

108TH CONGRESS
1ST SESSION

S. 1524

To amend the Internal Revenue Code of 1986 to allow a 7-year applicable recovery period for depreciation of motorsports entertainment complexes.

IN THE SENATE OF THE UNITED STATES

JULY 31 (legislative day, JULY 21), 2003

Mr. SANTORUM (for himself, Mr. ALLEN, Mr. BUNNING, Mrs. DOLE, and Mr. KYL) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to allow a 7-year applicable recovery period for depreciation of motorsports entertainment complexes.

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. 7-YEAR RECOVERY PERIOD FOR MOTORSPORTS

ENTERTAINMENT COMPLEXES.

5 (a) 7-YEAR PROPERTY.—Subparagraph (C) of sec-
6 tion 168(e)(3) of the Internal Revenue Code of 1986 (re-
7 lating to classification of certain property) is amended by
8 redesignating clause (ii) as clause (iii) and by inserting
9 after clause (i) the following new clause:

1 “(ii) any motorsports entertainment
2 complex, and”.

3 (b) DEFINITION.—Section 168(i) of such Code (relat-
4 ing to definitions and special rules) is amended by adding
5 at the end the following new paragraph:

6 “(15) MOTOSPORTS ENTERTAINMENT COM-
7 PLEX.—

8 “(A) IN GENERAL.—The term ‘motor-
9 sports entertainment complex’ means a racing
10 track facility that is permanently situated on
11 land and which during the applicable period is
12 scheduled to host one or more racing events for
13 automobiles (of any type), trucks, or motor-
14 cycles that are open to the public for the price
15 of admission.

16 “(B) ANCILLARY AND SUPPORT FACILI-
17 TIES.—Such term shall include, if owned by the
18 complex and provided for the benefit of patrons
19 of the complex—

20 “(i) ancillary grounds and facilities
21 and land improvements in support of the
22 complex’s activities (including parking lots,
23 sidewalks, waterways, bridges, fences, and
24 landscaping),

1 “(ii) support facilities (including food
2 and beverage retailing, souvenir vending,
3 and other nonlodging accommodations),
4 and

5 “(iii) appurtenances associated with
6 such facilities and related attractions and
7 amusements (including ticket booths, race
8 track surfaces, suites and hospitality facili-
9 ties, grandstands and viewing structures,
10 props, walls, facilities that support the de-
11 livery of entertainment services, other spe-
12 cial purpose structures, facades, shop inte-
13 riors, and buildings).

14 “(C) EXCEPTION.—Such term shall not in-
15 clude any transportation equipment, adminis-
16 trative services assets, warehouses, administra-
17 tive buildings, hotels, or motels.

18 “(D) APPLICABLE PERIOD.—For purposes
19 of subparagraph (A), the term ‘applicable pe-
20 riod’ means the period ending the later of the
21 last day of—

22 “(i) the 24 month period following the
23 first day of the month in which the asset
24 is or was placed in service, or

1 “(ii) the 24 month period ending De-
2 cember 31, 2003, to the extent that the
3 asset remains in service during such pe-
4 riod.”.

5 (c) EFFECTIVE DATE.—

6 (1) IN GENERAL.—The amendments made by
7 this section shall apply to any property placed in
8 service before, on, or after the date of the enactment
9 of this Act.

10 (2) TRANSITION RULE FOR PROPERTY PLACED
11 IN SERVICE ON OR BEFORE ENACTMENT.—In the
12 case of property placed in service on or before the
13 date of the enactment of this Act, the taxpayer may
14 elect (in such form and manner as the Secretary
15 may prescribe), not to apply section 168 of the In-
16 ternal Revenue Code of 1986 (as amended by this
17 section) to such property.

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