

Chart of 2015 legislative tax changes

The following chart lists the 2015 legislative tax changes. They are ordered chronologically by public law number with the affected Code section(s), effective date(s), and other information noted as well.

Continuing Appropriations Resolution, 2015, P.L. 114-3 (2/27/15)			
Change date in P.L. 113-164 "to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act."			
Slain Officer Family Support Act of 2015, P.L. 114-7 (4/1/15)			
Provision	Code section	Effective date	Other information
Allow charitable cash contributions for relief for two slain New York police detectives to be deducted in 2014 if made between 1/1/15 and 4/15/15.	170	Donations made between 1/1/15 and 4/15/15	See text of P.L. 114-7 for details on recordkeeping and allowance of donation even though for exclusive benefit of a family. IR-2015-65 (4/3/15)
Medicare Access and CHIP Reauthorization Act, P.L. 114-10 (4/16/15)			
Provision	Code section	Effective date	Other information
Increase continuous levy authority for payments to Medicare providers and suppliers from 30% to 100%.	6331(h)	Payments made after 4/16/15	
Provide funding to ensure that Medicare cards no longer include Social Security numbers after 4/16/19. This should reduce identity theft of tax information.			
Don't Tax Our Fallen Public Safety Heroes Act, P.L. 114-14 (5/22/15)			
Provision	Code section	Effective date	Other information
Add exclusion for certain compensation received by public safety officers and their dependents	104(a)(6)	None specified; likely 5/22/15	
Highway and Transportation Funding Act of 2015, P.L. 114-21 (5/29/15)			
Per Congressional Research Service (CRS) summary: "Amends the Internal Revenue Code to extend through July 31, 2015, the authority for expenditures from: (1) the HTF Highway and Mass Transit Accounts [Sec. 9503], (2) the Sport Fish Restoration and Boating Trust Fund [Sec. 9504], and (3) the Leaking Underground Storage Tank Trust Fund [Sec. 9508]."			
Defending Public Safety Employees' Retirement Act, P.L. 114-26 (6/29/15)			
Provision	Code section	Effective date	Other information
Add exemption from 10% penalty for certain early distributions for qualified public safety employees.	72(t)(10)	Distributions after 12/31/15	See new instructions for Forms 1099-R and 5498.
Trade Preferences Extension Act of 2015, P.L. 114-27 (6/29/15)			
Provision	Code section	Effective date	Other information
Extend and modify health coverage tax credit.	35 7527	See details in P.L. 114-27 , Section 407, and Form 8885 (including instructions on amending 2014 returns	Notice 2016-02 IRS HCTC webpage

Increase corporate estimated tax payment due July, August, or September 2020 by 8% and decrease the subsequent quarter payment by the same amount; for corporations with assets of \$1 billion or more.	6655	2020	Treated as revenue increase for FY 2020 and equal revenue decrease for FY 2021 (budget gimmick).
Form 1098-T (Sec. 6050S) required to claim American opportunity tax credit (AOTC), lifetime learning credit, or Sec. 222 deduction.	25A(g) 222(d) 6050S(d)	2016 tax returns	See additional education changes below.
Penalty relief for higher education institutions unable to provide student taxpayer identification number (TIN).	6724	Form 1098-T required to be filed after 12/31/15	Announcement 2016-3 —limited relief. Penalty relief for prior years— IRS 8/25/15 .
Increase penalties for failure to file correction information returns and failure to provide payee statements.	6721 6722	Returns and statements required to be filed after 12/31/15.	Applies to numerous forms including W-2, W-2G, 1099, 1098, 1094-B, 1094-C, 1095-B (Sec. 6055), 1095-C (Sec. 6056), 3921, 3922, 8027, 8282, 8300, 8308, 8594, 8921, 8935 (see Regs. Sec. 301.6721-1). See Sec. 6724 for reasonable-cause relief. Prior law changes called for these penalties to be adjusted for inflation (see Rev. Proc. 2015-53 and Rev. Proc. 2016-11).
May not claim refundable child credit if exclude foreign earned income under Sec. 911.	24(d)	Tax years beginning after (TYBA) 12/31/14	
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015, P.L. 114-41 (7/31/15)			
Provision	Code section	Effective date	Other information
Require additional information on Form 1098, <i>Mortgage Interest Statement</i> , such as beginning mortgage balance and property address.	6050H	Forms required to be provided after 12/31/16 (so applicable to 2016 forms)	IRS already has the 2016 form available.
Consistent basis reporting of estate and beneficiary	1014(f) 6035 (new)	Property for which an estate tax return is filed after 7/31/15	Transitional guidance in Notice 2015-57 and Notice 2016-19 . New Form 8971 , <i>Information Regarding Beneficiaries Acquiring Property From a Decedent</i> , and instructions . Temporary and proposed regulations issued 3/4/16 (T.D. 9757 and REG-127923-15).

