

## FORM 8939 AND ELECTION OUT OF ESTATE TAX FOR 2010—CONTINUING EXTENSION

TUESDAY, APRIL 05, 2011

As April 18 approaches, there have been continuing concerns whether the election out of estate tax for those estates that desire to do so for 2010 decedents, and the filing of Form 8939 to report basis adjustments for those decedents, will be required to be filed by that date. This is because previously the Form 8939 reporting was to have been completed and submitted by the due date of the decedent's 2010 income tax return.

We have previously discussed earlier guidance on when those items will be due [here](#). On March 31, the IRS issued further unambiguous guidance that such items will not be due on April 18.

The due dates (and applicable forms) will be released by the IRS in the future.

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