Members of the military and their families may be eligible for special tax benefits. This brochure presents a brief summary of some of the special tax provisions that may apply.

For federal tax purposes, the U.S. Armed Forces includes officers and enlisted personnel in all regular and reserve units controlled by the Secretaries of Defense, the Army, Navy, Marine Corps and Air Force. The Coast Guard is also included, but not the U.S. Merchant Marine or the American Red Cross.

General Military Provisions

Uniform cost and upkeep. In general, the expenses for uniform cost and upkeep are nondeductible. If military regulations prohibit you from wearing certain uniforms when off duty, you can deduct the cost and upkeep of those uniforms, but you must reduce your expenses by any allowance or reimbursement you receive. **Note:** These deductions are no longer allowed for 2018–2025.

Plan distributions. IRA distributions or distributions from a 401(k) or 403(b) plan that were made after the date of the order or call to active duty and before the close of the active duty period are subject to special rules and may not be subject to the 10% penalty on early distributions. Such distributions are also eligible to be repaid to the plan if paid back within two years after active duty ends.

ROTC students. Subsistence allowances paid to ROTC students participating in advanced training are not taxable. However, active duty pay, such as pay received during summer advanced camp, is taxable.

Joint returns. Generally, joint returns must be signed by both spouses. If one spouse is overseas on military duty, there are some options for signing, such as:

- One spouse can prepare the return, sign it, and send it to the other spouse to sign early enough so that it can be filed by the due date.
- The spouse who expects to be overseas on the due date of the return can file Form 2848, *Power of Attorney and Declaration of Representative*, specifically designating that the spouse who remains in the United States may sign the return for the absent spouse.
- If the taxpayer is stationed in a combat zone, the spouse can sign without a Power of Attorney.

Extending your return. If you live in the U.S., you can receive an automatic six-month extension to file your return by filing Form 4868. If you live outside of the U.S., you may qualify for an automatic two-month extension without having to file Form 4868, and an additional four-month extension by filing Form 4868 by June 15. You do not have to send in any payment of tax due when you extend your return; however, interest will be due on late payments.

Deferral of tax payment. Members of the Armed Forces may qualify to defer payment of income tax that becomes due before or during military service. If you qualify, you'll be allowed up to 180 days after termination or release from military service to pay the tax.

Moving expenses. Special rules apply to active duty members of the Armed Forces and surviving spouses who move because of a permanent change of station. Deductible expenses include unreimbursed costs of moving household goods and personal effects, travel, and certain costs of storing and insuring household goods and personal effects. If you are moving to a foreign country, the deductible moving expenses are expanded to include the reasonable expenses of moving your household goods and personal effects to and from storage, and for storing these items for part or all of the time during which the new job location remains your main job location.

Sale of home. Qualifying taxpayers can exclude up to $250,000 of gain ($500,000 if married filing a joint return) on the sale of a main home. There are special rules that apply if you have to sell your home because you're moving to a new permanent duty station. Another special rule is available for suspending the test period for ownership and use for up to ten years during the period that you or your spouse serve on qualified official extended duty.

Combat Zone Provisions

Extension of deadlines. The deadline for filing tax returns, paying taxes, filing claims for refund, and taking certain other actions with the IRS, including making IRA contributions, is automatically extended if you are serving in a combat zone or you have qualifying service outside of a combat zone, such as participating in a contingency operation. No penalties or interest will be imposed for failure to file a return or pay taxes during the extension period.

Combat pay income exclusion. Pay received while a member of the U.S. Armed Forces serving in a combat zone can be excluded from income. If you serve in a combat zone for any part of one or more days during a particular month, you are entitled to an exclusion for that entire month.

The wages shown in Box 1 of your W-2 should not include military pay excluded from income under the combat zone exclusion provisions. If it does, get a corrected Form W-2 from your finance office. Pay properly shown in Box 1 of Form W-2 may not be excluded under the combat pay rules.

Earned Income Credit. If you were a member of the U.S. Armed Forces and served in a combat zone, certain pay is excluded from your income. You can elect to include this pay in your earned income when figuring the EITC. Nontaxable combat pay should be shown in Form W-2, Box 12, with code Q. If you are filing a joint return and both you and your spouse received nontaxable combat pay, you can each make your own election.

IRA contributions. Combat pay is considered earned income for purposes of contributing to an IRA even though it is not included in taxable income.

IRS audit and collections relief. Taxpayers who are serving in a combat zone are eligible for a suspension of IRS compliance actions, such as audits or enforced collections, until 180 days after the taxpayer has left the zone.

Decedent provisions. The Federal government can waive a deceased service member's tax liability for the year of death (possibly for earlier years as well) or refund taxes if the member died during active service in a combat zone, either from wounds, disease, or other injury, or from wounds or injury incurred in a terrorist or military action.

This brochure contains general tax information for taxpayers. As each tax situation may be different, do not rely upon this information as your sole source of authority. Please seek professional advice for all tax situations.

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National Association of Tax Professionals
PO Box 8002
Appleton, WI 54912-8002
www.natptax.com

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