

Amendment by section 1301(j)(8) of Pub. L. 99-514 applicable to bonds issued after Aug. 15, 1986, except as otherwise provided, see sections 1311 to 1318 of Pub. L. 99-514, set out as an Effective Date; Transitional Rules note under section 141 of this title.

Amendment by section 1812(a)(5) of 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

Subchapter applicable to bankruptcy cases commencing more than 90 days after Dec. 24, 1980, see section 7(b) of Pub. L. 96-589, set out as an Effective Date of 1980 Amendment note under section 108 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.

§ 1399. No separate taxable entities for partnerships, corporations, etc.

Except in any case to which section 1398 applies, no separate taxable entity shall result from the commencement of a case under title 11 of the United States Code.

(Added Pub. L. 96-589, §3(a)(1), Dec. 24, 1980, 94 Stat. 3400.)

[Subchapter W—Repealed]

[§§ 1400 to 1400C. Repealed. Pub. L. 115-141, div. U, title IV, § 401(d)(4)(A), Mar. 23, 2018, 132 Stat. 1209]

Section 1400, added Pub. L. 105-34, title VII, §701(a), Aug. 5, 1997, 111 Stat. 863; amended Pub. L. 105-206, title VI, §6008(a), July 22, 1998, 112 Stat. 811; Pub. L. 106-554, §1(a)(7) [title I, §§113(c), 116(b)(5), 164(a)(1)], Dec. 21, 2000, 114 Stat. 2763, 2763A-601, 2763A-603, 2763A-625; Pub. L. 108-311, title III, §310(a), Oct. 4, 2004, 118 Stat. 1180; Pub. L. 109-432, div. A, title I, §110(a)(1), Dec. 20, 2006, 120 Stat. 2939; Pub. L. 110-343, div. C, title III, §322(a)(1), Oct. 3, 2008, 122 Stat. 3873; Pub. L. 111-312, title VII, §754(a), Dec. 17, 2010, 124 Stat. 3321, related to establishment of DC Zone.

Section 1400A, added Pub. L. 105-34, title VII, §701(a), Aug. 5, 1997, 111 Stat. 864; amended Pub. L. 105-206, title VI, §6008(b), July 22, 1998, 112 Stat. 811; Pub. L. 106-554, §1(a)(7) [title I, §164(a)(2)], Dec. 21, 2000, 114 Stat. 2763, 2763A-625; Pub. L. 108-311, title III, §310(b), Oct. 4, 2004, 118 Stat. 1180; Pub. L. 109-432, div. A, title I, §110(b)(1), Dec. 20, 2006, 120 Stat. 2939; Pub. L. 110-343, div. C, title III, §322(b)(1), Oct. 3, 2008, 122 Stat. 3873; Pub. L. 111-312, title VII, §754(b), Dec. 17, 2010, 124 Stat. 3321, related to tax-exempt economic development bonds.

Section 1400B, added Pub. L. 105-34, title VII, §701(a), Aug. 5, 1997, 111 Stat. 864; amended Pub. L. 105-206, title VI, §6008(c), July 22, 1998, 112 Stat. 811; Pub. L. 106-554, §1(a)(7) [title I, §§116(b)(5), 164(b)], Dec. 21, 2000, 114 Stat. 2763, 2763A-603, 2763A-625; Pub. L. 108-311, title III, §310(c)(1)-(2)(B), Oct. 4, 2004, 118 Stat. 1180; Pub. L. 109-432, div. A, title I, §110(c)(1)-(2)(B), Dec. 20, 2006, 120 Stat. 2940; Pub. L. 110-343, div. C, title III, §322(c)(1), (2)(A), (B), Oct. 3, 2008, 122 Stat. 3874; Pub. L. 111-312, title VII, §754(c), Dec. 17, 2010, 124 Stat. 3321, related to zero percent capital gains rate.

Section 1400C, added Pub. L. 105-34, title VII, §701(a), Aug. 5, 1997, 111 Stat. 867; amended Pub. L. 105-206, title

