

Frequently asked questions

Background

The Treasury Department and Internal Revenue Service (IRS) issued Notice 2021-21 postponing the tax year 2020 federal income tax filing and payment due date for individuals from April 15, 2021 to May 17, 2021. This postponement does not apply to federal estimated tax payments due on April 15, 2021.

The Department of Revenue (DOR) has issued a Director's Order providing relief similar to that provided by the IRS by postponing the Oregon filing and payment due date for individuals for tax year 2020.

Here is a list of frequently asked questions, which will be updated as more information becomes available.

Q: Is Oregon postponing the deadline to file personal income taxes?

A: Yes. Oregon has joined the Internal Revenue Service (IRS) in postponing the tax filing and payment due dates for individuals from April 15, 2021 to May 17, 2021.

Q: What are the specific Oregon tax returns for which filing deadlines have been postponed to May 17, 2021?

A: The forms are:

- Form OR-40, OR-40-N, and OR-40-P (Oregon Personal Income Tax Returns)
- Form OR-STI (Oregon Statewide Transit Individual Tax Return)
- Form OR-LTD and OR-TM (Transit Self-Employment Returns)

Q: I haven't filed my 2020 individual income tax return yet, but I expect to file it by May 17, 2021. What do I need to do?

A: You only need to file and pay any tax due with your return by May 17. You don't need to file any additional forms or contact DOR for this postponement. If you expect a refund, you're encouraged to file your return as soon as possible. Filing electronically and requesting direct deposit is the quickest way to get your refund.

Q: What if I am unable to file my 2020 Oregon income tax return by May 17, 2021?

A: You may need to file an extension of time for your Oregon return. See Publication OR-40-EXT for instructions. An extension to file is not an extension to pay.

Q: Does the Director's Order postpone the automatic extension deadline of October 15, 2021?

A: No. Returns with a timely filed extension must be filed by October 15, 2021.

Q: I already filed my 2020 Oregon individual income tax return that would have been due by April 15, 2021 and I owe tax, but I haven't paid yet. What do I need to do to avoid interest and penalties?

A: Please pay the tax due by May 17, 2021. Interest and penalties will begin to be charged after May 17, 2021 for any amount remaining unpaid. If you cannot pay your tax in full on or before May 17, 2021, pay as much as you can by making payments on your own until you receive your billing notice from the department. Once you have received your billing notice, the department can help you with a reasonable payment plan for the remaining balance. You can make a payment online or set up a payment plan after you receive a bill from the department by accessing your account through Revenue Online, which can be found on the Oregon Department of Revenue's homepage at www.oregon.gov/dor. You can also set up a payment plan by phone. For individual taxes, call 503-945-8200.

Q: Is the April 30, 2021 due date for the first quarter 2021 Oregon Quarterly Statewide Transit Tax Withholding (Form OR-STT-1) returns and payments postponed?

A: No. The first quarter 2020 Form OR-STT-1 return and payment due date is not postponed, and payments are still due April 30, 2021.

Q: I want to file an amended return to revoke or make an election for the qualified business income reduced tax rate on my Oregon personal income tax return that I already filed. Do I have to file the amended return by May 17, 2021?

A: If you didn't check the extension box on your previously filed original return, you have until May 17, 2021 to file your amended return and change your election for the qualified business income reduced tax rate. After May 17, 2021, your election can't be changed by filing an amended return. However, if you filed for an extension, you have until October 15, 2021 to file an amended return to revoke or make the election.

Q: Do I have more time to contribute to my Individual Retirement Account (IRA), Health Savings Account (HSA), Archer Medical Savings Account (Archer MSA), Coverdell education savings account (Coverdell ESA), 529 College Savings Plan account, and Achieving a Better Life Experience (ABLE) account for tax year 2020?

A: Yes. Contributions can be made at any time during the tax year or by the due date for filing your return for that year. Because the due date for filing an Oregon and federal individual income tax return has been postponed to May 17, 2021, the deadline for making contributions for 2020 is also postponed to May 17, 2021.

Q: I overpaid my 2020 Oregon personal income tax, and I want to apply the refund on my

2020 Oregon personal income tax return as a payment of my 2021 estimated tax. When will the department apply the payment?

A: The 2020 Oregon personal income tax overpayment will be applied as follows:

- If the overpayment is due to withholding, refundable credit, or payments made prior to April 15, 2021, the refund overpayment will be applied as of April 15, 2021, if the return is filed on time.
- If the overpayment is due to a payment made between April 16, 2021 and the time you filed, the refund overpayment will be applied as of the date the payment was made. This is true if the return is filed on time.
- If the Oregon personal income tax return is not filed on time (by May 17, 2021 or October 15, 2021 if an extension was requested), the overpayment will be applied as of the return file date or the date the payment was made that resulted in the overpayment, whichever is later.

Q: I owe Underpayment of Estimated Tax (UND) for tax year 2020. Form OR-10 says to stop calculating the interest on April 15. Should I keep calculating interest until May 17?

A: No. DOR is not postponing the UND period for personal income tax for the 2020 tax year. You don't need to keep calculating UND for 2020 past April 15.

Q: Did Oregon postpone the April 15, 2021 personal income tax estimated tax payment due date until May 17, 2021?

A: No. Oregon's April 15, 2021 estimated tax payment due date for tax year 2021 has not been postponed and is still due on April 15, 2021.

Q: Is the department going to charge UND interest when I file my 2021 personal income tax return if I didn't make the appropriate estimated tax payments in April 2021?

A: Yes. If you are not able to estimate 2021 tax by April 15, 2021 to make the first quarter estimated tax payment, you may utilize the provisions in Oregon Administrative Rule (OAR) 150-316-0493. The department also has an interest waiver rule (OAR 150-316-0487) that may be applicable for the 2021 tax year. Waivers are considered on a case-by-case basis.

Q: If I can't use the safe harbor provisions in OAR 150-316-0493, how can I estimate my 2021 personal income taxes if my 2020 return hasn't been prepared yet?

A: Below are just a few examples:

- For personal income taxpayers, use 2021 [Publication OR-ESTIMATE](#) to assist you in calculating estimated tax payments.
- Look at your 2021 first quarter income and compare it to your 2020 first quarter income and estimated tax payment. Adjust your 2021 first quarter estimated tax payment amount, if necessary.

Tax Year 2020 Filing Postponement

- Pay 100 percent of your 2020 first quarter estimated payment.
- For personal income taxpayers, enter your 2021 anticipated income, deductions, and credits by clicking the "[calculate withholding](#)" button on Revenue Online.

Whatever method you use, document how you calculated your estimated tax and save it with your tax records.

Q: When will the department begin paying interest on refund returns on individual income tax?

A: The earliest date the department will begin paying refund interest is 45 days after the extended due date of May 17, 2021.

Q: Does the Director's Order also change the deadline to file a claim for credit or refund of Oregon income tax?

A: Yes. The order postpones to May 17, 2021 the expiration of the limitations period to file a claim for credit or refund of Oregon individual income tax, if the period would otherwise expire on April 15, 2021 (for example, filing a claim for refund for tax year 2017).

Q: Is Oregon postponing the deadline to file fiduciary income tax returns?

A: No. The only exception to this is nonresident trusts filing federal Form 1040-NR. Tax filing and payment due dates for these specific nonresident trusts only have been extended to May 17, 2021.

Q: What do I do if I file and pay the fiduciary income tax return of an eligible nonresident trust by the extended due date and later receive notice that penalty and/or interest have been assessed?

A: Contact the department at estate.help.dor@oregon.gov.