Modification of six-year statute of limitation for overstatement of basis	6501(e)	Generally, returns filed after 7/31/15	Overrules U.S. Supreme Court decision in <i>Home Concrete & Supply, LLC</i> , No. 11-139 (4/25/12).
Modification of due dates for several forms, including Forms 1120, 1065, 1041, and FBAR (and allow FBAR extension). Also conforming changes to various provisions, such as Sec. 170(a)(2)(B) (change from “third month” to “fourth month” for contributions made by accrual basis corporations after the close of a tax year). See Section 2006 of P.L. 114-41 .	6031 6072 6081	2016 returns	See AICPA Due Date chart . Guidance needed on how to extend FBAR starting with 2016 return.
Transfers of excess pension assets to retiree health accounts	420(b)(4)	See Section 2007 of P.L. 114-41.	
Equalization of certain Highway Trust Fund taxes.	4041(a)	See Section 2008 of P.L. 114-41.	
PPACA amendments related to health coverage of veterans.	4980H(c)(2)	Applies retroactively to months beginning after 12/31/13. See Sec. 4007 of P.L. 114-41	Employees who are veterans enrolled in health coverage from the Veterans Administration or TRICARE are not counted in determining if the employer is an “applicable large employer.” Apparently, this provision is to help encourage employers to hire veterans.
Health savings account (HSA) eligibility not affected if receive medical care for service-connected disability.	223(c)(1)	Months beginning after 12/31/15	Relates to certain veteran benefits. See Sec. 4007 of P.L. 114-41.
Similar transportation changes to those of P.L. 114-21 above.			
Continuing Appropriations Act, P.L. 114-53 (9/30/15)			
Extend the Internet Tax Freedom Act to 12/11/15 (previously set to expire on 10/1/15)			
Airport and Airway Extension Act of 2015, P.L. 114-55 (9/30/15)			
Provision	Code section	Effective date	Other information
Extend expenditure authority and certain taxes from 10/1/15 to 3/31/16 or 4/1/16.	4081 4083 4261 4271 9502	See Secs. 201 and 202 of P.L. 114-55 .	
Protecting Affordable Coverage for Employees, P.L. 114-60 (10/7/15)			
Change Section 1304(b) of PPACA (42 U.S.C. §18024(b)) by including employers with 51 to 100 employees as “large employers” for purposes of health insurance markets. Also provides that states can choose to treat these employers as small employers. This change pertains to the requirements that have to be met in the small group market that do not apply to the large group market. Per the White House (10/7/15): “H.R. 1624, the ‘Protecting Affordable Coverage for Employees Act,’ ... recategorizes businesses with 51 to 100 employees from the Affordable Care Act’s ‘small employer’ designation to its ‘large employer’ designation, and to make available funding for a Medicare Improvement Fund.”			

Observation: This change does not affect the Sec. 4980H employer mandate that defines an “applicable large employer” as any employer with 50 or more full-time and full-time equivalent employees.

Surface Transportation Extension Act of 2015, [P.L. 114-73](#) (10/29/15)

Similar transportation changes to those of P.L. 114-21 above.

