

**2018 PIT-ADJ  
NEW MEXICO SCHEDULE OF ADDITIONS,  
DEDUCTIONS, AND EXEMPTIONS**



We cannot accept statements instead of this schedule.

Print your name (first, middle, last)

**YOUR SOCIAL SECURITY NUMBER**

**Taxpayers who are required to make certain additions or who are eligible to take certain deductions or exemptions from federal adjusted gross income to compute New Mexico taxable income must complete this schedule. Please refer to the instructions when completing this schedule.**

**NEW MEXICO ADDITIONS TO FEDERAL ADJUSTED GROSS INCOME**

1. Interest and dividends from federal tax-exempt bonds.....	1	<input style="width: 90%; height: 20px;" type="text"/>
2. Federal net operating loss carryover. See PIT-ADJ instructions.....	2	<input style="width: 90%; height: 20px;" type="text"/>
+		
3. Contributions refunded when closing a New Mexico-approved Section 529 college savings plan account and certain contributions rolled out of a New Mexico-approved Section 529 college savings plan account.....	3	<input style="width: 90%; height: 20px;" type="text"/>
4. Charitable deduction amount claimed on federal Form 1040, Schedule A, for a donation of land to private non-profit or public conservation agencies, for conservation purposes, from which you were allowed the New Mexico Land Conservation Tax Credit.....	4	<input style="width: 90%; height: 20px;" type="text"/>
+		
5. <b>TOTAL ADDITIONS.</b> Add lines 1 through 4. Also enter on Form PIT-1, line 11.....	5	<input style="width: 90%; height: 20px;" type="text"/>
=		

**NEW MEXICO DEDUCTIONS AND EXEMPTIONS FROM FEDERAL ADJUSTED GROSS INCOME**

6. New Mexico tax-exempt interest and dividends.....	6	<input style="width: 90%; height: 20px;" type="text"/>
7. New Mexico net operating loss. See PIT-ADJ instructions. <b>Attach Form RPD-41369.</b> .....	7	<input style="width: 90%; height: 20px;" type="text"/>
+		
8. Interest received on U.S. Government obligations.....	8	<input style="width: 90%; height: 20px;" type="text"/>
9. Taxable Railroad Retirement Act annuities and benefits, and taxable Railroad Unemployment Insurance Act sick pay. <b>Attach Forms RRB-1099 and RRB-1099-R.</b> .....	9	<input style="width: 90%; height: 20px;" type="text"/>
+		
10. Income of a member of a New Mexico federally-recognized Indian nation, tribe, or pueblo that was wholly earned on the lands of the reservation or pueblo of which the individual is an enrolled member while domiciled on that land, reservation, or pueblo .....	10	<input style="width: 90%; height: 20px;" type="text"/>
+		
10a. I am enrolled as a member of the _____ Indian nation, tribe, or pueblo.		
10b. My spouse is enrolled as a member of the _____ Indian nation, tribe, or pueblo.		
11. Income of persons age 100 years or older. If you or your spouse is age 100 or older, you <b>must</b> mark the boxes to claim your exemption.		
11a. <b>100 or older</b> <input type="checkbox"/> 11b. <b>Spouse 100 or older</b> <input type="checkbox"/> .....	11	<input style="width: 90%; height: 20px;" type="text"/>
+		
12. Exemption for persons age 65 or older, or blind.....	12	<input style="width: 90%; height: 20px;" type="text"/>
+		
13. Exemption for New Mexico medical care savings account. See PIT-ADJ instructions. ....	13	<input style="width: 90%; height: 20px;" type="text"/>
+		
14. Deduction for contributions to a New Mexico-approved Section 529 college savings plan .....	14	<input style="width: 90%; height: 20px;" type="text"/>
+		
15. Net capital gains deduction. See PIT-ADJ instructions. ....	15	<input style="width: 90%; height: 20px;" type="text"/>
+		
16. Armed Forces active duty pay. See PIT-ADJ instructions. ....	16	<input style="width: 90%; height: 20px;" type="text"/>
+		
17. Medical care expense exemption for persons age 65 years or older.....	17	<input style="width: 90%; height: 20px;" type="text"/>
+		
18. Deduction for organ donation-related expenses .....	18	<input style="width: 90%; height: 20px;" type="text"/>
+		
19. New Mexico National Guard member life insurance reimbursements tax exemption.....	19	<input style="width: 90%; height: 20px;" type="text"/>
+		
20. Taxable refunds, credits, or offsets of state and local income taxes from federal Form 1040, Schedule 1.....	20	<input style="width: 90%; height: 20px;" type="text"/>
+		
21. Non-resident U.S. Public Health Service members' active duty pay.....	21	<input style="width: 90%; height: 20px;" type="text"/>
+		
22. <b>TOTAL DEDUCTIONS AND EXEMPTIONS.</b> Add lines 6 through 21. Enter here and on Form PIT-1, line 15.....	22	<input style="width: 90%; height: 20px;" type="text"/>
=		

