

**AMENDMENT TO H.R. 1**  
**OFFERED BY MR. BILIRAKIS OF FLORIDA**

Add at the end of subtitle H of title I of division B  
the following new part:

1. **PART 5—DISASTER RELIEF**

2 **SEC. 1741. NONREFUNDABLE PERSONAL CREDIT FOR HUR-**  
3 **RICANE AND TORNADO MITIGATION PROP-**  
4 **ERTY.**

5 (a) IN GENERAL.—Subpart A of part IV of sub-  
6 chapter A of chapter 1 of the Internal Revenue Code of  
7 1986 is amended by inserting after section 25D the fol-  
8 lowing new section:

9 **“SEC. 25E. HURRICANE AND TORNADO MITIGATION PROP-**  
10 **ERTY.**

11 “(a) ALLOWANCE OF CREDIT.—In the case of an in-  
12 dividual, there shall be allowed as a credit against the tax  
13 imposed by this chapter for the taxable year an amount  
14 equal to 25 percent of the qualified hurricane and tornado  
15 mitigation property expenditures made by the taxpayer  
16 during such taxable year.

17 “(b) MAXIMUM CREDIT.—The credit allowed under  
18 subsection (a) for any taxable year shall not exceed  
19 \$5,000.

1       “(c) QUALIFIED HURRICANE AND TORNADO MITIGA-  
2 TION EXPENDITURE.—For purposes of this section—

3           “(1) IN GENERAL.—The term ‘qualified hurri-  
4 cane and tornado mitigation property expenditure’  
5 means an expenditure for property—

6           “(A) to improve the strength of a roof  
7 deck attachment,

8           “(B) to create a secondary water barrier to  
9 prevent water intrusion,

10           “(C) to improve the durability of a roof  
11 covering,

12           “(D) to brace gable-end walls,

13           “(E) to reinforce the connection between a  
14 roof and supporting wall,

15           “(F) to protect openings from penetration  
16 by windborne debris, or

17           “(G) to protect exterior doors and garages,  
18 in a qualified dwelling unit located in a qualified  
19 State and owned by the taxpayer.

20           “(2) QUALIFIED DWELLING UNIT.—The term  
21 ‘qualified dwelling unit’ means a dwelling unit that  
22 is assessed at a value that is less than \$1,000,000  
23 by the locality in which such dwelling unit is located  
24 and with respect to the taxable year for which the  
25 credit described in subsection (a) is allowed.

1           “(3) QUALIFIED STATE.—The term ‘qualified  
2           State’ means Alabama, Arkansas, Colorado, Con-  
3           necticut, Delaware, Florida, Georgia, Hawaii, Illi-  
4           nois, Indiana, Iowa, Kansas, Kentucky, Louisiana,  
5           Maine, Maryland, Massachusetts, Minnesota, Mis-  
6           sissippi, Missouri, Nebraska, New Hampshire, New  
7           Jersey, New York, North Carolina, Ohio, Pennsyl-  
8           vania, Rhode Island, South Carolina, South Dakota,  
9           Tennessee, Texas, or Virginia.

10          “(d) LIMITATION.—An expenditure shall be taken  
11          into account in determining the qualified hurricane and  
12          tornado mitigation property expenditures made by the tax-  
13          payer during the taxable year only if the onsite prepara-  
14          tion, assembly, or original installation of the property with  
15          respect to which such expenditure is made has been com-  
16          pleted in a manner that is deemed to be adequate by a  
17          State-certified inspector.

18          “(e) LABOR COSTS.—For purposes of this section,  
19          expenditures for labor costs properly allocable to the onsite  
20          preparation, assembly, or original installation of the prop-  
21          erty described in subsection (c) shall be taken into account  
22          in determining the qualified hurricane and tornado mitiga-  
23          tion property expenditures made by the taxpayer during  
24          the taxable year.

1       “(f) INSPECTION COSTS.—For purposes of this sec-  
2 tion, expenditures for inspection costs properly allocable  
3 to the inspection of the preparation, assembly, or installa-  
4 tion of the property described in subsection (c) shall be  
5 taken into account in determining the qualified hurricane  
6 and tornado mitigation property expenditures made by the  
7 taxpayer during the taxable year.”.

8       (b) CONFORMING AMENDMENT.—The table of sec-  
9 tions for subpart A of part IV of subchapter A of chapter  
10 1 of such Code is amended by inserting after the item  
11 relating to section 25D the following new item:

“Sec. 25E. Hurricane and tornado mitigation property.”.

12       (c) EFFECTIVE DATE.—The amendments made by  
13 this section shall apply to taxable years beginning after  
14 December 31, 2008.

