

**TEXT OF THE HOUSE AMENDMENT TO THE SENATE AMENDMENT  
TO H.J. RES 66**

**AMENDMENT TO THE SENATE AMENDMENT TO  
H.J. RES. 66  
OFFERED BY M \_\_\_\_\_**

The House concurs in the Senate Amendment to H.J. Res. 66 with the following amendment:

In lieu of the matter proposed to be inserted by the Senate amendment to the text of the resolution, insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Permanent Tax Relief  
3 for Families and Small Businesses Act of 2012”.

4 **SEC. 2. PREVENTION OF INDIVIDUAL INCOME TAX RATE IN-**  
5 **CREASES.**

6 (a) IN GENERAL.—Section 1 of the Internal Revenue  
7 Code of 1986 is amended by adding at the end the fol-  
8 lowing new subsection:

9 “(j) RATE REDUCTIONS AFTER 2012.—

10 “(1) 10-PERCENT RATE BRACKET.—

11 “(A) IN GENERAL.—In the case of taxable  
12 years beginning after December 31, 2012, the  
13 rate of tax under subsections (a), (b), (c), and

1 (d) on taxable income not over the initial bracket  
2 amount shall be 10 percent.

3 “(B) INITIAL BRACKET AMOUNT.—For  
4 purposes of this paragraph, the initial bracket  
5 amount is—

6 “(i) \$14,000 in the case of subsection  
7 (a),

8 “(ii) \$10,000 in the case of subsection  
9 (b), and

10 “(iii)  $\frac{1}{2}$  the amount applicable under  
11 clause (i) (after adjustment, if any, under  
12 paragraph (4)) in the case of subsections  
13 (c) and (d).

14 “(2) REDUCTIONS IN 28-, 31-, AND 36-PERCENT  
15 RATES.—In the case of taxable years beginning after  
16 December 31, 2012, the tables contained in sub-  
17 sections (a), (b), (c), (d), and (e) shall be applied—

18 “(A) by substituting ‘25%’ for ‘28%’ each  
19 place it appears (before the application of sub-  
20 paragraph (B)),

21 “(B) by substituting ‘28%’ for ‘31%’ each  
22 place it appears, and

23 “(C) by substituting ‘33%’ for ‘36%’ each  
24 place it appears.

25 “(3) 35-PERCENT RATE BRACKET.—

1           “(A) IN GENERAL.—In the case of taxable  
2           years beginning after December 31, 2012, the  
3           rate of tax under subsections (a), (b), (c), and  
4           (d) on a taxpayer’s taxable income in the high-  
5           est rate bracket shall be 35 percent to the ex-  
6           tent such income does not exceed an amount  
7           equal to the excess of—

8                   “(i) the applicable amount, over

9                   “(ii) the dollar amount at which such  
10           bracket begins.

11           “(B) APPLICABLE AMOUNT.—For purposes  
12           of this paragraph, the term ‘applicable amount’  
13           means—

14                   “(i) except as provided in clause (ii),  
15                   \$1,000,000, and

16                   “(ii)  $\frac{1}{2}$  the amount applicable under  
17           clause (i) (after adjustment, if any, under  
18           paragraph (4)) in the case of subsection  
19           (d).

20           “(4) INFLATION ADJUSTMENT.—In prescribing  
21           the tables under subsection (f) which apply with re-  
22           spect to taxable years beginning in calendar years  
23           after 2012 (2013 in the case of the dollar amount  
24           contained in paragraph (3)(B)(i))—

1           “(A) with respect to each of the dollar  
2           amounts contained in clauses (i) and (ii) of  
3           paragraph (1)(B), the cost-of-living adjustment  
4           shall be determined under subsection (f)(3) by  
5           substituting ‘2002’ for ‘1992’ in subparagraph  
6           (B) thereof, and

7           “(B) with respect to the dollar amount  
8           contained in paragraph (3)(B)(i), the cost-of-  
9           living adjustment shall be determined under  
10          subsection (f)(3) by substituting ‘2012’ for  
11          ‘1992’ in subparagraph (B) thereof.

12          If any amount after adjustment under the preceding  
13          sentence is not a multiple of \$50, such amount shall  
14          be rounded to the next lowest multiple of \$50.

15          “(5) ADJUSTMENT OF TABLES.—The Secretary  
16          shall adjust the tables prescribed under subsection  
17          (f) to carry out this subsection.”.

