

105TH CONGRESS  
2D SESSION

# H. R. 3885

To waive interest and penalties for failures to file schedule D of Form 1040 with a timely filed return for 1997.

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IN THE HOUSE OF REPRESENTATIVES

MAY 14, 1998

Ms. RIVERS introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To waive interest and penalties for failures to file schedule D of Form 1040 with a timely filed return for 1997.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. WAIVER OF INTEREST AND PENALTIES ON**  
4                       **FAILURES TO FILE SCHEDULE D OF FORM**  
5                       **1040 WITH A TIMELY FILED RETURN FOR 1997.**

6       If—

7               (1) on or before the last day for filing the re-  
8       turn of tax imposed by chapter 1 of the Internal  
9       Revenue Code of 1986 for a taxable year ending  
10      during 1997, a taxpayer filed a Form 1040 (without

1 a schedule D) for such taxable year and included  
2 payment of the tax shown on such Form,

3 (2) the taxpayer is notified by the Internal Rev-  
4 enue Service that the taxpayer is being treated as  
5 not having filed a return for such year solely by rea-  
6 son of the taxpayer's failure to include a completed  
7 schedule D with such Form,

8 (3) the only items of capital gain or loss for  
9 such taxable year are capital gain dividends (as de-  
10 fined in sections 852(b)(3)(C) and 857(b)(3)(C) of  
11 such Code), and

12 (4) not later than 30 days after the date such  
13 notice is mailed (or, if later, the last day for filing  
14 such Form with extensions), such taxpayer files such  
15 Form with a completed schedule D and pays the tax  
16 shown on the return,

17 then no interest, penalty, addition to the tax, or additional  
18 amount shall be imposed solely by reason of the treatment  
19 described in paragraph (2) with respect to the tax shown  
20 on the return.

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