

## 2017 Federal and State Tax Provisions for the Foreign Service

The American Foreign Service Association's annual Tax Guide is intended as an informational tool. Although this update accurately summarizes the law, it is merely a starting point. The language of the actual tax provisions is always more technical than what follows here.

AFSA therefore recommends that you use this guide with caution and consult a tax adviser with specific questions, as the IRS may impose penalties for understating tax liabilities (please see the Circular 230 notice on page 79).

Although tax reform has been a hot topic in Washington, D.C., this year, gross income remains the starting point for figuring state and federal income tax. It includes "all income from whatever source derived" and, barring major reform, that includes foreign income from outside the United States.

Adjustments to gross income, deductions and tax credits are matters of legislative grace. Congress passes, the IRS applies and the courts scrutinize the law and its application. The result is federal tax law. State legislatures may adopt the federal system or deviate from federal law, sometimes requiring residents to add back amounts for a higher taxable state income. Consequently, no tax benefit should be claimed without knowing state and federal law.

### IMPORTANT NOTE

This guidance applies to the 2017 tax year *only*, for individual income tax returns due on Tuesday, April 17, 2018. Any major changes to the tax code for 2018 will be covered in next year's guide.

By filing Form 4868, the automatically granted extension of six months extends the deadline to Monday, Oct. 15. Although the 2017 AFSA Tax Guide is correct at publication, bear in mind that there will likely be changes to the tax code for the 2018 tax year. At present, however, we are not aware that any possible such changes will apply to 2017 tax returns.

This update begins with federal tax law, headlined by the 2017 tax brackets and rates. From there the personal exemption, foreign earned income exclusion, extension for taxpayers abroad and standard and itemized deduction rules are presented. Special attention is devoted to the topics Foreign Service employees most frequently ask AFSA about: moving, interest, home leave and official residence expenses; and home ownership and sale of a principal residence. New this year is a section about gifts, retirement and estate tax planning.

This update concludes with each state's domicile rules.

AFSA Senior Labor Management Advisor James Yorke (YorkeJ@state.gov), who compiles the tax guide, would like to thank Sam Schmitt, Esq., for preparing the section on federal tax provisions.

### 2017 Federal Tax Provisions

The table on page 74 summarizes the marginal income and corresponding capital gains tax brackets.

### Personal Exemption

For each taxpayer, spouse and dependent, the personal exemption remains \$4,050. A personal exemption phase-out is in place for 2017. Unmarried taxpayers who earn more than \$261,500 individually

(\$287,650 for head of household, \$313,800 for those married filing jointly) should contact a tax professional to calculate the amount by which their personal exemption must be reduced.

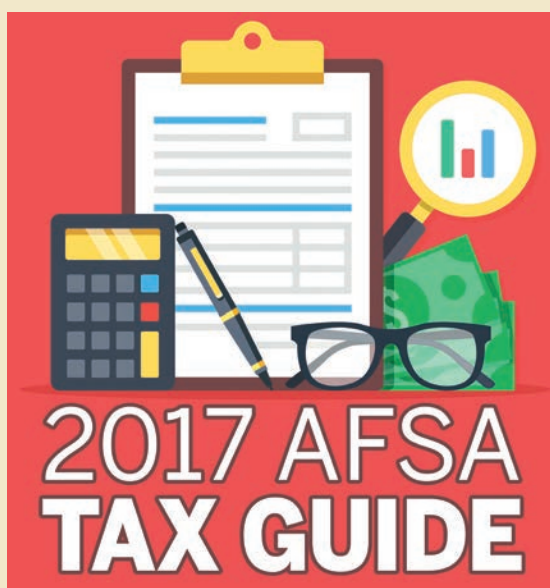
### Foreign Earned Income Exclusion

Americans living and working overseas may be eligible for this exclusion, but not if they are employees of the U.S. government. The first \$102,100 earned overseas as an employee or self-employed may be exempt from income taxes.

To receive this exclusion the taxpayer must:

(1) Establish a tax home in a foreign country, which is the general area of the taxpayer's "main place of business, employment or post of duty." In other words, where the taxpayer is "permanently or indefinitely engaged to work as an employee or self-employed individual." And,

(2) Either (a) Meet the "bona-fide residence" test, which requires that the taxpayer has been a bona-fide resident of a foreign country for an uninterrupted period that includes an entire tax year or (b) Meet the "physical presence" test,



which requires the taxpayer to be present in a foreign country for at least 330 full (midnight-to-midnight) days during any 12-month period (the period may be different from the tax year).

Note: The method for calculating the tax on non-excluded income in tax returns that include both excluded and non-excluded income was changed, beginning in 2006, resulting in higher tax on the non-excluded portion. (See the box on page 78 for a full explanation.)

2017 Marginal* Income Tax Brackets and Rates							
Personal Income Tax Rate (%)	Individual		Married** Jointly		Head of Household		Long Term*** Capital Gains Rate (%)
	Lower Limit	Upper Limit	Lower Limit	Upper Limit	Lower Limit	Upper Limit	
10	\$0	\$9,325	\$0	\$18,650	\$0	\$13,350	0
15	\$9,326	\$37,950	\$18,651	\$75,900	\$13,351	\$50,800	
25	\$37,951	\$91,900	\$75,901	\$153,100	\$50,801	\$131,200	15
28	\$91,901	\$191,650	\$153,101	\$233,350	\$131,201	\$212,500	
33	\$191,651	\$416,700	\$233,351	\$416,700	\$212,501	\$416,700	
35	\$416,701	\$418,400	\$416,701	\$470,700	\$416,701	\$444,550	20
39.60	\$418,401	Unlimited	\$470,701	Unlimited	\$444,551	Unlimited	

\*All taxpayers are taxed equally on income falling within each tax bracket at the rate in that bracket, beginning with the first. So an individual taxpayer earning \$38,700 pays 10 percent (\$933) tax on the first \$9,325 of income plus 15 percent on the next \$28,625.

\*\*Same-sex couples legally married in a jurisdiction in which such marriages are permitted must file as married.

\*\*\*Tax applied to gain on income from capital assets held for more than 12 months.

tion. The 2017 phase-out for itemized deductions begins at \$261,500 AGI for unmarried individuals (\$287,650 for head of household, and \$313,800 for those married filing jointly).

## Extension for Taxpayers Abroad

Taxpayers whose tax home was outside the United States on April 17, 2017, are entitled to an automatic two-month extension to June 15 to file their returns (without filing Form 4868). When filing the return, these taxpayers should write "Taxpayer Abroad" at the top of the first page of their 1040 form and attach a statement of explanation. There are no late-filing or late-payment penalties for returns filed and taxes paid by June 15, but the IRS will charge interest on any amount owed from April 17 until the date it receives payment.

## Standard Deduction

Taxpayers who do not itemize are entitled to take a standard deduction in the following amounts in 2017:

Individual: \$6,350

Married Filing Jointly: \$12,700

Head of Household: \$9,350

An additional amount is allowed for taxpayers over age 65 and for those who are blind.

## Itemized Deductions

Taxpayers itemize (1040 Schedule A) because they cannot take a standard deduction or because the itemized deductions to which they are entitled are greater than the standard deduction.

Unreimbursed employee expenses constitute one itemized deduction to the extent they exceed 2 percent of adjusted gross income (AGI). Professional dues and subscriptions to publications; employment and continuing education expenses; home office, legal, accounting, custodial and tax preparation fees; home leave, representational and other employee business expenses are all examples of this deduc-

## Home Leave and Unreimbursed Representational Expenses

These generally qualify as unreimbursed employee business expenses. They may be deducted as miscellaneous itemized deductions and claimed on Form 2106, subject to a 2 percent floor for all deductible expenses and a 50 percent cap for business-related meals and entertainment. All unreimbursed travel and lodging exceeding 2 percent of AGI may be deducted here. However, only the employee's (not family members') home leave expenses are deductible.

AFSA recommends maintaining a contemporaneous travel log and retaining a copy of home leave orders, which will help if the IRS ever questions claimed expenses. It is important to save receipts—without them a taxpayer may deduct only the federal meals-and-incidentals per diem rate at the home leave address, no matter how large the actual bill is. Lodging is deductible as long as it is not with friends, relatives or in one's own home.

The IRS will deny per diem and expenses claimed for family members. If a hotel bill indicates double rates, the single room rate should be claimed. Taxpayers should save the hotel's rate sheet, if possible. Car rental, mileage and other unreimbursed travel expenses, including parking fees and tolls, may be deducted. The 2017 rate for business miles driven has dropped to 53.5 cents per mile. Those who estimate mileage expenses need not keep detailed records of actual mileage cost. They must, however, keep a contemporaneous and detailed odometer log to justify the business use of the vehicle and track the percentage of business use. This optional mileage method also applies to leased vehicles.



Family members who are educators (K-12) can take additional advantage of up to a \$250 Educator Expense Deduction (1040 line 23) for unreimbursed business expenses even if they do not itemize. Qualifying expenses include books, supplies, computer equipment and software, classroom equipment and supplementary materials. Itemizers may claim more for unreimbursed business expenses, subject to the 2 percent floor.

### Unreimbursed Moving Expenses



Both taxpayers who itemize and those who claim the standard deduction may claim unreimbursed moving expenses as an adjustment to income. To take advantage of this deduction, taxpayers must meet three threshold requirements. First, the move must be closely related to the start of work (expenses incurred within one year of the start date for a new job and the taxpayer must move closer to the new job). Second, taxpayers must meet the distance test (the new job must be at least 50 miles farther from their old home than the old home is from the old job). Third, taxpayers must meet the time test (they must work full time for at least 39 weeks during the first 12 months after arriving to new job area). For an illustration of these requirements, please see Figure A in IRS publication 521, [www.irs.gov/publications/p521](http://www.irs.gov/publications/p521).

If those requirements are met, deductible expenses include the cost of transportation, storage and travel costs of moving the taxpayer, possessions (including pets) and the taxpayer's family. Note that the cost of meals during the move does not qualify.

### Official Residence Expenses

ORE reimbursements defray the "unusual" expenses from the operation of an official residence while extending official hospitality, receiving foreign dignitaries and holding official ceremonies. Conversely, a principal representative is expected to bear the burden of "usual" household expenses of 3.5 percent of their salary (3 FAM 3253.1; DSSR 040(1)). None of the 3.5 percent of "usual" household expenses is deductible because it is "payment for ordinary, everyday living expenses, and is not excludable from gross income" (Revenue Ruling 90-64). These expenses cannot be deducted as miscellaneous business expenses because they are personal expenses.