**Attach this Schedule PIT-ADJ to your Personal Income Tax Return, Form PIT-1.**

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**INSTRUCTIONS FOR 2018 PIT-ADJ**  
**SCHEDULE OF ADDITIONS, DEDUCTIONS, AND EXEMPTIONS**

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**GENERAL INFORMATION**

If either of the following apply to you, complete PIT-ADJ:

- You are required to make certain additions to your federal adjusted gross income.
- You are eligible to take certain deductions and exemptions from your federal adjusted gross income.

The PIT-ADJ is required for you to claim certain additions, deductions, or exemptions. This schedule shows your total additions (line 5) and your total deductions and exemptions (line 22).

Enter these totals on your PIT-1 Return to calculate your New Mexico taxable income. After completing PIT-ADJ, attach it to your PIT-1 Return.

If the additions, deductions, or exemptions on this schedule do not apply to you, **DO NOT** complete this schedule and do not attach it to the PIT-1 return.

**IMPORTANT:** Do not add any amounts to Schedule PIT-ADJ that are not listed on this schedule. If an item is not listed, it is not a valid New Mexico addition, exemption, or deduction for this schedule. Do not submit a statement instead of this schedule. The Taxation and Revenue Department does not accept statements instead of the Schedule PIT-ADJ.

**Additions to Federal Adjusted Gross Income (Lines 1–4)**

You are required to report the following additions to your federal adjusted gross income on Schedule PIT-ADJ:

- **Line 1.** Interest and dividends from federal tax-exempt bonds.
- **Line 2.** A net operating loss carryover.
- **Line 3.** Contributions refunded when closing, or certain contributions rolled out of, a New Mexico-approved Section 529 college savings plan account.
- **Line 4.** A charitable deduction claimed on federal Form 1040, Schedule A, for a donation of

land to private non-profit or public conservation agencies for conservation purposes from which you were allowed the New Mexico land conservation tax credit.

Each addition is described in detail later in these instructions.

**Deductions and Exemptions from Federal Adjusted Gross Income (Lines 6–21)**

Use PIT-ADJ to claim the following deductions and exemptions:

- **Line 6.** New Mexico tax-exempt interest and dividend income.
- **Line 7.** A New Mexico net operating loss carryforward.
- **Line 8.** Interest on U.S. government obligations.
- **Line 9.** Railroad retirement income or Railroad Unemployment Insurance Act sick pay not taxable by New Mexico.
- **Line 10.** You, your spouse, or both are members of an Indian nation, tribe, or pueblo, and the income of the member was wholly earned on the lands of the reservation or pueblo of which one of you is a member while domiciled on that land, reservation, or pueblo. If either you or your spouse are not a member of an Indian nation, tribe, or pueblo, your income is taxable even when earned on the lands of the reservation or pueblo.
- **Line 10a and 10b.** Please enter the name of the Indian nation, tribe or pueblo of which you or your spouse is a member.
- **Line 11.** You, your spouse, or both are age 100 or over, and not dependents of another taxpayer.
- **Line 12.** You, your spouse, or both are age 65 or over or blind, and adjusted gross income is not over \$51,000 for a joint return; \$28,500 for a single taxpayer; or \$25,500 for married taxpayers filing separately.
- **Line 13.** Federally taxable contributions to or distributions from a New Mexico Medical Care Savings Account.
- **Line 14.** Contributions to a New

Mexico-approved Section 529 college savings plan.

