

INDIGENT TAX RELIEF & CIRCUIT BREAKER TAX RELIEF

HOUSEHOLD INCOME QUICK REFERENCE

Included in Household Income §59-2-1202(8)

Federal adjusted gross income (FAGI); and the following **non-taxable income sources**:

§59-2-1202(9)(a)

- Capital gains;
- Loss carry forwards;
- Depreciation claimed on the residence upon which relief is filed;
- Support money;
- Nontaxable strike benefits;
- **Gross** amount of a pension or annuity;
- Social security payments (except Social Security Disability Income);
- State unemployment insurance amounts;
- Nontaxable interest from any source;
- Workers' compensation;
- Gross amount of "loss of time" insurance; and
- Voluntary contributions to a tax-deferred retirement plan

NOT Included in Household Income: §59-2-1202(9)(b)

- Public assistance, including:
 - Medical assistance provided under [U.S.C. §26B-3](#), such as:
 - Health care assistance
 - Medicaid waivers
 - Utah CHIP
 - [SNAP benefits](#);
 - Services or benefits provided under the [Utah Employment Support Act](#);
 - Foster care maintenance payments provided from the General Fund or under Title IV-E of the Social Security Act
- Aid, assistance, or contributions from a tax-exempt NGO source;
- Surplus foods;
- Relief in kind supplied by a public or private agency;
- Property tax relief;
- Social Security Disability Income;
- Federal tax refunds;
- Federal child tax credit that exceeds the taxpayer's federal tax liability;
- Federal earned income credit that exceeds the taxpayer's federal tax liability;
- Reverse mortgage payments;
- [Payments or reimbursements](#) to [federal senior program volunteers](#);
- Gifts or bequests

What is a household?

Households [§ 59-2-1202(6)] are determined as of **Jan. 1 of the year the claim is filed** [R865-91-34(A)(1)]. All income earned in the **previous year** by members of the household on **Jan. 1** is included, **even if a member ceases to live in the household between Jan. 1 and the time of application**. A household for the renters' refund is determined differently, please be aware of this when reading the Code to avoid confusion.

What is income?

Questions arise if taxpayers submit complex federal tax returns as proof of income.

Consulting the Form 1040 instructions and schedules can help determine if income listed in supplementary evidence is part of, or deducted, from the FAGI.

For example, business losses are **deducted** from the FAGI and are listed on Schedule 1 after being calculated on Schedule C. HSA distributions from the 1099-SA are **included** in the FAGI and listed on Schedule 1 after being determined on Form 8889.

If the IRS accepts a taxpayer's FAGI as accurate, this decision should be deferred to.