

Part I. Rulings and Decisions Under the Internal Revenue Code of 1986

Section 42.—Low-Income Housing Credit

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of July 2003. See Rev. Rul. 2003-71, page 1.

Section 103.—Interest on State and Local Bonds

The Service clarifies the answers to six questions concerning tax-exempt qualified New York Liberty Bonds issued under section 1400L(d). See Notice 2003-40, page 10.

Section 280G.—Golden Parachute Payments

Federal short-term, mid-term, and long-term rates are set forth for the month of July 2003. See Rev. Rul. 2003-71, page 1.

Section 382.—Limitation on Net Operating Loss Carryforwards and Certain Built-In Losses Following Ownership Change

The adjusted applicable federal long-term rate is set forth for the month of July 2003. See Rev. Rul. 2003-71, page 1.

Section 412.—Minimum Funding Standards

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of July 2003. See Rev. Rul. 2003-71, page 1.

Section 446.—General Rule for Methods of Accounting

26 CFR 1.446-1: General rule for methods of accounting.

For certain accounting method changes within the inventory price index computation (IPIC) method of accounting for last-in, first-out (LIFO) inventories, the 5-year prior change scope limitation in section 4.02(6) of Rev. Proc. 2002-9,

2002-1 C.B. 327, is waived. See Rev. Proc. 2003-45, page 11.

Section 467.—Certain Payments for the Use of Property or Services

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of July 2003. See Rev. Rul. 2003-71, page 1.

Section 468.—Special Rules for Mining and Solid Waste Reclamation and Closing Costs

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of July 2003. See Rev. Rul. 2003-71, page 1.

Section 482.—Allocation of Income and Deductions Among Taxpayers

Federal short-term, mid-term, and long-term rates are set forth for the month of July 2003. See Rev. Rul. 2003-71, page 1.

Section 483.—Interest on Certain Deferred Payments

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of July 2003. See Rev. Rul. 2003-71, page 1.

Section 642.—Special Rules for Credits and Deductions

Federal short-term, mid-term, and long-term rates are set forth for the month of July 2003. See Rev. Rul. 2003-71, page 1.

Section 807.—Rules for Certain Reserves

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the

month of July 2003. See Rev. Rul. 2003-71, page 1.

Section 846.—Discounted Unpaid Losses Defined

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of July 2003. See Rev. Rul. 2003-71, page 1.

Section 1274.—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property

(Also Sections 42, 280G, 382, 412, 467, 468, 482, 483, 642, 807, 846, 1288, 7520, 7872.)

Federal rates; adjusted federal rates; adjusted federal long-term rate and the long-term exempt rate. For purposes of sections 382, 1274, 1288, and other sections of the Code, tables set forth the rates for July 2003.

Rev. Rul. 2003-71

This revenue ruling provides various prescribed rates for federal income tax purposes for July 2003 (the current month). Table 1 contains the short-term, mid-term, and long-term applicable federal rates (AFR) for the current month for purposes of section 1274(d) of the Internal Revenue Code. Table 2 contains the short-term, mid-term, and long-term adjusted applicable federal rates (adjusted AFR) for the current month for purposes of section 1288(b). Table 3 sets forth the adjusted federal long-term rate and the long-term tax-exempt rate described in section 382(f). Table 4 contains the appropriate percentages for determining the low-income housing credit described in section 42(b)(2) for buildings placed in service during the current month. Table 5 contains the federal rate for determining the present value of annuity, an interest for life or for a term of years, or a remainder or a reversionary interest for purposes of section 7520. Finally, Table 6 contains the blended annual rate for 2003 for purposes of section 7872.

REV. RUL. 2003-71 TABLE 1

Applicable Federal Rates (AFR) for July 2003

	<i>Period for Compounding</i>			
	<i>Annual</i>	<i>Semiannual</i>	<i>Quarterly</i>	<i>Monthly</i>
<i>Short-Term</i>				
AFR	1.23%	1.23%	1.23%	1.23%
110% AFR	1.35%	1.35%	1.35%	1.35%
120% AFR	1.49%	1.48%	1.48%	1.48%
130% AFR	1.61%	1.60%	1.60%	1.59%
<i>Mid-Term</i>				
AFR	2.55%	2.53%	2.52%	2.52%
110% AFR	2.80%	2.78%	2.77%	2.76%
120% AFR	3.06%	3.04%	3.03%	3.02%
130% AFR	3.32%	3.29%	3.28%	3.27%
150% AFR	3.84%	3.80%	3.78%	3.77%
175% AFR	4.48%	4.43%	4.41%	4.39%
<i>Long-Term</i>				
AFR	4.17%	4.13%	4.11%	4.09%
110% AFR	4.59%	4.54%	4.51%	4.50%
120% AFR	5.02%	4.96%	4.93%	4.91%
130% AFR	5.44%	5.37%	5.33%	5.31%

REV. RUL. 2003-71 TABLE 2

Adjusted AFR for July 2003

	<i>Period for Compounding</i>			
	<i>Annual</i>	<i>Semiannual</i>	<i>Quarterly</i>	<i>Monthly</i>
Short-term adjusted AFR	1.09%	1.09%	1.09%	1.09%
Mid-term adjusted AFR	2.29%	2.28%	2.27%	2.27%
Long-term adjusted AFR	4.05%	4.01%	3.99%	3.98%

REV. RUL. 2003-71 TABLE 3

Rates Under Section 382 for July 2003

Adjusted federal long-term rate for the current month	4.05%
Long-term tax-exempt rate for ownership changes during the current month (the highest of the adjusted federal long-term rates for the current month and the prior two months.)	4.45%

REV. RUL. 2003-71 TABLE 4

Appropriate Percentages Under Section 42(b)(2) for July 2003

Appropriate percentage for the 70% present value low-income housing credit	7.78%
Appropriate percentage for the 30% present value low-income housing credit	3.33%

REV. RUL. 2003-71 TABLE 5

Rate Under Section 7520 for July 2003

Applicable federal rate for determining the present value of an annuity, an interest for life or a term of years, or a remainder or reversionary interest	3.0%
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REV. RUL. 2003-71 TABLE 6

Blended Annual Rate for 2003

Section 7872(e)(2) blended annual rate for 2003	1.52%
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Section 1288.—Treatment of Original Issue Discounts on Tax-Exempt Obligations

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of July 2003. See Rev. Rul. 2003-71, page 1.

Section 1400L.—Tax Benefits for New York Liberty Zone

The Service clarifies the answers to six questions concerning tax-exempt qualified New York Liberty Bonds issued under section 1400L(d).

See Notice 2003-40, page 10.

Section 4980B.—Failure to Satisfy Continuation Coverage Requirements of Group Health Plans

26 CFR 54.4980B-2: Plans that must comply. (Also section 7805; § 54.4980B-9.)

Small employer plan exception to the COBRA continuation coverage requirements in mergers and acquisitions. Guidance is provided on when a group health plan maintained by an employer that grows to have more than 20 employees through

a stock or asset acquisition is required to begin complying with the COBRA continuation coverage requirements.

Rev. Rul. 2003-70

ISSUES

1. If, as a result of a transfer of stock, two previously separate employers are treated as a single employer for purposes of the COBRA continuation coverage requirements, how is the number of employees who were employed by the combined entity during the preceding calendar year determined for purposes of applying to the combined entity the exception from the