- **Line 15.** Net capital gains deduction.
- **Line 16.** Armed forces active duty pay.
- **Line 17.** You, your spouse, or both are age 65 or over, and claiming unreimbursed or uncompensated medical care expenses of \$28,000 or more for yourself, your spouse, or dependents.
- **Line 18.** Expenses related to donating human organs to another person.
- **Line 19.** Reimbursement from the New Mexico National Guard Service Member's Life Insurance Reimbursement Fund.
- **Line 20.** Taxable refunds, credits, or offsets of state and local income taxes included from your federal adjusted gross income (Form 1040, Schedule 1, line 10).
- **Line 21.** Active duty pay of a non-resident U.S. Public Health Service (USPHS) member.

Each deduction and exemption is described in detail later in these instructions.

**PREPARING YOUR SCHEDULE PIT-ADJ**

Complete your PIT-1 and then follow these steps to prepare and complete Schedule PIT-ADJ.

1. In the PIT-1 instructions, page 19, read *Important Guidelines*. This section gives helpful guidelines for completing schedules and forms.
2. Make sure you have all necessary records, approvals, and certifications for the PIT-ADJ.
3. On the 2018 Schedule PIT-ADJ, enter the primary taxpayer's name and social security number from lines 1a and 1b of your PIT-1 return. Make sure the name and number are correct and readable.
4. Using the detailed instructions for

each line on the next pages, complete the 2018 Schedule PIT-ADJ.

5. Double-check the figures on your 2018 Schedule PIT-ADJ. Be sure your arithmetic is correct and make sure all entries are complete and correct.

6. If line 11 is applicable, make sure you correctly marked the boxes.

7. Transfer the total on line 5 of this schedule to PIT-1, line 11.

8. Transfer the total on line 22 of this schedule to PIT-1, line 15.

9. Attach your completed PIT-ADJ, along with any other required attachments to your PIT-1 return. For other possible attachments, look for **Attach** headings in the instructions for lines 6, 7, 9, 11, 17, and 19.

## DETAILED INSTRUCTIONS FOR EACH LINE

### ADDITIONS TO FEDERAL ADJUSTED GROSS INCOME

#### LINE 1

#### Interest and dividend income from federal tax-exempt bonds

Enter your interest and dividend income from all state and municipal bonds excluded from your federal adjusted gross income. This includes all federally tax-exempt interest and dividends reported on federal Form 1040 from state and municipal obligations.

**NOTE:** Use line 6 of PIT-ADJ to claim the deduction for interest and dividends of obligations exempt from New Mexico taxable income.

#### LINE 2

#### Federal net operating loss carryover

A positive number is required on this line. From federal Form 1040, Schedule 1, line 21 (**Other income**), enter the amount of any federal net operating loss carryforward or carryback.

By making this entry, you are adding the federal net operating loss taken on your federal return to the income you reported on PIT-1, line 9.

The rules for applying a net operating loss deduction to New Mexico taxable

income are different from federal rules. To compute the New Mexico net operating loss carryforward, see line 7 later in these instructions.

#### LINE 3

#### Contributions refunded when closing a New Mexico-approved Section 529 college savings plan account and certain contributions rolled out of a New Mexico-approved Section 529 college savings plan account

Enter the amount of qualified contributions refunded to you or rolled over during the tax year from a New Mexico-approved Section 529 college savings plan account only if the contributions were deducted on an earlier New Mexico personal income tax return and if any of the following are true:

- You closed a New Mexico-approved Section 529 college savings plan account, and received a refund of the contributions. In this case, enter the amount of contributions refunded.
- You rolled over contributions from a New Mexico-approved Section 529 college savings plan account to a non-New Mexico-approved Section 529 college savings plan account. In this case, enter the amount of those contributions.

Do not include:

- Earnings refunded to the investor.
- Earnings rolled over from a New Mexico-approved Section 529 college savings plan account to a non-New Mexico-approved Section 529 college savings plan.
- Qualified distributions from the Section 529 college savings plan account.