Official expenses for which any State Department employee is not reimbursed are deductible as unreimbursed employee expenses. No deduction is allowed for official expenses that are reimbursed.

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## Deductible Taxes

There are only four kinds of deductible non-business taxes: (1) State, local and foreign income taxes; (2) State, local and foreign real estate taxes; (3) State and local personal property taxes; and (4) State and local general sales taxes, which may be deducted in lieu of income taxes. For those residing abroad who are subject to foreign sales tax (also known as “Value Added Tax”), these may not be deducted in lieu of domestic sales taxes. The taxpayer must itemize and must have been charged and actually paid the taxes to be entitled to these deductions.

## Medical and Dental Expenses

Taxpayers who itemize can deduct medical expenses to the extent they exceed 10 percent of AGI (including health and long-term care insurance, but not health insurance premiums deducted from government salaries). This is the first year in which the floor for this deduction has risen (from 7.5 percent in 2016).

## Charitable Contributions

For itemizers only, contributions to “qualified organizations” may be deducted, and then only to the extent the tax code permits. For example, the AFSA Fund for American Diplomacy qualifies as a public charity. Contributions to it, and any public charity, can be deducted, but a taxpayer’s deduction for charitable contributions is limited to 50 percent of AGI. The IRS provides an “Exempt Organizations” online check tool to determine whether a charity qualifies. Payments to individuals are never deductible.

## Interest Expenses

Each kind of interest expense could qualify for a deduction or credit under a unique tax provision. Two commonly deducted forms of interest for itemizers are investment interest (to the extent of income from investments) and qualified mortgage interest (discussed below). Other kinds of deductible interest are a portion of student loan interest, non-farm business interest and interest incurred to produce rents or royalties.

The IRS publishes instructions and limitations for each, as well as guidance regarding at-risk loss limitation and passive activity loss limitation rules. It is recommended that you pursue additional information for each if you hope to claim any of these on your tax return. Taxpayers may not deduct interest paid on a loan to purchase a vehicle for personal use, credit card interest for personal expenses or interest related to tax-exempt income. Non-deductible debts may, however, be consolidated and paid with deductible home equity loan interest (discussed below).

## Home Ownership

Home ownership may open the door to many tax benefits, including: (1) The mortgage interest deduction; (2) Deduction of points to obtain a home mortgage; (3) Business use of a home; and (4) Selling a home.

**(1) Mortgage Interest Deduction:** The interest expense of up to \$1 million of acquisition debt (\$500,000 married filing separately) and up to \$100,000 home equity debt (\$50,000 married filing separately) for loans secured by a primary or

## FOREIGN EARNED INCOME EXEMPTION DENIALS

Some AFSA members report having difficulty claiming the foreign earned income exemption (FEIE). Recent Tax Court guidance (*Evans v. IRS*, 2015 TC Memo 12) indicates that a taxpayer must both:

- (1) Establish a “tax home” in a foreign country; and
- (2) Meet either the “bona fide residence” or “physical presence” test.

AFSA understands that IRS auditors have denied the FEIE for Foreign Service spouses and dependents for failing to meet the bona fide residence or tax home elements of this test.

The tax court has explained that the congressional purpose of the FEIE was to offset duplicative costs of maintaining distinct U.S. and foreign households. So increasing ties to the foreign country by personally paying for a foreign household, paying local taxes, waiving diplomatic immunity for matters related to your job, paying for vacation travel back to the United States, becoming a resident of the foreign country, and working in the foreign country long term are other factors the federal courts have cumulatively recognized as establishing a foreign tax home.

The physical presence test, which requires that 330 full days during a calendar year are spent physically in a foreign country (not just outside the United States, so travel time does not count), has successfully been used by members to meet the second element of the test where bona fide residence cannot be established. If relying on physical presence, you are advised to record all your travel carefully and to keep copies of visas and tickets to substantiate the 330 days if audited.



### CHILD CARE TAX CREDIT WHEN OVERSEAS

To claim the child care tax credit while serving overseas, you must submit IRS Form 2441. Pursuant to the 2441 instructions, "If you are living abroad, your care provider may not have, and may not be required to get, a U.S. taxpayer identification number (for example, an SSN or Employer Identification Number). If so, enter 'LAFCP' (Living Abroad Foreign Care Provider) in the space for the care provider's taxpayer identification number."

secondary residence may qualify for a deduction. The properties for which a taxpayer would like to take this deduction must qualify as a home or a secondary residence. "Home" is the place where a taxpayer ordinarily lives most of the time. A secondary residence is a property the taxpayer does not rent out (or attempt to sell) during the year. Note that the structure claimed as a home or secondary residence may be any structure or vehicle that has sleeping, cooking and toilet facilities.

**(2) Points on a Mortgage:** Taxpayers who claim the above deduction may also qualify to currently deduct all the points (prepaid interest) to obtain that mortgage. Nine requirements must be met to deduct those points. Taxpayers should contact a tax professional to see if and the extent to which they qualify and explore the possibility of partially deducting these points. Save the settlement sheet (HUD-1 Form) for documentation in case of an audit.

**(3) Business Use of Home, Including as a Rental:** Taxpayers may be entitled to deductions for the business use of part of a home.

**(3)(a) Rental:** When income is earned by renting out the home, deductions the taxpayer claims for mortgage interest remain deductible; however, they become an expense for the production of rental income instead of a personal deduction under the mortgage interest expense provisions (Schedule E rather than Schedule A). Depreciation, repair costs and operating expenses such as fees charged by independent contractors (e.g., groundskeepers, accountants, attorneys) are deductible. Limits apply to these deductions when the taxpayer uses their property for 14 days or 10 percent of the total days it is rented to others at a fair rental price, whichever is greater.

**(3)(b) The 1031 Exchange:** Taxpayers who convert their homes to investment property (perhaps because they have inadvertently used it exclusively for business purposes for too long) may no longer qualify for the exclusion of up to \$500,000 of capital gain on the sale of a principal residence

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(discussed below). However, the property may become eligible for an IRC Section 1031 exchange. This tax provision is normally invoked by businesses exchanging like-kind, income-producing property. The IRS rules for these exchanges are complex and specific, with a number of pitfalls that can nullify the transaction. A 1031 exchange should never be attempted without assistance from a tax or real estate professional specializing in this field.

**(4) Selling a Principal Residence:**

**(4)(a)** A taxpayer may exclude up to \$250,000 (\$500,000 if married filing jointly) of long-term capital gain from the sale of a principal residence. To qualify for the full exclusion amount, the taxpayer: (i) must have owned the home and lived there for at least two of the last five years before the date of the sale (but see Military Families Relief Act below); (ii) cannot have acquired the home in a 1031 exchange within the five years before the date of the sale; and (iii) cannot have claimed this exclusion during the two years before the date of the sale. An exclusion of gain for a fraction of these upper limits may be possible if one or more of the above requirements are not met. A taxpayer who sells their principal residence for a profit of more than \$250,000 (\$500,000 for married filing jointly), or a reduced amount, will owe capital gains tax on the excess.

**(4)(b) Military Families Tax Relief Act of 2003:** The five-year period described above may be suspended for members of the Foreign Service by any 10-year period during which the taxpayer has been away from the area on a

Foreign Service assignment, up to a maximum of 15 total years. Failure to meet all of the requirements for this tax benefit (points (i) through (iii) in the Selling a Principal Residence section above) does not necessarily disqualify the taxpayer from claiming the exclusion. However, the services of a tax professional will probably be necessary if one of these requirements is not met.

**(4)(c) Adjustments to the Basis of a Home:**

**(i) Buying or Building a Home:** Some investments in the construction of a home, purchase of a home, improvements during ownership and improvements in preparation to sell must be added to the basis of the home. The starting point is the amount paid to acquire the property: cost basis. Some settlement fees and closing costs may be added to the cost basis (yielding the adjusted basis). These include abstracts of title fees, charges for installing utility services, legal fees for the title search and preparing the sales contract and deed, recording fees, survey fees, transfer or stamp taxes and title insurance. A taxpayer who builds a home may add the cost of the land and the cost to complete the house to arrive at an initial cost basis. Construction includes the cost of labor and materials, amounts paid to a contractor, architect's fees, building permit charges, utility meter charges and legal fees directly connected with building the house.

**(ii) Improving a Home During Ownership:** During the ownership period, improvements to the home including additions (bedrooms, bathrooms, decks), lawn and grounds improvements (landscaping, paving a driveway), improvements to the exterior (storm windows, new roof, siding), insulation, plumbing, interior improvements (built-in appliances, kitchen modifications, flooring) and investments in the home systems (heating, central air, furnace) may all be added to adjust the basis of the home upward.

**(iii) Preparing to Sell:** "Fixing-up costs" no longer exist insofar as they refer to what was once recognized as a 1034 exchange of a residence. Capital expenditures continue to operate as described above when a taxpayer is preparing to sell a home. Any capital improvements when preparing to sell should simply be added to the adjusted basis and subtracted from the sales price to reduce net capital gain when the home is sold.

**(iv) Selling:** Selling expenses can be subtracted from the sales price, further reducing the taxable gain. These include fees for sales commissions, any service that helped the taxpayer sell the home without a broker, advertising, legal help, and mortgage points or other loan charges the seller pays that would normally have been the buyer's responsibility.

**IMPORTANT NOTE:  
FOREIGN EARNED INCOME**

The Foreign Earned Income Exclusion may permit U.S. citizens who are not U.S. government employees and who pass the previously discussed FEIE tests to exclude up to \$102,100 of their 2017 foreign-source income if they meet certain requirements.

Taxpayers must add the amount excluded under the FEIE back to their AGI to figure what their tax liability would be, then exclude the tax that would have been due on the excludable income alone to properly calculate their tax liability with an FEIE exclusion.

For example: A Foreign Service employee earns \$80,000 and their teacher spouse earns \$30,000.

Tax liability on \$110,000 gross income is \$18,978; tax on \$30,000 foreign income is \$3,568; and net tax liability is \$18,978 minus \$3,568, or \$15,410.