18          (b) TREATMENT OF CHANGE IN RATES.—Section 15  
19          of such Code is amended by adding at the end the fol-  
20          lowing new subsection:

21          “(g) RATE REDUCTIONS AFTER 2012.—This section  
22          shall not apply to any change in rates under section 1(j).”.

23          (c) EFFECTIVE DATE.—The amendments made by  
24          this section shall apply to taxable years beginning after  
25          December 31, 2012.

1 **SEC. 3. PREVENTION OF INCREASES IN CAPITAL GAINS**  
2 **AND DIVIDENDS RATES.**

3 (a) IN GENERAL.—Paragraph (1) of section 1(h) of  
4 the Internal Revenue Code of 1986 is amended—

5 (1) by redesignating subparagraphs (C), (D),  
6 and (E) as subparagraphs (D), (E), and (F), respec-  
7 tively,

8 (2) by inserting after subparagraph (B) the fol-  
9 lowing new subparagraph:

10 “(C) 15 percent of the lesser of—

11 “(i) so much of the adjusted net cap-  
12 ital gain (or, if less, taxable income) as ex-  
13 ceeds the amount on which a tax is deter-  
14 mined under subparagraph (B), or

15 “(ii) the excess (if any) of—

16 “(I) the amount of taxable in-  
17 come which would (without regard to  
18 this paragraph) be taxed at a rate  
19 below 36 percent, over

20 “(II) the sum of the amounts on  
21 which a tax is determined under sub-  
22 subparagraphs (A) and (B),”, and

23 (3) in subparagraph (D) (as redesignated by  
24 paragraph (1)), by striking “of the adjusted net cap-  
25 ital gain” and all that follows through the end of  
26 such subparagraph and inserting “(as applied pursu-

1       ant to section 303 of the Jobs and Growth Tax Re-  
2       lief Reconciliation Act of 2003) of the adjusted net  
3       capital gain (or, if less, taxable income) in excess of  
4       the sum of the amounts on which tax is determined  
5       under subparagraphs (B) and (C),”.

6       (b) MINIMUM TAX.—Paragraph (3) of section 55(b)  
7       of such Code is amended—

8             (1) by redesignating subparagraphs (C) and  
9             (D) as subparagraph (D) and (E), respectively,

10            (2) by inserting after subparagraph (B) the fol-  
11            lowing new subparagraph:

12                   “(C) 15 percent of the lesser of—

13                           “(i) so much of the adjusted net cap-  
14                           ital gain (or, if less, taxable excess) as ex-  
15                           ceeds the amount on which tax is deter-  
16                           mined under subparagraph (B), or

17                           “(ii) the excess described in section  
18                           1(h)(1)(C)(ii), plus”, and

19             (3) in subparagraph (D) (as redesignated by  
20             paragraph (1)), by striking “of the adjusted net cap-  
21             ital gain” and all that follows through the end of  
22             such subparagraph and inserting “(as applied pursu-  
23             ant to section 303 of the Jobs and Growth Tax Re-  
24             lief Reconciliation Act of 2003) of the adjusted net  
25             capital gain (or, if less, taxable excess) in excess of

1 the sum of the amounts on which tax is determined  
2 under subparagraphs (B) and (C), plus”.

3 (e) CONFORMING AMENDMENTS.—

4 (1) Sections 1(h)(1)(B) and 55(b)(3)(B) of  
5 such Code are each amended by striking “5 percent  
6 (0 percent in the case of taxable years beginning  
7 after 2007)” and inserting “0 percent”.

8 (2) Section 1445(e)(1) of such Code is amended  
9 by striking “percent)” and inserting “percent (as  
10 applied pursuant to section 303 of the Jobs and  
11 Growth Tax Relief Reconciliation Act of 2003))”.

12 (3) Section 7518(g)(6)(A) of such Code is  
13 amended by striking “percent (” in the second sen-  
14 tence and inserting “percent, as applied pursuant to  
15 section 303 of the Jobs and Growth Tax Relief Rec-  
16 onciliation Act of 2003 (”.

17 (4) Section 53511(f)(2) of title 46, United  
18 States Code, is amended by striking “percent (” and  
19 inserting “percent, as applied pursuant to section  
20 303 of the Jobs and Growth Tax Relief Reconcili-  
21 ation Act of 2003 (”.

