

Sin List Provisions Visual Map Dec. 2018

US Code Title 26 (Internal Revenue Code) Sec. 144

Qualified small issue bond

26 USC 144(a)(8)(B)

“(8) Restrictions on financing certain facilities

This subsection shall not apply to an issue if-

(A) more than 25 percent of the net proceeds of the issue are to be used to provide a facility the primary purpose of which is one of the following: retail food and beverage services, automobile sales or service, or the provision of recreation or entertainment; or

(B) any portion of the proceeds of the issue is to be used to provide the following: any private or commercial golf course, country club, massage parlor, tennis club, skating facility (including roller skating, skateboard, and ice skating), racquet sports facility (including any handball or racquetball court), hot tub facility, suntan facility, or racetrack.”

Qualified redevelopment bond

26 USC 144(c)(6)(B)

“(6) Use of proceeds requirements

The use of the proceeds of an issue meets the requirements of this paragraph if-

(A) not more than 25 percent of the net proceeds of such issue are to be used to provide (including the provision of land for) facilities described in subsection (a)(8) or section 147(e), and

(B) no portion of the proceeds of such issue is to be used to provide (including the provision of land for) any private or commercial golf course, country club, massage parlor, hot tub facility, suntan facility, racetrack or other facility used for gambling, or any store the principal business of which is the sale of alcoholic beverages for consumption off premises.”

Enterprise zone business defined

[1397C(d)(5)(A)]

A business consisting of the operation of a facility in 144(c)(6)(B) is not a “qualified business.”

Special rules for capital gains invested in opportunity zones

[1400Z-2(d)(3)(A)]

Businesses in 144(c)(6)(B) are not “qualified opportunity zone businesses.”

Empowerment zone employment credit

[1396(d)(2)(D)]

Individuals employed (by the employer) at a 144(c)(6)(B) facility are not “qualified zone employees.”

Tax-exempt enterprise zone facility bonds

[1394(b)(3)]

“Enterprise zone business” has same meaning as in 1397C. Reduced requirements after testing period, except businesses disqualified by 1397C(d).

New markets tax credit

[45D(d)(3)]

A “qualified business” has the same meaning given in 1397C(d).