

110TH CONGRESS  
2D SESSION

# H. R. 5556

To amend the Internal Revenue Code of 1986 to allow certain individuals who have attained age 50 and who are unemployed to receive distributions from qualified retirement plans without incurring a 10 percent additional tax.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2008

Mr. PLATTS introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to allow certain individuals who have attained age 50 and who are unemployed to receive distributions from qualified retirement plans without incurring a 10 percent additional tax.

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

1 **SECTION 1. NO ADDITIONAL TAX ON DISTRIBUTIONS FROM**  
2 **QUALIFIED RETIREMENT PLANS TO CERTAIN**  
3 **INDIVIDUALS WHO HAVE ATTAINED AGE 50**  
4 **AND WHO ARE UNEMPLOYED.**

5 (a) IN GENERAL.—Paragraph (2) of section 72(t) of  
6 the Internal Revenue Code of 1986 (relating to subsection  
7 not to apply to certain distributions) is amended by adding  
8 at the end the following new subparagraph:

9 “(H) DISTRIBUTIONS TO CERTAIN INDI-  
10 VIDUALS WHO HAVE ATTAINED AGE 50 AND  
11 WHO ARE UNEMPLOYED.—

12 “(i) IN GENERAL.—Distributions to  
13 an individual after separation from em-  
14 ployment if—

15 “(I) as of the date of such dis-  
16 tribution, such individual has attained  
17 age 50,

18 “(II) such individual has received  
19 unemployment compensation for 12  
20 consecutive weeks under any Federal  
21 or State unemployment compensation  
22 law by reason of such separation, and

23 “(III) such distribution is made  
24 during any taxable year during which  
25 such unemployment compensation is  
26 paid or any succeeding taxable year.

1                   “(ii) REEMPLOYMENT AND SELF-EM-  
2                   PLOYMENT.—Rules similar to the rules of  
3                   clauses (ii) and (iii) of subparagraph (D)  
4                   shall apply for purposes of this subpara-  
5                   graph.”.

6           (b) EFFECTIVE DATE.—The amendment made by  
7           subsection (a) shall apply to distributions made after the  
8           date of the enactment of this Act.

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