

1. [IRC](#)
2. [Subtitle A](#)
3. [Chapter 1](#)
4. [Subchapter A](#)
5. [Part IV](#)
6. [Subpart B](#)
7. § 29

Sec. 29. Credit For Producing Fuel From A Nonconventional Source

Editor's Note: Pub. L. 109-58, Sec. 1322(a)(1), redesignated Sec. 29 as Sec. 45K, effective for credits determined under the Internal Revenue Code of 1986 for taxable years ending after December 31, 2005.

I.R.C. § 29(a) Allowance Of Credit —

There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to—

I.R.C. § 29(a)(1) —

\$3, multiplied by

I.R.C. § 29(a)(2) —

the barrel-of-oil equivalent of qualified fuels—

I.R.C. § 29(a)(2)(A) —

sold by the taxpayer to an unrelated person during the taxable year, and

I.R.C. § 29(a)(2)(B) —

the production of which is attributable to the taxpayer.

I.R.C. § 29(b) Limitations And Adjustments

I.R.C. § 29(b)(1) Phaseout Of Credit —

The amount of the credit allowable under subsection (a) shall be reduced by an amount which bears the same ratio to the amount of the credit (determined without regard to this paragraph) as—

I.R.C. § 29(b)(1)(A) —

the amount by which the reference price for the calendar year in which the sale occurs exceeds \$23.50, bears to

I.R.C. § 29(b)(1)(B) —

\$6.

I.R.C. § 29(b)(2) Credit And Phaseout Adjustment Based On Inflation —

The \$3 amount in subsection (a) and the \$23.50 and \$6 amounts in paragraph (1) shall each be adjusted by multiplying such amount by the inflation adjustment factor for the calendar year in which the sale occurs. In the case of gas from a tight formation, the \$3 amount in subsection (a) shall not be adjusted.

I.R.C. § 29(b)(3) Credit Reduced For Grants, Tax-Exempt Bonds, And Subsidized Energy Financing

I.R.C. § 29(b)(3)(A) In General —

The amount of the credit allowable under subsection (a) with respect to any project for any taxable year (determined after the application of paragraphs (1) and (2)) shall be reduced by the amount which is the product of the amount so determined for such year and a fraction—

I.R.C. § 29(b)(3)(A)(i) —

the numerator of which is the sum, for the taxable year and all prior taxable years, of—

I.R.C. § 29(b)(3)(A)(i)(I) —

grants provided by the United States, a State, or a political subdivision of a State for use in connection with the project,

I.R.C. § 29(b)(3)(A)(i)(II) —

proceeds of any issue of State or local government obligations used to provide financing for the project the interest on which is exempt from tax under section 103, and

I.R.C. § 29(b)(3)(A)(i)(III) —

the aggregate amount of subsidized energy financing (within the meaning of section 48(a)(4)(C)) provided in connection with the project, and

I.R.C. § 29(b)(3)(A)(ii) —

the denominator of which is the aggregate amount of additions to the capital account for the project for the taxable year and all prior taxable years.

I.R.C. § 29(b)(3)(B) Amounts Determined At Close Of Year —

The amounts under subparagraph (A) for any taxable year shall be determined as of the close of the taxable year.

I.R.C. § 29(b)(4) Credit Reduced For Energy Credit —

The amount allowable as a credit under subsection (a) with respect to any project for any taxable year (determined after the application of paragraphs (1), (2), and (3)) shall be reduced by the excess of—

I.R.C. § 29(b)(4)(A) —

the aggregate amount allowed under section 38 for the taxable year or any prior taxable year by reason of the energy percentage with respect to property used in the project, over

I.R.C. § 29(b)(4)(B) —

the aggregate amount recaptured with respect to the amount described in subparagraph (A)—

I.R.C. § 29(b)(4)(B)(i) —

under section 49(b) or 50(a) for the taxable year or any prior taxable year, or

I.R.C. § 29(b)(4)(B)(ii) —

under this paragraph for any prior taxable year.

