EFFECTIVE DATES

SEC. 405. (a) Except as provided in subsections (b) and (c) of this section, this Act shall become effective on the first day of the first calendar month which begins more than ten days after the date of enactment of this Act.

(b) The amendments made by section 203 of this Act shall become effective upon enactment.

(c) The amendments made by title II of this Act relating to the payment of burial benefits in the case of veterans of the Vietnam era shall become effective on the date of enactment of this Act. If the burial allowance authorized by section 902 of title 38, United States Code, is payable solely by virtue of the enactment of this Act, the two-year period for filing applications, referred to in section 904 of such title 38, shall not end, with respect to an individual whose death occurred prior to the enactment of this Act, before the expiration of the two-year period which begins on the date of enactment of this Act, or, in any case involving the correction of a discharge after the date of enactment of this Act, before the expiration of two years from the date of such correction.

72 Stat. 1169; 80 Stat. 29.

77 Stat. 4.

Approved August 31, 1967.

Public Law 90-78

AN ACT

August 31, 1967 [H. R. 6056]

To amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 152 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsection:

Income taxes. Exemptions for children of divorced parents. 68A Stat. 43. 26 USC 152.

"(e) SUPPORT TEST IN CASE OF CHILD OF DIVORCED PARENTS, ETC.—

"(1) GENERAL RULE.—If—

26 USC 151.

"(A) a child (as defined in section 151(e)(3)) receives over half of his support during the calendar year from his parents who are divorced or legally separated under a decree of divorce or separate maintenance, or who are separated under a written separation agreement, and

"(B) such child is in the custody of one or both of his parents for more than one-half of the calendar year,

such child shall be treated, for purposes of subsection (a), as receiving over half of his support during the calendar year from the parent having custody for a greater portion of the calendar year unless he is treated, under the provisions of paragraph (2), as having received over half of his support for such year from the other parent (referred to in this subsection as the parent not having custody).

"(2) SPECIAL RULE.—The child of parents described in paragraph (1) shall be treated as having received over half of his support during the calendar year from the parent not having custody if—

"(A)(i) the decree of divorce or of separate maintenance, or a written agreement between the parents applicable to the taxable year beginning in such calendar year, provides that

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the parent not having custody shall be entitled to any deduction allowable under section 151 for such child, and

"(ii) such parent not having custody provides at least $600 for the support of such child during the calendar year, or

"(B) (i) the parent not having custody provides $1,200 or more for the support of such child (or if there is more than one such child, $1,200 or more for all of such children) for the calendar year, and

"(ii) the parent having custody of such child does not clearly establish that he provided more for the support of such child during the calendar year than the parent not having custody.

For the purposes of this paragraph, amounts expended for the support of a child or children shall be treated as received from the parent not having custody to the extent that such parent provided amounts for such support.

"(3) ITEMIZED STATEMENT REQUIRED.—If a taxpayer claims that paragraph (2) (B) applies with respect to a child for a calendar year and the other parent claims that paragraph (2) (B) (i) is not satisfied or claims to have provided more for the support of such child during such calendar year than the taxpayer, each parent shall be entitled to receive, under regulations to be prescribed by the Secretary or his delegate, an itemized statement of the expenditures upon which the other parent's claim of support is based.

"(4) EXCEPTION FOR MULTIPLE-SUPPORT AGREEMENT.—The provisions of this subsection shall not apply in any case where over half of the support of the child is treated as having been received from a taxpayer under the provisions of subsection (c).

"(5) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this subsection."

68A Stat. 43. 26 USC 152.

(b) Subsection (a) of such section 152 is amended by striking out "subsection (c)" and inserting in lieu thereof "subsection (c) or (e)".

Effective date.

SEC. 2. The amendments made by the first section of this Act shall apply with respect to taxable years beginning after December 31, 1966.

Approved August 31, 1967.

Public Law 90-79

August 31, 1967 [S. 281]

AN ACT

To increase the amount of real and personal property which may be held by the American Academy in Rome.

American Academy in Rome. Property limit increase.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to permit the American Academy in Rome to enlarge its purposes, and for other purposes", approved June 6, 1912 (37 Stat. 124), as amended (43 Stat. 635), is hereby amended by striking out "$10,000,000" and inserting in lieu thereof "$25,000,000".

Approved August 31, 1967.