

1 **SEC. 12. PROVISIONS TO ENHANCE THE ADMINISTRATION**
2 **OF THE FIRST-TIME HOMEBUYER TAX CRED-**
3 **IT.**

4 (a) *AGE LIMITATION.*—

5 (1) *IN GENERAL.*—Subsection (b) of section 36 of
6 the Internal Revenue Code of 1986, as amended by
7 this Act, is amended by adding at the end the fol-
8 lowing new paragraph:

9 “(4) *AGE LIMITATION.*—No credit shall be al-
10 lowed under subsection (a) with respect to the pur-
11 chase of any residence unless the taxpayer has at-
12 tained age 18 as of the date of such purchase. In the
13 case of any taxpayer who is married (within the
14 meaning of section 7703), the taxpayer shall be treat-
15 ed as meeting the age requirement of the preceding
16 sentence if the taxpayer or the taxpayer’s spouse
17 meets such age requirement.”.

18 (2) *CONFORMING AMENDMENT.*—Subsection (g)
19 of section 36 of such Code, as amended by this Act,
20 is amended by inserting “(b)(4),” before “(c)”.

21 (b) *DOCUMENTATION REQUIREMENT.*—Subsection (d)
22 of section 36 of the Internal Revenue Code of 1986, as
23 amended by this Act, is amended by striking “or” at the
24 end of paragraph (2), by striking the period at the end of
25 paragraph (3) and inserting “, or”, and by adding at the
26 end the following new paragraph:

1 “(4) the taxpayer fails to attach to the return of
2 tax for such taxable year a properly executed copy of
3 the settlement statement used to complete such pur-
4 chase.”.

5 (c) *RESTRICTION ON MARRIED INDIVIDUAL ACQUIRING*
6 *RESIDENCE FROM FAMILY OF SPOUSE.*—Clause (i) of sec-
7 tion 36(c)(3)(A) of the Internal Revenue Code of 1986 is
8 amended by inserting “(or, if married, such individual’s
9 spouse)” after “person acquiring such property”.

10 (d) *CERTAIN ERRORS WITH RESPECT TO THE FIRST-*
11 *TIME HOMEBUYER TAX CREDIT TREATED AS MATHE-*
12 *MATICAL OR CLERICAL ERRORS.*—Paragraph (2) of section
13 6213(g) the Internal Revenue Code of 1986, as amended by
14 this Act, is amended by striking “and” at the end of sub-
15 paragraph (N), by striking the period at the end of subpara-
16 graph (O) and inserting “, and”, and by inserting after
17 subparagraph (O) the following new subparagraph:

18 “(P) an entry on a return claiming the
19 credit under section 36 if—

20 “(i) the Secretary obtains information
21 from the person issuing the TIN of the tax-
22 payer that indicates that the taxpayer does
23 not meet the age requirement of section
24 36(b)(4),

1 “(ii) information provided to the Sec-
2 retary by the taxpayer on an income tax re-
3 turn for at least one of the 2 preceding tax-
4 able years is inconsistent with eligibility for
5 such credit, or

6 “(iii) the taxpayer fails to attach to
7 the return the form described in section
8 36(d)(4).”.

9 (e) *EFFECTIVE DATE.*—

10 (1) *IN GENERAL.*—*Except as otherwise provided*
11 *in this subsection, the amendments made by this sec-*
12 *tion shall apply to purchases after the date of the en-*
13 *actment of this Act.*

14 (2) *DOCUMENTATION REQUIREMENT.*—*The*
15 *amendments made by subsection (b) shall apply to re-*
16 *turns for taxable years ending after the date of the en-*
17 *actment of this Act.*

18 (3) *TREATMENT AS MATHEMATICAL AND CLER-*
19 *ICAL ERRORS.*—*The amendments made by subsection*
20 *(d) shall apply to returns for taxable years ending on*
21 *or after April 9, 2008.*

22 **SEC. 13. 5-YEAR CARRYBACK OF OPERATING LOSSES.**

23 (a) *IN GENERAL.*—*Subparagraph (H) of section*
24 *172(b)(1) of the Internal Revenue Code of 1986 is amended*
25 *to read as follows:*