The amount recaptured under section 49(b) or 50(a) with respect to any property shall be appropriately reduced to take into account any reduction in the credit allowed by this section by reason of the preceding sentence.

I.R.C. § 29(b)(5) Credit Reduced For Enhanced Oil Recovery Credit —

The amount allowable as a credit under subsection (a) with respect to any project for any taxable year (determined after application of paragraphs (1), (2), (3), and (4)) shall be reduced by the excess (if any) of—

I.R.C. § 29(b)(5)(A) —

the aggregate amount allowed under section 38 for the taxable year and any prior taxable year by reason of any enhanced oil recovery credit determined under section 43 with respect to such project, over

I.R.C. § 29(b)(5)(B) —

the aggregate amount recaptured with respect to the amount described in subparagraph (A) under this paragraph for any prior taxable year.

I.R.C. § 29(b)(6) Application With Other Credits —

The credit allowed by subsection (a) for any taxable year shall not exceed the excess (if any) of—

I.R.C. § 29(b)(6)(A) —

the regular tax for the taxable year reduced by the sum of the credits allowable under subpart A and section 27, over

I.R.C. § 29(b)(6)(B) —

the tentative minimum tax for the taxable year.

I.R.C. § 29(c) Definition Of Qualified Fuels —

For purposes of this section—

I.R.C. § 29(c)(1) In General —

The term “qualified fuels” means—

I.R.C. § 29(c)(1)(A) —

oil produced from shale and tar sands,

I.R.C. § 29(c)(1)(B) —

gas produced from—

I.R.C. § 29(c)(1)(B)(i) —

geopressured brine, Devonian shale, coal seams, or a tight formation, or

I.R.C. § 29(c)(1)(B)(ii) —

biomass, and

I.R.C. § 29(c)(1)(C) —

liquid, gaseous, or solid synthetic fuels produced from coal (including lignite), including such fuels when used as feedstocks.

I.R.C. § 29(c)(2) Gas From Geopressured Brine, Etc.

I.R.C. § 29(c)(2)(A) In General —

Except as provided in subparagraph (B), the determination of whether any gas is produced from geopressured brine, Devonian shale, coal seams, or a tight formation shall be made in accordance with section 503 of the Natural Gas Policy Act of 1978 (as in effect before the repeal of such section).

I.R.C. § 29(c)(2)(B) Special Rules For Gas From Tight Formations —

The term “gas produced from a tight formation” shall only include gas from a tight formation—

I.R.C. § 29(c)(2)(B)(i) —

which, as of April 20, 1977, was committed or dedicated to interstate commerce (as defined in section 2(18) of the Natural Gas Policy Act of 1978, as in effect on the date of the enactment of this clause), or

I.R.C. § 29(c)(2)(B)(ii) —

which is produced from a well drilled after such date of enactment.

I.R.C. § 29(c)(3) Biomass —

The term “biomass” means any organic material other than—

I.R.C. § 29(c)(3)(A) —

oil and natural gas (or any product thereof), and

I.R.C. § 29(c)(3)(B) —

coal (including lignite) or any product thereof.

I.R.C. § 29(d) Other Definitions And Special Rules —

For purposes of this section—

I.R.C. § 29(d)(1) Only Production Within The United States Taken Into Account —

Sales shall be taken into account under this section only with respect to qualified fuels the production of which is within—

I.R.C. § 29(d)(1)(A) —

the United States (within the meaning of section 638(1)), or

I.R.C. § 29(d)(1)(B) —

a possession of the United States (within the meaning of section 638(2)).

I.R.C. § 29(d)(2) Computation Of Inflation Adjustment Factor And Reference Price

I.R.C. § 29(d)(2)(A) In General —

The Secretary shall, not later than April 1 of each calendar year, determine and publish in the Federal Register the inflation adjustment factor and the reference price for the preceding calendar year in accordance with this paragraph.

