



Note: *The draft you are looking for begins on the next page.*

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Almost every form and publication has a page on IRS.gov with a friendly shortcut. For example, the Form 1040 page is at [IRS.gov/Form1040](https://www.irs.gov/Form1040); the Pub. 501 page is at [IRS.gov/Pub501](https://www.irs.gov/Pub501); the Form W-4 page is at [IRS.gov/W4](https://www.irs.gov/W4); and the Schedule A (Form 1040/SR) page is at [IRS.gov/ScheduleA](https://www.irs.gov/ScheduleA). If typing in a link above instead of clicking on it, be sure to type the link into the address bar of your browser, not a Search box.

If you wish, you can submit comments to the IRS about draft or final forms, instructions, or publications at [IRS.gov/FormsComments](https://www.irs.gov/FormsComments). We cannot respond to all comments due to the high volume we receive and may not be able to consider many suggestions until the subsequent revision of the product.

If you have comments on reducing paperwork and respondent (filer) burden, with respect to draft or final forms, please respond to the relevant information collection through the Federal Register process; for more info, click [here](#).



Instructions for Form 8038-CP

(Rev. January 2022)

Return for Credit Payments to Issuers of Qualified Bonds

Section references are to the Internal Revenue Code unless otherwise noted.

Future Developments

For the latest information about developments related to Form 8038-CP and its instructions, such as legislation enacted after they were published, go to [IRS.gov/Form8038CP](https://www.irs.gov/Form8038CP).

What's New

Form 8038-CP has been redesigned.

The new Form 8038-CP limits when an amended return can be filed and the requirements for filing an amended return. Filers are now required to enter the report number on line 10 for the bonds. New line 17c asks for identification of the type of bonds using a three-digit number. New Schedule A is required for new clean renewable energy bonds (NCREBs), qualified energy conservation bonds (QECBs), qualified zone academy bonds (QZABs), and qualified school construction bonds (QSCBs) and the total from line 3 of Schedule A is entered on line 19c. NCREBs and QECBs with multiple maturities are no longer reported on separate Forms 8038-CP. New line 21c asks for an explanation of any amount reported on line 21a or 21b using a three-digit explanation code. Line 23 is renumbered as line 23a, and new line 23b asks for an explanation of the changes to the debt service schedule using a three-digit explanation code. Line 24 is renumbered as line 24a, and new line 24b asks for an explanation of the response to line 24a using a three-digit explanation code. Line 26 is now used to report direct deposit information.

Electronic filing of returns. Electronic filing of Form 8038-CP is expected to be available later in 2022, and the IRS will announce the specific date of availability of electronic filing when the programming comes online. Until that time, continue to file paper returns.

General Instructions

Effective Date of January 2022 Revision

Use the January 2022 revision of Form 8038-CP for all such forms to be received by the IRS on or after January 1, 2022. Receipt by the IRS of a prior version of the Form 8038-CP on or after January 1,

2022, could result in a delay of the credit payment or otherwise affect normal processing.

Purpose of Form

The American Recovery and Reinvestment Act of 2009 (ARRA) created build America bonds (BABs) and recovery zone economic development bonds (RZEDBs). The Hiring Incentives to Restore Employment Act (HIRE Act) provided an option for issuers of NCREBs, QECBs, QZABs, and QSCBs to elect to issue such bonds as specified tax credit bonds. The Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (the Tax Relief Act) discontinued the option to elect to issue QZABs as specified tax credit bonds for bonds issued pursuant to an allocation of the 2011 or later national zone academy bond limitation. The ARRA, the HIRE Act, and the Tax Relief Act are referred to throughout these instructions as the Acts.

Note. Only issuers of BABs and RZEDBs issued before January 1, 2011, and specified tax credit bonds issued before January 1, 2018, that qualify for, and have elected to receive, a refundable credit under section 6431 may file Form 8038-CP. The authority to issue BABs and RZEDBs expired on January 1, 2011. If an issuer takes action that results in a significant modification or reissuance of BABs or RZEDBs after December 31, 2010, then the bonds may no longer be qualified bonds under the applicable section and the issuer may no longer be entitled to request a payment using Form 8038-CP.

The Tax Cuts and Jobs Act (P.L. 115-97) repealed the authority to issue tax credit bonds, including specified tax credit bonds. The repeal applies to qualified forestry conservation bonds, NCREBs, QECBs, QZABs, and QSCBs issued after December 31, 2017. If an issuer takes action that results in a significant modification or reissuance of specified tax credit bonds after the effective date of the Tax Cuts and Jobs Act, then the bonds may no longer be qualified bonds under the applicable section and the issuer may no longer be entitled to request a payment using Form 8038-CP.

Form 8038-CP is used by issuers of BABs and RZEDBs, and specified tax credit bonds who elect to receive a direct

payment from the federal government equal to a percentage of the interest payments on these bonds. For more information, see Notices 2009-26, 2009-16 I.R.B. 833, and 2010-35, 2010-19 I.R.B. 660.

Note. Each type of bond must be reported on a separate Form 8038-CP.

Other tax credit bonds, including QZABs issued pursuant to an allocation of 2011 (or later) volume cap, qualified forestry conservation bonds, clean renewable energy bonds, and Midwestern tax credit bonds are not eligible for the election by the issuer to receive refundable credit payments under section 6431(f).



This return is to be filed only if, as of the date filed, the issuer of the outstanding bonds for which this return is submitted has reasonably concluded that the bonds meet all applicable requirements for the payment of the requested credit.

Who Must File

Issuers of qualified BABs, RZEDBs, and specified tax credit bonds must submit this return to request credit payments payable under the Acts.

What To File

Issuers of BABs, RZEDBs, and specified tax credit bonds are required to submit the most recent revision of Form 8038-CP after the effective date of the revision to request payment of a refundable credit. As of the date of publication of these instructions, the most recent revision of Form 8038-CP is the January 2022 version to be used for all such forms to be received by the IRS on or after January 1, 2022.

The payment requested on Form 8038-CP can only relate to the interest payable on a single bond issue. If the issue has both fixed rate bonds and variable rate bonds, file a separate Form 8038-CP for each interest rate structure. If a single bond issue constitutes both BABs (Direct Pay) and RZEDBs, file a separate Form 8038-CP for each type of bond.

