



Dear NSSTA Members,

We're sending our second edition of the weekly NSSTA news items with short bursts of information that we hope you'll find useful, without overloading your inbox in our new world order of working from home. Let us know how we're doing and feel free to send in news items. [Email your feedback to us.](#)

Tax Filing & Tax Payment Extensions

The filing deadline for 2019 income tax returns for individuals postponed until July 15, 2020. Any payments due in connection with such returns (including installments) postponed until Oct. 15, 2020.

For corporations the due date for estimated tax payments that would be due from the date of the Cares Act enactment through Oct. 15, 2020, postponed until Oct. 15, 2020.

Net operating losses (NOLs) are allowed to be carried forward or back to taxable years beginning before January 1, 2021, to offset 100%, rather than 80%, of taxable income in such years. In addition, net operating losses generated in taxable years beginning after December 31, 2017, and before January 1, 2020, may be carried back five years.

The CARES Act delays until taxable years beginning after 2020 implementation of a 2017 tax reform provision that disallows a deduction for excess business losses. The Cares Act thus will retroactively allow such losses for 2018 and 2019 as well as for 2020.

[Click here to read more.](#)



Single Claimant Settlement Funds May Not Be Valid

A Primer on 468B Settlement Funds

by Stephen R. Harris, Cozen O'Connor, Philadelphia

To settle mass tort actions, the parties often prefer to structure the settlement payments to take advantage of current tax laws. Section 468B of the Internal Revenue Code permits settlement



contributions to be made into certain funds (i.e. accounts or trusts) while the actions continue against other defendants or while the claimants determine an appropriate allocation method. The funds into which these settlement payments are paid are often referred to as 468B settlement funds or QSFs (hereinafter, collectively, 468B QSF). When there is an attempt to create a 468B QSF to effectuate a structured settlement for a single-claimant, it is known as a single claimant 468B QSF.

In a typical structured settlement, personal/bodily injury claimants receive all their funds tax free even though some portion of each payment usually includes earnings on the amount that was invested by the involved insurance company to generate the structured settlement payments. According to the doctrines of constructive receipt and economic benefit, if a claimant has too much control or rights in connection with amounts invested to generate the structured settlement payments, then the claimant must pay tax on the earning port of each payment.

[Click Here](#) to read the entire article published on April 6.

Court of Appeals of Maryland Rejects Access Funding Class Settlement



Maryland's highest court, the Court of Appeals of Maryland recently invalidated a proposed class action settlement of claims of structured settlement payees, most of them victims of childhood lead poisoning, against Access Funding, the notorious factoring company whose abuses were publicized by the Washington Post in 2015. The ruling by the Court of Appeals, in *Linton v. Consumer Protection Division*, (March 3, 2020), is important for NSSTA members because it may revive efforts by the Consumer Protection Division of the Maryland Attorney General's office and/or the Consumer Financial Protection Board to nullify as many as 100 factoring transactions that were approved in final judgments of Maryland Circuit Courts. To review the Court's ruling, [click here.](#)

NSSTA Capitol Hill Update

with NSSTA Executive Director, Eric Vaughn

Next Coronavirus Stimulus Bill: Pressure is building on Congress to act swiftly on another round of economic stimulus legislation. There are also mounting concerns that the "Coronavirus Federal Spending" to date threatens to push the federal deficit to over \$3.6 trillion by the end of the fiscal year in September. [Click here](#) to read the major stimulus proposals under active consideration on Capitol Hill.



"Meetings" with Members of Congress and Congressional staff have all become virtual. Face-to-face conversations are now phone calls and a response to a request for a meeting with a Member of Congress is an invitation to a ZOOM video conference. Even political fundraising events have gone virtual and you have to bring your own glass of wine to the event. [Click here](#) to view the list of meetings and activities with Members of Congress.

Marketing with Good News
with Lu Ann Reeb



Bringing a few minutes of diversion in the otherwise dismal news we're hearing during the pandemic, is good marketing. It can create a memorable moment of happy or playful emotion or even escapism during the daily new normal work-at-home grind for professionals. And if it comes from you, people remember. Choose the content wisely for the intended recipient.



Here's a perfect example I have for you! *Some Good News*, hosted by John Krasinski (of *The Office* TV series fame), was created to report all good news in a weekly YouTube series. In this second episode, over 1-million people watched! And right now, if you have about 17-minutes, you'll know why. Or if you're short on time, fast forward to the 8:27 minute mark in the video and witness the amazing and memorable Hamilton Zoom bomb extravaganza that made a little girl's day. I hope this makes your day too.

Free NSSTA Annuity Webinar April 30 at 1pm-5pm EDT

Valid for 4 hour(s) of CA & TX ANU CE credits. This course will demonstrate through case law and case examples the rules governing the design of annuities, as well as the sale of annuity products and the appropriate products to be sold to the senior population. Only NSSTA brings you CE credits that you need for license compliance. Sign up today!



Register for the
Webinar

Save the date: Thursday May 28. Plan to attend the NSSTA two Hours Ethics Webinar program accredited through State department of Insurances nationwide. More information to follow.

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