I.R.C. § 29(d)(2)(B) Inflation Adjustment Factor —

The term “inflation adjustment factor” means, with respect to a calendar year, a fraction the numerator of which is the GNP implicit price deflator for the calendar year and the denominator of which is the GNP implicit price deflator for calendar year 1979. The term “GNP implicit price deflator” means the first revision of the implicit price deflator for the gross national product as computed and published by the Department of Commerce.

I.R.C. § 29(d)(2)(C) Reference Price —

The term “reference price” means with respect to a calendar year the Secretary's estimate of the annual average wellhead price per barrel for all domestic crude oil the price of which is not subject to regulation by the United States.

I.R.C. § 29(d)(3) Production Attributable To The Taxpayer —

In the case of a property or facility in which more than 1 person has an interest, except to the extent provided in regulations prescribed by the Secretary, production from the property or facility (as the case may be) shall be allocated among such persons in proportion to their respective interests in the gross sales from such property or facility.

I.R.C. § 29(d)(4) Gas From Geopressured Brine, Devonian Shale, Coal Seams, Or A Tight Formation —

The amount of the credit allowable under subsection (a) shall be determined without regard to any production attributable to a property from which gas from Devonian shale, coal seams, geopressured brine, or a tight formation was produced in marketable quantities before January 1, 1980.

I.R.C. § 29(d)(5) Barrel-Of-Oil Equivalent —

The term “barrel-of-oil equivalent” with respect to any fuel means that amount of such fuel which has a Btu content of 5.8 million; except that in the case of qualified fuels described in subparagraph (C) of subsection (c)(1), the Btu content shall be determined without regard to any material from a source not described in such subparagraph.

I.R.C. § 29(d)(6) Barrel Defined —

The term “barrel” means 42 United States gallons.

I.R.C. § 29(d)(7) Related Persons —

Persons shall be treated as related to each other if such persons would be treated as a single employer under the regulations prescribed under section 52(b). In the case of a corporation which is a member of an affiliated group of corporations filing a consolidated return, such corporation shall be treated as selling qualified fuels to an unrelated person if such fuels are sold to such a person by another member of such group.

I.R.C. § 29(d)(8) Pass-Thru In The Case Of Estates And Trusts —

Under regulations prescribed by the Secretary, rules similar to the rules of subsection (d) of section 52 shall apply.

I.R.C. § 29(e) Application Of Section —

This section shall apply with respect to qualified fuels—

I.R.C. § 29(e)(1) —

which are—

I.R.C. § 29(e)(1)(A) —

produced from a well drilled after December 31, 1979, and before January 1, 1993, or

I.R.C. § 29(e)(1)(B) —

produced in a facility placed in service after December 31, 1979, and before January 1, 1993, and

I.R.C. § 29(e)(2) —

which are sold before January 1, 2003.

I.R.C. § 29(f) Extension For Certain Facilities

I.R.C. § 29(f)(1) In General —

In the case of a facility for producing qualified fuels described in subparagraph (B)(ii) or (C) of subsection (c)(1)—

I.R.C. § 29(f)(1)(A) —

for purposes of subsection (e)(1)(B), such facility shall be treated as being placed in service before January 1, 1993, if such facility is placed in service before July 1, 1998 pursuant to a binding written contract in effect before January 1, 1997, and

I.R.C. § 29(f)(1)(B) —

if such facility is originally placed in service after December 31, 1992, paragraph (2) of subsection (e) shall be applied with respect to such facility by substituting “January 1, 2008” for “January 1, 2003”.

I.R.C. § 29(f)(2) Special Rule —

Paragraph (1) shall not apply to any facility which produces coke or coke gas unless the original use of the facility commences with the taxpayer.

I.R.C. § 29(g) Extension For Facilities Producing Coke Or Coke Gas —

Notwithstanding subsection (f)—

I.R.C. § 29(g)(1) In General —

In the case of a facility for producing coke or coke gas which was placed in service before January 1, 1993, or after June 30, 1998, and before January 1, 2010, this section shall apply with respect to coke and coke gas produced in such facility and sold during the period—

I.R.C. § 29(g)(1)(A) —

beginning on the later of January 1, 2006, or the date that such facility is placed in service, and

I.R.C. § 29(g)(1)(B) —

ending on the date which is 4 years after the date such period began.

