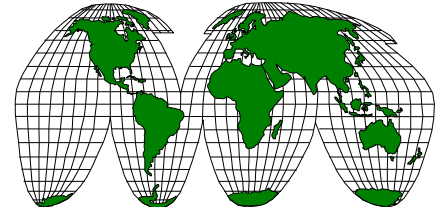


Schreiber & Schreiber

Certified Public Accountants



Due Dates for Returns Affected by 2021 Texas Winter Storms

By Gerard H. Schreiber, Jr., CPA

Updated Monday, February 22, 2021 3:47 PM

IRS issued News Releases TX-2021-02 (<https://www.irs.gov/newsroom/irs-announces-tax-relief-for-texas-severe-winter-storm-victims>) to provide relief for victims of severe winter storms that began on February 11, 2021.

Individuals and households affected by severe winter storms that reside or have a business in all 254 Texas counties qualify for tax relief.

Additional information on this disaster is available on the FEMA website at: <https://www.fema.gov/>. Continual monitoring of the IRS and FEMA websites will provide updated information on this event.

Certain deadlines falling on or after February 11, 2021, and before June 15, 2021, are granted additional time to file through June 15, 2021.

Practitioners should look to Code Section 7508A and the 7508A Regulations to fully understand the terms, definitions, and examples applicable to this set of filing circumstances.

The disaster declaration permits IRS to postpone certain deadlines for taxpayers who reside or have a business in the disaster area under Code Section 7508A. This includes 2020 individual income tax returns.

Also included are the March 15th and April 15th deadlines for making quarterly estimated tax payments.

The following forms are amongst those that are affected:

- Form 1040
- Form 1120
- Form 1120S
- Form 1065
- Form 1041
- Form 990
- Form 720
- Form 5500
- Form 706
- Form 709
- Form 941

Payments on all estimated tax (individual, corporation, trust, etc.) that would have been due between February 11, 2021 and June 15, 2021 are also affected.

This relief also includes the filing of Form 5500 series returns, (that were required to be filed on or after February 11, 2021 and before June 15, 2021, in the manner described in Rev. Proc. 2018-58. The relief described in section 17 of Rev. Proc. 2018-58, pertaining to like-kind exchanges of property, also applies to certain taxpayers who are not otherwise affected taxpayers and may include acts required to be performed before or after the period above.

The Surface Transportation Act of 2015 change certain due dates. These changes are generally effective for taxable years starting after December 31, 2015. These would include fiscal year taxpayers including Forms 1065, 1120, 1120S, 1041, and others. Refer to the instructions for the applicable form to answer any questions on the extension period and appropriate form to file.

**Returns due the 15th day of the third month following the year end (1065 and 1120S)
(Extension is for six months)**

Year End	Extension Due Date	Extension Granted to	Return/Extension would be due
5/31/2020	8/15/2020	2/15/2021	<u><i>Return due on 6/15/2021</i></u>
6/30/2020	9/15/2020	3/15/2021	<u><i>Return due on 6/15/2021</i></u>
7/31/2020	10/15/2020	4/15/2021	<u><i>Return due on 6/15/2021</i></u>
8/31/2020	11/15/2020	5/15/2021	<u><i>Return due on 6/15/2021</i></u>
9/30/2020	12/15/2020	6/15/2021	<u><i>No Effect</i></u>
10/31/2020	1/15/2021	7/15/2021	<u><i>No effect</i></u>
11/30/2020	2/15/2021	8/15/2021	<u><i>Extension would be due 6/15/2021. Return due on 8/15/2021</i></u>
12/31/2020	3/15/2021	9/15/2021	<u><i>Extension would be due 6/15/2021. Return due on 9/15/2020</i></u>
1/31/2021	4/15/2021	10/15/2021	<u><i>Extension would be due 6/15/2021. Return due on 10/15/2021</i></u>
2/29/2021	5/15/2021	11/15/2021	<u><i>Extension would be due 6/15/2021. Return due on 11/15/2021</i></u>
3/31/2021	6/15/2021	12/15/2021	<u><i>No Effect</i></u>

**Returns due the 15th day of the fourth month following the year end (1120)
(Extension is for six months)**

Year End	Extension Due Date	Extension Granted to	Return/Extension would be due
4/30/2020	8/15/2021	2/15/2021	<u><i>Return due on 6/15/2021</i></u>
5/31/2020	9/15/2020	3/15/2021	<u><i>Return due on 6/15/2021</i></u>
6/30/2020	10/15/2020	4/15/2021	<u><i>Return due on 6/15/2021</i></u>
7/31/2020	11/15/2020	5/15/2021	<u><i>Return due on 6/15/2021</i></u>
8/31/2020	12/15/2020	6/15/2021	<u><i>Return due on 6/15/2021</i></u>
9/30/2020	1/15/2021	7/15/2021	<u><i>No effect</i></u>

