



Time You Can Claim a Credit or Refund

The latest date, by law, you can claim a credit or federal income tax refund for a specific tax year is generally the later of these 2 dates:

- 3 years from the date you filed your federal income tax return, or
- 2 years from the date you paid the tax.

This time period is called the Refund Statute Expiration Date (RSED).

If you filed your return before its due date, the IRS considers it filed on the due date. If you had income tax withheld or paid estimated tax during the year, we consider those payments to have been made on the return due date.

How Much Credit or Refund You Can Receive

The amount of credit or refund you can receive depends on **when you file your claim**.

You File a Claim Within 3 Years from When You File Your Return

Your credit or refund is limited to the amount you paid during the 3 years before you filed the claim, plus any extensions of time you had to file your return.

You File a Claim After 2 Years from When You Paid the Tax

Your credit or refund is limited to the amount you paid within the 2 years right before you filed your claim.

You Didn't File a Claim Within the 3-Year or 2-Year Expiration Dates

You can't get a credit or refund if you don't file the claim within 3 years of filing your original return, or 2 years after paying the tax, whichever is later, unless you meet an exception that allows you more time to file a claim.

Exceptions to the 3-Year/2-Year Expiration Date

You may have more time to file a claim for credit or refund than the 3-year/2-year rules if you:

You File a Claim After the 3-Year/2-Year Expiration Date

- **Agree with the IRS in writing to extend the time limit to assess tax:** The time limit is specified in your agreement, plus 6 months, to claim a credit or refund. There may be additional limits on the amount of credit or refund you can claim based on any limitations on the IRS's ability to assess tax, as shown in the written terms of your signed agreement.
- **Are affected by a Presidentially declared disaster:** You may have up to 1 more year to claim a credit or refund.
- **Serve in a designated combat zone or contingency operation:** You may have additional time to file a claim for a credit or refund, but you must meet certain requirements to qualify. See Armed Forces' Tax Guide, Publication 3 and combat zones.
- **File because of a bad debt deduction or a worthless security loss:** You have 7 years from the return due date for that year to file the claim. See Tax Topic 453 Bad Debt Deduction.

How to File a Claim for a Credit or Refund

Claim a credit or refund for income taxes on your:

- **Original return** (for example, Form 1040, U.S. Individual Income Tax Return [PDF](#))
- **Amended return** (for example, Form 1040-X, Amended U.S. Individual Income Tax Return)

If filing an amended return, send it to the IRS Service Center where you filed your original return. You can file Form 1040-X electronically with tax return filing software to amend Forms 1040 or 1040-SR for tax years 2019 or later. See if your preferred tax software provider is an IRS Free File provider.

Claim a credit or refund for other taxes (not income taxes) and penalties on Form 843, Claim for Refund and Request for Abatement.

Laws and Regulations

- [IRC 165\(g\)](#)
- [IRC 166](#)
- [IRC 832\(c\)](#)
- [IRC 6501\(c\)\(4\)](#)
- [IRC 6511\(a\)](#)
- [IRC 6511\(b\)](#)
- [IRC 6511\(c\)](#)
- [IRC 6511\(d\)\(1\)](#)
- [IRC 6513\(a\)](#)
- [IRC 6513\(b\)](#)
- [IRC 7508](#)
- [IRC 7508A](#)
- [Treas. Reg. 301.6402-2](#)
- [Treas. Reg. 301.6402-3](#)

Resources

- Examination of Returns, Appeal Rights, and Claims for Refund, Publication 566 [PDF](#)

Page Last Reviewed or Updated: 06-Sep-2023