## TAX WITHHOLDING WHEN ASSIGNED DOMESTICALLY

The State Department withholds an employee's state taxes according to his or her "regular place of duty" when assigned domestically—for details, see "New Procedures for Withholding and Reporting Employees' State and District of Columbia Income Taxes," Announcement No. 22394 (Nov. 4, 2014; available via the intranet). This reflects some jurisdictions' imposition of income taxes on non-residents who derive income within their boundaries despite residence or domicile elsewhere.

Members residing or domiciled in a jurisdiction other than the one in which they earn income may need state taxes to be withheld for their residence and domicile jurisdictions. If you reside or are domiciled in a jurisdiction other than that of your regular place of duty, you may secure an exemption from this withholding method by satisfying the requirements detailed by CGFS Knowledgebase (available via the intranet at <http://kb.gfs.state.gov/>) Issue 39479.

Note that the Bureau of the Comptroller and Global Financial Services does not adjudicate state income tax elections when you are serving overseas, since in those circumstances, it is the employee's responsibility to accurately designate a state for which income taxes will be withheld. However, on the employee's return to a domestic assignment, CGFS will evaluate the employee's state tax withholding election based on his or her new official domestic duty station pursuant to Announcement No. 22394.

Finally, this determination does not mean that you must relinquish your state of domicile if it is different than your official duty station. "Domicile" and "residence" are different concepts from "regular place of duty." As long as you maintain your ties to your home state you will be able to change your withholdings, if you so wish, back to your home state when you go overseas. See the Overseas Briefing Center's guide to Residence and Domicile, available on AFSA's website at [www.afsa.org/domicile](http://www.afsa.org/domicile).

## Estate Tax Planning, Gifts and Retirement Contributions

In 2017, the first \$5.49 million of a decedent's aggregate estate was exempt from the federal estate tax. That amount will increase to \$5.6 million for decedents (\$11.2 million for a married couple) who pass away in 2018. The same amounts would apply to (and are reduced by) lifetime gift-giving over the annual tax-free gift exclusion. The limit on the exclusion for gifts given each year was \$14,000 per person, per gift-giver for gifts given in 2017, increasing to \$15,000 (\$30,000 for gifts split by married couples). Finally in 2018, the limit on contributions to 401(k)s and TSPs will increase to \$18,500.

## Circular 230 Notice

Pursuant to U.S. Treasury Department regulations, all state and federal tax advice herein is not intended or written to be used, and may not be used, for the purposes of avoiding tax-related penalties under the Internal Revenue Code or promoting, marketing or recommending advice on any tax-related matters addressed herein.

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## STATE TAX PROVISIONS

**Withholding:** Every employer, including the State Department and the other foreign affairs agencies, is required to withhold state taxes for the location where the employee lives, works or derives income. Employees serving overseas, however, must maintain a state of domicile in the United States where they may be liable for income tax; the consequent tax liability the employee faces will vary greatly from state to state.

Further, the many laws on taxability of Foreign Service pensions and annuities also vary by state. This section briefly covers both those situations. (In addition, see the box on page 79 for information on state tax withholding for Foreign Service employees. We also encourage you to read the Knowledge Base article by the Bureau of the Comptroller and Global Financial Services on the Tax Guide page of the AFSA website, [www.afsa.org/taxguide](http://www.afsa.org/taxguide).)

### Domicile and Residency

There are many criteria used in determining which state is a citizen's domicile. One of the strongest determinants is prolonged physical presence, a standard that Foreign Service personnel frequently cannot meet due to overseas service. In such cases, the state will make a determination of the individual's income-tax status based on other factors, including where the individual has family ties, has been filing resident tax returns, is registered to vote, has a driver's license, owns property, or where the person has bank accounts or other financial holdings.

In the case of Foreign Service employees, the domicile might be the state from which the person joined the Service, where their home leave address is or where they intend to return upon separation. For purposes of this article, the term "domicile" refers to legal residence; some states also define it as permanent residence. "Residence" refers to physical presence in the state. Foreign Service personnel must continue to pay taxes to the state of domicile (or to the District of Columbia) while residing outside of the state, including during assignments abroad, unless the state of residence does not require it.

Members are encouraged to review the Overseas Briefing Center's guide to Residence and Domicile, available on AFSA's website at [www.afsa.org/domicile](http://www.afsa.org/domicile).

### Domestic Employees in the D.C. Area

Foreign Service employees residing in the metropolitan Washington, D.C., area are generally required to pay income tax to the District of Columbia, Maryland or Virginia, in addition to paying tax to the state of their domicile.

Virginia requires tax returns from most temporary residents, as well. Most states allow a credit, however, so that the taxpayer pays the higher tax rate of the two states, with each state receiving a share.

We recommend that you maintain ties with your state of domicile—by, for instance, continuing to also file tax returns in that state if appropriate—so that when you leave the D.C. area for another overseas assignment, you can demonstrate to the District of Columbia, Virginia or Maryland your affiliation to your home state.

Also, if possible, avoid using the D.C. or Dulles, Va., pouch zip code as your return address on your federal return because, in some cases, the D.C. and Virginia tax authorities have sought back taxes from those who have used this address.

### States That Have No Income Tax

There are currently seven states with no state income tax: Alaska, Florida, Nevada, South Dakota, Texas, Washington and Wyoming. In addition, New Hampshire and Tennessee have no tax on earned income, but do tax profits from the sale of bonds and property.

### States That Do Not Tax Non-Resident Domiciliaries

There are 10 states that, under certain conditions, do not tax income earned while the taxpayer is outside the state: California, Connecticut, Idaho, Minnesota, Missouri, New Jersey, New York, Oregon, Pennsylvania (but see entry for Pennsylvania below) and West Virginia. The requirements for all except California, Idaho and Oregon are that the individual should not have a permanent "place of abode" in the state, should have a permanent "place of abode" outside the state, and not be physically present for more than 30 days during the tax year. California allows up to 45 days in the state during a tax year.

All 10 states require the filing of non-resident returns for all income earned from in-state sources. Foreign Service employees should also keep in mind that states could challenge the status of overseas government housing in the future.

"State Overviews" below gives brief state-by-state information on tax liability, with addresses provided to get further information or tax forms. Tax rates are provided where possible.

As always, members are advised to double-check with their tax adviser and the state's tax authorities. While AFSA makes every attempt to provide the most up-to-date information, readers with specific questions should consult a tax expert in the state in question. We provide the website address for each in the state-by-state guide, and an email address or link where available. Some states do not offer email customer service.



We also recommend consulting the Tax Foundation website at [www.taxfoundation.org](http://www.taxfoundation.org), which provides useful information, including a table showing tax rates for all states for 2017.

## STATE OVERVIEWS

### ALABAMA

Individuals domiciled in Alabama are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Alabama's individual income tax rates range from 2 percent on taxable income over \$500 for single taxpayers and \$1,000 for married filing jointly, to 5 percent over \$3,000 for single taxpayers and \$6,000 for married filing jointly.

Write: Alabama Department of Revenue, 50 N. Ripley, Montgomery AL 36104.

Phone: (334) 242-1170.

Website: <https://revenue.alabama.gov>

Email: Link through the website, "About Us," then "Contacts," then "Income Tax."

### ALASKA

Alaska does not tax individual income or intangible or personal property. It has no state sales and use, franchise or fiduciary tax. However, some municipalities levy sales, property and use taxes.

Write: State Office Building, 333 West Willoughby Ave., 11th Floor, P.O. Box 110420, Juneau AK 99811-0420.

Phone: (907) 465-2320.

Website: [www.tax.state.ak.us](http://www.tax.state.ak.us)

### ARIZONA

Individuals domiciled in Arizona are considered residents and are taxed on any income that is included in their Federal Adjusted Gross Income, regardless of their physical presence in the state. Arizona's tax rate ranges in five brackets from a minimum of 2.59 percent to a maximum of 4.54 percent of taxable income over \$305,336 married filing jointly or \$152,668 for single filers.

Write: Arizona Department of Revenue, Customer Care, P.O. Box 29086, Phoenix AZ 85038-9086.

Phone: (602) 255-3381.

Website: [www.azdor.gov](http://www.azdor.gov)

Email: For general questions, [taxpayerassistance@azdor.gov](mailto:taxpayerassistance@azdor.gov)

### ARKANSAS

Individuals domiciled in Arkansas are considered residents and are taxed on their entire income, regardless of their physical presence in the state. The Arkansas tax rate ranges in six

brackets from a minimum of 2.4 percent to a maximum of 6.9 percent of net taxable income over \$85,000.

Write: Department of Finance and Administration, Income Tax Section, P.O. Box 3628, Little Rock AR 72203-3628.

Phone: (501) 682-1100.

Website: [www.arkansas.gov/dfa](http://www.arkansas.gov/dfa)

Email: Use Contact Form on "Contact Us" page of the website.

### CALIFORNIA

Foreign Service employees domiciled in California must establish non-residency to avoid liability for California taxes (see Franchise Tax Board Publication 1031). However, a "safe harbor" provision allows anyone who is domiciled in state but is out of the state on an employment-related contract for at least 546 consecutive days to be considered a non-resident. This applies to most FS employees and their spouses, but members domiciled in California are advised to study FTB Publication 1031 for exceptions and exemptions. The California tax rate for 2017 ranges in eight brackets from 1 percent of taxable income under \$8,223 for singles and \$15,466 for joint filers, to a maximum of 12.3 percent on taxable income over \$551,473 for singles and \$1,102,946 for joint filers. Non-resident domiciliaries are advised to file on Form 540NR.

Write: Personal Income Taxes, Franchise Tax Board, P.O. Box 942840, Sacramento CA 94240-0040.

Phone: (800) 852-5711 (inside the U.S.); (916) 845-6500 (outside the U.S.).

Website: [www.ftb.ca.gov](http://www.ftb.ca.gov)

Email: Link through the website's "Contact Us" tab.

### COLORADO

Individuals domiciled in Colorado are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Colorado's tax rate is a flat 4.63 percent of federal taxable income, plus or minus allowable modifications.

Write: Department of Revenue, Taxpayer Service Division, P.O. Box 17087 Denver CO 80217-0087.

Phone: (303) 238-7378.