15 **SEC. 1742. BUSINESS RELATED CREDIT FOR HURRICANE**  
16 **AND TORNADO MITIGATION.**

17       (a) IN GENERAL.—Subpart D of part IV of sub-  
18 chapter A of chapter 1 of the Internal Revenue Code of  
19 1986 is amended by inserting after section 45Q the fol-  
20 lowing new section:

21 **“SEC. 45R. HURRICANE AND TORNADO MITIGATION CRED-**  
22 **IT.**

23       “(a) GENERAL RULE.—For purposes of section 38,  
24 the hurricane and tornado mitigation credit determined  
25 under this section for any taxable year is an amount equal

1 to 25 percent of the qualified hurricane and tornado miti-  
2 gation property expenditures made by the taxpayer during  
3 the taxable year.

4 “(b) MAXIMUM CREDIT.—The amount of the credit  
5 determined under subsection (a) for any taxable year shall  
6 not exceed \$5,000.

7 “(c) QUALIFIED HURRICANE AND TORNADO MITIGA-  
8 TION EXPENDITURE.—For purposes of this section—

9 “(1) IN GENERAL.—The term ‘qualified hurri-  
10 cane and tornado mitigation property expenditure’  
11 means an expenditure for property—

12 “(A) to improve the strength of a roof  
13 deck attachment,

14 “(B) to create a secondary water barrier to  
15 prevent water intrusion,

16 “(C) to improve the durability of a roof  
17 covering,

18 “(D) to brace gable-end walls,

19 “(E) to reinforce the connection between a  
20 roof and supporting wall,

21 “(F) to protect openings from penetration  
22 by windborne debris, or

23 “(G) to protect exterior doors and garages,  
24 in a qualified place of business located in a qualified  
25 State and owned by the taxpayer.

1           “(2) QUALIFIED PLACE OF BUSINESS.—The  
2           term ‘qualified place of business’ means a place of  
3           business that is assessed at a value that is less than  
4           \$5,000,000 by the locality in which such business is  
5           located and with respect to the taxable year for  
6           which the credit described in subsection (a) is al-  
7           lowed.

8           “(3) QUALIFIED STATE.—The term ‘qualified  
9           State’ means Alabama, Arkansas, Colorado, Con-  
10          necticut, Delaware, Florida, Georgia, Hawaii, Illi-  
11          nois, Indiana, Iowa, Kansas, Kentucky, Louisiana,  
12          Maine, Maryland, Massachusetts, Minnesota, Mis-  
13          sissippi, Missouri, Nebraska, New Hampshire, New  
14          Jersey, New York, North Carolina, Ohio, Pennsyl-  
15          vania, Rhode Island, South Carolina, South Dakota,  
16          Tennessee, Texas, or Virginia.

17          “(d) LIMITATION.—An expenditure shall be taken  
18          into account in determining the qualified hurricane and  
19          tornado mitigation property expenditures made by the tax-  
20          payer during the taxable year only if the onsite prepara-  
21          tion, assembly, or original installation of the property with  
22          respect to which such expenditure is made has been com-  
23          pleted in a manner that is deemed to be adequate by a  
24          State-certified inspector.

1       “(e) LABOR COSTS.—For purposes of this section,  
2 expenditures for labor costs properly allocable to the onsite  
3 preparation, assembly, or original installation of the prop-  
4 erty described in subsection (e) shall be taken into account  
5 in determining the qualified hurricane and tornado mitiga-  
6 tion property expenditures made by the taxpayer during  
7 the taxable year.

8       “(f) INSPECTION COSTS.—For purposes of this sec-  
9 tion, expenditures for inspection costs properly allocable  
10 to the inspection of the preparation, assembly, or installa-  
11 tion of the property described in subsection (e) shall be  
12 taken into account in determining the qualified hurricane  
13 and tornado mitigation property expenditures made by the  
14 taxpayer during the taxable year.”.

15       (b) CONFORMING AMENDMENTS.—

16           (1) Section 38(b) of such Code is amended by  
17 striking “plus” at the end of paragraph (34), by  
18 striking the period at the end of paragraph (35) and  
19 inserting “, plus”, and by adding at the end the fol-  
20 lowing new paragraph:

21           “(36) the hurricane and tornado mitigation  
22 credit determined under section 45R(a).”.

23           (2) The table of sections for subpart D of part  
24 IV of subchapter A of chapter 1 of such Code is

1 amended by inserting after the item relating to sec-  
2 tion 45Q the following new item:

“Sec. 45R. Hurricane and tornado mitigation credit.”.

3 (c) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply to taxable years beginning after  
5 December 31, 2008.

