

Subsec. (c)(1). Pub. L. 105-34, §1601(a)(1), substituted “name, address, and phone number of the information contact” for “name and address”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105-34 effective as if included in the provisions of the Small Business Job Protection Act of 1996, Pub. L. 104-188, to which it relates, see section 1601(j) of Pub. L. 105-34, set out as a note under section 23 of this title.

EFFECTIVE DATE

Pub. L. 104-188, title I, §1116(b)(3), Aug. 20, 1996, 110 Stat. 1764, provided that: “The amendments made by this subsection [enacting this section and amending section 6724 of this title] shall apply to payments made after December 31, 1997.”

§ 6050S. Returns relating to higher education tuition and related expenses

(a) In general

Any person—

(1) which is an eligible educational institution which enrolls any individual for any academic period;

(2) which is engaged in a trade or business of making payments to any individual under an insurance arrangement as reimbursements or refunds (or similar amounts) of qualified tuition and related expenses; or

(3) except as provided in regulations, which is engaged in a trade or business and, in the course of which, receives from any individual interest aggregating \$600 or more for any calendar year on one or more qualified education loans,

shall make the return described in subsection (b) with respect to the individual at such time as the Secretary may by regulations prescribe.

(b) Form and manner of returns

A return is described in this subsection if such return—

(1) is in such form as the Secretary may prescribe, and

(2) contains—

(A) the name, address, and TIN of any individual—

(i) who is or has been enrolled at the institution and with respect to whom transactions described in subparagraph (B) are made during the calendar year, or

(ii) with respect to whom payments described in subsection (a)(2) or (a)(3) were made or received,

(B) the—

(i) aggregate amount of payments received for qualified tuition and related expenses with respect to the individual described in subparagraph (A) during the calendar year,

(ii) aggregate amount of grants received by such individual for payment of costs of attendance that are administered and processed by the institution during such calendar year,

(iii) amount of any adjustments to the aggregate amounts reported by the institution pursuant to clause (i) or (ii) with re-

spect to such individual for a prior calendar year,

(iv) aggregate amount of reimbursements or refunds (or similar amounts) paid to such individual during the calendar year by a person engaged in a trade or business described in subsection (a)(2), and

(v) aggregate amount of interest received for the calendar year from such individual,

(C) the employer identification number of the institution, and

(D) such other information as the Secretary may prescribe.

(c) Application to governmental units

For purposes of this section—

(1) a governmental unit or any agency or instrumentality thereof shall be treated as a person, and

(2) any return required under subsection (a) by such governmental entity shall be made by the officer or employee appropriately designated for the purpose of making such return.

(d) Statements to be furnished to individuals with respect to whom information is required

Every person required to make a return under subsection (a) shall furnish to each individual whose name is required to be set forth in such return under subparagraph (A) of subsection (b)(2) a written statement showing—

(1) the name, address, and phone number of the information contact of the person required to make such return, and

(2) the information required by subsection (b)(2).

The written statement required under the preceding sentence shall be furnished on or before January 31 of the year following the calendar year for which the return under subsection (a) was required to be made.

(e) Definitions

For purposes of this section, the terms “eligible educational institution” and “qualified tuition and related expenses” have the meanings given such terms by section 25A (without regard to subsection (g)(2) thereof), and except as provided in regulations, the term “qualified education loan” has the meaning given such term by section 221(d)(1).

(f) Returns which would be required to be made by 2 or more persons

Except to the extent provided in regulations prescribed by the Secretary, in the case of any amount received by any person on behalf of another person, only the person first receiving such amount shall be required to make the return under subsection (a).

(g) Regulations

The Secretary shall prescribe such regulations as may be necessary to carry out the provisions of this section. No penalties shall be imposed under part II of subchapter B of chapter 68 with respect to any return or statement required under this section until such time as such regulations are issued.

(Added and amended Pub. L. 105-34, title II, §§201(c)(1), 202(c), Aug. 5, 1997, 111 Stat. 804, 808;

Pub. L. 105-206, title III, §3712(a), (b), title VI, §6004(a)(2), July 22, 1998, 112 Stat. 781, 792; Pub. L. 107-16, title IV, §412(a)(2), June 7, 2001, 115 Stat. 63; Pub. L. 107-131, §1, Jan. 16, 2002, 115 Stat. 2410; Pub. L. 114-27, title VIII, §804(c), June 29, 2015, 129 Stat. 416; Pub. L. 114-113, div. Q, title II, §§211(b), 212(a), Dec. 18, 2015, 129 Stat. 3085, 3086.)

Editorial Notes

AMENDMENTS

2015—Subsec. (b)(2)(B)(i). Pub. L. 114-113, §212(a), struck out “or the aggregate amount billed” after “received”.

Subsec. (b)(2)(C), (D). Pub. L. 114-113, §211(b), added subpar. (C) and redesignated former subpar. (C) as (D).

Subsec. (d)(2). Pub. L. 114-27 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “the amounts described in subparagraph (B) of subsection (b)(2).”

