

Tax for Children Under Age 14 Who Have Investment Income of More Than \$1,400

Department of the Treasury Internal Revenue Service (99)

Attach ONLY to the child's Form 1040, Form 1040A, or Form 1040NR.

Attachment Sequence No. 33

Child's name shown on return, Child's social security number, Parent's name (first, initial, and last), Parent's social security number, Parent's filing status (check one): Single, Married filing jointly, Married filing separately, Head of household, Qualifying widow(er)

Part I Child's Net Investment Income. 1 Enter the child's investment income... 2 If the child did not itemize deductions... 3 Subtract line 2 from line 1... 4 Enter the child's taxable income... 5 Enter the smaller of line 3 or line 4

Part II Tentative Tax Based on the Tax Rate of the Parent Listed on Line A. 6 Enter the parent's taxable income... 7 Enter the total net investment income... 8 Add lines 5, 6, and 7... 9 Enter the tax on line 8... 10 Enter the parent's tax from Form 1040... 11 Subtract line 10 from line 9... 12a Add lines 5 and 7... 12b Divide line 5 by line 12a... 13 Multiply line 11 by line 12b

Part III Child's Tax—If lines 4 and 5 above are the same, enter -0- on line 15 and go to line 16. 14 Subtract line 5 from line 4... 15 Enter the tax on line 14... 16 Add lines 13 and 15... 17 Enter the tax on line 4... 18 Enter the larger of line 16 or line 17

General Instructions

Purpose of Form

For children under age 14, investment income over \$1,400 is taxed at the parent's rate if the parent's rate is higher than the child's rate. If the child's investment income is more than \$1,400, use this form to figure the child's tax.

TIP: See Pub. 929, Tax Rules for Children and Dependents, if the child, the parent, or any of the parent's other children under age 14 received capital gain distributions or farm income. It has information on how

to figure the tax using Schedule D or J, which may result in less tax.

Investment Income

As used on this form, "investment income" includes all taxable income other than earned income as defined on page 2. It includes taxable interest, dividends, capital gains, rents, royalties, etc. It also includes pension and annuity income and income (other than earned income) received as the beneficiary of a trust.

Who Must File

Generally, Form 8615 must be filed for any child who was under age 14 on January 1,

1999, had more than \$1,400 of investment income, and is required to file a tax return. But if neither parent was alive on December 31, 1998, do not use Form 8615. Instead, figure the child's tax in the normal manner.

Note: The parent may be able to elect to report the child's interest and dividends on his or her return. If the parent makes this election, the child will not have to file a return or Form 8615. However, the Federal income tax on the child's income, including capital gain distributions, may be higher if this election is made. For more details, see Form 8814, Parents' Election To Report Child's Interest and Dividends.

Additional Information

For more details, see Pub. 929.

Incomplete Information for Parent or Other Children

If the parent's taxable income or filing status or the net investment income of the parent's other children is not known by the due date of the child's return, reasonable estimates may be used. Write "Estimated" on the appropriate line(s) of Form 8615. For more details, see Pub. 929.

Amended Return

If after the child's return is filed the parent's taxable income changes or the net investment income of any of the parent's other children changes, the child's tax must be refigured using the adjusted amounts. If the child's tax changes, file **Form 1040X**, Amended U.S. Individual Income Tax Return, to correct the child's tax.

Alternative Minimum Tax

A child whose tax is figured on Form 8615 may owe the alternative minimum tax. For details, see **Form 6251**, Alternative Minimum Tax—Individuals, and its instructions.

Line Instructions

Lines A and B

If the child's parents were married to each other and filed a joint return, enter the name and social security number (SSN) of the parent who is listed first on the joint return.

If the parents were married but filed separate returns, enter the name and SSN of the parent who had the **higher** taxable income. If you do not know which parent had the higher taxable income, see Pub. 929.

If the parents were unmarried, treated as unmarried for Federal income tax purposes, or separated either by a divorce or separate maintenance decree, enter the name and SSN of the parent who had custody of the child for most of the year (the custodial parent).

Exception. If the custodial parent remarried and filed a joint return with his or her new spouse, enter the name and SSN of the person listed first on the joint return, even if that person is not the child's parent. If the custodial parent and his or her new spouse filed separate returns, enter the name and SSN of the person with the **higher** taxable income, even if that person is not the child's parent.

Note: *If the parents were unmarried but lived together during the year with the child, enter the name and SSN of the parent who had the **higher** taxable income.*

Child's Investment Income Worksheet—Line 1 (keep a copy for your records)

1. Enter the amount from the child's Form 1040, line 22; Form 1040A, line 14; or Form 1040NR, line 23, whichever applies **1.** _____
2. Enter the child's **earned income** (defined on this page) plus any deduction the child claims on Form 1040, line 30, or Form 1040NR, line 30, whichever applies **2.** _____
3. Subtract line 2 from line 1. Enter the result here and on Form 8615, line 1 **3.** _____

Line 1

If the child had no earned income (defined later), enter the child's adjusted gross income from Form 1040, line 34; Form 1040A, line 19; or Form 1040NR, line 34.

If the child had earned income, use the worksheet on this page to figure the amount to enter on line 1. But if the child files **Form 2555** or **2555-EZ** (relating to foreign earned income), has a net loss from self-employment, or claims a net operating loss deduction, you **must** use the worksheet in Pub. 929 instead.

Earned income includes wages, tips, and other payments received for personal services performed. Generally, it is the total of the amounts reported on Form 1040, lines 7, 12, and 18; Form 1040A, line 7; or Form 1040NR, lines 8, 13, and 19.

Line 2

If the child itemized deductions, enter the **greater** of:

- \$1,400, or
- \$700 plus the portion of the amount on **Schedule A** (Form 1040), line 28, or **Schedule A** (Form 1040NR), line 17, that is directly connected with the production of the investment income on Form 8615, line 1.

Line 6

If the parent filed a joint return, enter the taxable income shown on that return even if the parent's spouse is not the child's parent.

Line 9

Figure the tax using the Tax Table, Tax Rate Schedules, or **Schedule D** or **J** (Form 1040), whichever applies. If any net capital gain is included on line 5, 6, or 7, Part IV of Schedule D must be used to figure the tax on the amount on line 8, unless Schedule J may be used. See Pub. 929 for details on how to figure the net capital gain included on line 8. If any farm income is included on line 5, 6, or 7, the tax may be less if you use Schedule J.

Line 10

If the parent filed a joint return, enter the tax shown on that return even if the parent's spouse is not the child's parent. If the parent filed **Form 4972**, do **not** include

any tax from that form on line 10. If the parent filed **Form 8814**, enter "Form 8814" and the total tax from line 9 of Form(s) 8814 on the dotted line next to line 10 of Form 8615.

Line 15

Figure the tax using the Tax Table, Tax Rate Schedule X, or Schedule D or J, whichever applies. If line 14 includes any net capital gain, use Schedule D to figure the tax. See Pub. 929 for details on how to figure the net capital gain included on line 14. If any farm income is included on line 14, the tax may be less if you use Schedule J.

Line 17

Figure the tax as if these rules did not apply. For example, if the child has a net capital gain, use Schedule D to figure his or her tax.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

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 Internal Revenue Code section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping**, 13 min.; **Learning about the law or the form**, 13 min.; **Preparing the form**, 45 min.; and **Copying, assembling, and sending the form to the IRS**, 17 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. See the instructions for the tax return with which this form is filed.