VI, §6008(d)(1)-(5), July 22, 1998, 112 Stat. 811, 812; Pub. L. 106-170, title V, §510, Dec. 17, 1999, 113 Stat. 1924; Pub. L. 106-554, §1(a)(7) [title I, §163], Dec. 21, 2000, 114 Stat. 2763, 2763A-625; Pub. L. 107-16, title II, §§201(b)(2)(H), 202(f)(2)(C), title VI, §618(b)(2)(E), June 7, 2001, 115 Stat. 46, 49, 108; Pub. L. 107-147, title IV, §417(23)(B), Mar. 9, 2002, 116 Stat. 57; Pub. L. 108-311, title III, §310(d), Oct. 4, 2004, 118 Stat. 1180; Pub. L. 109-58, title XIII, §1335(b)(3), Aug. 8, 2005, 119 Stat. 1036; Pub. L. 109-135, title IV, §402(i)(3)(F), (4), Dec. 21, 2005, 119 Stat. 2614, 2615; Pub. L. 109-432, div. A, title I, §110(d)(1), Dec. 20, 2006, 120 Stat. 2940; Pub. L. 110-343, div. B, title II, §205(d)(1)(E), div. C, title III, §322(d)(1), Oct. 3, 2008, 122 Stat. 3839, 3874; Pub. L. 111-5, div. B, title I, §§1004(b)(6), 1006(d)(1), 1142(b)(1)(F), 1144(b)(1)(F), Feb. 17, 2009, 123 Stat. 314, 316, 330, 332; Pub. L. 111-92, §1(i), Nov. 6, 2009, 123 Stat. 2991; Pub. L. 111-148, title X, §10909(b)(2)(M), (c), Mar. 23, 2010, 124 Stat. 1023; Pub. L. 111-312, title I, §101(b)(1), title VII, §754(d), Dec. 17, 2010, 124 Stat. 3298, 3322; Pub. L. 112-240, title I, §104(c)(2)(L), Jan. 2, 2013, 126 Stat. 2322, related to first-time homebuyer credit for District of Columbia.

SAVINGS PROVISION

Pub. L. 115-141, div. U, title IV, §401(d)(4)(C), Mar. 23, 2018, 132 Stat. 1209, provided that: “The amendments made by this paragraph [amending sections 23, 25, 45D, 1016, 1202, 1223, and 1397B of this title and repealing sections 1400 to 1400C of this title] shall not apply to—

“(i) in the case of the repeal of section 1400A of the Internal Revenue Code of 1986, obligations described in section 1394 of such Code (as in effect before its repeal) which were issued before January 1, 2012,

“(ii) in the case of the repeal of section 1400B of such Code, DC Zone assets (as defined in such section, as in effect before its repeal) which were acquired by the taxpayer before January 1, 2012, and

“(iii) in the case of the repeal of section 1400C of such Code, principal residences acquired before January 1, 2012.”

For provisions that nothing in repeal by Pub. L. 115-141 be construed to affect treatment of certain transactions occurring, property acquired, or items of income, loss, deduction, or credit taken into account prior to Mar. 23, 2018, for purposes of determining liability for tax for periods ending after Mar. 23, 2018, see section 401(e) of Pub. L. 115-141, set out as a note under section 23 of this title.

[Subchapter X—Repealed]

[§§ 1400E to 1400J. Repealed. Pub. L. 115-141, div. U, title IV, § 401(d)(5)(A), Mar. 23, 2018, 132 Stat. 1210]

Section 1400E, added Pub. L. 106-554, §1(a)(7) [title I, §101(a)], Dec. 21, 2000, 114 Stat. 2763, 2763A-589; amended Pub. L. 108-357, title II, §222(a), Oct. 22, 2004, 118 Stat. 1431; Pub. L. 109-135, title IV, §412(rr)(1), Dec. 21, 2005, 119 Stat. 2640, related to designation of renewal communities.

Section 1400F, added Pub. L. 106-554, §1(a)(7) [title I, §101(a)], Dec. 21, 2000, 114 Stat. 2763, 2763A-594; amended Pub. L. 108-311, title III, §310(c)(2)(C), Oct. 4, 2004, 118 Stat. 1180; Pub. L. 109-432, div. A, title I, §110(c)(2)(C), Dec. 20, 2006, 120 Stat. 2940; Pub. L. 110-343, div. C, title III, §322(c)(2)(C), Oct. 3, 2008, 122 Stat. 3874, related to renewal community capital gain.

Section 1400G, added Pub. L. 106-554, §1(a)(7) [title I, §101(a)], Dec. 21, 2000, 114 Stat. 2763, 2763A-596, related to renewal community business defined.

Section 1400H, added Pub. L. 106-554, §1(a)(7) [title I, §101(a)], Dec. 21, 2000, 114 Stat. 2763, 2763A-596, related to renewal community employment credit.

Section 1400I, added Pub. L. 106-554, §1(a)(7) [title I, §101(a)], Dec. 21, 2000, 114 Stat. 2763, 2763A-596, related to commercial revitalization deduction.

