# 20**20** Instructions for Form 8915-B

**Qualified 2017 Disaster Retirement Plan Distributions and Repayments** 

Section references are to the Internal Revenue Code unless otherwise noted.

### **General Instructions**

### **Future Developments**

For the latest information about developments related to Form 8915-B and its instructions, such as legislation enacted after they were published, go to <u>IRS.gov/</u> Form8915B.

### What's New

**Coronavirus-related distributions.** Do **not** report coronavirus-related distributions on Form 8915-B. Coronavirus-related distributions are reported on Form 8915-E, Qualified 2020 Disaster Retirement Plan Distributions and Repayments. If you were impacted by the coronavirus and you made withdrawals from your retirement plan in 2020 before December 31, you may have coronavirus-related distributions eligible for special tax benefits on Form 8915-E.

**Repayments.** The repayment period for a qualified 2017 disaster distribution ends 3 years and 1 day after the distribution was received. This is particularly important if your qualified 2017 disaster distribution was received in 2017. Repayments reported on 2020 Form 8915-B can be used to reduce the income reportable on your 2017, 2018, 2019, or 2020 tax return, as applicable; if you have already filed your tax return for the year in question, you will need to amend that return.

### **Purpose of Form**

Use 2020 Form 8915-B if you were adversely affected by a 2017 disaster listed in What 2017 Disasters Are Covered, later, and you received a distribution that qualifies for favorable tax treatment. For distributions for gualified 2016, 2018, 2019, and 2020 disasters, see Form 8915-A, Qualified 2016 Disaster Retirement Plan Distributions and Repayments; Form 8915-C, Qualified 2018 **Disaster Retirement Plan Distributions and** Repayments; Form 8915-D, Qualified 2019 Disaster Retirement Plan Distributions and Repayments; and Form 8915-E, Qualified 2020 Disaster Retirement Plan Distributions and Repayments, respectively, and their instructions.

Qualified 2017 disaster distributions can't be made in 2020. Only repayments of qualified 2017 disaster distributions can be made in 2020.

**Note.** Repayments of distributions from retirement plans (other than IRAs) are

reported in Part I, and repayments of distributions from IRAs are reported in Part II.

For details on qualified 2017 disaster distributions, see the 2018 Instructions for Form 8915B.

### Who Must File

File 2020 Form 8915-B if either of the following applies.

You received a qualified 2017 disaster distribution in 2018 that you are including in income in equal amounts over 3 years.
You made a repayment of a qualified

2017 disaster distribution in 2020.

### When and Where To File

File 2020 Form 8915-B with your 2020 Form 1040, 1040-SR, or 1040-NR. If you are not required to file an income tax return but are required to file 2020 Form 8915-B, sign Form 8915-B and send it to the IRS at the same time and place you would otherwise file 2020 Form 1040, 1040-SR, or 1040-NR.

The timing of your repayments will determine whether you need to file an amended return to claim them. See *Amending Form 8915-B*, later.

### Qualified 2017 Disaster Distribution

# What 2017 Disasters Are Covered?

In order to have a qualified 2017 disaster distribution, you must have been adversely affected by:

- Hurricane Harvey (which includes
- Tropical Storm Harvey),
- Hurricane Irma,
- Hurricane Maria, or
- The California wildfires.

#### How Is a Qualified 2017 Disaster Distribution Taxed?

Generally, a qualified 2017 disaster distribution is included in your income in equal amounts over 3 years. However, if you elected, you could have included the entire distribution in your income in the year of the distribution. If you received more than one distribution during 2017 or 2018, you must have treated all the distributions for that year the same way. Any repayments made before you file your 2020 return and by the due date (including extensions) reduce the amount of the distribution included in your income. Qualified 2017 disaster distributions aren't subject to the additional 10% tax (or the 25% additional tax for certain distributions from SIMPLE IRAs) on early distributions.

## Repayment of a Qualified 2017 Disaster Distribution

An amount paid more than 3 years and 1 day after the distribution was received cannot be treated as a repayment. For example, if your qualified 2017 disaster distribution was received on October 4, 2017, and you chose to repay the distribution, the repayment must be made before October 5, 2020. Also, if your qualified 2017 disaster distribution was received on October 4, 2018, and you choose to repay the distribution, the repayment must be made before October 5, 2021.

