

Qualified Opportunity Zones

UT Law CLE 28th Annual LLCs, LPs and Partnerships

Jul 18, 2019 3:30 PM

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Core Terms

- **QOZ**: qualified opportunity zone
 - Designated “low-income community” census tracts.
- **QOF**: qualified opportunity fund
 - Fund, qualifying investment in which creates benefits for QOZ investment.
- **QOZB**: qualified opportunity zone business
 - QOZ local business in which QOFs can invest.
- **QOZBP**: qualified opportunity zone business property
 - Tangible property representing QOF/QOZB investment in a QOZ.

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Sources of Law

- Pub. L. 115-97, Title I, Section 13823(a), 131 Stat. 2054 (12/22/2017)
 - IRC § 1400Z-1: designation of QOZs
 - IRC § 1400Z-2: defines QOZ benefits (and QOFs, QOZBs, QOZBP, etc.)
- Proposed Regulations:
 - REG-115420-18 (10/29/2018) and
 - REG-120186-18 (5/1/2019)
- Other Guidance:
 - Rev. Proc. 2008-16: QOZ designation process
 - IRS Notice 2018-48: list of designated QOZs
 - Rev. Proc. 2008-29: land and improvements as QOZBP
 - IRS Form 8996: QOF self-certification and penalty tax
 - IRS Form 8949: use a “Z” to identify capital gains deferred QOF investment

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QOZs

- Designated under IRC § 1400Z-1.
- Designated by the states from their existing “low-income communities” for the New Markets Tax Credit under IRC § 45D. Maximum 25% (or 25 if larger) of those low-income communities could be designated.
- Designations last 10 years.
- List published in Notice 2018-48.
- Interactive map provided by CDFI:
https://www.cims.cdfifund.gov/preparation/?config=config_nmtc.xml

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First appeared as part of the conference materials for the
28th Annual LLCs, LPs and Partnerships session

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