I.R.C. § 29(g)(2) Special Rules —

In determining the amount of credit allowable under this section solely by reason of this subsection—

I.R.C. § 29(g)(2)(A) Daily Limit —

The amount of qualified fuels sold during any taxable year which may be taken into account by reason of this subsection with respect to any facility shall not exceed an average barrel-of-oil equivalent of 4,000 barrels per day. Days before the date the facility is placed in service shall not be taken into account in determining such average.

I.R.C. § 29(g)(2)(B) Extension Period To Commence With Unadjusted Credit Amount —

For purposes of applying subsection (b)(2) to the \$3 amount in subsection (a), in the case of fuels sold after 2005, subsection (d)(2)(B) shall be applied by substituting “2004” for “1979”.

I.R.C. § 29(g)(2)(C) Denial Of Double Benefit —

This subsection shall not apply to any facility producing qualified fuels for which a credit was allowed under this section for the taxable year or any preceding taxable year by reason of subsection (g).

(Added by Pub. L. 96-223, title II, Sec. 231(a), Apr. 2, 1980, 94 Stat. 268, Sec. 44D, and amended Pub. L. 97-34, title VI Sec. 611(a), Aug. 13, 1981, 95 Stat. 339; Pub. L. 97-354, Sec. 5(a)(1), Oct. 19, 1982, 96 Stat. 1692; Pub. L. 97-448, title II, Sec. 202(a), Jan. 12, 1983, 96 Stat. 2396; renumbered Sec. 29 and amended Pub. L. 98-369, div. A, title IV, Sec. 471(c), 474(h), title VI, Sec. 612(e)(1), title VII, Sec. 722(d)(1), (2), July

18, 1984, 98 Stat. 826, 831, 912, 973; Pub. L. 99-514, title VII, Sec. 701(c)(3), title XVIII, Sec. 1879(c)(1), Oct. 22, 1986, 100 Stat. 2340, 2906; Pub. L. 100-647, title VI, Sec. 6302, Nov. 10, 1988, 102 Stat. 3755; Pub. L. 101-508, title XI, Sec. 11501(a), (b)(1), (c)(1), 11813(b)(1), 11816, Nov. 5, 1990, 104 Stat. 1388-479, 1388-550, 1388-558; Pub. L. 102-486, title XIX, Sec. 1918, Oct. 24, 1992, 106 Stat. 2776; Pub. L. 104-188, title I, Sec. 1205(d)(3), 1207(a), Aug. 20, 1996, 110 Stat. 1755; Pub. L. 109-58, title XIII, Sec. 1321(a), 1322, Aug. 8, 2005, 119 Stat. 594.)

BACKGROUND NOTES

AMENDMENTS

2005 - Sec. 29. Pub. L. 109-58, Sec. 1322(a), redesignated Sec. 29 as Sec. 45K.

Subsec. (c)(2)(A). Pub. L. 109-58, Sec. 1322(b)(1)(A), amended subpar. (A) by inserting “(as in effect before the repeal of such section)” after “1978”.

Subsec. (e)-(h). Pub. L. 109-58, Sec. 1322(b)(1)(B), struck subsec. (e) and redesignated subsec. (f)-(h) as subsec. (e)-(g), respectively. Before being struck, subsec. (e) read as follows:

“(e) Application with the Natural Gas Policy Act of 1978

“(1) No credit if section 107 of the Natural Gas Policy Act of 1978 is utilized

“Subsection (a) shall apply with respect to any natural gas described in subsection (c)(1)(B)(i) which is sold during the taxable year only if such natural gas is sold at a lawful price which is determined without regard to the provisions of section 107 of the Natural Gas Policy Act of 1978 and subtitle B of title I of such Act.

