

Publications

Client Alert: Changes to Federal Tax Return Filing Deadlines

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Pursuant to recently enacted legislation, filing deadlines for federal partnership information returns (Form 1065), S corporation information returns (Form 1120S) and C corporation income tax returns (Form 1120) have been changed. [Click here to read the law](#). With increased use of flow through entities, the goal of the new deadlines is to create a more logical flow of information assisting taxpayers in filing timely and accurate tax returns.

S Corporation and Partnership Return Deadlines

For tax years beginning after December 31, 2015 (starting for the 2017 filing season), partnerships and S corporations must file information returns by the 15th day of the third month (instead of the fourth month) after the end of the partnership's or S corporation's tax year. Therefore, the original due date for information returns of calendar year partnerships and S corporations will now be March 15th (instead of April 15th).

The maximum extension period for S corporations and partnerships is six months. For partnerships, this is an increase from the current five month extension period, therefore retaining a September 15th extended due date for calendar year partnerships.

C corporation Return Deadlines

For tax years beginning after December 31, 2015 (starting for the 2017 filing season), C corporations must file their tax returns by the 15th day of the fourth month (instead of the third month) after the end of the C corporation's tax year. Therefore, the original due date for tax returns of calendar year C corporations will now be April 15th (instead of March 15th). However, for C corporations with tax years ending on June 30, the effective date of this change is delayed for 10 years, until tax years beginning after December 31, 2025.

For tax years beginning on or after January 1, 2026, all C corporations will be entitled to a six month extension period. For taxable years beginning after December 31, 2015 and before January 1, 2026: (i) C

corporations with a tax year ending December 31 will be entitled to a five month extension period, (ii) C corporations with a tax year ending June 30 will be entitled to a seven month extension period, and (iii) all other C corporations will be entitled to a six month extension period.

Other Return Deadline Changes

The legislation also modifies the deadlines for a number of other return filings.

The due date of FinCEN Report 114 (relating to Report of Foreign Bank and Financial Accounts) (FBAR) shall be April 15 (instead of June 30) with a maximum six month extension (with extension rules similar to the rules in Treas. Reg. section 1.6081-5).

In addition, for taxable years beginning after December 31, 2015, the IRS must modify its regulations to provide for the following maximum filing deadline extensions:

- Form 1041, U.S. Income Tax Return for Estates and Trusts: 5½ months
- Form 5500, Annual Return/Report of Employee Benefit Plan: 3½ months
- Form 990, Return of Organization Exempt From Income Tax: 6 months
- Form 4720, Return of Certain Excise Taxes Under Chapters 41 and 42 of the Internal Revenue Code: 6 months
- Form 5227, Split-Interest Trust Information Return: 6 months
- Form 6069, Return of Excise Tax on Excess Contributions to Black Lung Benefit Trust Under Section 4953 and Computation of Section 192 Deduction: 6 months
- Form 8870, Information Return for Transfers Associated With Certain Personal Benefit Contracts: 6 months
- Form 3520-A, Annual Information Return of a Foreign Trust With a U.S. Owner: the original due date of return is the 15th day of the 3rd month after the close of the trust's taxable year, with a 6 month extension
- Form 3520, Annual Return to Report Transactions with Foreign Trusts and Receipt of Certain Foreign Gifts: the original due date of such return for calendar year filers shall be April 15 with a maximum extension for a 6 month period ending on October 15.