

SEC. 2202. DELAY OF PAYMENT OF EMPLOYER PAYROLL TAXES.

(a) **IN GENERAL.**—

(1) **TAXES.**—Notwithstanding any other provision of law, the payment for applicable employment taxes for the payroll tax deferral period shall not be due before the applicable date.

(2) **DEPOSITS.**—Notwithstanding [section 6302](#) of the Internal Revenue Code of 1986, an employer shall be treated as having timely made all deposits of applicable employment taxes that are required to be made (without regard to this section) for such taxes during the payroll tax deferral period if all such deposits are made not later than the applicable date.

(3) **EXCEPTION.**—This subsection shall not apply to any taxpayer if such taxpayer has had indebtedness forgiven under section 1105 of this Act with respect to a loan under section 7(a) of the Small Business Act ([15 U.S.C. 636\(a\)](#)).

(b) **SECA.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, the payment for 50 percent of the taxes imposed under [section 1401\(a\)](#) of the Internal Revenue Code of 1986 for the payroll tax deferral period shall not be due before the applicable date.

(2) **ESTIMATED TAXES.**—For purposes of applying [section 6654](#) of the Internal Revenue Code of 1986 to any taxable year which includes any part of the payroll tax deferral period, 50 percent of the of the taxes imposed under section 1401(a) of such Code for the payroll tax deferral period shall not be treated as taxes to which such section 6654 applies.

(c) **DEFINITIONS.**—For purposes of this section—

(1) **APPLICABLE EMPLOYMENT TAXES.**—The term “applicable employment taxes” means the following:

(A) The taxes imposed under [section 3111\(a\)](#) of the Internal Revenue Code of 1986.

(B) So much of the taxes imposed under section 3211(a) of such Code as are attributable to the rate in effect under section 3111(a) of such Code.

(C) So much of the taxes imposed under section 3221(a) of such Code as are attributable to the rate in effect under section 3111(a) of such Code.

(2) **PAYROLL TAX DEFERRAL PERIOD.**—The term “payroll tax deferral period” means the period beginning on the date of the enactment of this Act and ending before January 1, 2021.

(3) **APPLICABLE DATE.**—The term “applicable date” means—

(A) December 31, 2021, with respect to 50 percent of the amounts to which subsection (a) or (b), as the case may be, apply, and

(B) December 31, 2022, with respect to the remaining such amounts.

(d) **TRUST FUNDS HELD HARMLESS.**—There are hereby appropriated (out of any money in the Treasury not otherwise appropriated) for each fiscal year to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act ([42 U.S.C. 401](#)) and the Social Security Equivalent Benefit Account established under section 15A(a) of the Railroad Retirement Act of 1974 ([45 U.S.C. 231n-1\(a\)](#)) an amount equal to the reduction in the transfers to such fund for such fiscal year by reason of this section. Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had such amendments not been enacted.

(e) **REGULATORY AUTHORITY.**—The Secretary of the Treasury (or the Secretary’s delegate) shall issue such regulations or other guidance as necessary to carry out the purposes of this section.