If you choose, you can generally repay to an eligible retirement plan any portion of a qualified 2017 disaster distribution that is eligible for tax-free rollover treatment. Also, you can repay a qualified 2017 disaster distribution from a retirement plan made on account of hardship. However, see <u>Exceptions</u> below for qualified 2017 disaster distributions you can't repay.

You have 3 years from the day after the date you received the distribution to make a repayment. The amount of your repayment cannot be more than the amount of the original distribution. Amounts that are repaid are treated as a trustee-to-trustee transfer and are not included in income. Also, for purposes of the one-rollover-per-year limitation for IRAs, a repayment to an IRA is not considered a rollover.

Include on 2020 Form 8915-B any repayments you make before filing your 2020 return. Any repayments you make will reduce the amount of qualified 2017 disaster distributions reported on your return for 2020. Do not include on your 2020 Form 8915-B any repayments you make later than the due date (including extensions) for filing your 2020 return. See <u>Amending Form</u> <u>8915-B</u>, later. Also, any excess repayments you make for 2020 will be carried back to one or more of your 2017, 2018, or 2019 returns, as applicable.

*Exceptions.* You cannot repay the following types of distributions.

1. Qualified 2017 disaster distributions received as a beneficiary (other than a surviving spouse).

2. Required minimum distributions.

3. Any distribution (other than from an IRA) that is one of a series of substantially equal periodic payments made (at least annually) for:

- a. A period of 10 years or more,
- b. Your life or life expectancy, or

#### Department of the Treasury Internal Revenue Service

c. The joint lives or joint life expectancies of you and your beneficiary.

Eligible retirement plan. An eligible

retirement plan can be any of the following. • A qualified pension, profit-sharing, or stock bonus plan (including a 401(k) plan).

A qualified annuity plan.

A tax-sheltered annuity contract.

• A governmental section 457 deferred compensation plan.

• A traditional, SEP, SIMPLE, or Roth IRA.

### Amending Form 8915-B

File Form 1040-X, Amended U.S. Individual Income Tax Return, to amend a return you have already filed. Generally, Form 1040-X must be filed within 3 years after the date the original return was filed, or within 2 years after the date the tax was paid, whichever is later.

Depending on when a repayment is made, you may need to file an amended tax return to refigure your taxable income.

If you make a repayment after timely filing your 2020 tax return but by the due date of your 2020 return (including extensions), include the repayment on your amended 2020 Form 8915-B.

If you make a repayment after the due date of your 2020 return (including extensions), but before you timely file your 2021 return, include the repayment on your 2021 Form 8915-B if you are repaying a qualified 2018 disaster distribution received in 2018. However, you may file an amended 2018 Form 8915B or an amended 2019 or 2020 Form 8915-B, if either of the following applies. (But see the examples below. Also, see the caution under <u>Repayment of a</u> <u>Qualified 2017 Disaster Distribution</u>, earlier, for limitations.)

• You elected to include all of your qualified 2017 disaster distributions in income (instead of over 3 years) on your original 2017 or 2018 return.

• You received a qualified 2017 disaster distribution in 2017 or 2018 and included it in income over 3 years. You can amend your 2017, 2018, 2019, or 2020 tax return, as applicable.

**Example 1.** You received a qualified 2017 disaster distribution in the amount of \$90,000 on October 16, 2018. You choose to spread the \$90,000 over 3 years (\$30,000 in income for 2018, 2019, and 2020). On November 19, 2020, you make a repayment of \$40,000. For 2020, none of the qualified 2017 disaster distribution is included in income. The excess repayment of \$10,000 (\$40,000 - \$30,000) can be carried back to 2018 or 2019.

*Example 2.* You received a qualified 2017 disaster distribution in the amount of \$90,000 on October 16, 2017. You choose to spread the \$90,000 over 3 years (\$30,000 in income for 2017, 2018, and 2019). On November 19, 2020, you make a repayment of \$75,000. You carry back \$30,000 to 2019 and \$30,000 to 2018. You carry back \$15,000 to 2017.

### **Specific Instructions**

**Married filers.** If both you and your spouse are required to file Form 8915-B, file a separate Form 8915-B for each of you.

Name and social security number (SSN).

If you file a joint return, enter only the name and SSN of the spouse whose information is being reported on the 2020 Form 8915-B.

