

PART 1: Introduction

All references in this publication to line numbers on IRS forms are for the draft versions of the 2021 forms since the final forms had not been released by the IRS as of the date of publication.

HOW TO USE THIS GUIDE

This book contains the basic information you need to complete your 2021 federal income tax return. It gives special attention to several forms and schedules and the sections of each form most relevant to ministers. The companion resource and Part 5 in this guide – *Federal Reporting Requirements for Churches* – helps churches comply with their federal tax reporting requirements.

This guide is divided into the following sections:

- **Part 1: Introduction** – This section reviews tax highlights for 2021 and presents several preliminary questions you should consider before preparing your tax return.
- **Part 2: Special Rules for Ministers** – In this section, you learn whether or not you are a Minister for Tax Purposes, whether you are an employee or self-employed for both income tax and Social Security purposes, and how you pay your taxes.
- **Part 3: Step-by-Step Tax Return Preparation** – This section explains how to complete the most common tax forms and schedules for ministers.
- **Part 4: Comprehensive Examples and Sample Forms** – This section shows a sample tax return prepared for an ordained minister and spouse and for a retired minister and spouse.
- **Part 5: Federal Reporting Requirements for Churches** – This resource provides assistance to churches (especially treasurers and bookkeepers) in filing federal tax forms.

TAX HIGHLIGHTS FOR 2021

1. The American Rescue Plan Act of 2021 (ARPA)

ARPA was enacted by Congress to deliver immediate and direct relief to families and workers impacted by the COVID-19 crisis. Key features include:

- A third round of economic impact payments of up to \$1,400 for individuals or \$2,800 for married couples plus \$1,400 for each dependent claimed on a tax return. Payments are phased out for income over \$75,000 (single) or \$150,000 (married).

- The Child Tax Credit: (1) Is increased from \$2,000 to \$3,600 for children under 6 and \$3,000 for other children under 18. (2) Children 17 years old and younger are now covered by the Child Tax Credit. (3) The credit is fully refundable, meaning that lower-income households will be entitled to receive the full credit benefit.
- \$10 billion to assist distressed homeowners.
- \$25 billion in emergency rental assistance.
- The Infrastructure Investment and Jobs Act (2021) eliminated the employee retention credit for wages paid after September 30, 2021 (except for wages paid by an eligible recovery startup business).

2. Other Tax Changes of Interest to Ministers and Other Church Staff

There were several tax developments in prior years that affect tax reporting by both ministers and churches for 2021 and future years. Here is a rundown of some of the key provisions:

- You may be able to claim the earned income credit (EIC) for 2021 if (1) you do not have a qualifying child and you earned less than \$21,430 (\$27,380 if married filing jointly (MFJ)); (2) a qualifying child lived with you and you earned less than \$42,158 (\$48,108 if MFJ); (3) two qualifying children lived with you and you earned less than \$47,915 (\$53,865 if MFJ); or (4) three or more qualifying children lived with you and you earned less than \$51,464 (\$57,414 if MFJ). The maximum EIC for 2021 is (1) \$1,502 with no qualifying child; (2) \$3,618 with one qualifying child; (3) \$5,980 with two qualifying children; and (4) \$6,728 with three or more qualifying children.
- For contributions in 2021 to a Traditional Individual Retirement Account (IRA), the deduction phaseout range for an individual covered by a retirement plan at work begins at an income of \$105,000 for joint filers and \$66,000 for a single person or head of household. These are 2021 amounts that increase to \$109,000 for joint filers and \$68,000 for a single person or head of household for 2022.
- The dollar limit on annual elective deferrals an individual may make to a 403(b) retirement plan is \$19,500 for 2021. It increases to \$20,500 for 2022.
- The catch-up contribution limit on elective deferrals to a 403(b) retirement plan for individuals who had attained age 50 by the end of the year was \$6,500 for 2021. For 2022, the limit remains at \$6,500.