Website: [www.colorado.gov/revenue](http://www.colorado.gov/revenue)

Email: Link through the website's "Contact Us" tab on the "Taxation" page.

### CONNECTICUT

Connecticut domiciliaries may qualify for non-resident tax treatment under either of two exceptions as follows: Group A—the domiciliary 1) did not maintain a permanent place of abode inside Connecticut for the entire tax year; and 2) maintains a permanent place of abode outside the state for the

entire tax year; and 3) spends not more than 30 days in the aggregate in the state during the tax year.

Group B—the domiciliary 1) in any period of 548 consecutive days, is present in a foreign country for at least 450 days; and 2) during the 548-day period, is not present in Connecticut for more than 90 days; and 3) does not maintain a permanent place of abode in the state at which the domiciliary's spouse or minor children are present for more than 90 days.

Connecticut's tax rate for married filing jointly rises from 3 percent on the first \$20,000 in six steps to 6.9 percent of the excess over \$500,000, and 6.99 percent over \$1,000,000. For singles it is 3 percent on the first \$10,000, rising in six steps to 6.9 percent of the excess over \$250,000 and 6.99 percent over \$500,000.

Write: Department of Revenue Services, 450 Columbus Blvd, Suite 1, Hartford CT 06103.

Phone: (860) 297-5962.

Website: [www.ct.gov/drs](http://www.ct.gov/drs)

Email: Contact through the "Contact us" page on the website.

## DELAWARE

Individuals domiciled in Delaware are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Delaware's graduated tax rate rises in six steps from 2.2 percent of taxable income under \$5,000 to 6.6 percent of taxable income over \$60,000.

Write: Division of Revenue, Taxpayers Assistance Section, State Office Building, 820 N. French St., Wilmington DE 19801. Phone (302) 577-8200.

Website: [www.revenue.delaware.gov](http://www.revenue.delaware.gov)

Email: [personaltax@state.de.us](mailto:personaltax@state.de.us)

## DISTRICT OF COLUMBIA

Individuals domiciled in the District of Columbia are considered residents and are subject to tax on their entire income, regardless of their physical presence there. Individuals domiciled elsewhere are also considered residents for tax purposes for the portion of any calendar year in which they are physically present in the District for 183 days or more. The District's tax rate is 4 percent if income is less than \$10,000; \$400 plus 6 percent of excess over \$10,000 if between \$10,000 and \$40,000; \$2,200 plus 6.5 percent of excess over \$40,000; \$3,500 plus 8.5 percent of the excess over \$60,000; \$28,150 plus 8.75 percent of any excess above \$350,000; and 8.95 percent over \$1,000,000.

Write: Office of Tax and Revenue, Customer Service Center, 1101 4th St. SW, Suite 270 West, Washington DC 20024.

Phone: (202) 727-4829.

Website: [www.otr.cfo.dc.gov/](http://www.otr.cfo.dc.gov/)

Email: [taxhelp@dc.gov](mailto:taxhelp@dc.gov)

## FLORIDA

Florida does not impose personal income, inheritance, gift or intangible personal property taxes. Property tax (homestead) exemptions are only available if you own and permanently reside on the property. Sales and use tax is 6 percent. There are additional county sales taxes, which could make the combined rate as high as 9.5 percent.

Write: Taxpayer Services, Florida Department of Revenue, 5050 W. Tennessee St., Bldg. L, Tallahassee FL 32399-0100.

Phone: (850) 488-6800

Website: <http://dor.myflorida.com/dor/taxes>

Email: Link through the website, go to "Taxes," then "Tax Information," then "Questions?"

## GEORGIA

Individuals domiciled in Georgia are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Georgia has a graduated tax rate rising in six steps to a maximum of 6 percent of taxable income over \$10,000 and above for joint married filers and \$7,000 for single filers.

Write: Georgia Department of Revenue, Taxpayer Services Division, 1800 Century Blvd. NE, Atlanta GA 30345-3205.

Phone: (877) 423-6711, Option #2, or contact through Georgia Tax Center (log in required).

Website: <http://dor.georgia.gov/taxes>

## HAWAII

Individuals domiciled in Hawaii are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Hawaii's tax rate rises in 12 steps from 1.4 percent on taxable income below \$2,400 for single filers and \$4,800 for joint filers, to a maximum of 8.25 percent for taxable income above \$48,000 for single filers and \$96,000 for joint filers.

Write: Oahu District Office, Taxpayer Services Branch, P.O. Box 259, Honolulu HI 96809-0259.

Phone: (800) 222-3229, or (808) 587-4242.

Website: <http://tax.hawaii.gov>

Email: [Taxpayer.Services@hawaii.gov](mailto:Taxpayer.Services@hawaii.gov)

## IDAHO

Individuals domiciled in Idaho for an entire tax year are considered residents and are subject to tax on their entire income. However, you are considered a non-resident if: 1) you are an Idaho resident who lived outside of Idaho for at least 445 days in a 15-month period; and 2) after satisfying the 15-month period, you spent fewer than 60 days in Idaho during the year; and 3) you did not have a personal residence in Idaho for yourself or your family during any part

of the calendar year; and 4) you did not claim Idaho as your federal tax home for deducting away-from-home expenses on your federal return; and 5) you were not employed on the staff of a U.S. senator; and 6) you did not hold an elective or appointed office of the U.S. government other than the armed forces or a career appointment in the U.S. Foreign Service (see Idaho Code Sections 63-3013 and 63-3030). In 2017 Idaho's tax rate rises in six steps from a minimum of 1.6 percent to a maximum of 7.4 percent on the amount of Idaho taxable income over \$11,043 for singles and \$22,086 for married filers. A non-resident must file an Idaho income tax return if his or her gross income from Idaho sources is \$2,500 or more.

Write: Idaho State Tax Commission, P.O. Box 36, Boise ID 83722-0410.

Phone: (208) 334-7660 or (800) 972-7660.

Website: [www.tax.idaho.gov](http://www.tax.idaho.gov)

Email: [taxrep@tax.idaho.gov](mailto:taxrep@tax.idaho.gov)

## ILLINOIS

Individuals domiciled in Illinois are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Effective for income received after June 30, 2017, Illinois Public Act 100-0022 increased the Illinois Income Tax rate for individuals from a flat rate of 3.75 percent to a flat rate of 4.95 percent of net income.

Write: Illinois Department of Revenue, PO Box 19001, Springfield IL 62794-9001.

Phone: (800) 732-8866, or (217) 782-3336.

Website: [www.revenue.state.il.us](http://www.revenue.state.il.us)

Email: Link through the website, "Contact Us," then "Taxpayer Answer Center."

## INDIANA

Individuals domiciled in Indiana are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. In 2017, Indiana's tax rate is a flat 3.23 percent of Federal Adjusted Gross Income. Several counties also charge a county income tax.

Write: Indiana Department of Revenue, Individual Income Tax, P.O. Box 40, Indianapolis IN 46206-0040

Phone: (317) 232-2240.

Website: [www.in.gov/dor](http://www.in.gov/dor)

Email: Link through the website's "Contact Us" tab.

## IOWA

Individuals domiciled in Iowa are considered residents and are subject to tax on their entire income to the extent that income is taxable on the person's federal income tax returns. Iowa's 2017 tax rate rises in eight steps from 0.36 percent

to a maximum 8.98 percent of taxable income over \$70,785, depending on income and filing status.

Write: Taxpayer Services, Iowa Department of Revenue, PO Box 10457, Des Moines IA 50306-0457.

Phone: (515) 281-3114 or (800) 367-3388.

Website: <https://tax.iowa.gov>

Email: Use email form on "Contact Us" page of the website.

## KANSAS

Individuals domiciled in Kansas are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. In 2017 the Kansas tax rate is 3.1 percent on Kansas taxable income under \$15,000 for single filers and under \$30,000 for joint filers, rising to 5.7 percent on income over \$30,000 for single filers and \$60,000 for joint filers.

Write: Kansas Taxpayer Assistance Center, Scott State Office Building, 120 SE 10th Street, Topeka KS 66612-1103.

Phone: (785) 368-8222.

Website: [www.ksrevenue.org](http://www.ksrevenue.org)

Email: [kdor\\_tac@ks.gov](mailto:kdor_tac@ks.gov)

## KENTUCKY

Individuals domiciled in Kentucky are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Kentucky's tax rate ranges from 2 percent on the first \$3,000 of taxable income to 6 percent on all taxable income over \$75,000 for both single and joint filers.

Write: Kentucky Department of Revenue, 501 High Street, Frankfort KY 40601

Phone: (502) 564-4581.

Website: [www.revenue.ky.gov](http://www.revenue.ky.gov)

Email: Link through the website's "Contact Us" tab.

## LOUISIANA

Individuals domiciled in Louisiana are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Louisiana's tax rate rises from 2 percent for the first \$12,500 for single filers or \$25,000 for joint filers; 4 percent over \$12,500 for singles and over \$25,000 for joint filers, and 6 percent for over \$50,000 for single filers or \$100,000 for joint filers.

Write: Taxpayer Services Division, Individual Income Tax Section, Louisiana Department of Revenue, P.O. Box 201, Baton Rouge LA 70821-0201.

Phone: (855) 307-3893.

Website: [www.revenue.louisiana.gov](http://www.revenue.louisiana.gov)

Email: Link through the website's "Contact LDR Online tab" on the "Contact Us" page.

**MAINE**

Individuals domiciled in Maine are considered residents and are subject to tax on their entire income. Since Jan. 1, 2007, however, there have been “safe harbor” provisions. Under the General Safe Harbor provision, Maine domiciliaries are treated as non-residents if they satisfy all three of the following conditions: 1) they did not maintain a permanent place of abode in Maine for the entire taxable year; 2) they maintained a permanent place of abode outside Maine for the entire taxable year; and 3) they spent no more than 30 days in the aggregate in Maine during the taxable year. Under the Foreign Safe Harbor provision, Maine domiciliaries are also treated as non-residents if they are present in a foreign country for 450 days in a 548-day period and do not spend more than 90 days in Maine during that period. Maine’s tax rate in 2017 is 5.8 percent on Maine taxable income below \$21,100 for singles and \$42,250 for joint filers, 6.75 percent up to \$50,000 for singles and \$100,000 for married filing jointly, and 7.15 percent over those amounts.