File a separate Form 8038-CP with a Schedule A for NCREBs, QECBs, QZABs, and QSCBs. If the information provided on the return relates to more than one type of bond or if the return is not completed in

full, the credit payment could be delayed or normal processing could otherwise be affected. In order to process the refundable credit payment, the IRS will correspond with the designated contact person listed in Part II, at the address in Part II, as necessary.

When To File

A Form 8038-CP filed for fixed rate bonds must be filed no later than 45 days before the relevant interest payment date. Form 8038-CP may not, however, be submitted earlier than 90 days before the relevant interest payment date.

For variable rate bonds, when the issuer knows the interest payment amount 45 days prior to the interest payment date, Form 8038-CP may be filed within the same timelines as fixed rate bonds (45 days before the relevant interest payment date but no earlier than 90 days before the relevant interest payment date). However, a separate Form 8038-CP should still be filed for the variable rate bonds.

For variable rate bonds when the issuer doesn't know the interest payment amount 45 days prior to the interest payment date, the issuer must aggregate all credit payments on a quarterly basis and file a Form 8038-CP for reimbursement in arrears no later than 45 days after the last interest payment date within the quarterly period the reimbursement is being requested.

Where To File


Paper returns. Send Form 8038-CP to:

Department of the Treasury
Internal Revenue Service Center
Ogden, UT 84201-0050

Private delivery services. Paper filers can use certain private delivery services (PDS) designated by the IRS to meet the "timely mailing as timely filing" rule for tax returns. Go to [IRS.gov/PDS](https://www.irs.gov/PDS) for the current list of designated services.

The PDS can tell you how to get written proof of the mailing date.

For the IRS mailing address to use if you're using PDS, go to [IRS.gov/PDSstreetAddresses](https://www.irs.gov/PDSstreetAddresses).

 **PDS can't deliver items to P.O. boxes. You must use the U.S. Postal Service to mail any item to an IRS P.O. box address.**

Electronic filing. It is expected that electronic filing for Form 8038-CP will become available sometime in 2022. When electronic filing of Form 8038-CP is available, information about electronic filing of Form 8038-CP will be announced. For general information about electronic filing, visit [IRS.gov/EFile](https://www.irs.gov/EFile), and see Pub.


4163, Modernized e-File (MeF) Information for Authorized IRS e-File Providers for Business Returns.

Assembling Form 8038-CP, Schedule A, and Attachments

Before filing Form 8038-CP, assemble the package of the core form, Schedule A, and attachments in the following order.

1. **Core form** with Parts I through III, *Direct Deposit* (if applicable), *Signature and Consent*, and *Paid Preparer Use Only* (if applicable) completed.
2. **Schedule A** completed, if applicable. Schedule A must be submitted for all NCREBs, QECBs, QZABs, and QSCBs.
3. **Attachments** completed as applicable. If applicable, include:
 - a. An explanation for an amended return,
 - b. An explanation for line 21c,
 - c. A revised debt service schedule,
 - d. An explanation for line 23b, and
 - e. An explanation for line 24b.

Don't attach materials not authorized in the instructions or not otherwise authorized by the IRS.

 **To facilitate the processing of your e-filed return, don't password protect or encrypt PDF attachments. Password protecting or encrypting a PDF file that is attached to an e-filed return prevents the IRS from opening the attachment.**

Other Forms That May Be Required

For rebating arbitrage (or paying a penalty in lieu of arbitrage rebate) to the federal government, use Form 8038-T, Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate.

No Rounding to Whole Dollars


You must enter cents on the form. Do not round amounts to the nearest dollar (for example, \$1.75 must be entered as \$1.75, not \$2.00; conversely, \$1.25 must be entered as \$1.25, not \$1.00). Round fractional cents to the next lowest cent (for example, round \$1.996 down and enter as \$1.99). The amount paid to you will be based on these parameters.

Where the Requested Payment Will Be Sent

The credit payment on line 22 will be sent by check to the entity that is to receive payment listed in Part I at the address designated in Part I, unless the issuer has elected to have the payment deposited directly, in which case the payment will be directly deposited to the Automated Clearing House (ACH) routing and

account numbers listed on lines 26a and 26c.

Note. If the entity listed in Part I is not the issuer, the ACH routing and account numbers listed on lines 26a and 26c must be the account information of the entity listed in Part I. If the entity listed in Part I is the issuer, the account information must be the account information of the issuer. The issuer must enter the correct ACH routing and account numbers on Form 8038-CP to receive a direct deposit.

 **If the amount of the credit payment requested is required to be offset against other outstanding taxes or obligations, then the credit payment to be received could be less than the amount requested. For more information, see Notices 2009-26 and 2010-35.**

Specific Instructions

Part I—Information on Entity That Is To Receive Payment

Amended return

When to check the *Amended Return* box.

An amended return can only be filed if you are filing to correct errors in Part III on a previously filed final return. A previously filed final return means:

1. Form 8038-CP previously submitted for the final interest payment date for the bonds; and
2. "Yes" is checked on:
 - a. Line 25 of the January 2020 or later versions of Form 8038-CP, or
 - b. Line 23 of the January 2012 or prior versions of Form 8038-CP.

Entries on the amended return. Entries on the amended return. The following are directions for the entries to make on the amended return.

1. Check the *Amended Return* box in the heading of Part I of the return.
2. Complete Part I of the amended return as follows.
 - a. Enter the same information for lines 1–4 as reported on the original final return.
 - b. Complete lines 5–6 using current information.
3. Complete Part II of the amended return as follows.
 - a. Enter the same information for lines 7–9 as reported on the original final return.
 - b. Enter the correct three-digit original report number on line 10.
 - i. For the 2020 and prior versions of Form 8038-CP, the report number was assigned by the IRS. You were notified of the report number in Notice CP152A. Enter the original report number from

Notice CP152A for the final return. If you can't locate Notice CP152A for the final return on the January 2020 and prior versions of Form 8038-CP, enter report number 499 on line 10 of the amended return.

Note. Use of report number 499 will notify the IRS that you don't have the original report number. Lack of the original report number may affect normal processing of the amendment.

ii. For the 2022 and later versions of Form 8038-CP, you assigned the report number for entry on line 10. Enter the same report number you entered on the original final return.

c. Enter the same information for lines 11–14 as reported on the original final return.

d. Complete lines 15–16 using current information.

e. Check the appropriate box on line 17a.

f. On line 17b, enter the same issue price amount as reported on the original final return.

g. On line 17c, enter the appropriate three-digit code. (See Instructions for Part II, line 17c, below.)