**Foreign address.** If you have a foreign address, enter the city name on the appropriate line. Do not enter any other information on that line, but also complete the spaces below that line. Do not abbreviate the country name. Follow the country's practice for entering the postal code and the name of the province, county, or state.

Write at the top of page 1. Write the following at the top of page 1 of Form 8915-B if your qualified 2017 distributions relate to: • Hurricane Harvey, Irma, or Maria: "Hurricane";

• The California wildfires: "Wildfires"; or

• Both Hurricane Harvey, Irma, or Maria and the California wildfires: "Hurricane and Wildfires."

### Part I—Qualified 2017 Disaster Distributions From Retirement Plans (Other Than IRAs)

Complete Part I if any of the following apply. • You had an amount on your 2018 Form 8915B, line 11, and you did not check the box on that line.

• You made a repayment in 2020 of qualified 2017 disaster distribution amounts from line 10 of 2018 Form 8915B; or line 8 of 2017 Form 8915B.

Line 5. At any time during the 3-year period beginning 1 day after the date you received a qualified 2017 disaster distribution, you can repay any portion of the distribution to an eligible retirement plan that accepts rollover contributions. You cannot, however, repay more than the amount of the original distribution. See <u>Repayment of a Qualified</u> 2017 Disaster Distribution, earlier, for details.

Enter on line 5 the amount of any repayments you made before filing your 2020 return. Do not include any repayments made later than the due date (including extensions) for that return nor any repayments of nontaxable amounts. If you repaid more than the amount on line 1 (including any excess repayments from 2019) on line 4), the excess can be carried back. Repayments made after the due date of your 2020 return (including extensions) but before the due date of your 2021 return (including extensions) will generally be reported on your 2021 Form 8915-B if you are repaying a gualified 2018 disaster distribution received in 2018. However, you may have to file an amended return in certain situations. See Amending Form 8915-B, earlier.

*Example.* You received a \$90,000 qualified 2017 disaster distribution on

November 7, 2018, from your 401(k) plan. You had an economic loss due to Hurricane Maria. On April 2, 2021, you repay \$30,000 to your 401(k) plan. You file your return on April 10, 2021. Since the repayment was made before you filed your 2020 return, not later than the due date (including extensions), and before your 3-year repayment period ended, you would enter the \$30,000 repayment on line 5.

Line 6. Enter the total of lines 4 and 5.

If you repaid more than the amount on line 1 (including any excess repayments from 2019 on line 4), you can carry forward the excess repayment from 2019 to 2020 Form 8915-B, but only if you have **not** already carried back that excess to a prior year.

Example. You received a qualified 2017 disaster distribution from a retirement plan other than an IRA in the amount of \$90,000 on November 15, 2017. You choose to spread the \$90,000 over 3 years (\$30,000 in income for 2017, 2018, and 2019). On June 10, 2019, you make a repayment of \$40,000. For 2019, none of the gualified 2017 disaster distribution is included in income. On your 2019 Form 8915-B, you enter \$40,000 on line 8 and \$30,000 on line 3. You carried back the excess \$10,000 (\$40,000 -\$30,000) repayment to 2018. You transfer the amounts from your 2019 form to your 2020 Form 8915-B as directed, entering \$40,000 on line 2 and \$30,000 on line 3 of that form. Your excess repayment from 2019 of \$10,000 is entered on line 4 of your 2020 Form 8915-B. Because you have already carried back the full \$10,000 to 2018, you cannot carry forward that \$10,000 to 2020. You cannot include that \$10,000 on line 6.

### Part II—Qualified 2017 Disaster Distributions From Traditional, SEP, SIMPLE, and Roth IRAs

Complete Part II if any of the following apply. • You had an amount on your 2018 Form 8915B, line 26, and you did not check the box on that line.

• You made a repayment in 2020 of qualified 2017 disaster distribution amounts from line 25 of 2018 Form 8915B; or line 16 of 2017 Form 8915B.

Line 12. At any time during the 3-year period beginning 1 day after the date you received a qualified 2017 disaster distribution, you can repay any portion of the distribution to an <u>eligible retirement plan</u> that accepts rollover contributions. You cannot, however, repay more than the amount of the original distribution. See <u>Repayment of a</u> <u>Qualified 2017 Disaster Distribution</u>, earlier, for details.

