Part III - Administrative, Procedural and Miscellaneous

Qualified Public Educational Facility Bonds–2002 Calendar Year Resident Population Estimates

Notice 2002-56

This notice informs states and other issuers of qualified exempt facility bonds described in § 142(a)(13) of the Internal Revenue Code ("Qualified Public Educational Facility Bonds") of the proper population figures to be used for calculating the 2002 calendar year limitation under § 142(k)(5) on the annual aggregate face amount of tax-exempt bonds described in § 142(a)(13).

Section 142(k)(5) provides that an issue shall not be treated as an issue described in § 142(a)(13) if the aggregate face amount of bonds issued by the state pursuant thereto (when added to the aggregate face amount of bonds previously so issued during the calendar year) exceeds an amount equal to the greater of (i) $10 multiplied by the state population, or (ii) $5,000,000.

There is no definition of "state population" under § 142(k)(5). However, the volume limitation under § 142(k)(5) is analogous to the volume cap under § 146. Section 146(j) provides generally that, for purposes of § 146, determinations of population for any calendar year are made on the basis of the most recent census estimate of the resident population of a state (or issuing authority) released by the Bureau of the Census before the beginning of such calendar year. The same population figures are to be used for purposes of § 142(k)(5). The 2002 calendar year population figures to be used for purposes of § 146 were published in Notice 2002-13,

2002-8 I.R.B. 547 (February 25, 2002). In future years, the population figures for purposes of § 142(k)(5) and § 146 will be published in the same notice.

The proper population figures for calculating the volume limitation under § 142(k)(5) for the 2002 calendar year are the estimates of the resident population of the 50 states and the District of Columbia, released by the Bureau of the Census on December 28, 2001, in Press Release CB01-203.   The proper population figures for calculating the volume limitation under § 142(k)(5) for the 2002 calendar year for Puerto Rico are the estimates of the resident population for July 1, 2001, released by the Bureau of the Census on December 31, 2001, in Press Release CB01-205.   The proper population figures for calculating the volume limitation under § 142(k)(5) for the 2002 calendar year for the insular areas (American Samoa, Guam, Northern Mariana Islands, and U.S. Virgin Islands) are the figures released by the Bureau of the Census on July 3, 2001, in press release CB01-CN.1. For convenience, these estimates are reprinted below.

Resident Population Figures

Alabama	4,464,356
Alaska	634,892
American Samoa	57,291
Arizona	5,307,331
Arkansas	2,692,090
California	34,501,130
Colorado	4,417,714
Connecticut	3,425,074
Delaware	796,165
District of Columbia	571,822
Florida	16,396,515

Georgia   8,383,915
Guam 154,805

Hawaii   1,224,398

Idaho 1,321,006
Illinois 12,482,301
Indiana   6,114,745
Iowa   2,923,179

Kansas   2,694,641
Kentucky   4,065,556

Louisiana   4,465,430

Maine 1,286,670
Maryland   5,375,156
Massachusetts   6,379,304
Michigan   9,990,817
Minnesota   4,972,294
Mississippi   2,858,029
Missouri   5,629,707
Montana   904,433

Nebraska   1,713,235
Nevada   2,106,074
New Hampshire   1,259,181
New Jersey 8,484,431
New Mexico 1,829,146
New York   19,011,378
North Carolina   8,186,268
North Dakota 634,448
Northern Mariana Islands   69,221

Ohio   11,373,541
Oklahoma   3,460,097
Oregon   3,472,867

Pennsylvania 12,287,150
Puerto Rico   3,839,810

Rhode Island 1,058,920

South Carolina   4,063,011
South Dakota   756,600

Tennessee   5,740,021
Texas 21,325,018

U.S. Virgin Islands   108,612
Utah   2,269,789

Vermont   613,090
Virginia   7,187,734

Washington 5,987,973
West Virginia 1,801,916
Wisconsin   5,401,906
Wyoming   494,423

      The principal authors of this notice are Michael P. Brewer and Timothy L. Jones of the Office of Assistant Chief Counsel (Tax Exempt and Governmental Entities). For further information regarding this notice contact Mr. Brewer at (202) 622-3980 (not toll-free calls).