For more information, see Brochure #6, *New Mexico Income Tax and Your Education Trust (529) Plan* on the Department's website.

#### LINE 4

#### Charitable deduction amount claimed on federal Form 1040, Schedule A, for a donation of land to private non-profit or public conservation agencies for conservation purposes from which you were allowed the New Mexico Land

### Conservation Tax Credit

If both of the following are true, you must add back the charitable deduction amount included in the itemized deductions claimed on your federal Form 1040, Schedule A:

- You donated land to private non-profit or public conservation agencies for conservation purposes from which you claimed a New Mexico land conservation incentives tax credit.
- You claimed a charitable deduction for the same contribution in the federal itemized deductions on your federal personal income tax return.

If both are true, enter the charitable deduction amount claimed on federal Form 1040, Schedule A, from which you were allowed the New Mexico land conservation tax credit. However, this amount cannot be below the standard deduction amount you would have qualified for had you not itemized your deductions on the federal return.

Use the worksheet on the next page to compute the amount of the charitable deduction claimed on Form 1040, Schedule A to be added back to New Mexico taxable income.

### DEDUCTIONS AND EXEMPTIONS FROM FEDERAL ADJUSTED GROSS INCOME

#### LINE 6

#### New Mexico tax-exempt interest and dividends

Enter the total interest or dividend income you received from the following investments:

- State and local bonds exempt from New Mexico taxable income, including the State of New Mexico or its agencies, institutions, instrumentalities, or political subdivisions;
- Obligations of the Commonwealth of Puerto Rico, Guam, Virgin Islands, American Samoa, or Northern Mariana Islands;
- Federally taxable bonds issued by the State of New Mexico; **and**
- Mutual funds, unit investment trusts, or simple trusts invested in obligations of the State of New Mexico or its agencies, institu-

**Worksheet for computing the Charitable Deduction Amount claimed on Federal Form 1040, Schedule A, from which you were allowed the New Mexico Land Conservation Tax Credit**

1. Enter the charitable deduction you claimed on federal Form 1040, for a donation of land to private non-profit or public conservation agencies for conservation purposes from which you were allowed the New Mexico Land Conservation Tax Credit.	\$
2. Enter your total itemized deductions from federal Form 1040, line 8.	\$
3. Enter the sum of the amounts you reported on federal Form 1040, Schedule A, lines 4, 7, 10, 14, 15, and 16.	\$
4. Divide line 2 by line 3. Round to 4 decimal places.	%
5. Multiply line 4 by line 1.	\$
6. Enter the standard deduction amount you could have claimed on federal Form 1040, line 8, if you had not itemized your federal allowable deductions.	\$
7. Add the amount entered on Form PIT-1, line 10, if any, to line 6 and enter the result here; otherwise, enter the amount from line 6.	\$
8. Subtract line 7 from line 2. If less than zero, enter zero.	\$
9. Enter the lesser of lines 5 and 8. <b>Also enter this amount on PIT-ADJ, line 4.</b>	

tions, instrumentalities, or political subdivisions, or from the Commonwealth of Puerto Rico, Guam, Virgin Islands, American Samoa, or Northern Mariana Islands.

You may deduct only the amount shown on the annual statement provided by the mutual fund, unit investment trust, or simple trust as flowing through to the investor from this investment income.

**NOTE:** You may not deduct interest and dividends from IRAs. IRAs invested in obligations of the State of New Mexico or its agencies, institutions, instrumentalities, or political subdivisions, or from the Commonwealth of Puerto Rico, Guam, Virgin Islands, American Samoa, or Northern Mariana Islands do not qualify as a simple trust.

**Attach An Explanation**

If the amount on line 6 is more than the amount on line 1, attach an explanation to your return.

**LINE 7**

**New Mexico net operating loss carryforward**

If you have an unused New Mexico net operating loss carryforward from a previous year, enter the carryforward amount to apply against New Mexico taxable income for 2018.

All New Mexico net operating losses must flow from a federal net operating loss. You cannot have a New Mexico net operating loss without a federal net operating loss.