2002—Subsec. (a)(1). Pub. L. 107-131, §1(a), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “which is an eligible educational institution—

“(A) which receives payments for qualified tuition and related expenses with respect to any individual for any calendar year; or

“(B) which makes reimbursements or refunds (or similar amounts) to any individual of qualified tuition and related expenses.”

Subsec. (b)(1). Pub. L. 107-131, §1(b)(1), inserted “and” at end.

Subsec. (b)(2)(A). Pub. L. 107-131, §1(b)(2), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “the name, address, and TIN of the individual with respect to whom payments or interest described in subsection (a) were received from (or were paid to).”

Subsec. (b)(2)(B). Pub. L. 107-131, §1(b)(4), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: “the—

“(i) aggregate amount of payments for qualified tuition and related expenses received with respect to the individual described in subparagraph (A) during the calendar year,

“(ii) the amount of any grant received by such individual for payment of costs of attendance and processed by the person making such return during such calendar year,

“(iii) aggregate amount of reimbursements or refunds (or similar amounts) paid to such individual during the calendar year by the person making such return, and and

“(iv) aggregate amount of interest received for the calendar year from such individual, and”.

Pub. L. 107-131, §1(b)(3), redesignated subpar. (C) as (B) and struck out former subpar. (B) which read as follows: “the name, address, and TIN of any individual certified by the individual described in subparagraph (A) as the taxpayer who will claim the individual as a dependent for purposes of the deduction allowable under section 151 for any taxable year ending with or within the calendar year, and”.

Subsec. (b)(2)(C), (D). Pub. L. 107-131, §1(b)(3), redesignated subpars. (C) and (D) as (B) and (C), respectively.

Subsec. (d). Pub. L. 107-131, §1(c)(1), struck out “or (B)” after “subparagraph (A)” in introductory provisions.

Subsec. (d)(2). Pub. L. 107-131, §1(c)(2), substituted “subparagraph (B)” for “subparagraph (C)”.

2001—Subsec. (e). Pub. L. 107-16 substituted “section 221(d)(1)” for “section 221(e)(1)”.

1998—Subsec. (a). Pub. L. 105-206, §6004(a)(2), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “Any person—

“(1) which is an eligible educational institution which receives payments for qualified tuition and related expenses with respect to any individual for any calendar year, or

“(2) which is engaged in a trade or business and which, in the course of such trade or business—

“(A) makes payments during any calendar year to any individual which constitutes reimbursements or refunds (or similar amounts) of qualified tuition and related expenses of such individual, or

“(B) except as provided in regulations, receives from any individual interest aggregating \$600 or more for any calendar year on 1 or more qualified education loans,

shall make the return described in subsection (b) with respect to the individual at such time as the Secretary may by regulations prescribe.”

Subsec. (b)(2)(C)(ii). Pub. L. 105-206, §3712(a)(1), added cl. (ii). Former cl. (ii) redesignated (iii).

Subsec. (b)(2)(C)(iii). Pub. L. 105-206, §3712(a)(1), (2), redesignated cl. (ii) as (iii) and inserted “by the person making such return” after “year”. Former cl. (iii) redesignated (iv).

Subsec. (b)(2)(C)(iv). Pub. L. 105-206, §3712(a)(1), (3), redesignated cl. (iii) as (iv) and inserted “and” at end.

Subsec. (d)(2). Pub. L. 105-206, §3712(b)(1), struck out “aggregate” before “amounts”.

Subsec. (e). Pub. L. 105-206, §3712(b)(2), inserted “(without regard to subsection (g)(2) thereof)” after “section 25A”.

1997—Subsec. (a)(2). Pub. L. 105-34, §202(c)(1), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “which is engaged in a trade or business and which, in the course of such trade or business, makes payments during any calendar year to any individual which constitute reimbursements or refunds (or similar amounts) of qualified tuition and related expenses of such individual.”

Subsec. (b)(2)(A). Pub. L. 105-34, §202(c)(2)(A), inserted “or interest” after “payments”.

Subsec. (b)(2)(C)(iii). Pub. L. 105-34, §202(c)(2)(B), added cl. (iii).

Subsec. (e). Pub. L. 105-34, §202(c)(3), inserted at end “, and except as provided in regulations, the term ‘qualified education loan’ has the meaning given such term by section 221(e)(1)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114-113, div. Q, title II, §211(c)(2), Dec. 18, 2015, 129 Stat. 3085, provided that: “The amendments made by subsection (b) [amending this section] shall apply to expenses paid after December 31, 2015, for education furnished in academic periods beginning after such date.”

Pub. L. 114-113, div. Q, title II, §212(b), Dec. 18, 2015, 129 Stat. 3086, provided that: “The amendments made by subsection (b) [probably should be “subsection (a)”], amending this section] shall apply to expenses paid after December 31, 2015, for education furnished in academic periods beginning after such date.”

Amendment by Pub. L. 114-27 applicable to taxable years beginning after June 29, 2015, see section 804(d) of Pub. L. 114-27, set out as a note under section 25A of this title.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-131, §2, Jan. 16, 2002, 115 Stat. 2411, provided that: “The amendments made by section 1 [amending this section] shall apply to expenses paid or assessed after December 31, 2002 (in taxable years ending after such date), for education furnished in academic periods beginning after such date.”

