

# PUBLICATION

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## New Year, New Filing Deadline for Certain Tax Returns

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**In 2015, President Obama signed the Surface Transportation and Veterans Health Improvement Act of 2015 (the "Act") into law. The Act included provisions which changed the due dates for many federal tax returns, effective for taxable years beginning after December 31, 2015, including tax returns for the 2016 calendar year, which will be filed in 2017.**

**Partnership Tax Return (Form 1065).** The Act changed the due date for Form 1065 (the information return filed by partnerships) to March 15 for calendar year partnerships, and to the 15th day of the third month after year-end for fiscal year partnerships. A six-month extension will be allowed from the due date. Form 1065 had previously been due on April 15 for calendar year partnerships and the 15th day of the fourth month after year-end for fiscal year partnerships. The change is meant to ensure that individuals will have the information they need from Form 1065 prior to filing their individual income tax returns. Previously partnership returns for a calendar year partnerships were generally due April 15.

**Corporate Tax Return (Form 1120).** The Act changed the due date for Form 1120, the corporate income tax return, to April 15 for calendar year corporations and the 15th day of the fourth month after year-end for fiscal year corporations. Previously corporate tax returns for a calendar year C corporation were generally due March 15 of the next year.

However, the due date for filing Form 1120 for corporations with a June 30 year-end will remain September 15 until after 2025, when it will switch to October 15. As a general rule, a six-month extension will be allowed from the due date. However, for taxable years beginning after 2025, calendar year corporations will be allowed a seven-month extension to October 15.

It should be noted that the due date for Form 1120S, the information return filed by S corporations, is unchanged by the Act and generally remains March 15 for calendar year S corporations.

**Form W-2.** Another recent act, the Protecting Americans from Tax Hikes Act of 2015, changed the due date for submitting Form W-2 to the IRS and Social Security Administration to January 31. Under prior law, Form W-2 was due to employees on January 31, but employers had until February 28 (or March 31 if filing electronically) to submit Form W-2 to the IRS and Social Security Administration.

**State Conformity.** It is important to note that while many states have enacted legislation to conform state income tax due dates to the new federal due dates in the Act, others have not, and therefore, federal and state filing due dates may differ.

**Individual Filing Due Date Unaffected.** The Act does not change the due date for individual income tax returns, which generally remains April 15.

Please remember that advice and counsel regarding your particular tax-related issues, including the potential impact of the developments referenced above on you, your business or organization, is dependent upon your specific facts and circumstances. For more information about how these developments may affect you, your

business or related matters, contact the author of this alert, Allen Blow, or any member of the Firm's Tax Group.