- The IRS has announced that it will not issue private letter rulings addressing the question of “whether an individual is a minister of the gospel for federal tax purposes.” This means taxpayers will not be able to obtain clarification from the IRS in a letter ruling on their status as a minister for any one or more of the following matters: (1) eligibility for a parsonage exclusion or housing allowance; (2) eligibility for exemption from self-employment taxes (SECA); (3) self-employed status for Social Security; or (4) exemption of wages from income tax withholding. The IRS also has announced that it will not address “whether amounts distributed to a retired minister from a pension or annuity plan should be excludible from the minister’s gross income as a parsonage allowance.”
- The standard business mileage rate was 56 cents per mile for business miles driven during 2021. The standard business mileage rate for 2022 is 58.5 cents per mile.
- Many churches employ retired persons who are receiving Social Security benefits. Persons younger than full retirement age may have their Social Security retirement benefits cut if they earn more than a specified amount. Full retirement age (the age at which you are entitled to full retirement benefits) for persons born in 1943–1954 is 66 years. If you are under full retirement age for the entire year, \$1 is deducted from your benefit payments for every \$2 you earn above the annual limit. For 2022 that limit is \$19,560. In the year you reach full retirement age, your monthly benefit payments are reduced by \$1 for every \$3 you earn above a different limit. For 2022 that limit is \$51,960 (\$4,330 per month), but only earnings before the month you reach full retirement age are counted.
- Will Congress give ministers another opportunity to revoke an exemption from Social Security? It does not look likely, at least for now. No legislation is pending that would provide ministers with this option.
- In March 2019, a three-judge panel of a federal appeals court (the Seventh Circuit Court of Appeals) unanimously affirmed the constitutionality of the minister’s housing allowance. *Gaylor v. Mnuchin*, 919 F.3d 420 (7th Cir. 2019). No further legal challenges to the housing allowance occurred in 2021.
- The CARES Act (2020) encouraged Americans to contribute to churches and charitable organizations by permitting them to deduct up to \$300 of cash contributions whether they itemize their deductions or not. Congress extended this deduction through 2021 and increased it to \$600 for married couples filing a joint return.

PRELIMINARY QUESTIONS

Below are several questions you should consider before preparing your 2021 federal tax return.

Q. Must ministers pay federal income taxes?

A. Yes. Ministers are not exempt from paying federal income taxes.

Q. How much income must I earn to be required to file a tax return?

A. Generally, ministers are required to file a federal income tax return if they have earnings of \$400 or more to report their SECA. Different rules apply to ministers who are exempt from SECA.

Q. What records should I keep?

A. You should keep all receipts, canceled checks, and other evidence to prove amounts you claim as deductions, exclusions, or credits. Documentation should be maintained for six years from the time you file your tax return.

Q. What is the deadline for filing my federal income tax return?

A. The instructions to *Form 1040* state that the deadline for filing *Form 1040* for the 2021 tax year is April 15, 2022. As of this publication, there are no congressional or executive discussions to extend this deadline.

Q. What if I am unable to file my tax return by the deadline?

A. You can obtain an automatic six-month extension (from April 15 to October 17, 2022) to file your 2021 *Form 1040* if you file *Form 4868* by April 15, 2022, with the IRS service center for your area. Your *Form 1040* can be filed at any time during the six-month extension period. **An extension relieves you from only the obligation to file your return; it is not an extension of the obligation to pay your taxes.** You must make an estimate of your tax for 2021 and pay the estimated tax with your *Form 4868*.

Q. Should I prepare my own tax return?

A. The answer depends on your ability and experience in working with financial information and in preparing tax returns. Keep in mind: Ministers’ taxes present a number of unique rules, but these rules are not complex. Many ministers will be able to prepare their own tax returns if they understand the unique rules that apply. These rules are summarized in this document. Easily accessible tax software will also accommodate the unique rules applicable to ministers, but it does not relieve a minister from understanding the rules in order to accurately utilize the software. On the other hand, if you experienced unusual events in 2021, such as the sale or purchase of a

home or the sale of other capital assets, it may be prudent to obtain professional tax assistance. The IRS provides a service called Taxpayer Assistance, but it is not liable in any way if its agents provide you with incorrect answers to your questions. Free taxpayer publications are available from the IRS, and many of these are helpful to ministers.

RECOMMENDATION: If you need professional assistance, here are some tips that may help you find a competent tax professional:

- Ask other ministers in your community for their recommendations.
- If possible, use a CPA or an enrolled agent (EA) who specializes in tax law and is familiar with the rules that apply to ministers. A CPA has completed a rigorous educational program, and both CPAs and EAs have passed exams. Both must keep up continuing education and are subject to strict ethical requirements. However, the tax law is broad and complicated, so it should not be assumed that all CPAs or EAs are familiar with the unique rules applicable to ministers.
- Ask local tax professionals if they work with ministers and, if so, with how many.
- Ask local tax professionals a few questions to test their familiarity with ministers' tax issues. For example, ask whether ministers are employees or self-employed for Social Security. Anyone familiar with ministers' taxes will know that ministers are self-employed for Social Security with respect to their ministerial duties. Or ask a tax professional if a minister's church salary is subject to income tax withholding. The answer is no, and anyone familiar with ministers' taxes should be able to answer this question.