

**AMENDMENT TO H.R. 529, AS REPORTED
OFFERED BY MR. DANNY K. DAVIS OF ILLINOIS**

Page 6, after line 20, insert the following:

1 SEC. 5. LIMITATION ON CONTRIBUTIONS.

2 (a) IN GENERAL.—Section 529(b) of the Internal
3 Revenue Code of 1986 is amended by adding at the end
4 the following new paragraph:

5 “(7) LIMITATION ON CONTRIBUTIONS.—

6 “(A) IN GENERAL.—A program shall not
7 be treated as a qualified tuition program unless
8 it provides that a taxpayer, or a member of the
9 taxpayer’s family, may not contribute any
10 amount to a qualified tuition program for a tax-
11 able year if the taxpayer’s adjusted gross in-
12 come for the prior taxable year is in excess of
13 \$3,000,000. For purposes of this paragraph,
14 the term ‘member of the taxpayer’s family’ in-
15 cludes the taxpayer’s spouse and any child of
16 the taxpayer described in section 1(g)(2).

17 “(B) DUE DILIGENCE SAFE HARBOR.—A
18 program shall not fail to be treated as a quali-
19 fied tuition program if the program complies

1 with due diligence requirements prescribed by
2 the Secretary to carry out subparagraph (A).”.

3 (b) **EFFECTIVE DATE.**—The amendment made by
4 subsection (a) shall apply with respect to contributions
5 made after February 28, 2015.