22 (d) COORDINATION WITH JGTRRA SUNSET.—Sec-  
23 tion 303 of the Jobs and Growth Tax Relief Reconciliation  
24 Act of 2003 shall apply with respect to the amendment  
25 made by section 301(a)(2)(A) of such Act before the re-

1 designation of section 1(h)(1)(C) of the Internal Revenue  
2 Code of 1986 under subsection (a)(1).

3 (e) EFFECTIVE DATES.—

4 (1) IN GENERAL.—Except as otherwise pro-  
5 vided in this subsection, the amendments made by  
6 this section shall apply to taxable years beginning  
7 after December 31, 2012.

8 (2) WITHHOLDING.—The amendment made by  
9 subsection (c)(2) shall apply to amounts paid on or  
10 after January 1, 2013.

11 **SEC. 4. REPEAL OF SUNSET WITH RESPECT TO OTHER 2001**  
12 **AND 2003 TAX RELIEF.**

13 (a) 2001 TAX RELIEF.—

14 (1) IN GENERAL.—Section 901 of the Economic  
15 Growth and Tax Relief Reconciliation Act of 2001  
16 shall not apply with respect to the following provi-  
17 sions of (and amendments made by) such Act:

18 (A) Subsections (b), (c), and (d) of section  
19 101.

20 (B) Section 102.

21 (C) Section 103.

22 (D) Title II.

23 (E) Title III.

24 (F) Title IV.

25 (G) Title V.

1 (H) Subtitle G of title VI.

2 (I) Title VIII.

3 (2) CONFORMING AMENDMENT.—The Tax Re-  
4 lief, Unemployment Insurance Reauthorization, and  
5 Job Creation Act of 2010 is amended by striking  
6 section 304.

7 (3) EFFECTIVE DATES.—

8 (A) IN GENERAL.—Paragraph (1) shall  
9 apply as if included in the enactment of the  
10 Economic Growth and Tax Relief Reconciliation  
11 Act of 2001.

12 (B) CONFORMING AMENDMENT.—The  
13 amendment made by paragraph (2) shall take  
14 effect as if included in the enactment of the  
15 Tax Relief, Unemployment Insurance Reauthor-  
16 ization, and Job Creation Act of 2010.

17 (b) 2003 TAX RELIEF.—

18 (1) IN GENERAL.—Section 303 of the Jobs and  
19 Growth Tax Relief Reconciliation Act of 2003 shall  
20 not apply with respect to the following provisions of  
21 (and amendments made by) such Act:

22 (A) Paragraph (1) of section 301(a).

23 (B) Subsections (b), (c), and (d) of section  
24 301.

25 (C) Section 302.

1           (2) EFFECTIVE DATE.—Paragraph (1) shall  
2           apply as if included in the enactment of the Jobs  
3           and Growth Tax Relief Reconciliation Act of 2003.

4 **SEC. 5. PERMANENT INCREASE IN EXPENSING OF CERTAIN**  
5 **DEPRECIABLE BUSINESS ASSETS.**

6           (a) IN GENERAL.—

7           (1) DOLLAR LIMITATION.—Section 179(b)(1) of  
8           the Internal Revenue Code of 1986 is amended by  
9           striking “shall not exceed—” and all that follows  
10           and inserting “shall not exceed \$250,000.”.

11           (2) REDUCTION IN LIMITATION.—Section  
12           179(b)(2) of such Code is amended by striking “ex-  
13           ceeds—” and all that follows and inserting “exceeds  
14           \$800,000.”.

15           (b) COMPUTER SOFTWARE.—Section  
16           179(d)(1)(A)(ii) of such Code is amended by striking “and  
17           before 2013”.

18           (c) ELECTION.—Section 179(c)(2) of such Code is  
19           amended by striking “may not be revoked” and all that  
20           follows through “and before 2013”.

21           (d) INFLATION ADJUSTMENT.—Section 179(b)(6)(A)  
22           of such Code is amended to read as follows:

23                   “(A) IN GENERAL.—In the case of any  
24           taxable year beginning after 2013, the dollar

1 amounts in paragraphs (1) and (2) shall each  
2 be increased by an amount equal to—

3 “(i) such dollar amount, multiplied by

4 “(ii) the cost-of-living adjustment de-  
5 termined under section 1(f)(3) for the cal-  
6 endar year in which the taxable year be-  
7 gins, by substituting ‘2012’ for ‘1992’ in  
8 subparagraph (B) thereof.”.

9 (e) **EFFECTIVE DATE.**—The amendments made by  
10 this section shall apply to taxable years beginning after  
11 December 31, 2012.