Bipartisan Budget Act of 2015, [P.L. 114-74](#) (11/2/15)

Provision	Code section	Effective date	Other information
Various changes to Social Security benefits including eliminating file and suspend.	Changes are to the Social Security Act (Title 42 U.S. Code).	Some transitional relief available for 180 days after enactment date	Sec. 831 of P.L. 114-74 is entitled “Closure of Unintended Loopholes.” See Sarenski, “ Social Security: The Hidden Changes in the Two-Year Budget Bill ,” <i>The Tax Adviser</i> (March 2016).
Mortality table change and extension of current funding stabilization percentages to 2018, 2019, and 2020.	430	Plan years beginning after 12/31/15	See Secs. 503 and 504 of P.L. 114-74 .
Changes to partnership audits and adjustments.	6221 to 6241 Some Code sections repealed (such as 771–777) or replaced.	Partnership returns filed for TYBA 12/31/17.	The IRS is soliciting comments on guidance related to this change; see Notice 2016-23 (by 4/15/16).
Modification to Sec. 761 for partnership interests created by gift.	761(b)	Partnership TYBA 12/31/15	

Surface Transportation Extension Act of 2015, Part II, [P.L. 114-87](#) (11/20/15)

Similar transportation changes to those of P.L. 114-21 above.

Fixing America's Surface Transportation Act or FAST Act, [P.L. 114-94](#) (12/4/15)

Provision	Code section	Effective date	Other information
Revoke or deny passport for “seriously delinquent tax debt.”	7345	Effective 12/4/15	
Reformation of rules for qualified tax collection contracts.	6306	Generally, after 12/4/15	
Repeal due date change to Form 5500 made by P.L. 114-41 (see above).			So, no change to the Form 5500 due date. For calendar year plans, original due date remains July 13 and extended due date remains October 15.
Extension of trust fund expenditure authority and related taxes.	4041 4051 4071 4081 4421 4481 4482 4483 6412 9503 9504 9508	See Sections 31101–31203 of P.L. 114-94 .	

Similar transportation changes to those of P.L. 114-21 above.

Further Continuing Appropriations Act, 2016, [P.L. 114-96](#) (H.R. 2250, 12/11/15)

Extend the Internet Tax Freedom Act to 12/16/15 (previously set to expire on 12/11/15).

H.J. Res.78: Making further continuing appropriations for fiscal year 2016, and for other purposes, P.L. 114-100 (12/16/15)			
Extend the Internet Tax Freedom Act to 12/22/15 (previously set to expire on 12/16/15).			
Consolidated Appropriations Act, 2016, P.L. 114-113 (12/18/15)			
Tax changes are included in Divisions P and Q of P.L. 114-113. Division P is part of the appropriations portion of the law and Division Q is an add-on called the Protecting Americans From Tax Hikes Act of 2015 (PATH). For additional information on the PATH changes, see Joint Committee on Taxation, <i>Technical Explanation of The Protecting Americans From Tax Hikes Act of 2015</i> (JCX-144-15) (12/17/15).			
Extend the Internet Tax Freedom Act to 10/1/16.			
Division P of P.L. 114-113			
Provision	Code section	Effective date	Other information
Delay the effective date of the "Cadillac tax" for two years and make the tax deductible.	4980I	The tax will apply in 2020 rather than 2018	Section 103 of P.L. 114-113 also calls for the GAO to conduct a study on the Cadillac tax by June 18, 2017.
Moratorium on annual fee on health insurance providers for 2017.		No fee for 2017	Section 9010(j) of PPACA. This fee started in 2014.
Extend credits for wind facilities through 2019 with the amount phasing down for 2018 and 2019.	45(d)	Effective 1/1/15	
Extend through 2019 the election to treat qualified facilities as energy property with phaseout of the credit for wind facilities for 2018 and 2019.	48(a)(5)(C)	Effective 1/1/15	
Extend solar energy credit through 2021 with phaseout for 2020 and 2021; longer for certain property (Sec. 48(a)(3)(A)(i)).	48(a)(2)(A)	Effective 12/18/15	
Extend two of the five energy credits through 2021, and the other three continue through 2016.	25D	Effective 1/1/17	Prior to P.L. 114-113, these credits were set to expire after 2016. See track changes version of Sec. 25D as amended.
Allocation of transportation costs of independent refiners.	199(c)	TYBA 12/31/15	
Division Q (PATH) of P.L. 114-113			
Title I: Extenders / Subtitle A: Permanent Extensions			
Provision	Code section	Effective date	Other information
Enhanced child tax credit made permanent.	24(d)	TYBA 12/18/15	Enhancements were set to expire at 12/31/17
Enhanced AOTC made permanent.	25A		
Enhanced earned income tax credit (EITC) made permanent.	32	TYBA 12/31/15	
Extension and modification of deduction for certain expenses of elementary and secondary school teachers.	62	Made permanent starting in 2015	\$250 is adjusted for inflation after 2015 and can include "professional development expenses."
Extension of parity for exclusion from income for employer-provided mass transit and parking benefits.	132(f)	Months after 12/31/14	Guidance for application to 2015 provided by Notice 2016-6 .