Write: Maine Revenue Services, Income Tax Assistance, P.O. Box 9107, Augusta ME 04332-9107.

Phone: (207) 626-8475.

Website: [www.maine.gov/revenue](http://www.maine.gov/revenue)

Email: [income.tax@maine.gov](mailto:income.tax@maine.gov)

**MARYLAND**

Individuals domiciled in Maryland are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Individuals domiciled elsewhere are also considered residents for tax purposes for the portion of any calendar year in which they are physically present in the state for an aggregated total of 183 days or more. Maryland’s tax rate is \$90 plus 4.75 percent of taxable income over \$3,000 up to \$100,000 if filing singly and \$150,000 if filing jointly. It then rises in four steps to \$12,760 plus 5.75 percent of the excess of taxable income over \$250,000 for singles or \$15,072 plus 5.75 percent of the excess over \$300,000 for married filers. In addition, Baltimore City and the 23 Maryland counties impose a local income tax, which is a percentage of the Maryland taxable income, using Line 31 of Form 502 or Line 9 of Form 503. The local factor varies from 1.75 percent in Worcester County (and for non-residents) to 3.2 percent in Baltimore City, and in Montgomery, Prince George’s, Queen Anne’s, Wicomico and Howard counties (see website for details for all counties).

Write: Comptroller of Maryland, Revenue Administration Center, Taxpayer Service Section, 110 Carroll Street, Annapolis MD 21411-0001.

Phone: (410) 260-7980, or (800) 638-2937.

Website: [www.marylandtaxes.com](http://www.marylandtaxes.com)

Email: [taxhelp@comp.state.md.us](mailto:taxhelp@comp.state.md.us)

**MASSACHUSETTS**

Individuals domiciled in Massachusetts are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Salaries and most interest and dividend income are taxed at a flat rate of 5.10 per cent for 2017. Some income (e.g., short-term capital gains) remains taxed at 12 percent.

Write: Massachusetts Department of Revenue, Taxpayer Services Division, P.O. Box 7010, Boston MA 02204.

Phone: (617) 887-6367.

Website: <http://www.mass.gov/dor>

Email: Link through the website’s “Contact Us” tab.

**MICHIGAN**

Individuals domiciled in Michigan are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Michigan’s tax is 4.25 percent. Some Michigan cities impose an additional 1 or 2 percent income tax. Detroit imposes an additional 2.4-percent income tax.

Write: Michigan Department of Treasury, Lansing MI 48922.

Phone: (517) 636.4486 for income tax questions.

Website: [www.michigan.gov/treasury](http://www.michigan.gov/treasury)

Email: [treasIndTax@michigan.gov](mailto:treasIndTax@michigan.gov)

**MINNESOTA**

Individuals domiciled in Minnesota are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Minnesota’s tax rate in 2017 is 5.35 percent on taxable income up to \$25,390 for singles or \$37,110 for married joint filers, rising in three steps to a maximum of 9.85 percent on taxable income over \$156,900 for single filers or \$261,510 for married filing jointly.

Write: Minnesota Department of Revenue, 600 North Robert St., St. Paul MN 55146-5510.

Phone: (651) 296-3781 or (800) 652-9094.

Website: [www.taxes.state.mn.us](http://www.taxes.state.mn.us)

Email: [individual.incometax@state.mn.us](mailto:individual.incometax@state.mn.us)

**MISSISSIPPI**

Individuals domiciled in Mississippi are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Mississippi’s tax rate is 3 percent on the first \$5,000 of taxable income, 4 percent on the next \$5,000 and 5 percent on taxable income over \$10,000 for all taxpayers, whether filing singly or jointly.

Write: Department of Revenue, P.O. Box 1033, Jackson MS 39215-1033.

Phone: (601) 923-7700.

Website: [www.dor.ms.gov](http://www.dor.ms.gov)

Email: Link through the website’s “Contact Us” tab.

## MISSOURI

An individual domiciled in Missouri is considered a non-resident, and is not liable for tax on Missouri income if the individual has no permanent residence in Missouri, has a permanent residence elsewhere and is not physically present in the state for more than 30 days during the tax year. Missouri calculates tax on a graduated scale up to \$9,072 of taxable income. Any taxable income over \$9,072 is taxed at a rate of \$315 plus 6 percent of the excess over \$9,072.

Write: Individual Income Tax, P.O. Box 2200, Jefferson City MO 65105-2200.

Phone: (573) 751-3505.

Website: [www.dor.mo.gov](http://www.dor.mo.gov)

Email: [income@dor.mo.gov](mailto:income@dor.mo.gov)

## MONTANA

Individuals domiciled in Montana are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Montana's tax rate for 2017 rises in six steps from 1 percent of taxable income under \$2,900 to a maximum of 6.9 percent of taxable income over \$17,600. See the website for various deductions and exemptions.

Write: Montana Department of Revenue, P.O. Box 5805, Helena MT 59604-5805.

Phone: (866) 859-2254 or (406) 444-6900.

Website: [www.revenue.mt.gov/home](http://www.revenue.mt.gov/home)

Email: Link through the website's "Contact Us" tab.

## NEBRASKA

Individuals domiciled in Nebraska are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. For 2017 the individual income tax rates range in four steps from a minimum of 2.46 percent to a maximum of 6.84 percent of the excess over \$29,830 for singles and \$59,660 for joint filers. If AGI is over \$261,500 for single filers or \$313,800 for joint filers an additional tax of between 0.438 and 0.183 percent is imposed.

Write: Department of Revenue, 301 Centennial Mall South, P.O. Box 94818, Lincoln NE 68509-4818.

Phone: (402) 471-5729.

Website: [www.revenue.state.ne.us](http://www.revenue.state.ne.us)

Email: Link through the website's "Contact Us" tab.

## NEVADA

Nevada does not tax personal income. There is a sales and use tax that varies from 6.85 percent to 8.1 percent depending on local jurisdiction. Additional ad valorem personal and real property taxes are also levied.

Write: Nevada Department of Taxation, 1550 College Pkwy,

Suite 115, Carson City NV 89706.

Phone: (866) 962-3707 or (775) 684-2000.

Website: [www.tax.state.nv.us](http://www.tax.state.nv.us)

## NEW HAMPSHIRE

The state imposes no personal income tax on earned income and no general sales tax. The state does levy, among other taxes, a 5 percent tax on interest and dividend income of more than \$2,400 annually for single filers and \$4,800 annually for joint filers, and an 8.5 percent tax on business profits, including sale of rental property. There is no inheritance tax. Applicable taxes apply to part-year residents.

Write: Taxpayer Services Division, P.O. Box 637, Concord NH 03302-0637.

Phone: (603) 230-5000.

Website: [www.revenue.nh.gov](http://www.revenue.nh.gov)

## NEW JERSEY

A New Jersey domiciliary is considered a non-resident for New Jersey tax purposes if the individual has no permanent residence in New Jersey, has a permanent residence elsewhere and is not physically in the state for more than 30 days during the tax year. Filing a return is not required (unless the non-resident has New Jersey-source income), but it is recommended in order to preserve domicile status. Filing is required on Form 1040-NR for revenue derived from in-state sources. Tax liability is calculated as a variable lump sum plus a percentage from a minimum of 1.4 percent of taxable gross income up to \$20,000, in three steps to 6.37 percent between \$75,000 and \$500,000, and a maximum of 8.97 percent on taxable gross income over \$500,000 for both single and joint filers.

Write: New Jersey Division of Taxation, Technical Services Branch, P.O. Box 281, Trenton NJ 08695-0281.

Phone: (609) 292-6400.

Website: [www.state.nj.us/treasury/taxation](http://www.state.nj.us/treasury/taxation)

Email: Link through the website's "Contact Us" tab.

## NEW MEXICO

Individuals domiciled in New Mexico are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. The basis for New Mexico's calculation is the Federal Adjusted Gross Income figure. Rates rise in four steps from a minimum of 1.7 percent to a maximum of 4.9 percent on New Mexico taxable income over \$16,000 for single filers and \$24,000 for married filing jointly.

Write: New Mexico Taxation and Revenue Department, 1100 South St. Francis Drive, Santa Fe NM 87504.

Phone: (505) 827-0700.

Website: [www.tax.newmexico.gov](http://www.tax.newmexico.gov)

Email: Link through the website's "Email Us" tab.

**NEW YORK**

There is no tax liability for out-of-state income if you have no permanent residence in New York, have a permanent residence elsewhere and are not present in the state more than 30 days during the tax year OR you were in a foreign country for at least 450 days during any period of 548 consecutive days; and you, your spouse and minor children spent 90 days or less in New York State during this 548-day period. Filing a return is not required, but it is recommended to preserve domicile status. The tax rate for 2017 rises in six steps from a minimum of 4 percent to 6.45 percent of taxable income over \$21,400 for single filers and \$43,000 for married filing jointly; 6.65 percent on taxable income over \$80,650 for single filers and \$161,550 for joint filers; 6.85 percent on taxable income over \$215,400 for single filers or \$323,200 for joint filers; and 8.82 percent over \$1,077,550 for single filers and over \$2,155,350 for joint filers. In New York City the maximum rate is 3.876 percent over \$90,000 for joint filers and over \$50,000 for single filers. Filing is required on Form IT-203 for revenue derived from New York sources.

Foreign Service employees assigned to USUN for a normal tour of duty are considered to be resident in NY state for tax purposes. See TSB-M-09(2)I of Jan. 16, 2009, at [http://www.tax.ny.gov/pdf/memos/income/m09\\_2i.pdf](http://www.tax.ny.gov/pdf/memos/income/m09_2i.pdf)  
Write: New York State Department of Taxation and Finance, Personal Income Tax Information, W.A. Harriman Campus, Albany NY 12227.  
Phone: (518) 457-5181.  
Website: [www.tax.ny.gov](http://www.tax.ny.gov)  
Email: Link through the website's "Answer Center" tab.

**NORTH CAROLINA**

Individuals domiciled in North Carolina are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. North Carolina's flat tax rate is 5.499 percent for 2017. Residents must also report and pay a "use tax" on purchases made outside the state for use in North Carolina.