12 **SEC. 6. PERMANENT ALTERNATIVE MINIMUM TAX RELIEF**  
13 **FOR INDIVIDUALS.**

14 (a) **EXTENSION OF INCREASED ALTERNATIVE MIN-**  
15 **IMUM TAX EXEMPTION AMOUNT.**—

16 (1) **IN GENERAL.**—Section 55(d)(1) of the In-  
17 ternal Revenue Code of 1986 is amended—

18 (A) by striking “\$45,000” and all that fol-  
19 lows through “2011)” in subparagraph (A) and  
20 inserting “\$78,750”, and

21 (B) by striking “\$33,750” and all that fol-  
22 lows through “2011)” in subparagraph (B) and  
23 inserting “\$50,600”.

1           (2) INDEXING OF DOLLAR AMOUNTS.—Section  
2 55(d) of such Code is amended by adding at the end  
3 the following new paragraph:

4           “(4) INDEXING OF DOLLAR AMOUNTS.—

5                   “(A) IN GENERAL.—In the case of any  
6 taxable year beginning in a calendar year after  
7 2012, each of the dollar amounts contained in  
8 subclause (I) and (II) of subsection  
9 (b)(1)(A)(i), and paragraphs (1)(A), (1)(B),  
10 (3)(A), and (3)(B) of this subsection, shall be  
11 increased to the amount equal to such amount  
12 as in effect for the calendar year preceding such  
13 year, increased by an amount equal to the prod-  
14 uct of—

15                           “(i) such amount as so in effect, mul-  
16 tiplied by

17                                   “(ii) the cost-of-living adjustment de-  
18 termined under section 1(f)(3) for such  
19 year (determined by substituting the cal-  
20 endar year which is 2 years before such  
21 year for ‘1992’ in subparagraph (B) there-  
22 of), increased by 0.75 percentage points.

23                   “(B) ROUNDING.—Any increase deter-  
24 mined under subparagraph (A) shall be rounded  
25 to the nearest multiple of \$50.”.

1 (3) CONFORMING AMENDMENTS.—

2 (A) Section 55(b)(1)(A)(iii) of such Code  
3 is amended to read as follows:

4 “(iii) MARRIED INDIVIDUAL FILING  
5 SEPARATE RETURN.—In the case of a mar-  
6 ried individual filing a separate return, the  
7 dollar amount applicable under subclauses  
8 (I) and (II) of clause (i) shall be equal to  
9  $\frac{1}{2}$  of the dollar amount otherwise in effect  
10 under such subclauses. For purposes of the  
11 preceding sentence, marital status shall be  
12 determined under section 7703.”.

13 (B) Section 55(d)(3) of such Code is  
14 amended by striking the first sentence and in-  
15 serting the following: “The exemption amount  
16 of any taxpayer shall be reduced (but not below  
17 zero) by an amount equal to 25 percent of the  
18 amount by which the alternative minimum tax-  
19 able income of the taxpayer exceeds—

20 “(A) \$150,000 in the case of a taxpayer  
21 described in paragraph (1)(A),

22 “(B) \$112,500 in the case of a taxpayer  
23 described in paragraph (1)(B),

1           “(C) ½ the amount in effect under sub-  
2           paragraph (A) in the case of a taxpayer de-  
3           scribed in paragraph (1)(C),

4           “(D) \$75,000 in the case of a taxpayer de-  
5           scribed in paragraph (1)(D), and

6           “(E) \$150,000 in the case of a taxpayer  
7           described in paragraph (2).”.

8           (b) **ALTERNATIVE MINIMUM TAX RELIEF FOR NON-**  
9 **REFUNDABLE CREDITS.**—Section 26(a)(2) of such Code  
10 is amended by striking all that precedes “the aggregate  
11 amount” and inserting the following:

12           “(2) **SPECIAL RULE FOR 2000 AND THERE-**  
13 **AFTER.**—For purposes of any taxable year beginning  
14 after December 31, 1999,”.

15           (c) **EFFECTIVE DATE.**—The amendments made by  
16 this section shall apply to taxable years beginning after  
17 December 31, 2011.

18 **SEC. 7. TREATMENT FOR PAYGO PURPOSES.**

19           The budgetary effects of this Act shall not be entered  
20 on either PAYGO scorecard maintained pursuant to sec-  
21 tion 4(d) of the Statutory Pay-As-You-Go Act of 2010.

