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IRS allows fax transmission of Form 8023 for section 338 elections by corporations making qualified stock purchases (COVID-19)

The IRS issued a set of “frequently asked questions” (FAQs) announcing a temporary procedure for the fax transmission of Form 8023 on a webpage devoted to guidance offered as relief in response to the coronavirus (COVID-19) pandemic.

According to the [FAQs](#), the IRS is implementing the temporary procedure for fax transmission of Form 8023, *Elections Under Section 338 for Corporations Making Qualified Stock Purchases*. The IRS will now accept taxpayers’ completed Form 8023 sent by fax to +1 844 253 9765. Alternatively, Form 8023 may be mailed to the IRS.

The IRS cautioned that the fax number was not for general use and is not to be used for anything other than transmitting Form 8023 (and accompanying materials). The FAQs direct taxpayers to:

- Send only one Form 8023 per fax
- Be aware of the file-size limitation of a maximum of 100 pages

Text of the FAQs is provided below (hyperlinks have been removed):

1. How was Form 8023 submitted to the IRS prior to this change?

Previously, taxpayers mailed the paper Form 8023 to the IRS.

2. If I previously mailed in my Form 8023, can I now fax it to 844-253-9765?

No. If you mailed the paper Form 8023 in the 2021 calendar year, you should not fax a second copy.

3. Will the IRS accept Form 8023 without signature?

No. You must sign Form 8023 before faxing it to the IRS.

3. [sic] Will the IRS provide a fax confirmation or receipt?

No. The IRS will not provide a fax confirmation of receipt of Form 8023. Please check your fax transmission log to verify that all Form 8023 pages were sent. Keep a copy of your fax transmission log as your confirmation of receipt.

4. Where can I go for more information on Form 8023, Elections Under Section 338 for Corporations Making Qualified Stock Purchases?

Refer to the Instructions for Form 8023.

5. What should I include on the fax cover sheet?

The fax coversheet should include the following:

- Subject: Form 8023
- Sender's name, title, phone number, address
- Taxpayer's name
- Date
- Number of pages faxed (including cover sheet)

Do not include sensitive information on the cover sheet, such as Employer Identification Number or Social Security number.

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