Section 1400J, added Pub. L. 106-554, §1(a)(7) [title I, §101(a)], Dec. 21, 2000, 114 Stat. 2763, 2763A-598, related to increase in expensing under section 179.

SAVINGS PROVISION

Pub. L. 115-141, div. U, title IV, §401(d)(5)(C), Mar. 23, 2018, 132 Stat. 1210, provided that: “The amendments made by this paragraph [amending sections 469 and 1397B of this title and repealing sections 1400E to 1400J of this title], shall not apply to—

“(i) in the case of the repeal of section 1400F of the Internal Revenue Code of 1986, qualified community assets (as defined in such section, as in effect before its repeal) which were acquired by the taxpayer before January 1, 2010,

“(ii) in the case of the repeal section 1400H of such Code, wages paid or incurred before January 1, 2010,

“(iii) in the case of the repeal of section 1400I of such Code, qualified revitalization buildings (as defined in such section, as in effect before its repeal) which were placed in service before January 1, 2010, and

“(iv) in the case of the repeal of section 1400J of such Code, property acquired before January 1, 2010.” For provisions that nothing in repeal by Pub. L. 115-141 be construed to affect treatment of certain transactions occurring, property acquired, or items of income, loss, deduction, or credit taken into account prior to Mar. 23, 2018, for purposes of determining liability for tax for periods ending after Mar. 23, 2018, see section 401(e) of Pub. L. 115-141, set out as a note under section 23 of this title.

[Subchapter Y—Repealed]**[§§ 1400L to 1400U-3. Repealed. Pub. L. 115-141, div. U, title IV, § 401(d)(6)(A), Mar. 23, 2018, 132 Stat. 1211]**

Section 1400L, added Pub. L. 107-147, title III, §301(a), Mar. 9, 2002, 116 Stat. 33; amended Pub. L. 108-27, title II, §201(c)(2), May 28, 2003, 117 Stat. 757; Pub. L. 108-311, title III, §309(a)-(c), title IV, §403(c), Oct. 4, 2004, 118 Stat. 1179, 1180, 1187; Pub. L. 109-135, title IV, §§405(a)(2), 412(ss), Dec. 21, 2005, 119 Stat. 2634, 2640; Pub. L. 110-185, title I, §103(c)(8), Feb. 13, 2008, 122 Stat. 619; Pub. L. 111-240, title II, §2022(b)(6), Sept. 27, 2010, 124 Stat. 2558; Pub. L. 111-312, title IV, §401(d)(6), title VII, §761(a), Dec. 17, 2010, 124 Stat. 3306, 3323; Pub. L. 112-240, title III, §§328(a), 331(e)(4), Jan. 2, 2013, 126 Stat. 2334, 2337; Pub. L. 113-295, div. A, title I, §125(d)(4), Dec. 19, 2014, 128 Stat. 4017, related to tax benefits for New York Liberty Zone.

Section 1400M, added Pub. L. 109-135, title I, §101(a), Dec. 21, 2005, 119 Stat. 2578, related to definitions for part relating to tax benefits for GO Zones.

Section 1400N, added Pub. L. 109-135, title I, §101(a), Dec. 21, 2005, 119 Stat. 2579; amended Pub. L. 109-432, div. A, title I, §§107(b)(2), 120(a), (b), Dec. 20, 2006, 120 Stat. 2939, 2943; Pub. L. 110-28, title VIII, §§8221-8223, May 25, 2007, 121 Stat. 194, 195; Pub. L. 110-185, title I, §103(c)(9), (10), Feb. 13, 2008, 122 Stat. 619; Pub. L. 110-234, title XV, §15316(c)(1), May 22, 2008, 122 Stat. 1511; Pub. L. 110-246, §4(a), title XV, §15316(c)(1), June 18, 2008, 122 Stat. 1664, 2273; Pub. L. 110-289, div. C, title III, §3082(b)(1), (c)(1), July 30, 2008, 122 Stat. 2907; Pub. L. 110-343, div. C, title III, §320(a), Oct. 3, 2008, 122 Stat. 3873; Pub. L. 111-5, div. B, title I, §§1201(a)(2)(E), 1531(c)(3), Feb. 17, 2009, 123 Stat. 333, 360; Pub. L. 111-240, title II, §2022(b)(7), Sept. 27, 2010, 124 Stat. 2558; Pub. L. 111-312, title IV, §401(d)(7), title VII, §§762(a), 763, 764(a), 765(a), Dec. 17, 2010, 124 Stat. 3306, 3323, 3324; Pub. L. 112-240, title III, §331(e)(5), Jan. 2, 2013, 126 Stat. 2337; Pub. L. 113-295, div. A, title I, §125(d)(5), title II, §220(q), Dec. 19, 2014, 128 Stat. 4017, 4036, related to tax benefits for Gulf Opportunity Zone.