4. Complete Part III of the amended return as follows.

a. On line 18, enter the same interest payment date as reported on the original final return.

b. Complete lines 19a–24b using the information reported on the original final return in addition to the new or corrected information. (See the applicable instructions, below.)

c. The entry for line 25 must be "Yes." Failure to check "Yes" on line 25 could result in a delay in processing or otherwise affect normal processing.

5. If the direct deposit information on the original final return is still current, enter the same information as provided on the original final return. If the direct deposit information on the original final return is not correct, leave lines 26a, 26b, and 26c blank on the amended return and we will send any required payment by a check to the entity listed in Part I at the address listed in Part I of the amended return.

6. Complete the *Signature and Consent* parts of the form using current information.

Filing the amended return.

- If the previously filed final return was filed using a paper return, the amended return must be filed using a paper return.
- If the previously filed final return was filed using an electronic return, the amended return must be filed using an electronic return.

- Attach an explanation of the reason for the amended return as a separate document labelled "Explanation for Amended Return." Include the issuer name, employer identification number (EIN), interest payment date of the final return, and report number on the explanation. For each line being amended, provide the original entry, the new entry, and an explanation. For paper filing, attach it to the return.



If a final return was not filed, any corrections to the amount of credit payment requested in Part III of a previously filed return must be corrected by using the net adjustment line 21a or 21b. Such corrections may only be submitted on a subsequent Form 8038-CP filed to request a credit payment. Do not check the Amended Return box if you are correcting non-final prior filings of a Form 8038-CP by using line 21a or 21b.

Line 1. Enter the name of the entity to which the requested refundable credit payment is to be paid. If the payment is to be made to the entity that issued the bonds, enter the name of that issuer. For BABs and RZEDBs, the issuer's name should be the name listed on Form 8038-B, Information Return for Build America Bonds and Recovery Zone Economic Development Bonds, Part I, line 1. For specified tax credit bonds, the issuer's name should be the name listed on Form 8038-TC, Information Return for Tax Credit Bonds and Specified Tax Credit Bonds, Part I, line 1. If the issuer authorized another entity (for example, a trustee bank) to receive the requested refundable credit payment on its behalf, enter the name of that entity.

Note. By entering the name of an entity other than the issuer, the issuer consents and authorizes the IRS to send the requested refundable credit payment to the entity listed in Part I. The issuer further consents and authorizes the IRS to communicate directly with the entity listed in Part I and to disclose its return information to that entity, as necessary, to process the refundable credit payment.

Line 2. Enter the EIN of the entity identified on line 1. If the issuer is the entity listed in Part I, for BABs and RZEDBs, the issuer's EIN should be the EIN listed on Form 8038-B, Part I, line 2. If the issuer is the entity listed in Part I, for specified tax credit bonds, the issuer's EIN should be the EIN listed on Form 8038-TC, Part I, line 2.

Lines 5 and 6. If the issuer is not the entity listed in Part I, enter on line 5 the name and title and on line 6 the phone number of the designated contact person for the entity named in Part I that is to receive payment of the credit (such as an employee of the trustee bank) that the IRS

may call for more information. If the issuer is the entity listed in Part I, enter on line 5 the name and title and on line 6 the phone number of the designated contact person (such as an officer or employee of the issuer, the legal representative of the issuer, or the paid preparer) whom the IRS may call for more information.

Note. If the issuer on line 5 authorizes the IRS to call a person other than an officer of the issuer for more information, by signing this return the issuer's authorized representative consents to the disclosure of the issuer's return information to such person, as necessary to process this return.

Part II—Reporting Authority

Part II should be completed in full if the issuer authorized the IRS to pay the requested refundable credit payment to another entity on its behalf (for example, a trustee bank).

Lines 7 and 8. If the issuer's name is the same as line 1, enter "SAME" and skip lines 8, 9, 11, 15, and 16. If the issuer's name is not the same as line 1, enter the name, EIN, and complete address of the issuer of the bond issue in Part II. For BABs and RZEDBs, the issuer's name and EIN should be the name and EIN listed on Form 8038-B, Part I, lines 1 and 2, filed for the bond issue. For specified tax credit bonds, the issuer's name and EIN should be the name and EIN listed on Form 8038-TC, Part I, lines 1 and 2, filed for the bond issue.

Line 10. Issuers are now required to assign permanent report numbers for bonds currently eligible to receive credit payments and consistently use the same report number when filing to claim the credit for the bonds. Assign a separate report number in the range 401–450 for each type of bond that is required to be treated as a separate bond issue for purposes of Form 8038-CP payment requests. (See *General Instructions, What To File*, earlier.) Enter the three-digit report number (report number) that the issuer assigned to the bonds on Part II, line 10 of the Form 8038-CP. Separately reported bonds for purposes of Form 8038-CP payment requests should be numbered consecutively starting with 401. Once a report number is used for any bonds, it must be used as the report number for all future filings of Form 8038-CP returns for those bonds. The report number may not be used for any other Direct Pay bonds, even after bonds are redeemed or are no longer outstanding.

Issuers must file separate Forms 8038-CP for each type of bond and for fixed rate bonds and variable rate bonds.

- If a single bond issue constitutes both BABs (Direct Pay) and RZEDBs, file a separate Form 8038-CP for each type of

bond and assign a different report number for each. If a single bond issue consists of more than one type of bond, assign separate report numbers for NCREBs, QECBs, QZABs, and QSCBs (that is, all Direct Pay), and file separate Forms 8038-CP for each type of bond.

- If a single bond issue contains both fixed rate bonds and variable rate bonds, assign separate report numbers for each interest rate structure and file a separate Form 8038-CP for each interest rate structure.

Example. Issuer A elected to receive a refundable credit under section 6431 for its bonds.

In February 2010, Issuer A sold BABs and RZEDBs payable from the same revenues using the same official statement. Although the bonds are one bond issue for most purposes, Issuer A properly reported the issuance of the bonds using separate Forms 8038-B for the BABs and the RZEDBs. In January 2022, Issuer A assigned report number 401 to the BABs and report number 402 to the RZEDBs. Report number 401 will be entered on Part II, line 10, on all future Forms 8038-CP filed with respect to the BABs. Report number 402 will be entered on Part II, line 10, on all future Forms 8038-CP filed with respect to the RZEDBs.