Extension of deduction of state and local general sales taxes in lieu of state income taxes.	164(b)(5)	TYBA 12/31/14	
Extension and modification of special rule for contributions of capital gain real property made for conservation purposes.	170(b)	Extension effective for TYBA 12/31/14; modifications effective for contributions made in TYBA 12/31/15	
Extension of tax-free distributions up to \$100,000 from individual retirement plans for charitable purposes if taxpayer is age 70½ or older ("qualified charitable distribution").	408(d)(8)	Distributions made in TYBA 12/31/14	See Notice 2007-7 and Publication 590-B . It is important that the charitable contribution rules, including documentation, be followed. See new instructions for Forms 1099-R and 5498.
Extension and modification of charitable deduction for contributions of food inventory.	170(e)(3)	Extension effective for contributions made after 12/31/14; modifications effective for TYBA 12/31/15	
Extension of modification of tax treatment of certain payments to controlling exempt organizations.	512(b)(13)	Payments received or accrued after 12/31/14	
Extension of basis adjustment to stock of S corporations making charitable contributions of property.	1367(a)(2)	Contributions made in TYBA 12/31/14	
Extension and modification of research credit (to allow certain taxpayers to use credit against alternative minimum tax (AMT) and payroll tax).	38 41 45C 3111(f)	Extension applies to amounts paid or incurred after 12/31/14. AMT modification effective to credits determined for TYBA 12/31/15. Modification for payroll tax effective for TYBA 12/31/15.	
Extension and modification of employer wage credit for employees who are active duty	45P	Extension effective for payments	

members of the uniformed services.		made after 12/31/14; modification to TYBA 12/31/15.	
Extension of 15-year straight-line cost recovery for qualified leasehold improvements, qualified restaurant buildings and improvements, and qualified retail improvements.	168(e)	Property placed in service after 12/31/14	
Extension and modification of increased expensing limitations and treatment of certain real property as Sec. 179 property.	179	Extension effective for TYBA 12/31/14; modifications generally effective for TYBA 12/31/15.	See track changes version of Sec. 179 as amended.
Extension of treatment of certain dividends of regulated investment companies (RIC).	871(k)	TYBA 12/31/14	
Extension of exclusion of 100% of gain on certain small business stock.	1202(a)	Stock acquired after 12/31/14	
Extension of reduction in S corporation recognition period for built-in gains tax (from 10 years to five).	1374(d)(7)	TYBA 12/31/14	
Extension of subpart F exception for active financing income.	953(e)	Tax years of foreign corporations beginning after 12/31/14 and to tax years of U.S. shareholders with or within which any such tax year of the foreign corporation ends.	
Extension of minimum low-income housing tax credit rate for non-federally subsidized buildings.	42(b)	1/1/15	
Extension of military housing allowance exclusion for determining whether a tenant in certain counties is low-income.	42	Effective as if included with enactment of Section 3005 of the Housing Assistance Tax Act of 2008	

