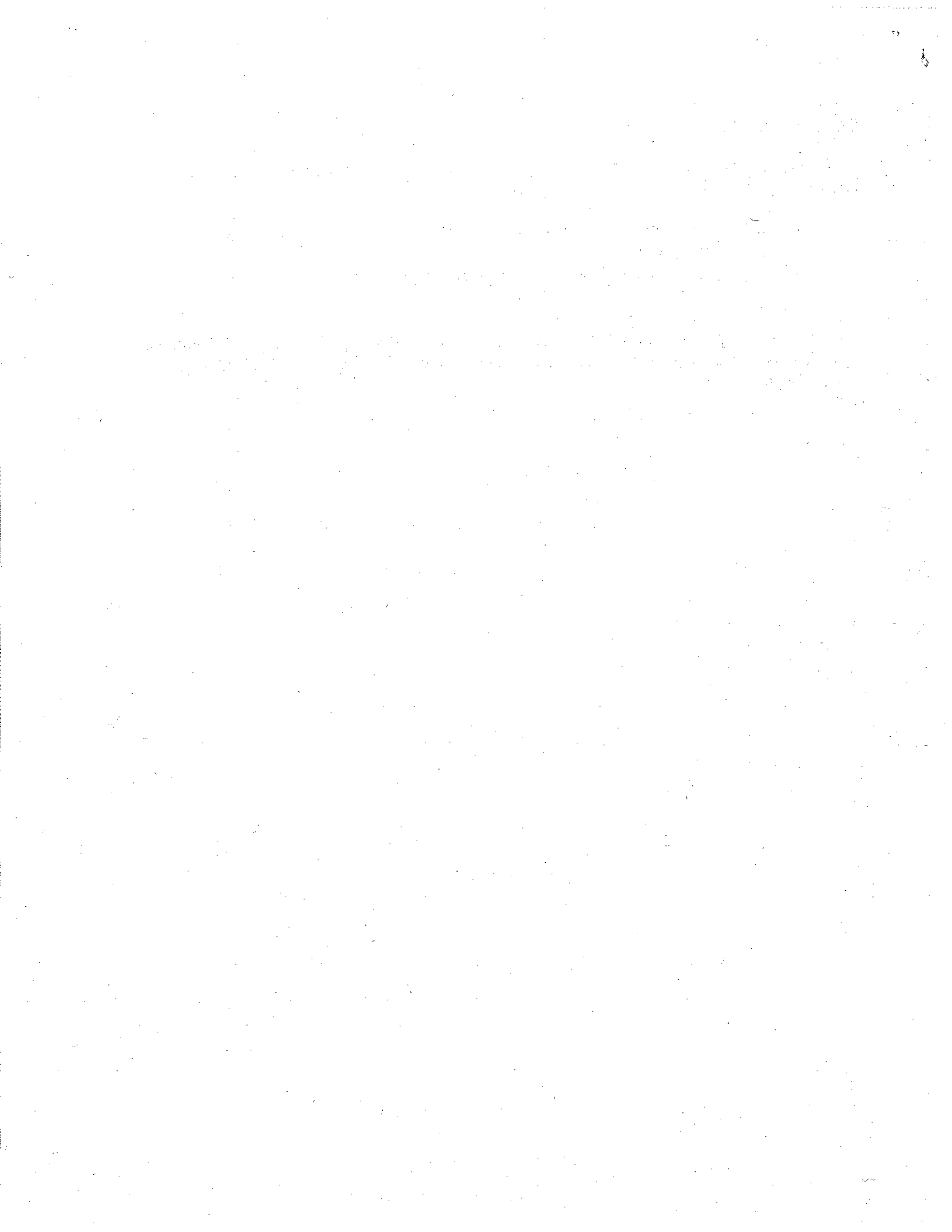


Heller Amendment Summary

Excludes from capital gains the first \$50,000 (\$100,000 for joint filing) on the sale of a non-principal residence if:

- 1) the home was purchased within one year following the enactment of the bill;
- 2) the property was held for 2 years;
- 3) the property is located in a high foreclosure area, as defined by the Treasury Secretary.

The Secretary of the Treasury will determine "high foreclosure rate area" as the top 200 political subdivisions with the highest foreclosure rates, and shall include at least 1 political subdivision in each State.



AMENDMENT
OFFERED BY MR. HELLER OF NEVADA.

At the end of subtitle C of title I, insert the following:

1 **SEC. 123. EXCLUSION OF GAIN FROM SALE OF NON-PRIN-**
2 **CIPAL RESIDENCES.**

3 (a) **IN GENERAL.**—Part III of subchapter B of chap-
4 ter 1 is amended by inserting after section 121 the fol-
5 lowing new section:

6 **“SEC. 121A. EXCLUSION OF GAIN FROM SALE OF NON-PRIN-**
7 **CIPAL RESIDENCE.**

8 “(a) **IN GENERAL.**—Gross income shall not include
9 gain from the sale or exchange of property if—

10 “(1) such property is acquired during the 1-
11 year period beginning on the date of the enactment
12 of this section,

13 “(2) such property is held by the taxpayer and
14 used as a dwelling unit for a period of not less than
15 2 years,

16 “(3) such property is located in a high fore-
17 closure rate area.

18 “(b) **LIMITATION.**—The amount of gain excluded
19 from gross income under subsection (a) with respect to



~~\$75,000~~ (\$150,000)
\$50,000 (\$100,000)

1 any sale or exchange shall not exceed ~~\$75,000~~ (~~\$150,000~~)
2 in the case of a joint return).

3 “(e) HIGH FORECLOSURE RATE AREA.—For pur-
4 poses of this section, the term ‘high foreclosure rate area’
5 means the 200 political subdivisions determined by the
6 Secretary of the Treasury to have the highest rates of
7 foreclosures, except that such 200 political subdivisions
8 shall include at least 1 political subdivision of each State.

9 “(d) APPLICATION OF CERTAIN RULES.—Rules simi-
10 lar to the rules of subsections (d), (e), and (f) of section
11 121 shall apply for purposes of this section.”.

12 “(b) PUBLICATION OF LIST OF HIGH FORECLOSURE
13 AREAS.—Not later than 60 days after the date of the en-
14 actment of this Act, the Secretary of the Treasury (or the
15 Secretary’s designee) shall publish the list of the 200 polit-
16 ical subdivisions determined to have the highest fore-
17 closure rates under section 121A(c) of the Internal Rev-
18 enue Code of 1986, as added by this section.

19 “(c) CLERICAL AMENDMENT.—The table of sections
20 for part III of subchapter B of chapter 1 is amended by
21 inserting after the time relating to section 121 the fol-
22 lowing new item:

“Sec. 121A. Exclusion of gain from sale of non-principal residence.”.



