

## 26 CFR 301.9100-8 - Time and Manner of Making Certain Elections Under the Technical and Miscellaneous Revenue Act of 1988

January 2014

Section of act	Section of code	Description of election (From the CFR)	# Respondents	# Responses Per Respondent	Annual Responses	Hours Per Response	Total Burden
1002(a)(11) (A)	168(b)(2)	Election to depreciate property using the 150 percent declining balance method for one or more classes of property for any taxable year.	200	1	200	0.25	50
1002(a)(23) (B)	168(d)(3)(B)	Election to disregard property placed in service and disposed of in the same taxable year in applying the 40 percent test to determine if the mid-quarter convention applies.	200	1	200	0.25	50
1002(l)(1)(A)	42(b)(2)(A)(ii)	Election to use the applicable percentage for a month other than the month in which a building is placed in service.	200	1	200	0.25	50
1002(l)(2)(B)	42(f)(1)	Election to defer the beginning of the credit period for the low-income housing credit.	200	1	200	0.25	50
1002(l)(4)	42(d)(3)(B)	Election to exclude excess costs of disproportionate units.	200	1	200	0.25	50
1002(l)(12)	42(g)(3)(B)(i)	Election to aggregate buildings in a low-income housing project to satisfy the minimum set-aside requirement elected under section 42(g)(1) of the Code.	200	1	200	0.25	50
1002(l)(19) (B)	42(i)(2)(B)	Election to reduce eligible basis by outstanding balance of Federal loan subsidy or proceeds of tax-exempt obligation.	200	1	200	0.25	50
1006(d)(15)	382	As a general rule, a firm commitment underwriter of an offering of a loss corporation's stock made before September 19, 1986 (January 1, 1989, for an institution described in section 591) is not treated as acquiring underwritten stock if it is disposed of pursuant to the offering on or before 60 days after the initial offering. The loss corporation may elect not to apply the general rule.	40	1	40	1	40
1006(j)(1)(C)	171(e)	Election to reduce interest payments received on certain bonds by allocable bond premium in accordance with section 171(e) of the Code.	200	1	200	0.25	50
1006(t)(18) (B)	860F(e)	Election not treat a REMIC (real estate mortgage investment conduit) as a partnership for purposes of determining who may sign the REMIC return.	200	1	200	0.25	50
1008(c)(4)(A)	460(b)(3)	Election not to discount an amount received or accrued after completion of a contract to its value as of the completion of the contract for purposes of applying the look-back method.	200	1	200	0.25	50
1009(d)	165(1)	Election to treat amount of reasonably estimated loss on a deposit in an insolvent or bankrupt qualified financial institution as a loss described in either section 165(c)(2) or (3) of the Code and incurred in the taxable year for which the election is made.	15,000	1	15000	0.25	3750
1010(f)(1)	831(b)(2)(A)	Election for insurance companies other than life to use alternative tax under certain circumstances.	200	1	200	0.25	50
1010(f)(2)	835(a)	Election for an interinsurer or reciprocal underwriter mutual insurance company subject to section 831(a) of the Code to be subject to section 835(b) limitation.	200	1	200	0.25	50
1011(a)	219(g)(4)	Election to treat a married individual as not married for purposes of certain contributions made to an individual retirement plan for 1987.	200	1	200	0.25	50
1012(d)(4)	865(f)	Election to treat an affiliate and its wholly-owned subsidiaries as one corporation.	200	1	200	0.25	50
1012(d)(6)	865(g)(3)	Election to treat a corporation and its wholly-owned subsidiaries as one corporation.	200	1	200	0.25	50
1012(d)(8)	865(h)(2)	Election to apply treaty source rule to treat gain from a sale of an intangible or of stock in a foreign corporation as foreign source.	200	1	200	0.25	50
1012(1)(2)	245(a)(10)	Election to apply treaty source rules to treat dividends received from a qualified 10-percent owned foreign corporation as foreign source.	200	1	200	0.25	50