Extension of RIC qualified investment entity treatment under the Foreign Investment in Real Property Tax Act of 1980 (FIRPTA).	897(h)	Generally, 1/1/15; see Section 133 of P.L. 114-113 for interaction with Sec. 1445	
Title I: Extenders / Subtitle B—Extensions Through 2019			
Provision	Code section	Effective date	Other information
Extension of new markets tax credit.	45D	Calendar years beginning after 12/31/14	
Extension and modification of work opportunity tax credit to include “qualified long-term unemployment recipients.”	51(c)(4)	Extension effective to individual who start work after 12/31/14; modification for those who start work after 12/31/15.	See Notice 2016-22 for guidance and transition relief.
Extension and modification of bonus depreciation. Generally extended through 2019 with percentage at 50% through 2017, 40% for 2018, and 30% for 2019.	168(k)	Extension generally for property placed in service after 12/31/14; modifications generally effective for property placed in service after 12/31/15.	Significant modifications include removal of leasehold requirement for certain improvements, and application to specified plants.
Extension of lookthrough treatment of payments between related controlled foreign corporations under foreign personal holding company rules.	954(c)(6)	Tax years of foreign corporations beginning after 12/31/14 and tax years of U.S. shareholders with or within which the foreign corporation’s tax year ends	
Title I: Extenders / Subtitle C—Extensions Through 2016			
Provision	Code section	Effective date	Other information
Extension and modification of exclusion from gross income of discharge of qualified principal residence indebtedness.	108	Extension effective for debt discharged after 12/31/14; modification for discharge after 12/31/15.	

Extension of mortgage insurance premiums treated as qualified residence interest.	163(h)	Amounts paid or accrued after 12/31/14	
Extension of above-the-line deduction for qualified tuition and related expenses.	222	TYBA 12/31/14	
Extension of Indian employment tax credit.	45A	TYBA 12/31/14	
Extension and modification of railroad track maintenance credit.	45G	Extension effective for amounts paid or incurred in TYBA 12/31/14; modifications to amounts paid or incurred in TYBA 12/31/15.	
Extension of mine rescue team training credit.	45N	TYBA 12/31/14	
Extension of qualified zone academy bonds.	54E	Obligations issued after 12/31/14	
Extension of classification of certain race horses as three-year property.	168(e)(3)	Property placed in service after 12/31/14	
Extension of seven-year recovery period for motorsports entertainment complexes.	168(i)(15)		
Extension and modification of accelerated depreciation for business property on an Indian reservation.	169(j)(8)	Extension effective for property placed in service after 12/31/14; modification for TYBA 12/31/15.	
Extension of election to expense mine safety equipment.	179E(g)	Property placed in service after 12/31/14.	
Extension of special expensing rules for certain film and television productions; special expensing for live theatrical productions.	181	Extension effective for productions commencing after 12/31/14; modifications generally effective for productions after 12/31/15.	
Extension of deduction allowable for income attributable to domestic	199(d)	TYBA 12/31/14	

production activities in Puerto Rico.			
Extension and modification of empowerment zone tax incentives.	1391(d)	Extension effective for TYBA 12/31/14; modification to bonds issued after 12/31/15.	
Extension of temporary increase in limit on cover over of rum excise taxes to Puerto Rico and the Virgin Islands.	7652(f)	To distilled spirits brought into the U.S. after 12/31/14	
Extension of American Samoa economic development credit.	P.L. 109-432, Section 119	TYBA 12/31/14	
Moratorium on 2.3% medical device excise tax for 2016 and 2017.	4191	Sales after 12/31/15 and before 1/1/18	Tax started in 2013.
Extension and modification of credit for nonbusiness energy property.	25C	Extension effective for property placed in service after 12/31/14; modification effective for property placed in service after 12/31/15.	
Extension of credit for alternative fuel vehicle refueling property.	30C	Property placed in service after 12/31/14	See also information from the U.S. Department of Energy.
Extension of credit for two-wheeled plug-in electric vehicles.	30D	Vehicles acquired after 12/31/14	
Extension of second generation biofuel producer credit.	40(b)(6)	Qualified production after 12/31/14	
Extension of biodiesel and renewable diesel incentives	40A 6426(c)(6) 6427(e)(6)	Fuel sold or used after 12/31/14	See Notice 2016-5 for 2015 special rule.
Extension and modification of production credit for Indian coal facilities, including use against AMT.	45(d)	Extension effective for coal produced after 12/31/14; modification effective for coal produced and sold after 12/31/15; AMT modification for credits determined for	