10/31/2020	2/15/2021	8/15/2021	<u><i>Extension would be due 6/15/2021</i></u>
11/30/2020	3/15/2021	9/15/2021	<u><i>Extension would be due 6/15/2021</i></u>
12/31/2020	4/15/2021	10/15/2021	<u><i>Extension would be due 6/15/2021</i></u>
1/31/2021	5/15/2021	11/15/2021	<u><i>Extension would be due 6/15/2021</i></u>
2/29/2020	6/15/2020	12/15/2020	<u><i>Extension would be due 6/15/2021</i></u>

**Returns due the 15th day of the fourth month following the year end (1041)
(Extension is for 5 ½ months)**

Year End	Extension Due Date	Extension Granted to	Return/Extension would be due
5/31/2020	9/15/2020	2/28/2021	<u><i>Return due 6/15/2021</i></u>
6/30/2020	10/15/2020	3/31/2021	<u><i>Return due 6/15/2021</i></u>
7/31/2020	11/15/2020	4/30/2021	<u><i>Return due 6/15/2021</i></u>
8/31/2020	12/15/2020	5/31/2021	<u><i>Return due 6/15/2021</i></u>
9/30/2020	1/15/2021	6/30/2021	<u><i>Return due 6/15/2021</i></u>
10/31/2020	2/15/2021	7/31/2021	<u><i>Extension would be due 6/15/2021</i></u>
11/30/2020	3/15/2021	8/31/2021	<u><i>Extension would be due 6/15/2021</i></u>
12/31/2020	4/15/2021	9/30/2021	<u><i>Extension would be due 6/15/2021</i></u>
1/31/2021	5/15/2021	10/31/2021	<u><i>Extension would be due 6/15/2021</i></u>
2/29/2021	6/15/2021	11/30/2021	<u><i>Extension would be due 6/15/2021</i></u>
3/31/2021	7/15/2021	12/31/2021	<u><i>No effect</i></u>

**Returns due the 15th day of the fifth month following the year end (990)
(Extension is for six months)**

Year End	Extension Due Date	Extension Granted to	Return/Extension would be due
3/31/2020	8/15/2020	2/15/2021	<u><i>Return due 6/15/2021</i></u>
4/31/2020	9/15/2020	3/15/2021	<u><i>Return due 6/15/2021</i></u>
5/31/2020	10/15/2020	4/15/2021	<u><i>Return due 6/15/2021</i></u>
6/30/2020	11/15/2020	5/15/2021	<u><i>Return due 6/15/2021</i></u>
7/31/2020	12/15/2020	6/15/2021	<u><i>Return due 6/15/2021</i></u>
8/31/2020	1/15/2021	7/15/2021	<u><i>No effect</i></u>
9/30/2020	2/15/2021	8/15/2021	<u><i>Extension would be due 6/15/2021</i></u>
10/31/2020	3/15/2021	9/15/2020	<u><i>Extension would be due 6/15/2021</i></u>

11/30/2020	4/15/2021	10/15/2021	<i><u>Extension would be due 6/15/2021</u></i>
12/31/2020	5/15/2021	11/15/2021	<i><u>Extension would be due 6/15/2021</u></i>
1/31/2021	6/15/2021	12/15/2020	<i><u>No effect</u></i>

Revenue Procedure 2018-58(<https://www.irs.gov/pub/irs-drop/rp-18-58.pdf>) provides guidance on the acts covered by a Code 7508A interruption. It should be noted some specific acts not mentioned in the Revenue Procedure are not covered by this extension. This would include some Code Section elections.

Practitioners with taxpayers affected by this interrupted period should be familiar with Code Section 7508A(<https://www.law.cornell.edu/uscode/text/26/7508A>) and the 7508A regulations(<https://www.law.cornell.edu/cfr/text/26/301.7508A-1>).

Many will remember Code Section 7508A and the related regulations from previous disasters. IRS is experiencing decreased service levels as a consequence of budget cuts. It is suggested practitioners have a copy of this Code Section and Regulations to use during the preparation of returns for affected taxpayers and in contacting IRS on taxpayer matters. Most important is an understanding of the examples included in the Regulations.

IRS has indicated they automatically identify taxpayers located in the covered disaster area and apply automatic filing and payment relief. Affected taxpayers who reside or have a business located outside the covered disaster area must call the IRS disaster hotline at 866-562-5227 to request this tax relief. Practitioners in the covered disaster area also have relief under 7508A.

IRS identifies “affected taxpayers” by zip codes and these accounts are generally coded as such in IRS records. Practitioners with clients outside of the covered disaster area have to contact the IRS disaster hotline to indicate the client is an “affected taxpayer” as defined in Code Section 7508A. Practitioners should also be aware a Form 2848 may be needed to discuss the taxpayer’s account with the IRS representative.

Practitioners should check with the different states that taxpayers have to file in to determine if filing relief for this event is being granted in that particular state.

Important resources are located at:

- www.irs.gov
- <https://www.irs.gov/uac/Tax-Relief-in-Disaster-Situations>
- <https://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/FAQs-for-Disaster-Victims>
- www.fema.gov
- www.disasterassistance.gov

Continual monitoring of the various taxing authority websites and announcements will be required to adequately service taxpayers affected by this disaster and have taxpayers meet all the filing requirements.