

“(2) which is engaged in a trade or business and which, in the course of such trade or business—

“(A) makes payments during any calendar year to any individual which constitutes reimbursements or refunds (or similar amounts) of qualified tuition and related expenses of such individual, or

“(B) except as provided in regulations, receives from any individual interest aggregating \$600 or more for any calendar year on 1 or more qualified education loans,

shall make the return described in subsection (b) with respect to the individual at such time as the Secretary may by regulations prescribe.”

Subsec. (b)(2)(C)(ii). Pub. L. 105-206, §3712(a)(1), added cl. (ii). Former cl. (ii) redesignated (iii).

Subsec. (b)(2)(C)(iii). Pub. L. 105-206, §3712(a)(1), (2), redesignated cl. (ii) as (iii) and inserted “by the person making such return” after “year”. Former cl. (iii) redesignated (iv).

Subsec. (b)(2)(C)(iv). Pub. L. 105-206, §3712(a)(1), (3), redesignated cl. (iii) as (iv) and inserted “and” at end.

Subsec. (d)(2). Pub. L. 105-206, §3712(b)(1), struck out “aggregate” before “amounts”.

Subsec. (e). Pub. L. 105-206, §3712(b)(2), inserted “(without regard to subsection (g)(2) thereof)” after “section 25A”.

1997—Subsec. (a)(2). Pub. L. 105-34, §202(c)(1), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “which is engaged in a trade or business and which, in the course of such trade or business, makes payments during any calendar year to any individual which constitute reimbursements or refunds (or similar amounts) of qualified tuition and related expenses of such individual.”

Subsec. (b)(2)(A). Pub. L. 105-34, §202(c)(2)(A), inserted “or interest” after “payments”.

Subsec. (b)(2)(C)(iii). Pub. L. 105-34, §202(c)(2)(B), added cl. (iii).

Subsec. (e). Pub. L. 105-34, §202(c)(3), inserted at end “, and except as provided in regulations, the term ‘qualified education loan’ has the meaning given such term by section 221(e)(1)”.

EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114-113, div. Q, title II, §211(c)(2), Dec. 18, 2015, 129 Stat. 3085, provided that: “The amendments made by subsection (b) [amending this section] shall apply to expenses paid after December 31, 2015, for education furnished in academic periods beginning after such date.”

Pub. L. 114-113, div. Q, title II, §212(b), Dec. 18, 2015, 129 Stat. 3086, provided that: “The amendments made by subsection (b) [probably should be “subsection (a)”], amending this section] shall apply to expenses paid after December 31, 2015, for education furnished in academic periods beginning after such date.”

Amendment by Pub. L. 114-27 applicable to taxable years beginning after June 29, 2015, see section 804(d) of Pub. L. 114-27, set out as a note under section 25A of this title.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-131, §2, Jan. 16, 2002, 115 Stat. 2411, provided that: “The amendments made by section 1 [amending this section] shall apply to expenses paid or assessed after December 31, 2002 (in taxable years ending after such date), for education furnished in academic periods beginning after such date.”

EFFECTIVE DATE OF 2001 AMENDMENT

Amendment by Pub. L. 107-16 applicable with respect to any loan interest paid after Dec. 31, 2001, in taxable years ending after such date, see section 412(a)(3) of Pub. L. 107-16, set out as a note under section 221 of this title.

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-206, title III, §3712(c), July 22, 1998, 112 Stat. 782, provided that: “The amendments made by this section [amending this section] shall apply to re-

turns required to be filed with respect to taxable years beginning after December 31, 1998.”

Amendment by section 6004(a)(2) of Pub. L. 105-206 effective, except as otherwise provided, as if included in the provisions of the Taxpayer Relief Act of 1997, Pub. L. 105-34, to which such amendment relates, see section 6024 of Pub. L. 105-206, set out as a note under section 1 of this title.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by section 202(c) of Pub. L. 105-34 applicable to any qualified education loan (as defined in section 221(e)(1) of this title) incurred on, before, or after Aug. 5, 1997, but only with respect to any loan interest payment due and paid after Dec. 31, 1997, and to the portion of the 60-month period referred to in section 221(d) of this title after Dec. 31, 1997, see section 202(e) of Pub. L. 105-34, set out as a note under section 62 of this title.

EFFECTIVE DATE

Section applicable to expenses paid after Dec. 31, 1997 (in taxable years ending after such date) for education furnished in academic periods beginning after such date, see section 201(f) of Pub. L. 105-34, set out as a note under section 25A of this title.

§ 6050T. Returns relating to credit for health insurance costs of eligible individuals

(a) Requirement of reporting

Every person who is entitled to receive payments for any month of any calendar year under section 7527 (relating to advance payment of credit for health insurance costs of eligible individuals) with respect to any certified individual (as defined in section 7527(c)) shall, at such time as the Secretary may prescribe, make the return described in subsection (b) with respect to each such individual.

