

116TH CONGRESS
1ST SESSION

H. R. 2985

To amend the Internal Revenue Code of 1986 to clarify that payment of taxes on deferred foreign income in installments shall not prevent credit or refund of overpayments or increase estimated taxes.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2019

Mr. ESTES (for himself and Mr. SCHNEIDER) introduced the following bill;
which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to clarify that payment of taxes on deferred foreign income in installments shall not prevent credit or refund of overpayments or increase estimated taxes.

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. INSTALLMENTS NOT TO PREVENT CREDIT OR**
4 **REFUND OF OVERPAYMENTS OR INCREASE**
5 **ESTIMATED TAXES.**

6 (a) IN GENERAL.—Section 965(h) of the Internal
7 Revenue Code of 1986 is amended by adding at the end
8 the following new paragraph:

1 “(7) INSTALLMENTS NOT TO PREVENT CREDIT
2 OR REFUND OF OVERPAYMENTS OR INCREASE ESTI-
3 MATED TAXES.—If an election is made under para-
4 graph (1) to pay the net tax liability under this sec-
5 tion in installments—

6 “(A) no installment of such net tax liabil-
7 ity shall—

8 “(i) in the case of a request for credit
9 or refund, be taken into account as a li-
10 ability for purposes of determining whether
11 an overpayment exists for purposes of sec-
12 tion 6402 before the date on which such
13 installment is due, or

14 “(ii) for purposes of sections 6425,
15 6654, and 6655, be treated as a tax im-
16 posed by section 1, section 11, or sub-
17 chapter L of chapter 1, and

18 “(B) the first sentence of section 6403
19 shall not apply with respect to any such install-
20 ment.”.

21 (b) LIMITATION ON PAYMENT OF INTEREST.—In the
22 case of the portion of any overpayment which exists by
23 reason of the application of section 965(h)(7) of the Inter-
24 nal Revenue Code of 1986 (as added by this section)—

1 (1) if credit or refund of such portion is made
2 on or before the date which is 45 days after the date
3 of the enactment of this Act, no interest shall be al-
4 lowed or paid under section 6611 of such Code with
5 respect to such portion; and

6 (2) if credit or refund of such portion is made
7 after the date which is 45 days after the date of the
8 enactment of this Act, no interest shall be allowed
9 or paid under section 6611 of such Code with re-
10 spect to such portion for any period before the date
11 of the enactment of this Act.

12 (c) EFFECTIVE DATE.—The amendment made by
13 subsection (a) shall take effect as if included in section
14 14103 of Public Law 115–97.

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