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# Legislative Update

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BY WES BEARDEN, NCISS INVESTIGATIONS LEGISLATIVE CHAIR

I think we can all agree that this year has been one for the books. Hopefully, we will soon be opening the country back up, little by little. As you can imagine, the air in Washington this year has been vacuumed up with discussion of relief packages, police reform and elections. In many ways, that has pushed off any discussion regarding comprehensive privacy legislation until 2021.

As for relief packages, we are still looking at another package to be passed regarding relief for states and local communities affected by COVID-19. Although that package will likely have several amendments, we are unlikely to see any effect on our profession. However, should you have received monies under the Paycheck Protection Program (“PPP”) or under the Economic Injury Disaster Loan (“EIDL”), it would be wise to pay attention to modifications of the calculation of forgivable amounts under PPP. Realize that we are still likely to see a second wave of infections. How or if that will affect the economy in the fall or these programs is still anyone’s guess. As a small businessperson, please be prudent to make sure you make it through this crisis. If you need help, please reach out to NCISS and let us know how we can assist you. If possible, we will.

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Senate Republicans have not made public a framework of what they want to include in the next stimulus package, but we do have some hints. One issue that is being discussed is additional tax breaks. One proposal that might have bipartisan support is an expanding the job-retention tax credit that lawmakers created in March, making more employers eligible and credit more generous. However, the White House seems to prefer giving a weekly bonus to workers who return to their jobs, but how that would work is not clear yet. Another issue is protecting businesses and schools from COVID-19-related liability. Democrats have widely panned this proposal, but Senate GOP leadership has

been very consistent that this is a red line issue and they see any future stimulus package as having some form of this liability protection included.

Another proposal that is being monitored closely is a business tax credit for face-to-face sales and marketing expenses, such as exhibitions, events and trade shows. The credit would be 50% of qualified expenses incurred in the US, up to a maximum of \$50,000 per company per year. This would include things like booth expenses and other costs to set up an event or exhibit and qualified business travel expenses, including meals, lodging and transportation. This proposal is in its early stages but something worth hoping for.

Congress is still taking up a number of other matters prior to the election. They, for our purposes, are likely not to seriously affect the private investigative profession. However, at the time of this writing, Democrats have released a police reform bill that serves as their opening move in the policing conversation. Several Republican legislators have also indicated that they are working on pieces of legislation that address the issue. In a sign of potential bipartisanship, Republican leadership in the House has come out in favor of some of the provisions in the Democrat’s bill but has not yet committed to voting for the legislation. We will keep you updated on any police or criminal justice reform.

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