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Proposed regulations: Amendments to consolidated return regulations to reflect statutory changes, modernize language, and enhance clarity

The U.S. Treasury Department and IRS today released for publication in the Federal Register proposed regulations (REG-134420-10) containing proposed amendments to regulations applicable to affiliated groups of corporations that file consolidated federal income tax returns.

The [proposed regulations](#) [PDF 326 KB] (26 pages) would modify those regulations to reflect statutory changes, update language to remove antiquated or regressive terminology, and enhance clarity.

In addition, the proposed regulations partially or completely withdraw the following notices of proposed rulemaking (NPRM) as of the date the proposed regulations are published in the Federal Register, which is scheduled to be August 7, 2023:

- NPRMs published on November 14, 2001 (66 FR 57021), March 12, 2002 (67 FR 11070), May 31, 2002 (67 FR 38039), May 31, 2002 (67 FR 38040), March 14, 2003 (68 FR 12324), May 7, 2003 (68 FR 24404), March 18, 2004 (69 FR 12811), August 18, 2004 (69 FR 51209), August 26, 2004 (69 FR 52462), April 10, 2007 (72 FR 17814), and June 23, 2010 (75 FR 35710) are completely withdrawn.
- NPRMs published on December 30, 1992 (57 FR 62251-01), March 18, 2004 (69 FR 12281), and June 11, 2015 (80 FR 33211) are partially withdrawn.

Those NPRMs are being withdrawn because they have been incorporated, in revised form, into the proposed regulations or into final regulations, they became obsolete when proposed regulations provided in a subsequent, discrete NPRM were adopted as final regulations, or they cross-referenced temporary regulations (the text of which served as the text for the proposed regulations) that have been removed, have expired, or otherwise have become obsolete.

Finally, the proposed regulations propose to withdraw certain temporary regulations that no longer have practical applicability to taxpayers or would be replaced by final regulations proposed by the proposed regulations.

The proposed regulations are proposed to apply to consolidated return years for which the due date of the return (without regard to extensions) is after the date the proposed regulations are finalized.

Comments on the proposed regulations, as well as requests for a public hearing, are due by November 6, 2023.

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