(b) Form and manner of returns

A return is described in this subsection if such return—

- (1) is in such form as the Secretary may prescribe, and
- (2) contains—

(A) the name, address, and TIN of each individual referred to in subsection (a),

(B) the number of months for which amounts were entitled to be received with respect to such individual under section 7527 (relating to advance payment of credit for health insurance costs of eligible individuals),

(C) the amount entitled to be received for each such month, and

(D) such other information as the Secretary may prescribe.

(c) Statements to be furnished to individuals with respect to whom information is required

Every person required to make a return under subsection (a) shall furnish to each individual whose name is required to be set forth in such return a written statement showing—

(1) the name and address of the person required to make such return and the phone number of the information contact for such person, and

(2) the information required to be shown on the return with respect to such individual.

The written statement required under the preceding sentence shall be furnished on or before

January 31 of the year following the calendar year for which the return under subsection (a) is required to be made.

(Added Pub. L. 107-210, div. A, title II, §202(c)(1), Aug. 6, 2002, 116 Stat. 962.)

EFFECTIVE DATE

Pub. L. 107-210, div. A, title II, §202(e), Aug. 6, 2002, 116 Stat. 963, provided that: “The amendments made by this section [enacting this section and section 7527 of this title and amending sections 6103, 6724, and 7213A of this title] shall take effect on the date of the enactment of this Act [Aug. 6, 2002].”

CONSTRUCTION

Nothing in title II of Pub. L. 107-210 or the amendments by that title, other than provisions relating to COBRA continuation coverage and reporting requirements, to be construed as creating a new mandate on any party regarding health insurance coverage, see section 203(f) of Pub. L. 107-210, set out as a note under section 35 of this title.

§ 6050U. Charges or payments for qualified long-term care insurance contracts under combined arrangements

(a) Requirement of reporting

Any person who makes a charge against the cash value of an annuity contract, or the cash surrender value of a life insurance contract, which is excludible from gross income under section 72(e)(11) shall make a return, according to the forms or regulations prescribed by the Secretary, setting forth—

- (1) the amount of the aggregate of such charges against each such contract for the calendar year,
- (2) the amount of the reduction in the investment in each such contract by reason of such charges, and
- (3) the name, address, and TIN of the individual who is the holder of each such contract.

(b) Statements to be furnished to persons with respect to whom information is required

Every person required to make a return under subsection (a) shall furnish to each individual whose name is required to be set forth in such return a written statement showing—

- (1) the name, address, and phone number of the information contact of the person making the payments, and
- (2) the information required to be shown on the return with respect to such individual.

The written statement required under the preceding sentence shall be furnished to the individual on or before January 31 of the year following the calendar year for which the return under subsection (a) was required to be made.

(Added Pub. L. 109-280, title VIII, §844(d)(1), Aug. 17, 2006, 120 Stat. 1012.)

EFFECTIVE DATE

Section applicable to contracts issued after Dec. 31, 1996, but only with respect to taxable years beginning after Dec. 31, 2009, and to charges made after Dec. 31, 2009, see section 844(g)(1), (3) of Pub. L. 109-280, set out as an Effective Date of 2006 Amendment note under section 72 of this title.

§ 6050V. Returns relating to applicable insurance contracts in which certain exempt organizations hold interests

(a) In general

Each applicable exempt organization which makes a reportable acquisition shall make the return described in subsection (c).

(b) Time for making return

Any applicable exempt organization required to make a return under subsection (a) shall file such return at such time as may be established by the Secretary.

(c) Form and manner of returns

A return is described in this subsection if such return—

- (1) is in such form as the Secretary prescribes,
- (2) contains the name, address, and taxpayer identification number of the applicable exempt organization and the issuer of the applicable insurance contract, and
- (3) contains such other information as the Secretary may prescribe.

(d) Definitions

For purposes of this section—

(1) Reportable acquisition

The term “reportable acquisition” means the acquisition by an applicable exempt organization of a direct or indirect interest in any applicable insurance contract in any case in which such acquisition is a part of a structured transaction involving a pool of such contracts.

(2) Applicable insurance contract

(A) In general

The term “applicable insurance contract” means any life insurance, annuity, or endowment contract with respect to which both an applicable exempt organization and a person other than an applicable exempt organization have directly or indirectly held an interest in the contract (whether or not at the same time).

(B) Exceptions

Such term shall not include a life insurance, annuity, or endowment contract if—

- (i) all persons directly or indirectly holding any interest in the contract (other than applicable exempt organizations) have an insurable interest in the insured under the contract independent of any interest of an applicable exempt organization in the contract,
- (ii) the sole interest in the contract of an applicable exempt organization or each person other than an applicable exempt organization is as a named beneficiary, or
- (iii) the sole interest in the contract of each person other than an applicable exempt organization is—

(I) as a beneficiary of a trust holding an interest in the contract, but only if the person’s designation as such beneficiary was made without consideration and solely on a purely gratuitous basis, or