In October 2010, Issuer A sold fixed rate QSCBs and variable rate QSCBs payable from the same taxes using the same official statement. The bonds are one bond issue for most purposes, and Issuer A properly reported the issuance of the bonds using a single Form 8038-TC with two debt service schedules. In January 2022, Issuer A assigned report number 403 to the fixed rate QSCBs and report number 404 to the variable rate QSCBs. Report number 403 will be entered on Part II, line 10 on all future Forms 8038-CP filed with respect to the fixed rate QSCBs. Report number 404 will be entered on Part II, line 10 on all future Forms 8038-CP filed with respect to the variable rate QSCBs.

In November 2010, Issuer A sold fixed rate QECBs, fixed rate NCREBs and variable rate NCREBs payable from the same revenues using the same official statement. In January 2022, Issuer A assigned report number 405 to the QECBs, report number 406 to the fixed rate NCREBs, and report number 407 to the variable rate NCREBs. Separate Forms 8038-CP will be filed for the QECBs, fixed rate NCREBs, and variable rate NCREBs using the respective report numbers on Part II, line 10.

Failure to assign a correct three-digit report number following the assignment methodology in these instructions could

delay payment of the credit or otherwise affect normal processing.

Line 12. Enter the issue date of the bond issue. For BABs and RZEDBs, the issue date should be the issue date listed on Form 8038-B, Part I, line 7. For specified tax credit bonds, the issue date should be the issue date listed on Form 8038-TC, Part I, line 7.

Line 13. Enter the name of the bond issue. If the bond issue is not named, write "None." For BABs and RZEDBs, the name of the bond issue should be the name listed on Form 8038-B, Part I, line 8, filed for the bond issue. For specified tax credit bonds, the name of the bond issue should be the name listed on Form 8038-TC, Part I, line 8, filed for the bond issue. For electronic returns, do not use brackets, dollar signs, or commas in the name of the bond issue.

Line 14. Enter the Committee on Uniform Securities Identification Procedures (CUSIP) number on the bond with the latest maturity. For BABs and RZEDBs, the CUSIP number should be the CUSIP number listed on Form 8038-B, Part I, line 9, filed for the bond issue. For NCREBs, QECBs, QZABs, and QSCBs, the CUSIP number should be the CUSIP number listed on Form 8038-TC, Part I, line 9, filed for the bond issue. Enter the nine-character CUSIP number without any spaces. If the bond issue was not publicly offered and there is no assigned CUSIP number, write "None." The CUSIP number used for purposes of Form 8038-CP does not change. Continue to use the CUSIP number originally reported on Form 8038-B or Form 8038-TC even if the bond maturity associated with the CUSIP number is no longer outstanding. Use the CUSIP number reported on Form 8038-B or Form 8038-TC even if you are required by these instructions to treat bonds with different interest rate structures as separate bonds and file separate Forms 8038-CP (for example, for fixed and variable rate bonds of the same bond issue).



Leaving line 14 blank or entering something other than a nine-character CUSIP number without spaces or "None" could result in a delay in the credit payment or otherwise affect normal processing.

Example. In May 2010, Issuer B sold fixed rate BABs with a final maturity date of May 1, 2040, and variable rate BABs with a final maturity date of May 1, 2025, payable from the same taxes using the same official statement. Issuer B elected to receive a refundable credit under section 6431 for its bonds and filed a single Form 8038-B for the bonds. The CUSIP number for the fixed rate bonds

maturing on May 1, 2040, was reported on Form 8038-B, Part I, line 9.

In January 2022, Issuer B files separate Forms 8038-CP for the fixed rate BABs and the variable rate BABs and uses the CUSIP number for the fixed rate bonds maturing on May 1, 2040, on the Form 8038-CP filed for the fixed rate BABs and on the Form 8038-CP filed for the variable rate BABs.

On November 1, 2022, Issuer B retires the fixed rate BABs. In January 2023, Issuer B files a Form 8038-CP with respect to the variable rate BABs. Issuer B must continue to use the CUSIP number originally reported on Form 8038-B (CUSIP number for fixed rate bonds with a maturity date of May 1, 2040) even though the bonds corresponding to the CUSIP number are no longer outstanding.

Lines 15 and 16. If the issuer isn't the entity listed in Part I, enter the name, title, and phone number of the officer of the issuer or other person whom the IRS may call for more information. If the issuer is the entity listed in Part I, leave lines 15 and 16 blank.

Note. If the issuer authorizes, on line 15, the IRS to contact a person other than an officer of the issuer for more information, by signing this form the issuer's authorized representative consents to the disclosure of the issuer's return information to such person, as necessary to process this return.

Line 17a. Check the box that applies to the bonds of the issue for which this return is submitted. Only one box should be checked because payment requests for variable rate bonds and fixed rate bonds are required to be filed on separate returns.

Line 17b. For BABs and RZEDBs, enter the total issue price for the bond listed on Form 8038-B, Part III, line 3, filed for the bond issue. For specified tax credit bonds, enter the total issue price for the bond listed on Form 8038-TC, Part III, line 1, filed for the bond issue. The issue price used for purposes of Form 8038-CP doesn't change. Continue to use the issue price originally reported on Form 8038-B or Form 8038-TC even if some of the bonds are no longer outstanding. Use the issue price reported on Form 8038-B or Form 8038-TC even if you are required by these instructions to file separate Forms 8038-CP for different interest rate structures (for example, for fixed and variable rate bonds of the same bond issue).

Example. Issuer C elected to receive a refundable credit under section 6431 for its bonds.

In September 2010, Issuer C sold at par \$15,000,000 of fixed rate BABs with a


final maturity date of September 1, 2030, and \$5,000,000 of variable rate BABs with a final maturity date of September 1, 2025, payable from the same taxes using the same official statement. Issuer C elected to receive a refundable credit under section 6431 for the bonds and filed a single Form 8038-B for the bonds. The issue price for the bonds was reported on Form 8038-B, Part III, line 1, as \$20,000,000.

