



# Mailing and Received Date





## Timely Mailing, Weekends, and Holidays

I.R.C. § 7502(a) in general... the postmark date stamped on the envelope is deemed to be the date of delivery...

April 15 <sup>th</sup> (Sunday)	April 16 <sup>th</sup> (Monday)	April 25 <sup>th</sup> (Wednesday)	Result
The 15 <sup>th</sup> day of the fourth month of the year.	Rosie Johnson filed her individual income tax return and it is postmarked April 16 <sup>th</sup> .	IRS receives Rosie Johnson's income tax return	The return is deemed filed on Monday, April 16 under the timely mailing rule and the holiday rule because April 15 was a Sunday.





### **Saturday, Sunday, or legal holiday**

- When a due date falls on Saturday, Sunday, or a legal holiday, the act is considered timely if it is performed no later than the next day that isn't a Saturday, Sunday, or legal holiday

### **Statewide legal holidays**

- Delays the due date only if the IRS office where you're required to file is located in that state
- Delays a return filing due date for individual residents of that state
- Doesn't delay a due date for making a federal tax deposit



## Types of Relief

- **Military Relief**
- **Disaster Relief**
- **List of declared disasters by state visit:**  
<https://www.irs.gov/newsroom/around-the-nation>





## Certified Mail, Registered and Private Delivery

- **Certified Mail**
- **Registered Mail**
- **Private Delivery Services visit:**

<https://www.irs.gov/filing/private-delivery-services-pds>





- **An electronic postmark is given by the authorized transmitter.**
- **The IRS received date is initially determined by the electronic postmark based on the transmitter's time zone, but it is the taxpayer's time zone that controls the timeliness of the electronically filed document.**
- **All accepted acknowledgments include the "IRS Received Date," which is the date that the IRS deems the return received.**



# Statute of Limitations on Assessments





**IRC 6501 limits the time the IRS may make tax assessments**

**IRS must:**

- **Assess tax within 3 years after a valid return was filed**

**3-year period begins:**

- **on the original due date or**
- **date return was filed, or whichever is later**





## Statute of Limitations

- **IRS may collect taxes within 10 years after the assessment**
- **Statute date can be suspended or extended by certain events**
- **Determine the original assessment date**





## What Constitutes a Valid Return

- **There must be sufficient data to calculate the tax liability shown on the return (supportive schedules and/or forms)**
- **The document must claim to be a return (name, address, TIN)**
- **An honest and reasonable attempt is made to satisfy requirements of the tax law**
- **Must be executed under penalty of perjury**





## Exceptions to the 3-year rule

- **False or fraudulent return**
- **Failure to file a return**
- **Agreement to extend the ASED**
- **Certain amended returns**
- **Certain substantial omissions**
- **Net operating loss**
- **Capital loss carrybacks**





# When the IRS Pays Interest





## Overpayment Availability Dates

- **An overpayment is generally available for offset and or refund on its availability date.**
- **The availability date of an overpayment is determined by the payment(s) and or credit(s) of which it is comprised.**
- **These payments and credits may be dated before the return due date or on or after the return due date.**
- **An overpayment can be made up of multiple payments and or credits, therefore it may have more than one availability date.**





- **Any payments made before the original return due date, such as:**
  - Estimated Tax Payments**
  - Federal Withholding Credit**
- **Payments made on or after the return due date (without regard to extension) are available for offset or refund as of the date the payment is received.**



## Stop and Start Dates for Overpayment Interest

**In general, we pay interest on the amount you overpay starting from the later of the:**

- Tax return filing due date**
- Late filed tax return received date**
- Date we get your return in a format we can process**
- Date the payment was made**

**We stop paying interest on the date we offset the overpayment to an outstanding liability and/or refund it.**





## Interest on Offsets & Interest on Refunds

- **Offset is made, interest is generally allowed**
- **Offsets and late filed tax returns**
- **Interest on Refunds – back-off period**





## Exception to Interest on Refunds: 45-Day Rule

**No interest is allowed when a refund is issued within 45 days of the later of the:**

- Normal (un-extended) return due date**
- Late filed return received date**
- Date return received in processible form**





## Limitations on Refunds and Overpayments

- **Limitation to Interest on Refunds: IRS-Initiated Adjustments**
- **Limitation to Interest on Overpayments from Amended Returns and Claims**





# Overpayment Interest Rates 2019 to 2023

Period	Noncorporate Overpayment	Corporate Overpayment	Portion of corporate overpayment exceeding \$10,000
Oct. 1, 2023 to Dec. 31, 2023	8	7	5.5
Jan. 1, 2023 to Sept. 30, 2023	7	6	4.5
Oct. 1, 2022 to Dec. 1, 2022	6	5	3.5
July 1, 2022 to Sept. 1, 2022	5	4	2.5
April 1, 2022 to July 31, 2022	4	3	1.5
July 1, 2020 to Mar. 31, 2022	3	2	.5
July 1, 2019 to June 30, 2020	5	4	2.5
Jan. 1, 2019 to June 30, 2019	6	5	3.5





## Special Interest Rules

- **Seized Property**
- **Reissued Refund Checks**
- **I.R.C. Section 6603 Deposits**
- **Net Rate of Zero**
- **Overpaid Overpayment of Interest**
- **Underpaid Overpayment of Interest**