“(2) Treatment of this section

“For purposes of section 107(d) of the Natural Gas Policy Act of 1978, this section shall not be treated as allowing any credit, exemption, deduction, or comparable adjustment applicable to the computation of any Federal tax.”

Subsec. (g)(1)(A), before redesignation as subsec. (f). Pub. L. 109-58, Sec. 1322(b)(2)(A), amended subpar. (A) by substituting “subsection (e)(1)(B)” for “subsection (f)(1)(B)”.

Subsec. (g)(1)(B), before redesignation as subsec. (f). Pub. L. 109-58, Sec. 1322(b)(2)(B), amended subpar. (B) by substituting “subsection (e)” for “subsection (f)”.

Subsec. (h). Pub. L. 109-58, Sec. 1321(a), added subsec. (h) (which was then redesignated as subsec. (g) by Pub. L. 109-58, Sec. 1322(d)(1)(B)).

1996 - Subsec. (b)(6)(A). Pub. L. 104-188, Sec. 1205(d)(3), substituted “section 27” for “sections 27 and 28”.

Subsec. (g)(1)(A). Pub. L. 104-188, Sec. 1207(a), substituted “July 1, 1998” for “January 1, 1997”, and “January 1, 1997” for “January 1, 1996”.

1992 - Subsec. (g). Pub. L. 102-486, Sec. 1918, amended section 29 by adding at the end a new subsection (g).

1990 - Subsec. (b)(3)(A)(i)(III). Pub. L. 101-508, Sec. 11813(b)(1)(A), substituted ‘section 48(a)(4)(C)’ for ‘section 48(l)(11)(C)’.

Subsec. (b)(4). Pub. L. 101-508, Sec. 11813(b)(1)(B), substituted ‘section 49(b) or 50(a)’ for ‘section 47’ in two places.

Subsec. (b)(5), (6). Pub. L. 101-508, Sec. 11501(c)(1), added par. (5) and redesignated former par. (5) as (6).

Subsec. (c)(1)(B) to (E). Pub. L. 101-508, Sec. 11816(a), inserted ‘and’ at end of subpar. (B), substituted a period for a comma at end of subpar. (C), and struck out subpar. (D) which related to qualifying processed wood fuels, and subpar. (E) which related to steam produced from solid agricultural byproducts (not including timber byproducts).

Subsec. (c)(2)(B). Pub. L. 101-508, Sec. 11501(b)(1), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: ‘The term ‘gas produced from a tight formation’ shall only include -

‘(i) gas the price of which is regulated by the United States, and

‘(ii) gas for which the maximum lawful price applicable under the Natural Gas Policy Act of 1978 is at least 150 percent of the then applicable price under section 103 of such Act.’

Subsec. (c)(3). Pub. L. 101-508, Sec. 11813(b)(1)(C), amended par. (3) generally. Prior to amendment, par. (3) read as follows: ‘The term ‘biomass’ means any organic material which is an alternate substance (as defined in section 48(l)(3)(B)) other than coal (including lignite) or any product of such coal.’

Subsec. (c)(4). Pub. L. 101-508, Sec. 11816(b)(1), struck out par. (4) ‘Qualifying processed wood fuel’ which read as follows:

‘(A) In general. - The term ‘qualifying processed wood fuel’ means any processed solid wood fuel (other than charcoal, fireplace products, or a product used for ornamental or recreational purposes) which has a Btu content per unit of volume or weight, determined without regard to any nonwood elements, which is at least 40 percent greater per unit of volume or weight than the Btu content of the wood from which it is produced (determined immediately before the processing).

‘(B) Election. - A taxpayer shall elect, at such time and in such manner as the Secretary by regulations may prescribe, as to whether Btu content per unit shall be determined for purposes of this paragraph on a volume or weight basis. Any such election -

‘(i) shall apply to all production from a facility; and

‘(ii) shall be effective for the taxable year with respect to which it is made and for all subsequent taxable years and, once made, may be revoked only with the consent of the Secretary.’