In January 2022, Issuer C files separate Forms 8038-CP for the fixed rate BABs and the variable rate BABs but uses the total issue price of \$20,000,000 on the Form 8038-CP filed for the fixed rate BABs and on the Form 8038-CP filed for the variable rate BABs.

On March 1, 2022, Issuer C retires the fixed rate BABs. In January 2023, Issuer C files a Form 8038-CP with respect to the variable rate BABs. Issuer C must continue to use the issue price originally reported on Form 8038-B (\$20,000,000) even though only \$5,000,000 of variable rate BABs is still outstanding.

Line 17c. Identify the type of bonds by entering the corresponding three-digit code number as follows.

- 102—New clean renewable energy bonds.
- 103—Qualified energy conservation bonds.
- 104—Qualified zone academy bonds.
- 105—Qualified school construction bonds.
- 109—Build America bonds.
- 110—Recovery zone economic development bonds.

 *A failure to provide requested information or providing incorrect information could delay processing of this return or otherwise affect normal processing. Do not leave line 10, 12, 13, 14, 17a, 17b, or 17c blank.*

Part III—Payment of Credit

Line 18. Enter the interest payment date to which the requested refundable credit payment relates. An interest payment date is the date on which interest is payable by the issuer to the holders of the bonds. This may include a date on which bonds are retired earlier than maturity if interest is to be paid on that date. (For a variable rate issue with the amount of interest payable not known at least 45 days before the interest payment date, enter the last interest payment date applicable to the quarterly period to which this return relates.) For certain variable rate bonds, the remarketing date or the date the interest rate is reset may not be the same date the interest is paid.

Line 19a. Enter the amount of interest payable to the holders of the bonds on the interest payment date. The amount

entered on line 19a can only relate to the interest payable on a single bond issue and the amount of interest allocable to a single type of bond (BAB, RZEDB, or a single type of specified tax credit bond) and similar interest rate structure (fixed or variable rate). (See *General Instructions, What To File*, earlier.)

Note. Credit payments are not allowed for preissuance accrued interest.

Line 19b. For specified tax credit bonds only, enter the applicable credit rate. The applicable credit rate is the daily tax credit bond rate set by the Secretary under section 54A(b)(3), determined as of the first day on which there is a binding written contract for the sale or exchange of the bond. See Notice 2009-15, which is on page 449 of Internal Revenue Bulletin 2009-6 at [IRS.gov/pub/irs-irbs/irb09-06.pdf](https://www.irs.gov/pub/irs-irbs/irb09-06.pdf). Enter the percent out to two decimal places, and do not round (for example, for credit rate 10.746%, write 10.74%). The tax credit bond rate is published by the Bureau of Fiscal Service on its Government Section Internet site at [TreasuryDirect.gov](https://www.treasurydirect.gov). The applicable credit rate should be the applicable credit rate listed on Form 8038-TC, Part III, line 4, filed for the bond issue.

Line 19c. For NCREBs, QECBs, QZABs, and QSCBs, complete Schedule A and enter the amount from line 3 of Schedule A.

Note. You can only have one entry on line 20 (a through f).

Line 20a. For BABs, enter the amount of the requested credit payment relating to the interest payable on the interest payment date. The amount reported on line 20a must equal 35% (0.35) of the amount reported on line 19a.

Line 20b. For RZEDBs, enter the amount of the requested credit payment relating to the interest payable on the interest payment date. The amount reported on line 20b must equal 45% (0.45) of the amount reported on line 19a.

Line 20c. For NCREBs, enter the smaller of line 19a or line 19c.

Line 20d. For QECBs, enter the smaller of line 19a or line 19c.

Line 20e. For QZABs, enter the smaller of line 19a or line 19c.

Note. Issuers issuing QZABs pursuant to an allocation of 2011 or later national zone academy bond limitation (volume cap) cannot make a valid election to issue such bonds as specified tax credit bonds and may not claim a refundable credit under section 6431 by filing Form 8038-CP.

Line 20f. For QSCBs enter the smaller of line 19a or line 19c.

Lines 21a and 21b. Either line 21a or line 21b is available to correct your prior mistakes on prior filings of Form 8038-CP for the respective bonds.

- If a prior credit payment amount was received that was less than the correct amount, then enter the amount on line 21a that relates to the corresponding increase to this payment request.
- If a prior credit payment amount was received that exceeded the correct amount for that payment, then enter the amount on line 21b that relates to the corresponding decrease to this payment request.
- If there are both increase and decrease adjustments related to multiple prior payments, then net the amounts and include the corresponding amount on either line 21a (for net increases) or 21b (for net decreases), as appropriate.

If any amount is entered on either line 21a or 21b, complete line 21c.

Line 21c. Enter the applicable three-digit explanation code number and provide the applicable interest payment dates in MM/DD/YYYY format.

- 211—Erroneous entry on prior return(s) (for example, typographical error or input error or incorrect debt service schedule date used (Also, list applicable interest payment date(s).)
- 212—Math error on prior return(s). (Also, list applicable interest payment date(s).)
- 213—Claimed interest on prior return(s) on bonds previously redeemed. (Also, list applicable interest payment date(s).)
- 214—Claimed interest on prior return(s) on bonds previously legally defeased. (Also, list applicable interest payment date(s).)
- 219—Other. Use this three-digit code if codes 211–214 do not apply or if more than one three-digit code is applicable. (Also, list applicable explanation(s) for the correction(s) including listing prior interest payment date(s) affected and details of any net amount.)

Note. Codes 215–218 are reserved and should not be used.

If a three-digit explanation code number is not entered, the credit payment could be delayed or normal processing could otherwise be affected. For electronic filing, the dates or explanation for “Other” is entered electronically. For paper filing, attach to the return the requested information on a single explanation document and label it “Line 21c Information.” Include the issuer name, EIN, interest payment date, and report number on the paper attachment.

Line 22. Enter the amount of the credit payment requested. Combine the amount on line 20a, 20b, 20c, 20d, 20e, or 20f with the amount in either line 21a or 21b, as applicable.

Note. If an amount of the credit payment requested is required to be offset against other outstanding taxes or obligations, then the credit payment to be received could be less than the amount on line 22. For more information, see Notices 2009-26 and 2010-35.