EFFECTIVE DATE OF 2001 AMENDMENT

Amendment by Pub. L. 107-16 applicable with respect to any loan interest paid after Dec. 31, 2001, in taxable years ending after such date, see section 412(a)(3) of Pub. L. 107-16, set out as a note under section 221 of this title.

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-206, title III, §3712(c), July 22, 1998, 112 Stat. 782, provided that: “The amendments made by

this section [amending this section] shall apply to returns required to be filed with respect to taxable years beginning after December 31, 1998.”

Amendment by section 6004(a)(2) of Pub. L. 105-206 effective, except as otherwise provided, as if included in the provisions of the Taxpayer Relief Act of 1997, Pub. L. 105-34, to which such amendment relates, see section 6024 of Pub. L. 105-206, set out as a note under section 1 of this title.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by section 202(c) of Pub. L. 105-34 applicable to any qualified education loan (as defined in section 221(e)(1) of this title) incurred on, before, or after Aug. 5, 1997, but only with respect to any loan interest payment due and paid after Dec. 31, 1997, and to the portion of the 60-month period referred to in section 221(d) of this title after Dec. 31, 1997, see section 202(e) of Pub. L. 105-34, set out as a note under section 62 of this title.

EFFECTIVE DATE

Section applicable to expenses paid after Dec. 31, 1997 (in taxable years ending after such date) for education furnished in academic periods beginning after such date, see section 201(f) of Pub. L. 105-34, set out as a note under section 25A of this title.

§ 6050T. Returns relating to credit for health insurance costs of eligible individuals

(a) Requirement of reporting

Every person who is entitled to receive payments for any month of any calendar year under section 7527 (relating to advance payment of credit for health insurance costs of eligible individuals) with respect to any certified individual (as defined in section 7527(c)) shall, at such time as the Secretary may prescribe, make the return described in subsection (b) with respect to each such individual.

(b) Form and manner of returns

A return is described in this subsection if such return—

- (1) is in such form as the Secretary may prescribe, and
- (2) contains—
 - (A) the name, address, and TIN of each individual referred to in subsection (a),
 - (B) the number of months for which amounts were entitled to be received with respect to such individual under section 7527 (relating to advance payment of credit for health insurance costs of eligible individuals),
 - (C) the amount entitled to be received for each such month, and
 - (D) such other information as the Secretary may prescribe.

(c) Statements to be furnished to individuals with respect to whom information is required

Every person required to make a return under subsection (a) shall furnish to each individual whose name is required to be set forth in such return a written statement showing—

- (1) the name and address of the person required to make such return and the phone number of the information contact for such person, and
- (2) the information required to be shown on the return with respect to such individual.

The written statement required under the preceding sentence shall be furnished on or before

January 31 of the year following the calendar year for which the return under subsection (a) is required to be made.

(Added Pub. L. 107-210, div. A, title II, § 202(c)(1), Aug. 6, 2002, 116 Stat. 962.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 107-210, div. A, title II, § 202(e), Aug. 6, 2002, 116 Stat. 963, provided that: “The amendments made by this section [enacting this section and section 7527 of this title and amending sections 6103, 6724, and 7213A of this title] shall take effect on the date of the enactment of this Act [Aug. 6, 2002].”

CONSTRUCTION

Nothing in title II of Pub. L. 107-210 or the amendments by that title, other than provisions relating to COBRA continuation coverage and reporting requirements, to be construed as creating a new mandate on any party regarding health insurance coverage, see section 203(f) of Pub. L. 107-210, set out as a note under section 35 of this title.

§ 6050U. Charges or payments for qualified long-term care insurance contracts under combined arrangements

(a) Requirement of reporting

Any person who makes a charge against the cash value of an annuity contract, or the cash surrender value of a life insurance contract, which is excludible from gross income under section 72(e)(11) shall make a return, according to the forms or regulations prescribed by the Secretary, setting forth—

- (1) the amount of the aggregate of such charges against each such contract for the calendar year,
- (2) the amount of the reduction in the investment in each such contract by reason of such charges, and
- (3) the name, address, and TIN of the individual who is the holder of each such contract.

(b) Statements to be furnished to persons with respect to whom information is required

Every person required to make a return under subsection (a) shall furnish to each individual whose name is required to be set forth in such return a written statement showing—

- (1) the name, address, and phone number of the information contact of the person making the payments, and
- (2) the information required to be shown on the return with respect to such individual.

The written statement required under the preceding sentence shall be furnished to the individual on or before January 31 of the year following the calendar year for which the return under subsection (a) was required to be made.

(Added Pub. L. 109-280, title VIII, § 844(d)(1), Aug. 17, 2006, 120 Stat. 1012.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section applicable to contracts issued after Dec. 31, 1996, but only with respect to taxable years beginning after Dec. 31, 2009, and to charges made after Dec. 31, 2009, see section 844(g)(1), (3) of Pub. L. 109-280, set out