		TYBA 12/31/15.	
Extension of credits for facilities producing energy from certain renewable resources.	45(d) 48(a)	1/1/15	
Extension of credit for energy-efficient new homes.	45L	Homes acquired after 12/31/14	
Extension of special allowance for second generation biofuel plant property.	168(l)(2)	Property placed in service after 12/31/14	
Extension of energy-efficient commercial buildings deduction.	179D	Property placed in service after 12/31/14	
Extension of special rule for sales or dispositions to implement Federal Energy Regulatory Commission or state electric restructuring policy for qualified electric utilities.	451(i)	Dispositions after 12/31/14	
Extension of excise tax credits for alternative fuels.	6426(d)(5) 6426(e)(3) 6427(e)	Fuel sold or used after 12/31/14	See Notice 2016-5 for 2015 special rule. See also information from the U.S. Department of Energy.
Extension of credit for new qualified fuel cell motor vehicles.	30B	Property purchased after 12/31/14	
Title II: Program Integrity			
Provision	Code section	Effective date	Other information
Modification of filing dates of returns and statements relating to employee wage information and nonemployee compensation to improve compliance; generally, all forms due Jan. 31. No refunds issued before Feb. 15 for returns claiming EITC or additional child tax credit.	6071 6402	2016 returns and statements (due January 2017). Refund change effective for credits or refunds made after 12/31/16 (thus for 2016 returns).	See AICPA Due Date chart . See new IRS instructions for Form 1099-MISC. These measures aim to help reduce identity theft.
Safe harbor for <i>de minimis</i> errors (generally \$100 or less) on information returns and payee statements.	6721	Returns required to be filled and payee statements required to be provided after 12/31/16 (thus for 2016 forms)	
Requirements for the issuance of ITINs. Treasury to conduct a study on the effectiveness of the application process.	6109 6213(g)	ITIN applications made after 12/18/15.	

		Study due by 12/18/16.	
Prevention of retroactive claims of EITC after issuance of Social Security number.	32(m)	Filings after 12/18/15 with exception for timely filed 2015 returns.	Generally applies to prevent claim of these credits where TIN issued after the filing due date for the return.
Prevention of retroactive claims of child tax credit.	24(e)		
Prevention of retroactive claims of the AOTC.	25A(i)		
Procedures to reduce improper claims via preparer due-diligence requirements by imposing a preparer penalty of \$510 per failure (2016 penalty amount per Rev. Proc. 2015-53). Treasury is to conduct a study on the effectiveness of the EITC due-diligence requirements (due 12/18/16) and new requirements (due 2/18/17).	24 25A 32 6695(g)	TYBA 12/31/15	Regulations needed to specify the preparer requirements. For EITC due diligence, the IRS requires completion of Form 8867 (see also IRS EITC preparer toolkit information).
Restrictions on taxpayers who improperly claimed child credit and AOTC in a prior year. Expand math error authority to the IRS for specific violations of the EITC, child tax credit, and AOTC.	24(g) 25A(i)(7)	TYBA 12/31/15	
Treatment of credits for purposes of certain penalties.	6664 6676	Generally effective for returns or claims filed after 12/18/15	Overrules Rand , 141 T.C. 376 (2013), to treat an erroneously claimed refundable credit as an underpayment for penalty purposes. CC-2016-004 (12/30/15)
Increase the penalty applicable to paid tax preparers who engage in willful or reckless conduct from 50% to 75%.	6694(b)(1)(B)	Tax years ending after 12/18/15	
Employer identification number required for AOTC and Form 1098-T.	25A(i)(6) 6050S	TYBA 12/31/15	2016 Form 1098-T available now.
Higher education information reporting only to include qualified tuition and related expenses actually paid.	6050S(b)(2)	For expenses paid after 12/31/15 for education furnished in academic periods beginning after 12/31/15	Change removes option of reporting aggregate amount billed, thus making the 1098-T information more useful to taxpayers and the IRS.
Title III: Miscellaneous Provisions / Subtitle A—Family Tax Relief			
Provision	Code section	Effective date	Other information
Exclusion for amounts received under the work college program.	117(c)	Amounts received in TYBA 12/18/15	