Line 23a. Check “Yes” or “No.” Check “Yes” if the amount shown on line 20a, 20b, 20c, 20d, 20e, or 20f does not equal the amount of the credit payment shown on the debt service schedule attached to the information return for the bonds filed with the IRS (Form 8038-TC or Form 8038-B), or the latest revised debt service schedule subsequently filed with the IRS, or when the amount of qualified principal outstanding or qualified interest payable on future dates will vary from amounts previously reported to the IRS. For variable rate bonds, check “Yes” if there is a change in interest payment dates, the total principal amount of qualified bonds expected to be outstanding on payment dates, or the method for determining interest on the bonds. Situations where you must check “Yes” for fixed and variable rate bonds include: (i) early retirement or defeasance of bonds, (ii) treating a portion of the bonds as nonqualified under Rev. Proc. 2018-26, (iii) reissuance of bonds because of a significant modification under Regulations section 1.1001-3 or other guidance, or (iv) the debt service schedule has otherwise changed or been altered so that the debt service schedule you most recently filed with the IRS is no longer accurate.

Line 23b. If you checked “Yes” on line 23a, enter one applicable three-digit explanation code number and provide the revised debt service schedule. If a three-digit explanation code number is not entered, the credit payment could be delayed or normal processing could otherwise be affected. Where indicated, provide the applicable dates in MM/DD/YYYY format and the applicable amounts.

Note. If the changes result from the issuer’s nonqualified use of bond proceeds and taking a remedial action under section 6 of Rev. Proc. 2018-26, the issuer must enter the three-digit explanation code 235 on the Form 8038-CP filed for the first interest payment date after the nonqualified use of the bond proceeds occurs. The issuer must also (i) provide the date of the nonqualified use and the amount of nonqualified use, and (ii) attach a revised debt service schedule reflecting the exclusion of amounts allocable to the nonqualified bonds beginning with the date of the nonqualified use.

• 231—Retirement of all or part of the bonds. (Also, provide the date and amount redeemed/retired.)

- 232—Correction of mistake in most recently filed debt service schedule.
 - 233—Closing Agreement with IRS. (Also, provide the date of agreement.)
 - 234—Legal defeasance of bonds. (Also, provide the date and amount legally defeased.)
 - 235—Remedial action under Rev. Proc. 2018-26. (Also, provide the date of nonqualified use and amount of nonqualified bonds.)
 - 239—Other. Use this three-digit code if codes 231–235 do not apply or if more than one three-digit code is applicable. (Also, provide an explanation including relevant dates and principal amounts.)
- Note.** Codes 236–238 are reserved and should not be used.

For electronic filing, the dates and amounts to be provided, and the explanation for “239—Other” are entered electronically. For paper filing, attach to the return the requested information and label it “Line 23b Information.” Also include the issuer name, EIN, interest payment date, and report number on the paper attachment.

Requirements for revised debt service schedule. The debt service schedule must contain the information described below for the bonds.

1. Name of Issuer.
2. EIN of Issuer.
3. Report Number (see instructions for line 10).
4. Name of Issue.
5. Date of Issue.
6. CUSIP Number (see instructions for line 14).
7. Issue Price (see instructions for line 17b).
8. For fixed rate bonds, a revised debt service schedule through final maturity that provides a list of each interest payment date, the total interest payable on such date, the total principal amount of qualified bonds expected to be outstanding on such date, the interest rate(s), the refundable credit payment expected to be requested from the IRS as allowed under section 6431(f) on such date, and the earliest date that the qualified bonds can be called.

9. For variable rate bonds, a revised debt service schedule through final maturity that provides a list of each interest payment date, the total principal amount of qualified bonds expected to be outstanding on such date, and a description of how interest on the qualified bonds is figured. However, if the issuer knows the interest amount for a certain period, for that period the issuer should provide the refundable credit payment expected to be requested from the IRS as allowed under section 6431(f). The

revised debt service schedule must be provided as a separate document labeled “Revised Debt Service Schedule.” For electronic filing the revised debt service schedule must be a separate pdf document submitted with the return. For paper filing, attach it to the return.

Line 24a. Check “Yes” if, as of the filing of this form, you paid or reasonably expect to pay all of the interest to bondholders reported on line 19a on or before the interest payment date reported on line 18. If you paid or reasonably expect to pay all of the interest on the next business day because the interest payment date falls on a weekend or holiday, you should check “Yes.”

Check “No” if, as of the filing of this form, you did not pay or do not reasonably expect to pay all of the interest to bondholders reported on line 19a on or before the date reported on line 18, representing the interest payment date to which this payment of credit relates.

Line 24b. If you checked “No” on line 24a, enter the three-digit code number concerning the circumstances surrounding the nonpayment or expected nonpayment. If a three-digit explanation code is not entered, the credit payment could be delayed or normal processing could otherwise be affected. Provide any applicable dates in MM/DD/YYYY format and the applicable amounts where requested and provide an explanation if “249—Other” applies.

- 241—Insolvent, no receivership or bankruptcy proceedings.
- 242—Insolvency, receivership or bankruptcy proceedings in progress.
- 243—Insolvency, receivership or bankruptcy proceedings discharged debt. (Also, provide the date, the amount discharged, and any change in interest rates.)
- 244—Insufficient payment sources due to sequestration—no receivership proceedings.
- 245—Insufficient payment resources for reasons other than sequestration—no receivership proceedings.
- 249—Other. (Also, provide an explanation.)

Note. Codes 246–248 are reserved and should not be used.

For electronic filing, any dates, amounts or explanation for “Other” is entered electronically. For paper filing, attach to the return the requested information and label it “Line 24b Information.” Also include the issuer name, EIN, interest payment date, and report number on the paper attachment.

Line 25. Check “Yes” or “No.” If a box is not checked, credit payments may be delayed.

Check "Yes" if the requested payment is for the final interest payment date for the bonds. The final payment of interest for the bonds is the last payment of interest prior to, or in conjunction with, the final maturity, redemption, or significant modification of the bond issue.

Check "No" if future Forms 8038-CP are expected to be filed with respect to future interest payment dates on the bonds (same bond issue, same type of bond, and same interest rate structure (fixed rate or variable rate)).

Reminder: Each type of bond requires a distinct report number and each interest rate structure requires a distinct report number.

Line 26. Complete lines 26a through 26c if you want the amount shown on line 22 directly deposited into a checking or savings account. Otherwise, we will send a check to the entity listed in Part I.



