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

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Early release drafts are at <u>IRS.gov/DraftForms</u> and remain there after the final release is posted at <u>IRS.gov/LatestForms</u>. All information about all forms, instructions, and pubs is at <u>IRS.gov/Forms</u>.

Almost every form and publication has a page on IRS.gov with a friendly shortcut. For example, the Form 1040 page is at <u>IRS.gov/Form1040</u>; the Pub. 501 page is at <u>IRS.gov/Pub501</u>; the Form W-4 page is at <u>IRS.gov/W4</u>; and the Schedule A (Form 1040/SR) page is at <u>IRS.gov/ScheduleA</u>. 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 <u>IRS.gov/FormsComments</u>. 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 <u>here</u>.

Form 96	5-D		
(December 2019)			
Department of the Treasury Internal Revenue Service			
Part I	Trans		

Transfer Agreement Under Section 965(i)(2)

► Go to www.irs.gov/Form965 for instructions and the latest information.

OMB No. 1545-0123

File in Duplicate (see When and Where To File in the separate instructions)

Par	tl	Transferor Information	ł
Name o	f eligible	section 965(i) transferor (see instructions for definition)	Taxpayer identification number
Address	s (numbe	er, street, room, suite, or P.O. box number)	
City or t	own, sta	ate or province, country, and ZIP or foreign postal code	
Par	11	Transferee Information	
		section 965(i) transferee (see instructions for definition)	Taxpayer identification number
			0000
Address	s (numbe	er, street, room, suite, or P.O. box number)	ZUZU
City or t	own, sta	ate or province, country, and ZIP or foreign postal code	
Part	: 111	Identifying Information of the S Corporation (with respect to which	the section 965(i) election was effective)
Name			Taxpayer identification number
Part	IV	Triggering Event Leading to Transfer Agreement	
1	Enter	the date of the triggering event	· · · · · · · · · ·
2		the transfer by reason of death of the transferor?	Yes 🗌 No
3		de the portion, expressed as a percentage, of the transferor's section 965(i)	
	-	ect to the S corporation which is properly allocable to the portion of sto	-
		feree	· · · · · · · · · · <u> </u>
4	Provid	de a detailed description of the triggering event that led to the transfer agree	ment:
Par	t V	Report of Unpaid Section 965(i) Net Tax Liability or Portion The	reof Attributable to Transferred Stock
5		the amount of the transferor's unpaid section 965(i) net tax liability being ass	
Part	: VI	Transferee's Ability To Pay Remaining Liability	
6	Is the	transferee able to pay the section 965(i) net tax liability being assumed?	Yes 🗌 No
7	Did th	ne leverage ratio (see instructions) of the transferee, immediately after the trig	gering event, exceed 3:1? . 🗌 Yes 🗌 No
8	Provid	de any additional information pertaining to the transferee's ability to pay (see	instructions):
For Pri	vacy A	ct and Paperwork Reduction Act Notice, see the separate instructions.	Cat. No. 72588B Form 965-D (12-2019)

Part VII Terms of Agreement

By signing this transfer agreement, you agree to the following.

• This document constitutes an agreement by the transferee to assume the liability of the transferor for the unpaid portion of the section 965(i) net tax liability or, in the case of a partial transfer, for the unpaid portion of the section 965(i) net tax liability attributable to the transferred stock;

• The transferee agrees to comply with all the conditions and requirements of section 965(i) and Regulations section 1.965-7(c), including the annual reporting requirement, as well as any other applicable requirements of the regulations under section 965;

• The transferor and any successor to the transferor will remain jointly and severally liable for the section 965(i) net tax liability being assumed by the transferee;

• If the Commissioner requests additional information (for example, additional information regarding the ability of the transferee to fully pay the section 965(i) net tax liability), the transferee will provide such information; and

• If the Commissioner determines, at the time of submission or such later date until the section 965(i) net tax liability has been fully paid, that this transfer agreement contains a material misrepresentation or material omission, or if the transferee does not provide the additional information requested by the Commissioner within a reasonable timeframe communicated by the Commissioner, the Commissioner may reject the transfer agreement effective as of the date of the related triggering event or, in the alternative, on the date the Commissioner determines that this transfer agreement includes a material misrepresentation or material omission.

	Transferor	
Sign Here	Under penalties of perjury, I declare that I have examined this form, and to the complete. I certify that I have the authority to execute this transfer agreement for Signature Print name	
	Email address	Daytime phone
	Transferee	
Sign Here	Under penalties of perjury, I declare that I have examined this form, and to the I complete. I certify that I have the authority to execute this transfer agreement for Signature Print name	
	Email address	Daytime phone
	·	Form 965-D (12-2019)