

109TH CONGRESS  
1ST SESSION

# S. 1864

To amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 7 (legislative day, OCTOBER 6), 2005

Mr. TALENT (for himself, Mr. CONRAD, Mr. BUNNING, Mr. CRAPO, Mr. HARKIN, Mrs. LINCOLN, and Mr. THOMAS) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation.

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. CERTAIN FARMING BUSINESS MACHINERY AND**  
4 **EQUIPMENT TREATED AS 5-YEAR PROPERTY.**

5 (a) IN GENERAL.—Section 168(e)(3)(B) of the Inter-  
6 nal Revenue Code of 1986 (defining 5-year property) is  
7 amended by striking “and” at the end of clause (v), by  
8 striking the period at the end of clause (vi)(III) and in-

1   serting “, and”, and by inserting after clause (vi) the fol-  
 2   lowing new clause:

3                               “(vii) any machinery or equipment  
 4                               (other than any grain bin, cotton ginning  
 5                               asset, fence, or other land improvement)  
 6                               which is used in a farming business (as de-  
 7                               fined in section 263A(e)(4)) and placed in  
 8                               service before January 1, 2010.”.

9           (b) ALTERNATIVE SYSTEM.—The table contained in  
 10 section 168(g)(3)(B) of the Internal Revenue Code of  
 11 1986 (relating to special rule for certain property assigned  
 12 to classes) is amended by inserting after the item relating  
 13 to subparagraph (B)(iii) the following:

                  “(B)(vii) ..... 10”.

14           (c) EFFECTIVE DATE.—The amendments made by  
 15 this section shall apply to property placed in service after  
 16 the date of the enactment of this Act.

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