Three improvements to Sec. 529 accounts.	529	Change to qualified expenses effective for TYBA 12/31/14. Change to aggregation rule effective for distributions after 12/31/14. Refund change effective for refunds received after 12/31/14 with a transitional rule for 2015 which expired 2/16/16.	For details of the changes see Nellen, " Action by Feb. 16, 2016 Is Part of PATH's Changes to Section 529 Plans ," <i>Tax Section News</i> (2/11/16). These changes were also included in H.R. 529 (114th Cong.), passed in the House on 2/25/15.
Elimination of residency requirement for qualified ABLE programs.	529A	TYBA 12/31/14	Information from the IRS on 529A plans.
Exclusion for wrongfully incarcerated individuals.	139F (new)	Tax years beginning before, on, or after 12/18/15	See Section 304 of P.L. 114-113 for special waiver of limitations rule.
Clarification of special rule for certain governmental plans.	105(j)	Payments after 12/18/15	
Rollovers permitted from other retirement plans into simple retirement accounts.	408(p)	Contributions made after 12/18/15	
Technical amendment relating to rollover of certain airline payment amounts.	Section 1106 of the FAA Modernization and Reform Act of 2012	As if included in the 2014 amendments.	See Section 307 of P.L. 114-113 .
Treatment of early retirement distributions for nuclear materials couriers, U.S. Capitol Police, Supreme Court Police, and diplomatic security special agents.	72(t)(10)	Distributions after 12/31/15	
Prevention of extension of tax collection period for members of the armed forces who are hospitalized as a result of combat zone injuries.	7508(e)	Taxes assessed before, on, or after 12/18/15	
Title III: Miscellaneous Provisions / Subtitle B—Real Estate Investment Trusts			
Provision	Code section	Effective date	Other information
i. Restriction on tax-free spinoffs involving real estate investment trusts (REITs). ii. Reduction in percentage limitation on assets of REIT	245(a)(12) 355(h) 562(c) and (e) 856(c) and (e) 857(b), (d) and (g)	See Sections 311–326 of P.L. 114-113 .	

<p>which may be taxable REIT subsidiaries.</p> <p>iii. Prohibited transaction safe harbors.</p> <p>iv. Repeal of preferential dividend rule for publicly offered REITs.</p> <p>v. Authority for alternative remedies to address certain REIT distribution failures.</p> <p>vi. Limitations on designation of dividends by REITs.</p> <p>vii. Debt instruments of publicly offered REITs and mortgages treated as real estate assets.</p> <p>viii. Asset and income test clarification regarding ancillary personal property.</p> <p>ix. Hedging provisions.</p> <p>x. Modification of REIT earnings and profits calculation to avoid duplicate taxation.</p> <p>xi. Treatment of certain services provided by taxable REIT subsidiaries.</p> <p>xii. Exception from FIRPTA for certain stock of REITs.</p> <p>xiii. Exception for interests held by foreign retirement or pension funds.</p> <p>xiv. Increase in rate of withholding of tax on dispositions of U.S. real property interests.</p> <p>xv. Interests in RICs and REITs not excluded from definition of U.S. real property interests.</p> <p>xvi. Dividends derived from RICs and REITs ineligible for deduction for U.S. source portion of dividends from certain foreign corporations.</p>	<p>897(c), (h), (k) and (l) 1445</p>		
Title III: Miscellaneous Provisions / Subtitle C—Additional Provisions			
Provision	Code section	Effective date	Other information
Deductibility of charitable contributions to agricultural research organizations.	170(b) 501(h)(4)	Contributions made on and after 12/18/15	
Removal of bond requirements and extending filing periods for certain taxpayers with limited excise tax liability.	5061(d)(4) 5551 5173(a) 5351	Any calendar quarters beginning more than one year after 12/18/15	
Modifications to alternative tax for certain small insurance companies.	831(b)	TYBA 12/31/16	
Treatment of timber gains.	55(b) 1201(b)	TYBA 12/31/15	