Enter on line 12 the amount of any repayments you made before filing your 2020 return. Do not include any repayments made later than the due date (including extensions) for that return nor any repayments of nontaxable amounts. If you repaid more than the amount on line 8 (including any excess repayments from 2019 on line 11), the excess can be carried back. Repayments made after the due date of your 2020 return (including extensions) but before the due date of your 2021 return (including extensions) will generally be reported on your 2021 Form 8915-B if you are repaying a qualified 2018 disaster distribution received in 2018. However, you may have to file an amended return in certain situations. See <u>Amending Form 8915-B</u>, earlier.

*Example.* You received a \$60,000 qualified 2017 disaster distribution on October 2, 2018, from your traditional IRA. You had an economic loss due to Hurricane Harvey. On April 2, 2021, you repay \$30,000 to your traditional IRA. You file your return on April 10, 2021. Since the repayment was made before you filed your 2020 return, not later than the due date (including extensions), and before your 3-year repayment period ended, you would enter the \$30,000 repayment on line 12.

If, in 2020, you made a repayment of a qualified 2017 disaster distribution that you opted to claim on Part III of 2017 Form 8915A, Qualified 2016 Disaster Retirement Plan Distributions and Repayments, any repayments of that distribution in 2020 must be claimed on 2020 Form 8915-**A**, Part II. They can't be claimed on 2020 Form 8915-**B**.

*Example.* In 2017, you reported qualified 2016 disaster distributions on 2017 Form 8915A and qualified 2017 disaster distributions on 2017 Form 8915B. You elected to spread the repayments over 3 years on both forms. You had to complete 2017 Form 8606; you chose to enter the amounts from 2017 Form 8606, lines 15b and 25b, on 2017 Form 8915A, lines 22 and 23; and you entered -0- on 2017 Form 8915B, lines 13 and 14. You make a

repayment of those qualified 2017 disaster distributions in November 2020, a date that is not later than 3 years and 1 day after the last qualified 2017 disaster distribution was received in 2017. That repayment should be entered on your 2020 Form 8915-**A**, line 9, and not on 2020 Form 8915-**B**.

Line 13. Enter the total of lines 11 and 12.

If you repaid more than the amount on line 8 (including any excess repayments from 2019 on line 11), you can carry forward the excess repayment from 2019 to 2020 Form 8915-B, but only if you have **not** already carried back that excess to a prior year.

Example. You received a qualified 2017 disaster distribution from an IRA in the amount of \$90,000 on November 15, 2017. You choose to spread the \$90,000 over 3 years (\$30,000 in income for 2017, 2018, and 2019). On June 10, 2019, you make a repayment of \$40,000. For 2019, none of the qualified 2017 disaster distribution is included in income. On your 2019 Form 8915-B, you enter \$40,000 on line 17 and \$30,000 on line 12. You carried back the excess \$10,000 (\$40,000 - \$30,000) repayment to 2018. You transfer the amounts from your 2019 form to your 2020 Form 8915-B as directed, entering \$40,000 on line 9 and \$30,000 on line 10 of that form. Your excess repayment from 2019 of \$10,000 is entered on line 11 of your 2020 Form 8915-B. Because you have already carried back the full \$10,000 to 2018, you cannot carry forward that \$10,000 to 2020. You cannot include that \$10,000 on line 13.

**Privacy Act and Paperwork Reduction Act Notice.** We ask for the information on this form to carry out the Internal Revenue laws of the United States. We need this information to ensure that you are complying

with these laws and to allow us to figure and collect the right amount of tax. You are required to give us this information if you made certain contributions or received certain distributions from gualified plans, including IRAs, and other tax-favored accounts. Our legal right to ask for the information requested on this form is sections 6001, 6011, 6012(a), and 6109 and their regulations. If you don't provide this information, or you provide incomplete or false information, you may be subject to penalties. You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103. However, we may give this information to the Department of Justice for civil and criminal litigation, and to cities, states, the District of Columbia, and U.S. commonwealths and possessions to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

The average time and expenses required to complete and file this form will vary depending on individual circumstances. For the estimated averages, see the instructions for your income tax return.

If you have suggestions for making this form simpler, we would be happy to hear from you. See the instructions for your income tax return.