

Any forms, instructions, regulations, or other guidance described in paragraph (2) shall require the customer to be responsible for the accounting of the credit and for any liability for improperly claimed credits and shall require the certified professional employer organization or other third party payor to accurately report such tax credits based on the information provided by the customer.

(n) Application

This section shall only apply to wages paid after June 30, 2021, and before October 1, 2021 (or, in the case of wages paid by an eligible employer which is a recovery startup business, January 1, 2022).

(Added Pub. L. 117-2, title IX, §9651(a), Mar. 11, 2021, 135 Stat. 177; amended Pub. L. 117-58, div. H, title VI, §80604(a), Nov. 15, 2021, 135 Stat. 1341.)

Editorial Notes

REFERENCES IN TEXT

Section 7 of the Small Business Act, referred to in subsec. (h)(1)(A), (2), is classified to section 636 of Title 15, Commerce and Trade.

Section 7A of the Small Business Act, referred to in subsec. (h)(1)(A), (2), is classified to section 636m of Title 15, Commerce and Trade.

Section 324 of the Economic Aid to Hard-Hit Small Businesses, Non-Profits, and Venues Act, referred to in subsec. (h)(1)(B), is classified to section 9009a of Title 15, Commerce and Trade.

Section 5003 of the American Rescue Plan Act of 2021, referred to in subsec. (h)(1)(C), is classified to section 9009c of Title 15, Commerce and Trade.

AMENDMENTS

2021—Subsec. (c)(5)(C). Pub. L. 117-58, §80604(a)(1), struck out subpar. (C) which read as follows: “which, with respect to such calendar quarter, is not described in subclause (I) or (II) of paragraph (2)(A)(ii).”

Subsec. (n). Pub. L. 117-58, §80604(a)(2), substituted “October 1, 2021 (or, in the case of wages paid by an eligible employer which is a recovery startup business, January 1, 2022)” for “January 1, 2022”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 117-58, div. H, title VI, §80604(b), Nov. 15, 2021, 135 Stat. 1341, provided that: “The amendments made by this section [amending this section] shall apply to calendar quarters beginning after September 30, 2021.”

EFFECTIVE DATE

Pub. L. 117-2, title IX, §9651(d), Mar. 11, 2021, 135 Stat. 182, provided that: “The amendments made by this section [enacting this section and amending section 1324 of Title 31, Money and Finance] shall apply to calendar quarters beginning after June 30, 2021.”

CHAPTER 22—RAILROAD RETIREMENT TAX ACT

Table with 2 columns: Subchapter and Sec.1. Rows include A. Tax on employees (3201), B. Tax on employee representatives (3211), C. Tax on employers (3221), D. General provisions (3231), E. Tier 2 tax rate determination (3241).

1 Section numbers editorially supplied.

Editorial Notes

AMENDMENTS

2001—Pub. L. 107-90, title II, §204(e)(5), Dec. 21, 2001, 115 Stat. 893, added item for subchapter E.

Subchapter A—Tax on Employees

Table with 2 columns: Sec. and Rate of tax. Rows include 3201. Rate of tax. 3202. Deduction of tax from compensation.

§ 3201. Rate of tax

(a) Tier 1 tax

In addition to other taxes, there is hereby imposed on the income of each employee a tax equal to the applicable percentage of the compensation received during any calendar year by such employee for services rendered by such employee. For purposes of the preceding sentence, the term “applicable percentage” means the percentage equal to the sum of the rates of tax in effect under subsections (a) and (b) of section 3101 for the calendar year.

(b) Tier 2 tax

In addition to other taxes, there is hereby imposed on the income of each employee a tax equal to the percentage determined under section 3241 for any calendar year of the compensation received during such calendar year by such employee for services rendered by such employee.

(c) Cross reference

For application of different contribution bases with respect to the taxes imposed by subsections (a) and (b), see section 3231(e)(2).

(Aug. 16, 1954, ch. 736, 68A Stat. 431; Aug. 31, 1954, ch. 1164, pt. II, §206(a), 68 Stat. 1040; Pub. L. 86-28, pt. II, §201(a), May 19, 1959, 73 Stat. 28; Pub. L. 88-133, title II, §201, Oct. 5, 1963, 77 Stat. 221; Pub. L. 89-97, title I, §§105(b)(1), 111(c)(1), July 30, 1965, 79 Stat. 335, 342; Pub. L. 89-212, §§4, 5(a), Sept. 29, 1965, 79 Stat. 861; Pub. L. 89-699, title III, §301(a), Oct. 30, 1966, 80 Stat. 1078; Pub. L. 89-700, title III, §301(v), (vi), Oct. 30, 1966, 80 Stat. 1088, 1089; Pub. L. 93-69, title I, §102(a), July 10, 1973, 87 Stat. 162; Pub. L. 94-93, title II, §201, Aug. 9, 1975, 89 Stat. 466; Pub. L. 94-455, title XIX, §1903(a)(6), Oct. 4, 1976, 90 Stat. 1807; Pub. L. 97-34, title VII, §741(a), Aug. 13, 1981, 95 Stat. 347; Pub. L. 98-76, title II, §§211(a), 221, Aug. 12, 1983, 97 Stat. 419, 420; Pub. L. 100-203, title IX, §9031(a), Dec. 22, 1987, 101 Stat. 1330-296; Pub. L. 101-508, title V, §5125(a), Nov. 5, 1990, 104 Stat. 1388-285; Pub. L. 107-90, title II, §204(c), Dec. 21, 2001, 115 Stat. 892; Pub. L. 113-295, div. A, title II, §221(a)(100)(A), Dec. 19, 2014, 128 Stat. 4052.)

Editorial Notes

AMENDMENTS

2014—Subsec. (b). Pub. L. 113-295 amended subsec. (b) generally. Prior to amendment, subsec. (b) consisted of pars. (1) and (2) establishing the tier 2 tax and its applicable percentage.

2001—Subsec. (b). Pub. L. 107-90 amended heading and text of subsec. (b) generally. Prior to amendment, text read as follows: “In addition to other taxes, there is hereby imposed on the income of each employee a tax equal to 4.90 percent of the compensation received dur-