

117TH CONGRESS
1ST SESSION

H. R. 1431

To amend the Internal Revenue Code of 1986 to allow the work opportunity credit to small businesses which hire individuals who are members of the Ready Reserve or National Guard, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2021

Ms. PLASKETT introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to allow the work opportunity credit to small businesses which hire individuals who are members of the Ready Reserve or National Guard, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hire A Hero Act of
5 2021”.

1 **SEC. 2. WORK OPPORTUNITY CREDIT TO SMALL BUSI-**
 2 **NESSES FOR HIRING MEMBERS OF READY**
 3 **RESERVE OR NATIONAL GUARD.**

4 (a) IN GENERAL.—Section 51(d)(1) of the Internal
 5 Revenue Code of 1986 is amended by striking “or” at the
 6 end of subparagraph (I), by striking the period at the end
 7 of subparagraph (J) and inserting “, or”, and by adding
 8 at the end the following new subparagraph:

9 “(K) in the case of an eligible employer (as
 10 defined in section 408(p)(2)(C)(i)), an indi-
 11 vidual who is a member of—

12 “(i) the Ready Reserve (as described
 13 in section 10142 of title 10, United States
 14 Code), or

15 “(ii) the National Guard (as defined
 16 in section 101(c)(1) of title 10, United
 17 States Code).”.

18 (b) EFFECTIVE DATE.—

19 (1) IN GENERAL.—The amendment made by
 20 this section shall apply to wages paid or incurred
 21 after the date of the enactment of this Act in tax-
 22 able years ending after such date.

23 (2) CURRENT EMPLOYEES COVERED BY CRED-
 24 IT.—For purposes of applying section 51 of the In-
 25 ternal Revenue Code of 1986, individuals described
 26 in section 51(d)(1)(K) of such Code, as added by

1 this section, who are employed by an eligible em-
 2 ployer (as defined in section 408(p)(2)(C)(i) of such
 3 Code) on the date of the enactment of this Act shall
 4 be treated as beginning work for such employer on
 5 such date.

6 **SEC. 3. PERMANENT EXTENSION OF WORK OPPORTUNITY**
 7 **CREDIT FOR EMPLOYERS HIRING QUALIFIED**
 8 **VETERANS AND MEMBERS OF READY RE-**
 9 **SERVE AND NATIONAL GUARD.**

10 (a) IN GENERAL.—Section 51(c)(4) of the Internal
 11 Revenue Code of 1986 is amended by inserting “(other
 12 than any individual described in subparagraph (B) or (K)
 13 of subsection (d)(1))” after “individual”.

14 (b) EFFECTIVE DATE.—The amendment made by
 15 this section shall apply to individuals who begin work for
 16 the employer after December 31, 2020.

17 **SEC. 4. TREATMENT OF POSSESSIONS.**

18 (a) PAYMENTS TO POSSESSIONS.—

19 (1) MIRROR CODE POSSESSIONS.—The Sec-
 20 retary of the Treasury shall pay to each possession
 21 of the United States with a mirror code tax system
 22 amounts equal to the loss to that possession by rea-
 23 son of the amendments made by this Act. Such
 24 amounts shall be determined by the Secretary of the
 25 Treasury based on information provided by the gov-

1 ernment of the respective possession of the United
2 States.

3 (2) OTHER POSSESSIONS.—The Secretary of
4 the Treasury shall pay to each possession of the
5 United States which does not have a mirror code tax
6 system the amount estimated by the Secretary of the
7 Treasury as being equal to the loss to that posses-
8 sion that would have occurred by reason of the
9 amendments made by this Act if a mirror code tax
10 system had been in effect in such possession. The
11 preceding sentence shall not apply with respect to
12 any possession of the United States unless such pos-
13 session establishes to the satisfaction of the Sec-
14 retary that the possession has implemented (or, at
15 the discretion of the Secretary, will implement) an
16 income tax benefit which is substantially equivalent
17 to the income tax credit in effect after the amend-
18 ments made by this Act.

19 (b) COORDINATION WITH CREDIT ALLOWED
20 AGAINST UNITED STATES INCOME TAXES.—The credit
21 allowed against United States income taxes for any tax-
22 able year under the amendments made by this Act to sec-
23 tion 51 of the Internal Revenue Code of 1986 to any per-
24 son shall be reduced by the amount of any credit (or other
25 tax benefit described in subsection (a)(2)) allowed to such

1 person against income taxes imposed by the possession of
2 the United States by reason of this section for such tax-
3 able year.

4 (c) DEFINITIONS AND SPECIAL RULES.—

5 (1) POSSESSION OF THE UNITED STATES.—For
6 purposes of this section, the term “possession of the
7 United States” shall include such possessions as are
8 specified in section 937(a)(1) of the Internal Rev-
9 enue Code of 1986.

10 (2) MIRROR CODE TAX SYSTEM.—For purposes
11 of this section, the term “mirror code tax system”
12 means, with respect to any possession of the United
13 States, the income tax system of such possession if
14 the income tax liability of the residents of such pos-
15 session under such system is determined by ref-
16 erence to the income tax laws of the United States
17 as if such possession were the United States.

18 (3) TREATMENT OF PAYMENTS.—For purposes
19 of section 1324(b)(2) of title 31, United States
20 Code, the payments under subsection (a) shall be
21 treated in the same manner as a refund due from
22 credit provisions described in such section.

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