Subsec. (c)(5). Pub. L. 101-508, Sec. 11816(b)(1), struck out par. (5) ‘Agricultural byproduct steam’ which read as follows: ‘Steam produced from solid agricultural byproducts which is used by the taxpayer in his trade or business shall be treated as having been sold by the taxpayer to an unrelated person on the date on which it is used.’

Subsec. (d)(4). Pub. L. 101-508, Sec. 11816(b)(2), amended par. (4) generally, striking out ‘Special rules applicable to’ before ‘Gas’ in heading, redesignating former subpar. (A) as par. (4), striking out subpar. (B) which related to the reference price and application of phaseout for Devonian shale, and making minor changes in phraseology.

Subsec. (d)(5), (6). Pub. L. 101-508, Sec. 11816(b)(3), (4), redesignated par. (6) as (5), substituted ‘subparagraph (C)’ for ‘subparagraph (C), (D), or (E)’, and struck out former par. (5) which read as follows: ‘In the case of a facility for the production of -

‘(A) qualifying processed wood fuel, or

‘(B) steam from solid agricultural byproducts, paragraph (1) of subsection (b) shall not apply with respect to the amount of the credit allowable under subsection (a) for fuels sold during the 3-year period beginning on the date the facility is placed in service.’

Subsec. (d)(7) to (9). Pub. L. 101-508, Sec. 11816(b)(3), redesignated pars. (7) to (9) as (6) to (8), respectively.

Subsec. (f). Pub. L. 101-508, Sec. 11816(b)(5), amended subsec. (f) generally, redesignating former par. (1) as subsec. (f), making minor changes in phraseology, substituting par. (2) for former par. (1)(B) which read as follows: ‘which are sold after December 31, 1979, and before January 1, 2003.’, and striking out former par. (2) which related to special rules applicable to qualified processed wood and solid agricultural byproduct steam.

Subsec. (f)(1)(A)(i), (ii). Pub. L. 101-508, Sec. 11501(a)(1), substituted ‘1993’ for ‘1991’.

Subsec. (f)(1)(B). Pub. L. 101-508, Sec. 11501(a)(2), substituted ‘2003’ for ‘2001’.

1988 - Subsec. (f)(1)(A)(i), (ii). Pub. L. 100-647, Sec. 6302, substituted ‘January 1, 1991’ for ‘January 1, 1990’.

1986 - Subsec. (b)(5). Pub. L. 99-514, Sec. 701(c)(3), amended par. (5) generally. Prior to amendment, par. (5) read as follows: ‘The credit allowed by subsection (a) for a taxable year shall not exceed the taxpayer’s tax liability for the taxable year (as defined in section 26(b)), reduced by the sum of the credits allowable under subpart A and sections 27 and 28.’

Subsec. (d)(8). Pub. L. 99-514, Sec. 1879(c)(1), inserted provision directing that a corporation which is a member of an affiliated group of corporations filing a consolidated return shall be treated as selling qualified fuels to an unrelated person if such fuels are sold to such person by another member of such group.

1984 - Pub. L. 98-369, Sec. 471(c), renumbered section 44D of this title as this section.

Subsec. (b)(1)(A). Pub. L. 98-369, Sec. 722(d)(1), substituted ‘in which the sale occurs’ for ‘in which the taxable year begins’.

Subsec. (b)(2). Pub. L. 98-369, Sec. 722(d)(2), substituted ‘in which the sale occurs’ for ‘in which a taxable year begins’.

Subsec. (b)(5). Pub. L. 98-369, Sec. 612(e)(1), substituted ‘section 26(b)’ for ‘section 25(b)’.

Pub. L. 98-369, Sec. 474(h), amended par. (5) generally, substituting ‘shall not exceed the taxpayer’s tax liability for the taxable year (as defined in section 25(b)), reduced by the sum of the credits allowable under subpart A and sections 27 and 28’ for ‘shall not exceed the tax imposed by this chapter for such taxable year, reduced by the sum of the credits allowable under a section of this subpart having a lower number or letter designation than this section, other than the credits allowable by sections 31, 39, and 43. For purposes of the preceding sentence, the term ‘tax imposed by this chapter’ shall not include any tax treated as not imposed by this chapter under the last sentence of section 53(a)’.