The IRS is not responsible for a lost credit payment if you enter the wrong account information. Check with your financial institution to get the correct ACH routing and account numbers and to make sure your direct deposit will be accepted. Other wire instructions or routing or account numbers other than ACH routing or account numbers are not acceptable substitutes for ACH routing and account numbers on Form 8038-CP.

If the direct deposit to the designated account is different from the amount you expected, you will receive an explanation in the mail about 2 weeks after your credit payment is deposited.

Line 26a. The ACH routing number must be nine digits. The first two digits must be 01 through 12 or 21 through 32. Otherwise, the direct deposit will be rejected and a check will be sent instead. If the entity listed in Part I is not the issuer (such as a trustee bank), ask that entity for the correct routing number. (See *Where the Requested Payment Will Be Sent*, earlier.)

Line 26b. Check the appropriate box for the type of account. Do not check more than one box. If unknown, leave blank.

Line 26c. The ACH account number can be up to 17 characters (both numbers and letters). Include hyphens but omit spaces and special symbols. Enter the number from left to right and leave any unused boxes blank.

Signature and Consent

An officer of the issuer with authority to bind the issuer must sign Form 8038-CP and any applicable certification. If the entity listed in Part I is not the issuer, the authority of the person signing this return must include the authority to bind the

issuer, the authority to request that the IRS send the refundable credit payment to the entity identified in Part I, and the authority to consent to the disclosure of return information necessary to process the refundable credit payment to the designated contact person(s) listed in Parts I and II on Form 8038-CP, as applicable. Also print the name and title of the person signing Form 8038-CP.

Note. If the issuer designates on line 5 of Part I or line 15 of Part II a person other than an officer of the issuer as a contact person for the IRS to call for more information, by signing this return the issuer's authorized representative consents to the disclosure of the issuer's return information to such person, as necessary to process the refundable credit payment.

Paid Preparer

If an authorized officer of the issuer filled in this return, the paid preparer block should remain blank. Anyone who prepares the return but does not charge the issuer should not sign the return. Certain others who prepare the return should not sign. For example, a regular, full-time employee of the organization, such as a clerk, secretary, etc., should not sign.

Generally, anyone who is paid to prepare a return must sign it and fill in the other blanks in the *Paid Preparer Use Only* area of the return. A paid preparer cannot use a social security number in the preparer tax identification number (PTIN) box. The paid preparer must use a PTIN. If the paid preparer is self-employed, the preparer should enter his or her address in the box.

The paid preparer must:

- Sign the return in the space provided for the preparer's signature, and
- Give a copy of the return to the issuer.

Instructions for Schedule A

When Is Schedule A Required?

Schedule A is used to compute the amount of the refundable credit payment allowed under section 6431(f) and must be completed for all specified tax credit bonds (NCREBs, QECBs, QZABs, and QSCBs). Computation of the credit payment is done on a bond-by-bond basis (usually, this means a separate computation for each maturity in a bond issue, but bonds with the same maturity but different terms such as interest rate are also considered separate bonds). Schedule A eliminates the need for issuers of NCREBs and QECBs to file separate Forms 8038-CP for each

maturity of bonds on each interest payment date.

For NCREBs and QECBs, the amount of the refundable credit payment is the lesser of 100% of the amount of interest payable under the bond on such interest payment date or 70% (0.70) of the amount of interest which would have been payable under such bond on such date if such interest were determined at the applicable credit rate determined under section 54A(b)(3).

For QZABs and QSCBs, the amount of the refundable credit payment is the lesser of 100% of the amount of interest payable under the bond on such interest payment date or 100% of the amount of interest which would have been payable under such bond on such date if such interest were determined at the applicable tax credit bond rate determined under section 54A(b)(3).

Specific Instructions

Enter the following from Form 8038-CP.

- Issuer Name—From Part II, line 7.
- Employer Identification Number—From Part II, line 8.
- Date of Issue (MM/DD/YYYY)—From Part II, line 12.
- Report Number—From Part II, line 10.

The Schedule A table is used to compute the amount of the permitted credit for an interest payment date. Complete the table as follows for the interest payment date entered on Part III, line 18, of Form 8038-CP to compute the sum to be entered on line 1.



If you use page 2 to list maturities, complete line 4 on page 2 before completing lines 2 and 3.

1. Column (a): List the maturity date (MM/DD/YYYY) for each separate maturity of the bonds. (A maturity is comprised of bonds of the same type, principal maturity date, and interest rate.)

Note. If there are insufficient lines on page 1 of Schedule A for all the maturities, list the remaining maturities on page 2 of Schedule A.

2. Column (b): Enter the amount of interest payable on the bonds maturing on the date listed in column (a) on the interest payment date entered on Part III, line 18, of Form 8038-CP.

3. Column (c): Enter the amount of interest that would be payable on the bonds maturing on the date listed in column (a) on the interest payment date entered on Part III, line 18, of Form 8038-CP if calculated using the applicable credit rate (Form 8038-CP, Part III, line 19b).

4. Column (d): For new clean renewable energy bonds and qualified

energy conservation bonds, enter 70% of the amount of interest that would be payable on the bonds maturing on the date listed in column (a) on the interest payment date entered on Part III, line 18, of Form 8038-CP if calculated using the applicable credit rate (Form 8038-CP, Part III, line 19b). Do this by multiplying the column (c) amount by 0.70.

Note. For QZABs and QSCBs, skip column (d).

5. Column (e): For NCREBs and QECBs, enter the smaller of the amount in column (b) and the amount in column (d). For QZABs and QSCBs, enter the smaller of the amount in column (b) and the amount in column (c).

Line 1. Total the amounts in column (e) on page 1 of Schedule A and enter the total.

Line 2. Enter the amount from page 2 of Schedule A, line 4 (if any). See the line 4 instructions below.

Line 3. Add amounts from line 1 and line 2. Enter on Form 8038-CP, line 19c.

Line 4. If you use page 2, complete line 4 on page 2 before completing lines 1, 2, and 3 of Schedule A. Add amounts in column (e) on page 2 of Schedule A (if any). Enter on page 1 of Schedule A, line 2.