Write: North Carolina Department of Revenue, P.O. Box 25000, Raleigh NC 27640-0640.  
Phone: (919)707-0880.  
Website: [www.dornrc.com](http://www.dornrc.com)

**NORTH DAKOTA**

Individuals domiciled in North Dakota and serving outside the state are considered residents and are subject to tax on their entire income. For the 2017 tax year, the tax rate ranges in four steps from 1.1 percent on North Dakota taxable income up to \$37,950 for singles and \$63,400 for joint filers to a maximum

of 2.90 percent on taxable income over \$416,700 for singles and joint filers.

Write: Office of State Tax Commissioner, State Capitol, 600 E. Boulevard Ave., Dept. 127, Bismarck ND 58505-0599.  
Phone: (701) 328-1247.  
Website: [www.nd.gov/tax](http://www.nd.gov/tax)  
Email: [individualtax@nd.gov](mailto:individualtax@nd.gov)

**OHIO**

Individuals domiciled in Ohio are considered residents and their income is subject to tax, using the Federal Adjusted Gross Income figure as a starting base. Ohio's 2017 tax rate starts at a minimum of 0.495 percent on taxable income under \$5,250, rising in seven steps to a maximum of 4.997 percent on taxable income over \$210,600 for single and joint filers. Ohio also charges a school district income tax of between 0.5 and 2 percent, depending on jurisdiction.  
Write: Ohio Department of Taxation, Taxpayer Services Center, P.O. Box 530, Columbus OH 43216-0530.  
Phone: (800) 282-1780 or (614) 387-0224.  
Website: [www.tax.ohio.gov](http://www.tax.ohio.gov)  
Email: Link through the website's "Contact Us" tab.

**OKLAHOMA**

Individuals domiciled in Oklahoma are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Oklahoma's tax rate for 2017 rises in eight stages to a maximum of 5 percent on taxable income over \$7,200 for single filers and \$12,200 for married filing jointly.  
Write: Oklahoma Tax Commission, Income Tax, P.O. Box 26800, Oklahoma City OK 73126-0800.  
Phone: (405) 521-3160.  
Website: [www.tax.ok.gov](http://www.tax.ok.gov)  
Email: [otcmaster@tax.ok.gov](mailto:otcmaster@tax.ok.gov)

**OREGON**

Individuals domiciled in Oregon are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. For 2017, Oregon's tax rate rises from 5 percent on taxable income over \$3,400 for single filers and \$6,800 for married filing jointly, in three steps to 9.9 percent on taxable income over \$125,000 for single filers and \$250,000 for joint filers. Oregon has no sales tax.  
Write: Oregon Department of Revenue, 955 Center St. NE, Salem OR 97301-2555.  
Phone: (503) 378-4988 or (800) 356-4222.  
Website: [www.oregon.gov/DOR](http://www.oregon.gov/DOR)  
Email: [questions.dor@state.or.us](mailto:questions.dor@state.or.us)

## PENNSYLVANIA

Pennsylvania's tax rate is a flat 3.07 percent. Pennsylvania tax authorities have ruled that Pennsylvania residents in the U.S. Foreign Service are not on federal active duty for state tax purposes, and thus their income is taxable compensation. For non-Foreign Service state residents, there is no tax liability for out-of-state income if the individual has no permanent residence in the state, has a permanent residence elsewhere and spends no more than 30 days in the state during the tax year. However, Pennsylvania does not consider government quarters overseas to be a "permanent residence elsewhere." Filing a return is not required, but it is recommended to preserve domicile status. File Form PA-40 for all income derived from Pennsylvania sources.

Write: Commonwealth of Pennsylvania, Department of Revenue, Taxpayer Services Department, Harrisburg PA 17128-1061. Phone: (717) 787-8201.

Website: [www.revenue.pa.gov](http://www.revenue.pa.gov)

Email: Link through the website's "Contact Us" tab.

## PUERTO RICO

Individuals who are domiciled in Puerto Rico are considered residents and are subject to tax on their entire income, regardless of their physical presence in the Commonwealth. Normally, they may claim a credit with certain limitations for income taxes paid to the United States on any income from sources outside Puerto Rico. Taxes range from 7 percent of taxable income up to \$25,000 to 33 percent of the taxable income over \$61,500 for all taxpayers.

Write: Departamento de Hacienda, P.O. Box 9024140, San Juan PR 00902-4140.

Phone: (787) 622-0123.

Website: [www.hacienda.gobierno.pr](http://www.hacienda.gobierno.pr)

Email: [infoserv@hacienda.gobierno.pr](mailto:infoserv@hacienda.gobierno.pr)

## RHODE ISLAND

Individuals domiciled in Rhode Island are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. The 2017 Rhode Island tax rate is 3.75 percent of taxable income up to \$61,300 for all filers, 4.75 percent for income over \$61,300 and 5.99 percent of taxable income over \$139,400 for all filers. Also, a 2010 change treats capital gains as ordinary taxable income. Refer to the tax division's website for current information and handy filing hints, as well as for forms and regulations.

Write: Rhode Island Division of Taxation, Taxpayer Assistance Section, One Capitol Hill, Providence RI 02908-5801.

Phone (401) 574-8829, Option #3.

Website: [www.tax.state.ri.us](http://www.tax.state.ri.us)

Email: [Tax.Assist@tax.ri.gov](mailto:Tax.Assist@tax.ri.gov)

## SOUTH CAROLINA

Individuals domiciled in South Carolina are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. South Carolina's 2017 tax rates rise in six steps from 3 percent on the first \$5,860 of South Carolina taxable income to a maximum of 7 percent of taxable income over \$14,650 for all filers.

Write: South Carolina Tax Commission, P.O. Box 125, Columbia SC 29214.

Phone: (844) 898-8542, Option 3, or (803) 898-5000.

Website: [www.sctax.org](http://www.sctax.org)

Email: [iitax@dor.sctax.gov](mailto:iitax@dor.sctax.gov) or through the Contact Us tab on the website.

## SOUTH DAKOTA

There is no state income tax and no state inheritance tax. State sales and use tax is 4.5 percent; municipalities may add up to an additional 2.75 percent.

Write: South Dakota Department of Revenue, 445 East Capitol Ave., Pierre SD 57501-3185.

Phone: (605) 773-3311.

Website: <http://dor.sd.gov>

Email: Link through the website's "Contact Us" tab.

## TENNESSEE

Salaries and wages are not subject to state income tax, but for 2017 Tennessee imposes a 4 percent tax on most dividends and interest income of more than \$1,250 (single filers) or \$2,500 (joint filers) in the tax year. This is planned to decrease by 1 percent per year until elimination on Jan 1, 2021.

Write: Tennessee Department of Revenue (Attention: Taxpayer Services), 500 Deaderick St., Nashville TN 37242.

Phone: (615) 253-6000.

Website: [www.tn.gov/revenue](http://www.tn.gov/revenue)

Email: [TN.Revenue@tn.gov](mailto:TN.Revenue@tn.gov)

## TEXAS

There is no state personal income tax. State sales tax is 6.25 percent with local additions adding up to 2 percent.

Write: Texas Comptroller, P.O. Box 13528, Capitol Station, Austin TX 78711-3528.

Phone: (800) 252-5555.

Website: [www.comptroller.texas.gov](http://www.comptroller.texas.gov)

Email: Use email options on "Contact Us" page of the website.

## UTAH

Utah has a flat tax of 5 percent on all income. Individuals domiciled in Utah are considered residents and are subject to Utah state tax. Utah requires that all Federal Adjusted Gross Income reported on the federal return be reported on

the state return, regardless of the taxpayer's physical presence in the state. Some taxpayers will be able to claim either a taxpayer tax credit or a retirement tax credit, or both (see website for explanation).

Write: Utah State Tax Commission, Taxpayer Services Division, 210 North 1950 West, Salt Lake City UT 84134.

Phone: (800) 662-4335, Option "0" or (801) 297-2200, Option "0".

Website: [www.tax.utah.gov](http://www.tax.utah.gov)

Email: Link through the website's "Contact Us" tab.

## VERMONT

Individuals domiciled in Vermont are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. The 2017 tax rate ranges from 3.55 percent on taxable income under \$37,950 for singles and \$63,350 for joint filers to a maximum of 8.95 percent on taxable income over \$416,700 for singles and joint filers.

Write: Vermont Department of Taxes, Taxpayer Services Division, 133 State St., Montpelier VT 05633-1401.

Phone: (802) 828-2865.

Website: [www.tax.vermont.gov](http://www.tax.vermont.gov)

Email: [tax.individualincome@vermont.gov](mailto:tax.individualincome@vermont.gov) or through the website's "Contact Us" tab.

## VIRGINIA

Individuals domiciled in Virginia are considered residents and are subject to tax on their entire income, regardless of their physical presence in the state. Individuals domiciled elsewhere are also considered residents for tax purposes for the portion of any calendar year in which they are physically present in the state for 183 days or more. These individuals should file using Form 760. In addition, Virginia requires non-residents to file Form 763 if their Virginia Adjusted Gross Income (which includes any federal salary paid during time they are residing in Virginia) exceeds \$11,950 for single filers and married filing separately, or \$23,900 for married filing jointly. Individual tax rates are: 2 percent if taxable income is less than \$3,000; \$60 plus 3 percent of excess over \$3,000 if taxable income is between \$3,000 and \$5,000; \$120 plus 5 percent of excess over \$5,000 if taxable income is between \$5,000 and \$17,000; and \$720 plus 5.75 percent if taxable income is over \$17,000. In addition, using Form R-1H, Virginia allows employers of household help to elect to pay state unemployment tax annually instead of quarterly.

Write: Virginia Department of Taxation, Office of Customer Services, P.O. Box 1115, Richmond VA 23218-1115.

Phone: (804) 367-8031.

Website: [www.tax.virginia.gov](http://www.tax.virginia.gov)

Email: Link through the website's "Contact Us" tab.

## WASHINGTON

There is no state income tax and no tax on intangibles such as bank accounts, stocks and bonds. Residents may deduct Washington sales tax on their federal tax returns if they itemize deductions. State tax rate is 6.5 percent and local additions can increase that to 10.3 percent in some areas.

Write: Washington State Department of Revenue, Taxpayer Services, P.O. Box 47478, Olympia WA 98504-7478.

Phone: (800) 647-7706.

Website: [www.dor.wa.gov](http://www.dor.wa.gov)

Email: Link through the website's "Contact Us" tab.