1983 - Subsec. (f)(1)(B), (2)(A)(i). Pub. L. 97-448, Sec. 202(a), substituted ‘December 31, 1979’ for ‘December 3, 1979’.

1982 - Subsec. (d)(9). Pub. L. 97-354, Sec. 5(a), substituted ‘Pass-thru in the case of estates and trusts’ for ‘Pass-through in the case of subchapter S corporations, etc.’ in par. heading, and substituted provisions relating to the applicability of rules similar to rules of subsec. (d) of section 52 for provisions relating to the applicability of rules similar to rules of subsecs. (d) and (e) of section 52.

1981 - Subsec. (e). Pub. L. 97-34, Sec. 611(a), substituted provisions respecting application with the Natural Gas Policy Act of 1978 for prior provision reading 'If the taxpayer makes an election under section 107(d) of the Natural Gas Policy Act of 1978 to have subsections (a) and (b) of section 107 of that Act, and subtitle B of title I of that Act, apply with respect to gas described in subsection (c)(1)(B)(i) produced from any well on a property, then the credit allowable by subsection (a) shall not be allowed with respect to any gas produced on that property.'

EFFECTIVE DATE OF 2005 AMENDMENTS

Section 1321(b) of Pub. L. 109-58 provided that: "The amendment made by this section shall apply to fuel produced and sold after December 31, 2005, in taxable years ending after such date."

Section 1322(c) of Pub. L. 109-58 provided that:

"(1) IN GENERAL. -- Except as provided in paragraph (2), the amendments made by this section shall apply to credits determined under the Internal Revenue Code of 1986 for taxable years ending after December 31, 2005.

"(2) SUBSECTION (b). -- The amendments made by subsection (b) shall take effect on the date of the enactment of this Act [Enacted: Aug. 8, 2005]."

EFFECTIVE DATE OF 1996 AMENDMENT

Section 1205(e) of Pub. L. 104-188 provided that: "The amendments made by this section shall apply to amounts paid or incurred in taxable years ending after June 30, 1996."

Section 1207(b) of Pub. L. 104-188 provided that: "The amendment made by this section shall take effect on the date of the enactment of this Act."

EFFECTIVE DATE OF 1990 AMENDMENT

Section 11501(b)(2) of Pub. L. 101-508 provided that: 'The amendment made by paragraph (1) (amending this section) shall apply to gas produced after December 31, 1990.'

Section 11501(c)(2) of Pub. L. 101-508 provided that: 'The amendment made by paragraph (1) (amending this section) shall apply to taxable years beginning after December 31, 1990.'

Section 11813(c) of Pub. L. 101-508 provided that:

'(1) In general. - Except as provided in paragraph (2), the amendments made by this section (enacting section 50 of this title and amending this section and sections 38, 42, 46 to 49, 52, 55, 108, 145, 147, 168, 170, 179, 196, 280F, 312, 465, 469, 861, 865, 1016, 1033, 1245, 1274A, 1371, 1388 and 1503 of this title) shall apply to property placed in service after December 31, 1990.

'(2) Exceptions. - The amendments made by this section shall not apply to -

'(A) any transition property (as defined in section 49(e) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of this Act (Nov. 5, 1990))),

'(B) any property with respect to which qualified progress expenditures were previously taken into account under section 46(d) of such Code (as so in effect), and

'(C) any property described in section 46(b)(2)(C) of such Code (as so in effect).'

Section 11821(a) of Pub. L. 101-508 provided that: 'Except as otherwise provided in this part, the amendments made by this part (part I (Sec. 11801-11821) of subtitle H of title XI of Pub. L. 101-508, see Tables for classification) shall take effect on the date of the enactment of this Act (Nov. 5, 1990).'