Completion of Schedule A for QZABs and QSCBs. Schedule A is completed the same way for both QZABs and QSCBs. With respect to each bond in the bond issue, issuers of QZABs and QSCBs filing Form 8038-CP request the lesser of:

1. The amount of interest payable on the interest payment date, or
2. The amount of interest on the interest payment date using the applicable credit rate.

Example for QSCBs and QZABs. On November 9, 2010, Issuer D sold \$30,000,000 of fixed rate QSCBs, and elected to receive a refundable credit

under section 6431. The interest on the QSCBs is payable semiannually on January 15 and July 15 of each year. The interest rate on \$10,000,000 of QSCBs maturing on January 15, 2024, is 5.25%. The interest rate on \$10,000,000 of QSCBs maturing on January 15, 2025, is 5.30%. The interest rate on \$10,000,000 of QSCBs maturing on January 15, 2026, is 5.35%. The applicable credit rate for qualified tax credit bonds sold on November 9, 2010, is 5.30%. The amount of interest payable on the QSCBs on January 15, 2022, and the amount of interest on the QSCBs on that date using the applicable credit rate, is shown in the following tables:

Interest Payable on the QSCBs on January 15, 2022

Date of Principal Maturity	Amount of QSCBs Outstanding	Bond Interest Rate	Semiannual Interest Payable on January 15, 2022, at the Bond Interest Rate
01/15/2024	\$10,000,000	5.25%	\$262,500.00
01/15/2025	\$10,000,000	5.30%	\$265,000.00
01/15/2026	\$10,000,000	5.35%	\$267,500.00

Interest on the QSCBs Using the Applicable Credit Rate

Date of Principal Maturity	Amount of QSCBs Outstanding	Applicable Credit Rate	Semiannual Interest Using the Applicable Credit Rate
01/15/2024	\$10,000,000	5.30%	\$265,000.00
01/15/2025	\$10,000,000	5.30%	\$265,000.00
01/15/2026	\$10,000,000	5.30%	\$265,000.00

For the January 15, 2022, interest payment date for the QSCBs, Issuer D completes Schedule A as follows:

(a)	(b)	(c)	(d)	(e)
Bond of Maturity Date	Interest payable on line 18 (Form 8038-CP, Part III) interest payment date	Interest payable on bond maturity on line 18 (Form 8038-CP, Part III) interest payment date calculated using the line 19b (Form 8038-CP, Part III) applicable credit rate	For NCREBs and QECBs, multiply column (c) by 70% (0.70) (skip this column for QZABs and QSCBs).	For NCREBs and QECBs, enter the smaller of column (b) or (d). For QZABs and QSCBs, enter the smaller of column (b) or (c).
01/15/2024	\$262,500.00	\$265,000.00		\$262,500.00
01/15/2025	\$265,000.00	\$265,000.00		\$265,000.00
01/15/2026	\$267,500.00	\$265,000.00		\$265,000.00

Completion of Schedule A for NCREBs and QECBs. Schedule A is completed the same way for both NCREBs and QECBs. With respect to each bond in the issue, issuers of NCREBs and QECBs filing Form 8038-CP request the lesser of:

1. The amount of interest payable on the interest payment date, or
2. 70% of the amount of interest on the interest payment date using the applicable credit rate.

Example for NCREBs and QECBs. On November 9, 2010, Issuer E sold \$30,000,000 of fixed rate QECBs, and elected to receive a refundable credit under section 6431. The interest on the QECBs is payable semiannually on January 15 and July 15 of each year. The

interest rate on \$10,000,000 of QECBs maturing on January 15, 2024, is 5.25%. The interest rate on \$10,000,000 of QECBs maturing on January 15, 2025, is 5.30%. The interest rate on \$10,000,000

of QECBs maturing on January 15, 2026, is 5.35%. The applicable credit rate for qualified tax credit bonds sold on November 9, 2010, is 5.30%. The amount of interest payable on the QECBs on

January 15, 2022, and the amount of interest on the QECBs on that date using the applicable credit rate, is shown in the following tables:

Interest Payable on the QECBs on July 15, 2022

Date of Principal Maturity	Amount of QECBs Outstanding	Bond Interest Rate	Semiannual Interest Payable on July 15, 2022, at the Bond Interest Rate
01/15/2024	\$10,000,000	5.25%	\$262,500.00
01/15/2025	\$10,000,000	5.30%	\$265,000.00
01/15/2026	\$10,000,000	5.35%	\$267,500.00

Interest on the QECBs Using the Applicable Credit Rate

Date of Principal Maturity	Amount of QECBs Outstanding	Applicable Credit Rate	Semiannual Interest Using the Applicable Credit Rate
01/15/2024	\$10,000,000	5.30%	\$265,000.00
01/15/2025	\$10,000,000	5.30%	\$265,000.00
01/15/2026	\$10,000,000	5.30%	\$265,000.00

For the July 15, 2022, interest payment date for the QECBs, Issuer E completes Schedule A as follows:

(a)	(b)	(c)	(d)	(e)
Bond of Maturity Date	Interest payable on line 18 (Form 8038-CP, Part III) interest payment date	Interest payable on bond maturity on line 18 (Form 8038-CP, Part III) interest payment date calculated using the line 19b (Form 8038-CP, Part III) applicable credit rate	For NCREBs and QECBs, multiply column (c) by 70% (0.70) (skip this column for QZABs and QSCBs).	For NCREBs and QECBs, enter the smaller of column (b) or (d). For QZABs and QSCBs, enter the smaller of column (b) or (c).
01/15/2024	\$262,500.00	\$265,000.00	\$185,000.00	\$185,000.00
01/15/2025	\$265,000.00	\$265,000.00	\$185,000.00	\$185,000.00
01/15/2026	\$267,500.00	\$265,000.00	\$185,000.00	\$185,000.00

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The time needed to complete and file this form will vary depending on individual circumstances. The estimated burden for tax-exempt organizations filing this form is approved under OMB control number 1545-0047 and is included in the estimates shown in the instructions for their information return.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler,

we would be happy to hear from you. You can send us comments through [IRS.gov/FormComments](https://www.irs.gov/FormComments).

Or you can write to:

Internal Revenue Service
Tax Forms and Publications Division
1111 Constitution Ave. NW, IR-6526
Washington, DC 20224

Do not send Form 8038-CP to this address. Instead, see *Where To File*, earlier.