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Sec. 15. Effect Of Changes

I.R.C. § 15(a) General Rule —

If any rate of tax imposed by this chapter changes, and if the taxable year includes the effective date of the change (unless that date is the first day of the taxable year), then—

I.R.C. § 15(a)(1) —

tentative taxes shall be computed by applying the rate for the period before the effective date of the change, and the rate for the period on and after such date, to the taxable income for the entire taxable year; and

I.R.C. § 15(a)(2) —

the tax for such taxable year shall be the sum of that proportion of each tentative tax which the number of days in each period bears to the number of days in the entire taxable year.

I.R.C. § 15(b) Repeal Of Tax —

For purposes of subsection (a)—

I.R.C. § 15(b)(1) —

if a tax is repealed, the repeal shall be considered a change of rate; and

I.R.C. § 15(b)(2) —

the rate for the period after the repeal shall be zero.

I.R.C. § 15(c) Effective Date Of Change —

For purposes of subsections (a) and (b)

I.R.C. § 15(c)(1) —

if the rate changes for taxable years “beginning after” or “ending after” a certain date, the following day shall be considered the effective date of the change; and

I.R.C. § 15(c)(2) —

if a rate changes for taxable years “beginning on or after” a certain date, that date shall be considered the effective date of the change.

I.R.C. § 15(d) Section Not To Apply To Inflation Adjustments —

This section shall not apply to any change in rates under subsection (f) of section 1 (relating to adjustments in tax tables so that inflation will not result in tax increases).

I.R.C. § 15(e) References To Highest Rate —

If the change referred to in subsection (a) involves a change in the highest rate of tax imposed by section 1 or 11(b), any reference in this chapter to such highest rate (other than in a provision imposing a tax by reference to such rate) shall be treated as a reference to the weighted average of the highest rates before and after the change determined on the basis of the respective portions of the taxable year before the date of the change and on or after the date of the change.

I.R.C. § 15(f) Rate Reductions Enacted By Economic Growth And Tax Relief Reconciliation Act Of 2001 —

This section shall not apply to any change in rates under subsection (i) of section 1 (relating to rate reductions after 2000).

(Aug. 16, 1954, ch. 736, 68A Stat. 12, Sec. 21; Feb. 26, 1964, Pub. L. 88-272, title I, Sec. 132, 78 Stat. 30; Dec. 30, 1969, Pub. L. 91-172, title VIII, Sec. 803(e), 83 Stat. 685; Dec. 10, 1971, Pub. L. 92-178, title II, Sec. 205, 85 Stat. 511; Mar. 29, 1975, Pub. L. 94-12, title III, Sec. 305(b)(2), 89 Stat. 45; Dec. 23, 1975, Pub. L. 94-164, Sec. 4(d)(2), 89 Stat. 975; Oct. 4, 1976, Pub. L. 94-455, title IX, Sec. 901(c)(2), 90 Stat. 1607; May 23, 1977, Pub. L. 95-30, title I, Sec. 101(d)(2), 91 Stat. 133; Nov. 6, 1978, Pub. L. 95-600, title I, Sec.

106, 92 Stat. 2776; Aug. 13, 1981, Pub. L. 97-34, title I, Sec. 101(d)(3), 95 Stat. 184; renumbered Sec. 15, July 18, 1984, Pub. L. 98-369, div. A, title IV, Sec. 474(b)(1), 98 Stat. 830; Oct. 22, 1986, Pub. L. 99-514, title I, Sec. 101(b), 100 Stat. 2099; Nov. 10, 1988, Pub. L. 100-647, title I, Sec. 1006(a), 102 Stat. 3393; Pub. L. 105-34, title I, Sec. 1(c), Aug. 5, 1997, 111 Stat. 788; Pub. L. 107-16, title I, Sec. 101(c)(3), June 7, 2001, 115 Stat. 38.)

BACKGROUND NOTES

Amendments

1984--Pub. L. 98-369, div. A, title IV, 474(b)(3), July 18, 1984, 98 Stat. 830, substituted “15. Effect of changes” for “21. Effect of changes”.

AMENDMENTS

2001 - Subsec. (f). Pub. L. 107-16, Sec. 101(f), added subsec. (f).

1988 - Subsec. (e). Pub. L. 100-647, Sec. 1006(a), added subsec. (e).

1986 - Subsec. (d). Pub. L. 99-514, Sec. 101(b), amended subsec. (d) generally, substituting ‘apply to inflation adjustments’ for ‘apply to section 1 rate changes made by Economic Recovery Tax Act of 1981’ in heading and struck out ‘section 1 attributable to the amendments made by section 101 of the Economic Tax Act of 1981 or’ before ‘subsection (f)’ in text.

1984 - Pub. L. 98-369, Sec. 474(b)(1), renumbered section 21 of this title as this section.

1981 - Subsec. (d). Pub. L. 97-34, Sec. 101(d)(3), substituted provisions that this section shall not apply to any change in rates under section 1 attributable to the amendments made by section 101 of the Economic Recovery Tax Act of 1981 or subsec. (f) of section 1 for provisions that had related to the changes made by section 303(b) of the Tax Reduction Act of 1975 in the surtax exemption.

Subsecs. (e), (f). Pub. L. 97-34, Sec. 474(d)(3), struck out subsecs. (e) and (f) which had related, respectively, to changes made by the Tax Reduction and Simplification Act of 1977 and to changes made by Revenue Act of 1978.

1978 - Subsec. (f). Pub. L. 95-600, Sec. 106, added subsec. (f).

1977 - Subsec. (d). Pub. L. 95-30, Sec. 101(d)(2)(A), (B), redesignated subsec. (f) as (d). Former subsec. (d), which directed that, in applying subsec. (a) to a taxable year of an individual which was not a calendar year, each change made by the Tax Reform Act of 1969 in part I or in the application of part IV or V of subchapter B for purposes of the determination of taxable income should be treated as a change in a rate of tax, was struck out.