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1012(n)(3)	936	Election to reduce the amount of qualified possession source investment income for certain corporations that fail the 75 percent active trade or business income requirement of section 936(a)(2)(B) of the Code due to section 1231(d) of the 1986 Act.	200	1	200	0.25	50
1012(bb)(4)	904(g)(10)	Election to apply treaty source rules (in lieu of rules in section 904(g) of the Code) to treat an amount derived from a U.S.-owned foreign corporation as foreign source.	25	1	25	0.25	6
1014(c)(1)	664(b)	Election by a beneficiary of a trust to which section 664 of the Code applies to obtain certain benefits of section 1403(c)(2) of the 1986 Act, relating to the ratable inclusion of certain income over 4 taxable years.	200	1	200	0.25	50
1014(c)(2)	652, 662	Election by any trust beneficiary (other than a beneficiary of a trust to which section 664 of the Code applies), to waive the benefits of section 1403(c)(2) of the 1986 Act.	200	1	200	0.25	50
1014(d)(3)(B), 1014(d)(4).	643(g)(2)	Election to have certain payments of estimated tax made by a trust or estate treated as paid by the beneficiary.	200	1	200	0.25	50
2004(j)(1)	1503(e)	Election, made by an affiliated group filing a consolidated return upon the disposition of intragroup stock on or before December 15, 1987, to reduce the disposing member's basis in the indebtedness of the subsidiary member whose stock has been disposed of, in lieu of taking into account as negative basis the "unrecaptured amount" allocable to the stock disposed of.	50	1	50	0.25	13
2004(m)(5)	384	Election to have amendments (to the limitation on use of preacquisition losses to offset corporate built-in gains) made by section 2004(m) of the Act not apply in any case where the acquisition date is before March 31, 1988.	50	1	50	0.25	13
4004(a)	42(j)(5)(B)	Election to have certain partnerships not treated as the taxpayer to which the low-income housing credit is allowable.	200	1	200	0.25	50
4008(b)	41(h)	Election to have the research credit under section 41 of the Code not apply for any taxable year.	200	1	200	0.25	50
5012(e)(4)	7002A(c)(3), 72(e)	Election to recognize gain on exchange of life insurance contracts to avoid the characterization of life insurance contract as a modified endowment contract.	200	1	200	0.25	50
5031(a)	7520(a)	Election to use 120 percent of the Applicable Federal Midterm rate for either of the two months preceding a valuation date in valuing certain interests transferred to charity for which an income, estate, or gift tax charitable deduction is allowable.	2,000	1	2000	0.45	900
5033(a)(2)	2056(d)	Election to treat a trust for the benefit of a surviving spouse who is not a U.S. citizen as a Qualified Domestic Trust, transfers to which are deductible under section 2056(a) of the Code.	200	1	200	0.25	50
6006(a)	1(i)(7)	Election to include certain unearned income of a child on the parent's return.	200	1	200	0.25	50
6026(a)	263A(h)	Election for certain authors, photographers, and artists to apply the exemption from the uniform capitalization rules for the first taxable year ending after November 10, 1988.	200	1	200	0.25	50
6026(b)(1)	263A(d)(1)	Revocation of prior election under section 263A(d)(3) of the Code (relating to the capitalization of certain expenses for the production of animals).	200	1	200	0.25	50
6026(c)	263A(d)(3)(B)	Election by eligible taxpayers not to have section 263A of the Code apply to costs incurred in the planting, cultivation, maintenance, or development of pistachio trees.	200	1	200	0.25	50
6152(a), 6152(c)(3)	2056(b)(7)(C)(ii)	Election to treat a survivor annuity payable to a surviving spouse that is otherwise deductible under section 2056(b)(7)(C) of the Code as a nondeductible terminable interest.	200	1	200	0.25	50
6152(b), 6152(c)(3)	2523(f)(6)(B)	Election to treat a joint and survivor annuity in which the donee spouse has a survivorship interest that is otherwise deductible under section 2523(f)(6)(A) of the Code as a nondeductible terminable interest.	200	1	200	0.25	50

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6152(c)(2)	2056(b)(7)(C)(ii), 2523(f)(6)(B)	Election to treat as deductible for estate or gift tax purposes under sections 2056(b)(7)(C) or 2523(f)(6) of the Code, respectively, a survivor's annuity payable to a surviving spouse reported on an estate or gift tax return filed prior to November 11, 1988, as a nondeductible terminable interest.	100	1	100	2	200
6180(b)(1)	142(f)(2)	Election by a nongovernmental owner of a highspeed intercity rail facility not to claim any deduction under section 167 or 168 of the Code and any credit under subtitle A, in order for the facility to be described in section 142(a)(11).	200	1	200	0.25	50
6181(c)(2)	148(f)(4)(A)	One-time election by the issuer of tax-exempt bonds outstanding as of November 11, 1988, other than private activity bonds, to apply the amendments made by section 148(b) of the Code to amounts deposited after such date in bona fide debt service funds.	200	1	200	0.25	50
6277	382, 383	Election by a loss corporation that otherwise qualifies for the exception of section 621(f)(5) of the 1986 Act not to apply that exception. That exception provides for the inapplicability, in certain situations, of the amendments to sections 382 and 383 of the Code made by the 1986 Act (relating to limitation of corporate attributes after an ownership change). That exception applies with respect to a loss corporation's ownership change resulting from a reorganization described in section 368(a)(1)(G) of the Code or from an exchange of debt for stock in a Title 11 or similar case if a petition was filed with the court before August 14, 1986.	40	1	40	1	40
8007(a)(1)	3127	Election to be exempted from the taxes imposed by sections 3101 and 3111 of the Code.	200	1	200	0.25	50
Total			24105	1	24105	0.276343082348	6661.25