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by section 701(c)(3) of Pub. L. 99-514 applicable to taxable years beginning after Dec. 31, 1986, with certain exceptions and qualifications, see section 701(f) of Pub. L. 99-514, set out as an Effective Date note under section 55 of this title.

Section 1879(c)(2) of Pub. L. 99-514 provided that: 'The amendment made by paragraph (1) (amending this section) shall take effect as if included in the amendments made by section 231 of Public Law 96-223 (see Effective Date note below).'

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by section 474(h) of Pub. L. 98-369 applicable to taxable years beginning after Dec. 31, 1983, and to carrybacks from such years, see section 475(a) of Pub. L. 98-369, set out as a note under section 21 of this title.

Amendment by section 612(e)(1) of Pub. L. 98-369 applicable to interest paid or accrued after Dec. 31, 1984, on indebtedness incurred after Dec. 31, 1984, see section 612(g) of Pub. L. 98-369, set out as an Effective Date note under section 25 of this title.

Section 722(d)(3) of Pub. L. 98-369 provided that: 'The amendments made by this subsection (amending this section) shall apply to taxable years ending after December 31, 1979.'

EFFECTIVE DATE OF 1983 AMENDMENT

Amendment by Pub. L. 97-448 effective, except as otherwise provided, as if it had been included in the provision of the Crude Oil Windfall Profit Tax Act of 1980, Pub. L. 96-223 to which such amendment

relates, see section 203(a) of Pub. L. 97-448, set out as a note under section 6652 of this title.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-354 applicable to taxable years beginning after Dec. 31, 1982, see section 6(a) of Pub. L. 97-354, set out as an Effective Date note under section 1361 of this title.

EFFECTIVE DATE OF 1981 AMENDMENT

Section 611(b) of Pub. L. 97-34 provided that: ‘The amendment made by this section (amending this section) shall apply to taxable years ending after December 31, 1979.’

EFFECTIVE DATE

Section 231(c) of Pub. L. 96-223 provided that: ‘The amendments made by this section (enacting this section and amending section 6096 of this title) shall apply to taxable years ending after December 31, 1979.’

SAVINGS PROVISION

Section 11821(b) of Pub. L. 101-508 provided that: ‘If -

‘(1) any provision amended or repealed by this part (part I (Sec. 11801-11821) of subtitle H of title XI of Pub. L. 101-508, see Tables for classification) applied to -

‘(A) any transaction occurring before the date of the enactment of this Act (Nov. 5, 1990),

‘(B) any property acquired before such date of enactment, or

‘(C) any item of income, loss, deduction, or credit taken into account before such date of enactment, and

‘(2) the treatment of such transaction, property, or item under such provision would (without regard to the amendments made by this part) affect liability for tax for periods ending after such date of enactment, nothing in the amendments made by this part shall be construed to affect the treatment of such transaction, property, or item for purposes of determining liability for tax for periods ending after such date of enactment.’

APPLICABILITY OF CERTAIN AMENDMENTS BY PUB. L. 99-514 IN RELATION TO TREATY OBLIGATIONS OF UNITED STATES

For applicability of amendment by section 701(c)(3) of Pub. L. 99-514 notwithstanding any treaty obligation of the United States in effect on Oct. 22, 1986, with provision that for such purposes any amendment by title I of Pub. L. 100-647 be treated as if it had been included in the provision of Pub. L. 99-514 to which such amendment relates, see section 1012(aa)(2), (4) of Pub. L. 100-647, set out as a note under section 861 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 (Sec. 1101-1147 and 1171-1177) or title XVIII (Sec. 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.

Bloomberg Tax

MORE INFORMATION

- [About Us](#)
- [Contact Us](#)

24 / 7 Help Desk

- 1-833-697-9559
- help@bloombergtax.com

[Copyright](#) © 2023 Bloomberg Industry Group, Inc. All Rights Reserved

- [Terms & Conditions](#)
- [Privacy Policy](#)
- [Bloomberg.com](#)
- [Accessibility](#)