## WEST VIRGINIA

There is no tax liability for out-of-state income if the individual has no permanent residence in West Virginia, has a permanent residence elsewhere and spends no more than 30 days of the tax year in West Virginia. However, non-resident domiciliaries are required to file a return on Form IT-140 for all income derived from West Virginia sources. Tax rates rise in four steps from 4 percent of taxable income over \$10,000 for joint and single filers, to 6.5 percent of taxable income for joint and single filers over \$60,000.

Write: Department of Tax and Revenue, 1124 Smith Street E. Charleston WV 25337-3784.

Phone: (800) 982-8297 or (304) 558-3333.

Website: [www.wvtax.gov](http://www.wvtax.gov)

Email: [TaxHelp@WV.Gov](mailto:TaxHelp@WV.Gov)

## WISCONSIN

Individuals domiciled in Wisconsin are considered residents and are subject to tax on their entire income, regardless of where the income is earned. Wisconsin's 2017 tax rate rises in four steps from 4 percent on income up to \$11,230 for single filers or \$14,980 for joint filers to a maximum of 7.65 percent on income over \$247,350 for single filers or \$329,810 for joint filers.

Write: Wisconsin Department of Revenue, Individual Income Tax Assistance, P.O. Box 59, Madison WI 53708-0001.

Phone: (608) 266-2486.

Website: [www.revenue.wi.gov](http://www.revenue.wi.gov)

Email: Through the "Contact Us" link on the website

## WYOMING

There is no state income tax and no tax on intangibles such as bank accounts, stocks or bonds. State sales tax is 4 percent. Local jurisdictions may add another 2 percent sales tax and 4 percent for lodging.

Write: Wyoming Department of Revenue, Herschler Building, 122 West 25th St., Cheyenne WY 82002-0110.

Phone: (307) 777-5200.

Website: <http://revenue.wyo.gov>

Email: [dor@wyo.gov](mailto:dor@wyo.gov)



## STATE INCOME TAX TREATMENT OF PENSIONS AND ANNUITIES AND STATE SALES TAXES

The laws regarding taxation of Foreign Service annuities vary greatly from state to state. In addition to those states that have no income tax or no tax on personal income, several states do not tax income derived from pensions and annuities. For example, Idaho taxes Foreign Service annuities while exempting certain categories of Civil Service employees. Several websites provide more information on individual state taxes for retirees, but the Retirement Living Information Center at [www.retirementliving.com/taxes-by-state](http://www.retirementliving.com/taxes-by-state) is one of the more comprehensive and is recommended for further information.

### ALABAMA

Social Security and U.S. government pensions are not taxable. The combined state, county and city general sales and use tax rates range from 7 percent to as much as 8.65 percent.

### ALASKA

No personal income tax. Most municipalities levy sales and/or use taxes of between 2 and 7 percent and/or a property tax. If over 65, you may be able to claim an exemption.

### ARIZONA

Up to \$2,500 of U.S. government pension income may be excluded for each taxpayer. There is also a \$2,100 exemption for each taxpayer age 65 or over. Social Security is excluded from taxable income. Arizona state sales and use tax is 5.6 percent, with additions depending on the county and/or city.

### ARKANSAS

The first \$6,000 of income from any retirement plan or IRA is exempt (to a maximum of \$6,000 overall). Social

Security is excluded from taxable income. There is no estate or inheritance tax. State sales and use tax is 6.5 percent; city and county taxes may add another 5.5 percent.

### CALIFORNIA

Pensions and annuities are fully taxable. Social Security is excluded from taxable income. The sales and use tax rate varies from 7.5 percent (the statewide rate) to 11 percent in some areas. CA Publication 71 lists all rates statewide.

### COLORADO

Up to \$24,000 of pension or Social Security income can be excluded if the individual is age 65 or over. Up to \$20,000 is exempt if age 55 to 64. State sales tax is 2.9 percent; local additions can increase it to as much as 9.9 percent.

### CONNECTICUT

Pensions and annuities are fully taxable for residents. Social Security is exempt if Federal Adjusted Gross Income is less than \$50,000

for singles or \$60,000 for joint filers. Statewide sales tax is 6.35 percent. No local additions.

### DELAWARE

Government pension exclusions per person: \$2,000 is exempt under age 60; \$12,500 if age 60 or over. There is an additional standard deduction of \$2,500 if age 65 or over if you do not itemize. Social Security is excluded from taxable income. Delaware does not impose a sales tax.

### DISTRICT OF COLUMBIA

Pension or annuity exclusion of \$3,000 is applicable if 62 years or older. Social Security is excluded from taxable income. Sales and use tax is 5.75 percent, with higher rates for some commodities (liquor, meals, etc.).

### FLORIDA

There is no personal income, inheritance, gift tax or tax on intangible property. The state sales and use tax is 6 percent. There are additional county sales taxes, which

could make the combined rate as high as 9.5 percent. Property taxes are imposed by local jurisdictions.

### GEORGIA

Up to \$35,000 of retirement income may be excludable for those aged 62 or older or totally disabled. Up to \$65,000 of retirement income may be excludable for taxpayers who are 65 or older. Social Security is excluded from taxable income. Sales tax is 4 percent statewide, with additions of up to 3 percent depending on jurisdiction.

### HAWAII

Pension and annuity distributions from a government pension plan are not taxed in Hawaii. Social Security is excluded from taxable income. Hawaii charges a general excise tax of 4 percent instead of sales tax.

### IDAHO

If the individual is age 65 or older, or age 62 and disabled, Civil Service Retirement System and Foreign Service Retirement and Disability

System pensions qualify for a deduction in 2017 of a maximum of \$27,876 for a single return and up to \$41,814 for a joint return. Federal Employees Retirement System or Foreign Service Pension System pensions do not qualify for this deduction. The deduction is reduced dollar for dollar by Social Security benefits. Social Security itself is not taxed. Idaho state sales tax is 6 percent; some local jurisdictions add as much as another 3 percent.

## ILLINOIS

Illinois does not tax U.S. government pensions or Social Security. State sales tax is 6.25 percent. Local additions can raise sales tax to 8.45 percent in some jurisdictions.

## INDIANA

If the individual is over age 62, the Adjusted Gross Income may be reduced by the first \$2,000 of any pension, reduced dollar for dollar by Social Security benefits. There is also a \$1,000 exemption if over 65, or \$1,500 if Federal AGI is less than \$40,000. There is no pension exclusion for survivor annuitants of federal annuities. Social Security is excluded from taxable income. Sales tax and use tax is 7 percent.

## IOWA

Generally taxable. A married couple with an income for the year of less than \$32,000 may file for exemp-

tion, if at least one spouse or the head of household is 65 years or older on Dec. 31, and single persons who are 65 years or older on Dec. 31 may file for an exemption if their income is \$25,000 or less. Social Security is excluded from taxable income. Statewide sales tax is 6 percent; local option taxes can add up to another 6.8 percent.

## KANSAS

U.S. government pensions are not taxed. There is an extra deduction of \$850 if over 65. Social Security is exempt if Federal AGI is under \$75,000. State sales tax is 6.5 percent, with additions of between 1 and 4 percent depending on jurisdiction.

## KENTUCKY

Government pension income is exempt if retired before Jan. 1, 1998. If retired after Dec. 31, 1997, pension/annuity income up to \$41,110 remains excludable for 2017. Social Security is excluded from taxable income. Sales and use tax is 6 percent statewide, with no local sales or use taxes.

## LOUISIANA

Federal retirement benefits are exempt from state income tax. There is an exemption of \$6,000 of other annual retirement income received by any person age 65 or over. Married filing jointly may exclude \$12,000. Social Security is excluded from taxable

income. State sales tax is 5 percent, with local additions up to a possible total of 10.75 percent. Use tax is 8 percent regardless of the purchaser's location.

## MAINE

Recipients of a government-sponsored pension or annuity who are filing singly may deduct up to \$10,000 (\$20,000 for married filing jointly) on income that is included in their Federal Adjusted Gross Income, reduced by all Social Security and railroad benefits. For those aged 65 and over, there is an additional standard deduction of \$1,450 (single), \$1,150 (married filing singly) or \$2,200 (married filing jointly). General sales tax is now 5.5 percent; 8 percent on meals and liquor.

## MARYLAND

Those over 65 or permanently disabled, or who have a spouse who is permanently disabled, may under certain conditions be eligible for Maryland's maximum pension exclusion of \$29,400. Also, all individuals 65 years or older are entitled to an extra \$1,000 personal exemption in addition to the regular \$3,200 personal exemption available to all taxpayers. Social Security is excluded from taxable income. See the worksheet and instructions in the Maryland Resident Tax Booklet. General sales tax is 6 percent; 9 percent on liquor.

## MASSACHUSETTS

Federal pensions and Social Security are excluded from Massachusetts gross income. Each taxpayer over age 65 is allowed an additional \$700 exemption on other income. Sales tax is 6.25 percent.

## MICHIGAN

Pension benefits included in Adjusted Gross Income from a private pension system or an IRA are deductible for those born before 1946 to a maximum of \$49,861 for a single filer, or \$99,723 for joint filers; public pensions are exempt. If born after 1946 and before 1952, the exemption for public and private pensions is limited to \$20,000 for singles and \$40,000 for married filers. If born after 1952, not eligible for any exemption until reaching age 67. Social Security is excluded from taxable income. Full details at: [http://www.michigan.gov/documents/taxes/2016RetirementAndPensionBenefitsChart\\_544015\\_7.pdf](http://www.michigan.gov/documents/taxes/2016RetirementAndPensionBenefitsChart_544015_7.pdf). Michigan's state sales tax rate is 6 percent. There are no city, local or county sales taxes.

## MINNESOTA

Social Security income is taxed by Minnesota to the same extent it is on your federal return. If your only income is Social Security, you would not be required to file an income tax return. All federal pensions are taxable, but single taxpayers who are over 65 or disabled

may exclude some income if Federal Adjusted Gross Income is under \$33,700 and nontaxable Social Security is under \$9,600. For a couple who are both over 65, the limits are \$42,000 for Adjusted Gross Income and \$12,000 for nontaxable Social Security. Statewide sales and use tax is 6.875 percent; some local additions may increase the total to 9.53 percent.