Modification of definition of hard cider.	5041	Hard cider removed during calendar years beginning after 12/31/16	
Church plan clarification.	414(c)	See Section 336 of P.L. 114-113 for details of change and effective dates.	
Title III: Miscellaneous Provisions / Subtitle D—Revenue Provisions			
Provision	Code section	Effective date	Other information
Updated ASHRAE standards for energy-efficient commercial buildings deduction.	179D(c)	Property placed in service after 12/31/15	
Excise tax credit equivalency for liquefied petroleum gas and liquefied natural gas.	6426(j)	Fuel sold or used after 12/31/15	
Exclusion from gross income of certain clean coal power grants to noncorporate taxpayers.	Relates to Section 402 of the Energy Policy Act of 2005 and involves Secs. 61 and 118. See Section 343 of P.L. 114-113 for details of change and effective date.		
Clarification of valuation rule for early termination of certain charitable remainder unitrusts.	664(e)	Trust terminations occurring after 12/18/15	
Prevention of transfer of certain losses from tax indifferent parties	267(d)	Sales and other dispositions of property acquired after 12/31/15 in a sale or exchange to which Sec. 267(a)(1) applied	
Treatment of certain persons as employers with respect to motion picture projects.	3512 (new)	Remuneration paid after 12/31/15	Allows for more employer favorable treatment than resulted in Cencast Services , 729 F.3d 1352 (Fed. Cir. 2013).
Title IV: Tax Administration / Subtitle A—IRS Reforms			
Provision	Code section	Effective date	Other information
IRS commissioner duty to ensure that IRS employees are familiar with and act in accord with certain taxpayer rights.	7803	12/18/15	The 10 rights are listed in new Sec. 7803(a)(3) and explained on the IRS website .
IRS employees prohibited from using personal email accounts for official business.	None	None stated.	
Release of information regarding the status of certain investigations.	6103(e)(11)	Disclosures made on or after 12/18/15	
Administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.	7123(c)	Determinations made on or after 5/19/14	

Organizations required to notify secretary of intent to operate under Sec. 501(c)(4).	506 (new) 6033 6652	Entities organized after 12/18/15	See Section 405 of P.L. 114-113 for application to certain existing entities. See Notice 2016-9 .
Declaratory judgments for Sec. 501(c)(4) and other exempt organizations.	7428(a)(1)	Pleadings filed after 12/18/15	
Termination of employment of IRS employees who take official actions for political purposes.	Sec. 1203(b) of the IRS Restructuring and Reform Act of 1998	12/18/15	
Gift tax not to apply to contributions to certain exempt organizations under Sec. 501(c)(4), (5), or (6).	2501(a)(6)	Gifts made after 12/18/15	No inference is to be made regarding the treatment of gifts made before the effective date.
Extend IRS authority to require truncated Social Security numbers on Form W-2, <i>Wage and Tax Statement</i> .	6051(a)(2) IRS authority at Sec. 6109(d).	12/18/15 Per JCT, this change will allow the IRS to issue regulations “requiring or permitting” a truncated SSN on Form W-2 (JCS-1-16 , 3/14/16, p. 336).	For overview of IRS regulations on truncation, see Nellen, “TTINs and Protecting Taxpayer Identities,” <i>Tax Insider</i> (Sept. 11, 2014).
Clarification of enrolled agent credentials.	31 USC §330	12/18/15	Allows Enrolled Agents to use the designation of “enrolled agent” or “EA” or “E.A.”
Partnership audit rules.	6225 6226 6234 6235 6031	Partnership returns filed for TYBA 12/31/17	Correction and clarification of partnership audit rules added by Sec. 1101 of P.L. 114-74 .

Title IV: Tax Administration / Subtitle A—U.S. Tax Court

Provision	Code section	Effective date
i. Filing period for interest abatement cases.	6015 6320	See Sections 421–441 of P.L. 114-113 for details of changes and effective dates.
ii. Small tax case election for interest abatement cases.	6330	
iii. Venue for appeal of spousal relief and collection cases.	6404 7441	CC-2016-006 (2/1/16) includes guidance on some of the changes.
iv. Suspension of running of period for filing petition of spousal relief and collection cases.	7453 7463	
v. Application of federal rules of evidence.	7466 (new) 7470 (new) 7470A (new) 7473	Section 441 clarifies Kuretski , 755 F.3d 929 (D.C. Cir. 2014), by stating that the Tax Court is not an agency of the executive branch.
vi. Judicial conduct and disability procedures.	7482	

vii. Administration, judicial conference, and fees. viii. Clarification relating to U.S. Tax Court.		
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TYBA: tax years beginning after