Section 1400O, added Pub. L. 109-135, title I, §102(a), Dec. 21, 2005, 119 Stat. 2594; amended Pub. L. 110-172, §11(a)(26), Dec. 29, 2007, 121 Stat. 2487, related to education tax benefits.

Section 1400P, added Pub. L. 109-135, title I, §103(a), Dec. 21, 2005, 119 Stat. 2594, related to housing tax benefits.

Section 1400Q, added Pub. L. 109-135, title II, §201(a), Dec. 21, 2005, 119 Stat. 2596, related to special rules for use of retirement funds.

Section 1400R, added Pub. L. 109-135, title II, §201(a), Dec. 21, 2005, 119 Stat. 2601, related to employment relief.

Section 1400S, added Pub. L. 109-135, title II, §201(a), Dec. 21, 2005, 119 Stat. 2604; amended Pub. L. 110-172, §11(a)(14)(C), Dec. 29, 2007, 121 Stat. 2485, related to additional tax relief provisions.

Section 1400T, added Pub. L. 109-135, title II, §201(a), Dec. 21, 2005, 119 Stat. 2607, related to special rules for mortgage revenue bonds.

Section 1400U-1, added Pub. L. 111-5, div. B, title I, §1401(a), Feb. 17, 2009, 123 Stat. 348, related to allocation of recovery zone bonds.

Section 1400U-2, added Pub. L. 111-5, div. B, title I, §1401(a), Feb. 17, 2009, 123 Stat. 349, related to recovery zone economic development bonds.

Section 1400U-3, added Pub. L. 111-5, div. B, title I, §1401(a), Feb. 17, 2009, 123 Stat. 350, related to recovery zone facility bonds.

SAVINGS PROVISIONS

Pub. L. 115-141, div. U, title IV, §401(d)(6)(C), Mar. 23, 2018, 132 Stat. 1211, provided that: “The amendments made by this paragraph [amending sections 38, 280C, 6033, and 6049 of this title and repealing sections 1400L to 1400U-3 of this title] shall not apply to—

“(i) in the case of the repeal of section 1400L(a) of the Internal Revenue Code of 1986, qualified wages (as defined in such section, as in effect before its repeal) which were paid or incurred before January 1, 2004,

“(ii) in the case of the repeal of subsections (b) and (f) of section 1400L of such Code, qualified New York Liberty Zone property (as defined in section 1400L(b) of such Code, as in effect before its repeal) placed in service before January 1, 2010,

“(iii) in the case of the repeal of section 1400L(c) of such Code, qualified New York Liberty Zone leasehold improvement property (as defined in such section, as in effect before its repeal) placed in service before January 1, 2007,

“(iv) in the case of the repeal of section 1400L(d) of such Code, qualified New York Liberty bonds (as defined in such section, as in effect before its repeal) issued before January 1, 2014,

“(v) in the case of the repeal of section 1400L(e) of such Code, advanced refundings before January 1, 2006,

“(vi) in the case of the repeal of section 1400L(g) of such Code, property which is compulsorily or involuntarily converted as a result of the terrorist attacks on September 11, 2001,

“(vii) in the case of the repeal of section 1400N(a) of such Code, obligations issued before January 1, 2012,

“(viii) in the case of the repeal of section 1400N(b) of such Code, advanced refundings before January 1, 2011,

“(ix) in the case of the repeal of section 1400N(d) of such Code, property placed in service before January 1, 2012,

“(x) in the case of the repeal of section 1400N(e) of such Code, property placed in service before January 1, 2009,

“(xi) in the case of the repeal of subsections (f) and (g) of section 1400N of such Code, amounts paid or incurred before January 1, 2008,

“(xii) in the case of the repeal of section 1400N(h) of such Code, amounts paid or incurred before January 1, 2012,

“(xiii) in the case of the repeal of section 1400N(k)(1)(B) of such Code, losses arising in taxable years beginning before January 1, 2008,

“(xiv) in the case of the repeal of section 1400N(l) of such Code, bonds issued before January 1, 2007,

“(xv) in the case of the repeal of section 1400Q(a) of such Code, distributions before January 1, 2007,

“(xvi) in the case of the repeal of section 1400Q(b) of such Code, contributions before March 1, 2006,