Subsec. (e). Pub. L. 95-30, Sec. 101(d)(2)(A), (C), added subsec. (e). Former subsec. (e), which directed that, in applying subsec. (a) to a taxable year of an individual which was not a calendar year, each change made by the Revenue Act of 1971 in section 141 (relating to the standard deduction) and section 151 (relating to personal exemptions) should be treated as a change in a rate of tax, was struck out.

Subsec. (f). Pub. L. 95-30, Sec. 101(d)(2)(B), redesignated subsec. (f) as (d).

1976 - Subsec. (f). Pub. L. 94-455, Sec. 901(c), substituted ‘in the surtax exemption and any change under section 11(d) in the surtax exemption’ for ‘and the change made by section 3(c) of the Revenue Adjustment Act of 1975 in section 11(d) (relating to corporate surtax exemption)’.

1975 - Subsec. (f). Pub. L. 94-164, Sec. 4(d), inserted reference to change made by section 3(c) of the Revenue Adjustment Act of 1975.

Pub. L. 94-12, Sec. 305(b)(2), added subsec. (f).

1971 - Subsec. (e). Pub. L. 92-178, Sec. 205, added subsec. (e).

1969 - Subsec. (d). Pub. L. 91-172, Sec. 803(e), substituted provisions covering changes made by the Tax Reform Act of 1969 in case of individuals for provisions covering changes made by Revenue Act of 1964.

1964 - Subsec. (d). Pub. L. 88-272, Sec. 132, amended subsection generally by substituting provisions relating to changes made by the Revenue Act of 1964, for provisions relating to taxable years beginning before Jan. 1, 1954, and ending after Dec. 31, 1953.

EFFECTIVE DATE OF 2001 AMENDMENT

Amendment by Pub. L. 107-16 effective for taxable years beginning after December 31, 2000.

Section 901 (Sunset of Provisions of Act) of Pub. L. 107-16, as amended by Pub. L. 107-358, and struck by Pub. L. 112-240, Sec. 101(a)(1) (effective for taxable, plan, or limitation years beginning after Dec. 31, 2012, and estates of decedents dying, gifts made, or generation skipping transfers after Dec. 31, 2012), provided that:

“(a) IN GENERAL.--All provisions of, and amendments made by, this Act shall not apply--

“(1) to taxable, plan, or limitation years beginning after December 31, 2010, or

“(2) in the case of title V, to estates of decedents dying, gifts made, or generation skipping transfers, after December 31, 2010.

“(b) APPLICATION OF CERTAIN LAWS.--The Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 shall be applied and administered to years, estates, gifts, and transfers described in subsection (a) as if the provisions and amendments described in subsection (a) had never been enacted.

“(c) EXCEPTION.-Subsection (a) shall not apply to section 803 (relating to no federal income tax on restitution received by victims of the Nazi regime or their heirs or estates).”

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-647 effective, except as otherwise provided, as if included in the provision of the Tax Reform Act of 1986, Pub. L. 99-514, to which such amendment relates, see section 1019(a) of Pub. L. 100-647, set out as a note under section 1 of this title.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-514 applicable to taxable years beginning after Dec. 31, 1986, see section 151(a) of Pub. L. 99-514, set out as a note under section 1 of this title.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-34 applicable to taxable years beginning after Dec. 31, 1981, see section 101(f)(1) of Pub. L. 97-34, set out as a note under section 1 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-30 applicable to taxable years beginning after Dec. 31, 1976, see section 106(a) of Pub. L. 95-30, set out as a note under section 1 of this title.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-455 applicable with respect to taxable years ending after Dec. 31, 1975, see section 901(d) of Pub. L. 94-455, set out as a note under section 11 of this title.

EFFECTIVE DATE OF 1975 AMENDMENT

Amendment by Pub. L. 94-164 applicable to taxable years beginning after Dec. 31, 1975, see section 4(e) of Pub. L. 94-164, set out as an Effective and Termination Dates of 1975 Amendments note under section 11 of this title.

EFFECTIVE DATE OF 1964 AMENDMENT

Section 132 of Pub. L. 88-272 provided that the amendment made by that section is effective with respect to taxable years ending after Dec. 31, 1963.

COORDINATION OF 1997 AMENDMENT WITH SECTION 15

Pub. L. 105-34, Sec. 1(c) , provided that: “No amendment made by this Act shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.”

COORDINATION OF 1990 AMENDMENT WITH SECTION 15

Pub. L. 101-508, title XI, Sec. 11001(c), Nov. 5, 1990, 104 Stat. 1388-400, provided that: “Except as otherwise expressly provided in this title, no amendment made by this title (see Tables for classification) shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.”

COORDINATION OF 1987 AMENDMENT WITH SECTION 15

Pub. L. 100-203, title X, Sec. 10000(c), Dec. 22, 1987, 101 Stat. 1330-382, provided that: “No amendment made by this title (see Tables for classification) shall be treated as a change in a rate of tax for purposes (of) section 15 of the Internal Revenue Code of 1986.”

COORDINATION OF 1986 AMENDMENT WITH SECTION 15

Section 3(b) of Pub. L. 99-514 provided that:

“(1) In general. - Except as provided in paragraph (2), for purposes of section 15 of the Internal Revenue Code of 1986, no amendment or repeal made by this Act (see Tables for classification) shall be treated as a change in the rate of a tax imposed by chapter 1 of such Code.

“(2) Exception. - Paragraph (1) shall not apply to the amendment made by section 601 (amending section 11 of this title) (relating to corporate rate reductions).”

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