### MISSISSIPPI

Social Security, qualified retirement income from federal, state and private retirement systems, and income from IRAs are exempt from Mississippi tax. There is an additional exemption of \$1,500 on other income if over 65. Statewide sales tax is 7 percent.

### MISSOURI

Up to 65 percent of public pension income may be deducted if Missouri Adjusted Gross Income is less than \$100,000 when married filing jointly or \$85,000 for single filers, up to a limit of \$36,442 for each spouse. The maximum private pension deduction is \$6,000. You may also deduct 100 percent of Social Security income if over age 62 and Federal Adjusted Gross Income is less than the limits above. Sales tax is 4.225 percent; local additions may add another 2 percent.

### MONTANA

There is a \$4,110 pension income exclusion if Federal Adjusted Gross Income is less than \$34,260. Those over 65 can exempt an additional \$800 of interest income for single taxpayers and \$1,600 for married joint filers. Social Security is subject to tax. Montana has no general sales tax, but tax is levied on the sale of various commodities.

### NEBRASKA

U.S. government pensions and annuities are fully taxable. Social Security is taxable. State sales tax is 5.5 percent, with local additions of up to 2 percent.

### NEVADA

No personal income tax. Sales and use tax varies from 6.85 to 8.1 percent, depending on local jurisdiction.

### NEW HAMPSHIRE

No personal income tax. There is no estate or inheritance tax. There is a 5 percent tax on interest/dividend income over \$2,400 for singles (\$4,800 married filing jointly). A \$1,200 exemption is available for those 65 or over. No general sales tax.

### NEW JERSEY

Pensions and annuities from civilian government service are subject to state income tax, with exemptions for those aged 62 or older or totally and permanently disabled. However, see

this link for the distinction between the "Three-Year Method" and the "General Rule Method" for contributory pension plans: <http://www.state.nj.us/treasury/taxation/njit6.shtml>. For 2017, qualifying singles and heads of households may be able to exclude up to \$30,000 of retirement income; those married filing jointly up to \$40,000; those married filing separately up to \$20,000 each. These exclusions are eliminated for New Jersey gross incomes over \$100,000. Residents over 65 may be eligible for an additional \$1,000 personal exemption. Social Security is excluded from taxable income. State sales tax is 6.875 percent.

### NEW MEXICO

All pensions and annuities are taxed as part of Federal Adjusted Gross Income. Taxpayers 65 and older may exempt up to \$8,000 (single) or \$16,000 (joint) from any income source if their income is under \$28,500 (individual filers) or \$51,000 (married filing jointly). The exemption is reduced as income increases, disappearing altogether at \$51,000. New Mexico has a gross receipts tax, instead of a sales tax, of 5.125 percent; county and city taxes may increase the total to 6.625 percent in some jurisdictions.

### NEW YORK

Social Security, U.S. government pensions and annuities

are not taxed. For those over age 59½, up to \$20,000 of other annuity income (e.g., Thrift Savings Plan) may be excluded. See N.Y. Tax Publication 36 at <https://www.tax.ny.gov/pdf/publications/income/pub36.pdf> for details. Sales tax is 4 percent statewide. Other local taxes may add up to an additional 5 percent.

### NORTH CAROLINA

Pursuant to the Bailey decision (see <http://dornc.com/taxes/individual/benefits.html>), government retirement benefits received by federal retirees who had five years of creditable service in a federal retirement system on Aug. 12, 1989, are exempt from North Carolina income tax. Those who do not have five years of creditable service on Aug. 12, 1989, must pay North Carolina tax on their federal annuities. In tax year 2014 and later, the \$4,000 deduction is no longer available. For those over 65, an extra \$750 (single) or \$1,200 (couple) may be deducted. Social Security is excluded from taxable income. State sales tax is 4.75 percent; local taxes may increase this by up to 3 percent.

### NORTH DAKOTA

All pensions and annuities are fully taxed. Social Security is excluded from taxable income. General sales tax is 5 percent; 7 percent on liquor. Local jurisdictions impose up to 3 percent more.

**OHIO**

Retirement income is taxed. Taxpayers 65 and over may take a \$50 credit per return. In addition, Ohio gives a tax credit based on the amount of the retirement income included in Ohio Adjusted Gross Income, reaching a maximum of \$200 for any retirement income over \$8,000. Social Security is excluded from taxable income. State sales tax is 5.75 percent. Counties and regional transit authorities may add to this, but the total must not exceed 8.75 percent.

**OKLAHOMA**

Individuals receiving FERS/FSPS or private pensions may exempt up to \$10,000, but not to exceed the amount included in the Federal Adjusted Gross Income. Since 2011, 100 percent of a federal pension paid in lieu of Social Security (i.e., CSRS and FSRDS—"old system"—including the CSRS/FSRDS portion of an annuity paid under both systems) is exempt. Social Security included in FAGI is exempt. State sales tax is 4.5 percent. Local and other additions may bring the total up to 9.5 percent.

**OREGON**

Generally, all retirement income is subject to Oregon tax when received by an Oregon resident. However, federal retirees who retired on or before Oct. 1, 1991, may exempt their entire federal pension; those who

worked both before and after Oct. 1, 1991, must prorate their exemption using the instructions in the tax booklet. If you are over age 62, a tax credit of up to 9 percent of taxable pension income is available to recipients of pension income, including most private pension income, whose household income was less than \$22,500 (single) and \$45,000 (joint), and who received less than \$7,500 (single)/\$15,000 (joint) in Social Security benefits. The credit is the lesser of the tax liability, or 9 percent of taxable pension income. Social Security is excluded from taxable income. Oregon has no sales tax.

**PENNSYLVANIA**

Government pensions and Social Security are not subject to personal income tax. Pennsylvania sales tax is 6 percent. Other taxing entities may add up to 2 percent.

**PUERTO RICO**

The first \$11,000 of income received from a federal pension can be excluded for individuals under 60. For those over 60, the exclusion is \$15,000. If the individual receives more than one federal pension, the exclusion applies to each pension or annuity separately. Social Security is excluded from taxable income.

**RHODE ISLAND**

U.S. government pensions and annuities are fully tax-

able. However, effective the 2017 tax year, taxpayers eligible for Social Security may take a \$15,000 exemption on their retirement income. This applies to single taxpayers with FAGIs of up to \$80,000 and to joint taxpayers up to \$100,000 that are otherwise qualified. Social Security is taxed to the extent it is federally taxed. Sales tax is 7 percent; meals and beverages 8 per cent.

**SOUTH CAROLINA**

Individuals under age 65 can claim a \$3,000 deduction on qualified retirement income; those age 65 or over may claim a \$15,000 deduction on qualified retirement income (\$30,000 if both spouses are over 65), but must reduce this figure by any other retirement deduction claimed. Social Security is excluded from taxable income. Sales tax is 6 percent plus up to 3 percent in some counties. Residents aged 85 and over pay 5 percent.

**SOUTH DAKOTA**

No personal income tax or inheritance tax. State sales and use tax is 4.5 percent; municipalities may add up to an additional 2.75 percent. Residents who are age 66 and older and have a yearly income of under \$10,250 (single) or in a household where the total income was under \$13,250 are eligible for a sales tax or a property tax refund.

**TENNESSEE**

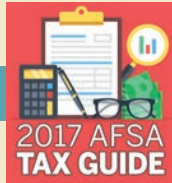
Social Security, pension income and income from IRAs and TSP are not subject to personal income tax. In 2017, most interest and dividend income is taxed at 4 percent if over \$1,250 (single filers) or \$2,500 (married filing jointly). However, for tax year 2015 and subsequently, those over 65 with total income from all sources of less than \$37,000 for a single filer and \$68,000 for joint filers are completely exempt from all taxes on income. State sales tax is 5 percent on food; 7 percent on other goods, with between 1.5 and 2.75 percent added, depending on jurisdiction.

**TEXAS**

No personal income tax, estate or inheritance tax. State sales tax is 6.25 percent. Local options can raise the rate to 8.25 percent.

**UTAH**

Utah has a flat tax rate of 5 percent of all income. For taxpayers over 65 there is a retirement tax credit of \$450 for single filers and \$900 for joint filers. This is reduced by 2.5 percent of income exceeding \$25,000 for single filers and \$32,000 for joint filers. See the state website for details. State sales tax is 4.7 percent; local option taxes may raise the total to as much as 9.95 percent.



## VERMONT

U.S. government pensions and annuities are fully taxable. Social Security is taxed to the extent it is federally taxed. State general sales tax is 6 percent; local option taxes may raise the total to 7 percent (higher on some commodities).

## VIRGINIA

Individuals over age 65 can take a \$12,000 deduction. The maximum \$12,000 deduction is reduced by one dollar for each dollar by which Adjusted Gross Income exceeds \$50,000 for single, and \$75,000 for married, taxpayers. All taxpayers over 65 receive an additional personal exemption of \$800. Social Security is excluded from taxable income. The estate tax was repealed for all deaths after July 1, 2007. The general sales tax rate is 5.3 percent (4.3 percent state tax and 1 percent local tax, with an extra 0.7 percent in Northern Virginia).

## WASHINGTON

No personal income tax. Retirement income is not taxed. State sales tax is 6.5 percent; rates are updated quarterly. Local taxes may increase the total to 10.3 percent.

## WEST VIRGINIA

\$2,000 of any civil or state pension is exempt. Social Security income is taxable only to the extent that the income is includable in Federal Adjusted Gross

Income. Taxpayers 65 and older or surviving spouses of any age may exclude the first \$8,000 (individual filers) or \$16,000 (married filing jointly) of any retirement income. Out-of-state government pensions qualify for this exemption. State sales tax is 6 percent, with additions of between 0.5 and 1 percent in some jurisdictions.

## WISCONSIN

Pensions and annuities are fully taxable. Social Security is excluded from taxable income. Those age 65 or over may take two personal deductions totaling \$950. Benefits received from a federal retirement system account established before Dec. 31, 1963, are not taxable. Those over 65 and with a FAGI of less than \$15,000 (single filers) or \$30,000 (joint filers) may exclude \$5,000 of income from federal retirement systems or IRAs. Those over 65 may take an additional personal deduction of \$250. State sales tax is 5 percent; most counties charge an extra 1.5 percent.

## WYOMING

No personal income tax. State sales tax is 4 percent. Local taxes may add up to 2 percent on sales and 4 percent on lodging.

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