

the case may be) under the insurance laws of at least 26 States. For purposes of the preceding sentence, the effect of nonforfeiture laws of a State on interest rates for reserves shall not be taken into account.

(2) When rate determined

The prevailing State assumed interest rate with respect to any contract shall be determined as of the beginning of the calendar year in which the contract was issued.

(Added Pub. L. 98-369, div. A, title II, §211(a), July 18, 1984, 98 Stat. 732; amended Pub. L. 99-514, title XVIII, §1821(b), (c), Oct. 22, 1986, 100 Stat. 2838; Pub. L. 108-218, title II, §205(b)(3), Apr. 10, 2004, 118 Stat. 610; Pub. L. 115-97, title I, §13517(b)(1), Dec. 22, 2017, 131 Stat. 2147.)

REFERENCES IN TEXT

The date of enactment of the Tax Reform Act of 1984, referred to in subsec. (f)(4), is the date of enactment of Pub. L. 98-369, div. A, which was approved July 18, 1984.

AMENDMENTS

2017—Subsec. (g). Pub. L. 115-97 added subsec. (g).

2004—Subsec. (c). Pub. L. 108-218 reenacted heading without change and amended text generally. Prior to amendment, text read as follows:

“(1) IN GENERAL.—Except as limited by paragraph (2), the deduction for policyholder dividends for any taxable year shall be an amount equal to the policyholder dividends paid or accrued during the taxable year.

“(2) REDUCTION IN CASE OF MUTUAL COMPANIES.—In the case of a mutual life insurance company, the deduction for policyholder dividends for any taxable year shall be reduced by the amount determined under section 809.”

1986—Subsec. (d)(1)(B). Pub. L. 99-514, §1821(b), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: “determined at a rate in excess of the prevailing State assumed interest rate for such contract.”

Subsec. (f). Pub. L. 99-514, §1821(c), added subsec. (f).

EFFECTIVE DATE OF 2017 AMENDMENT

Amendment by Pub. L. 115-97 applicable to taxable years beginning after Dec. 31, 2017, with transition rule and transition relief, see section 13517(c) of Pub. L. 115-97, set out as a note under section 807 of this title.

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-218 applicable to taxable years beginning after Dec. 31, 2004, see section 205(c) of Pub. L. 108-218, set out as a note under section 807 of this title.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-514 effective, except as otherwise provided, as if included in the provisions of the Tax Reform Act of 1984, Pub. L. 98-369, div. A, to which such amendment relates, see section 1881 of Pub. L. 99-514, set out as a note under section 48 of this title.

EFFECTIVE DATE

Section applicable to taxable years beginning after Dec. 31, 1983, see section 215 of Pub. L. 98-369, set out as a note under section 801 of this title.

PLAN AMENDMENTS NOT REQUIRED UNTIL
JANUARY 1, 1989

For provisions directing that if any amendments made by subtitle A or subtitle C of title XI [§§ 1101-1147 and 1171-1177] or title XVIII [§§ 1800-1899A] of Pub. L. 99-514 require an amendment to any plan, such plan amendment shall not be required to be made before the first plan year beginning on or after Jan. 1, 1989, see section 1140 of Pub. L. 99-514, as amended, set out as a note under section 401 of this title.

[§ 809. Repealed. Pub. L. 108-218, title II, §205(a), Apr. 10, 2004, 118 Stat. 610]

Section, added Pub. L. 98-369, div. A, title II, §211(a), July 18, 1984, 98 Stat. 733; amended Pub. L. 99-514, title XVIII, §1821(d)-(h), (r), Oct. 22, 1986, 100 Stat. 2839, 2840, 2843; Pub. L. 100-647, title I, §1018(u)(47), Nov. 10, 1988, 102 Stat. 3593; Pub. L. 107-147, title VI, §611(a), Mar. 9, 2002, 116 Stat. 61, related to reduction in certain deductions of mutual life insurance companies.

A prior section 809, added Pub. L. 86-69, §2(a), June 25, 1959, 73 Stat. 121; amended Pub. L. 87-59, §2(a), (b), June 27, 1961, 75 Stat. 120; Pub. L. 87-790, §3(a), Oct. 10, 1962, 76 Stat. 808; Pub. L. 87-858, §3(b)(3), (c), Oct. 23, 1962, 76 Stat. 1137; Pub. L. 88-272, title II, §§214(b)(4), 228(a), Feb. 26, 1964, 78 Stat. 55, 98; Pub. L. 91-172, title II, §201(a)(2)(C), title IX, §907(c)(2)(B), Dec. 30, 1969, 83 Stat. 558, 717; Pub. L. 94-455, title XV, §1508(a), title XIX, §§1901(a)(98), (b)(1)(J)(iv), (L)-(N), 33(G), 1906(b)(13)(A), Oct. 4, 1976, 90 Stat. 1741, 1781, 1791, 1801, 1834; Pub. L. 97-248, title II, §§255(b)(2)-(4), 259(a), 264(c)(2), (3), Sept. 3, 1982, 96 Stat. 534, 538, 544; Pub. L. 97-448, title I, §102(m)(1), Jan. 12, 1983, 96 Stat. 2374, related to general provisions regarding gain and loss from operations, prior to the general revision of this part by Pub. L. 98-369, §211(a).

EFFECTIVE DATE OF REPEAL

Repeal applicable to taxable years beginning after Dec. 31, 2004, see section 205(c) of Pub. L. 108-218, set out as an Effective Date of 2004 Amendment note under section 807 of this title.

[§ 810. Repealed. Pub. L. 115-97, title I, § 13511(b)(1), Dec. 22, 2017, 131 Stat. 2142]

Section, added Pub. L. 98-369, div. A, title II, §211(a), July 18, 1984, 98 Stat. 738; amended Pub. L. 111-92, §13(c), Nov. 6, 2009, 123 Stat. 2994; Pub. L. 113-295, div. A, title II, §221(a)(41)(J), Dec. 19, 2014, 128 Stat. 4044, related to operations loss deduction.

A prior section 810, added Pub. L. 86-69, §2(a), June 25, 1959, 73 Stat. 125; amended Pub. L. 91-172, title I, §121(b)(5)(B), title IX, §907(a)(2), Dec. 30, 1969, 83 Stat. 541, 715, related to rules for certain reserves, prior to the general revision of this part by Pub. L. 98-369, §211(a).

EFFECTIVE DATE OF REPEAL

Repeal applicable to losses arising in taxable years beginning after Dec. 31, 2017, see section 13511(c) of Pub. L. 115-97, set out as an Effective Date of 2017 Amendment note under section 381 of this title.

SUBPART D—ACCOUNTING, ALLOCATION, AND
FOREIGN PROVISIONS

Sec.

- | | |
|-------|--|
| 811. | Accounting provisions. |
| 812. | Definition of company's share and policyholders' share. ¹ |
| [813. | Repealed.] |
| 814. | Contiguous country branches of domestic life insurance companies. |
| [815. | Repealed.] |

AMENDMENTS

2017—Pub. L. 115-97, title I, §13514(a), Dec. 22, 2017, 131 Stat. 2143, struck out item 815 “Distributions to shareholders from pre-1984 policyholders surplus account”.

1987—Pub. L. 100-203, title X, §10242(c)(4), Dec. 22, 1987, 101 Stat. 1330-423, struck out item 813 “Foreign life insurance companies”.

¹Section catchline amended by Pub. L. 115-97 without corresponding amendment of analysis.