Unlike a federal net operating loss carryforward, a New Mexico net operating loss incurred cannot be carried back and if incurred on or after January 1, 2013, may be carried forward for 19 years or until the total amount of the loss carryover has been used, whichever occurs first. For a net operating loss that was incurred in tax years beginning before January 1, 2013, a New Mexico net operating loss may

be carried forward for only five years. Refer to regulation 3.3.1.13(E) NMAC 1978, if the net operating loss was incurred in a tax year beginning prior to January 1, 1991.

The first year you can apply a New Mexico net operating loss is:

- If you filed your return on time, you can apply it the following tax year, **or**
- You can apply it the first tax year that begins after the date you file a return establishing the loss.

**Calculation**

To calculate the carryforward amount from a New Mexico net operating loss recognized in a previous year, follow these steps:

1. Add the next two amounts.
  - The federal net operating loss as defined by Section 172(c) of the Internal Revenue Service for the tax year of the loss.
  - Any interest received on U.S. government obligations less related expenses reported on your New Mexico tax return for the tax year of the loss.
2. From the total in step 1, subtract any loss used in earlier tax years.

**Attach Form RPD-41369**

To show the tax year when each New Mexico net operating loss occurred and how the loss was used for each tax year, for which the loss was carried forward, attach to your return Form RPD-41369, *Net Operating Loss Carryforward Schedule*.

**LINE 8**

**Interest received on U.S. government obligations**

Enter the interest you received from U.S. government obligations, including any of the following:

- U.S. savings bonds
- Treasury bills
- Notes issued by the Federal Home Loan Banks (do not include dividends)
- U.S. government obligations from your share of income from partnerships, S corporations, or limited liability companies, or a distribution from a unit investment or simple trust

**Deduct Dividends**

You may deduct dividends from mutual funds invested in U.S. government obligations according to the percentage of the total fund invested in U.S. government obligations.

To deduct these dividends, the fund must give investors statements showing the amount of interest income from investments in U.S. government obligations.

**Do Not Deduct As Interest**

Interest from the Government National Mortgage Association (Ginnie Mae), Federal National Mortgage Association (Fannie Mae), or Federal National Home Loan Mortgage Association (Freddie Mac), is not deductible as interest on U.S. government obligations.

**LINE 9**

**Taxable Railroad Retirement Act annuities and benefits, and taxable Railroad Unemployment Insurance Act sick pay**

If your taxable Railroad Retirement Act annuities and benefits, or your taxable Railroad Unemployment Insurance Act sick pay were part of your federal taxable income, enter the total of those amounts.

**Attach Forms RRB-1099 and RRB-1099-R**

You may receive one or both of these forms from the the Railroad Retirement Board. Attach the form(s) you receive to your return.

**LINES 10, 10a, and 10b**

**Income of a member of a New Mexico federally-recognized Indian**

**nation, tribe, or pueblo that was wholly earned on the lands of the reservation or pueblo of which the individual is an enrolled member while domiciled on that land, reservation, or pueblo**

If you, your spouse, or both, were enrolled members of a New Mexico federally-recognized Indian nation, tribe, or pueblo, your income is exempt from federal adjusted gross income if:

- You lived on the land of the Indian nation, tribe, or pueblo of membership when you earned the income, **and**
- You earned the income on the lands of that nation, tribe, or pueblo.

You must meet both conditions.

**IMPORTANT:** Income (including retirement or pension income) earned **off** the lands of your own or your spouse's nation, tribe, or pueblo is subject to New Mexico income tax no matter where you live.

**When Armed Forces Pay and Retirement or Pension Income is Exempt**

Armed forces pay of an enrolled member is exempt only for times when the home of record is on the member's own Indian nation, tribe, or pueblo lands.

Retirement or pension income is exempt only when the retirement or pension is the result of employment **on** the member's Indian nation, tribe, or pueblo.

On line 10, enter the amount of qualifying income. On lines 10a and 10b,

enter the name of your and, if applicable, your spouse's Indian nation, tribe, or pueblo.

**NOTE FOR LINES 10 AND 11:** You may not claim combined exemptions and deductions for more than 100% of income. If you claim rebates and credits on PIT-RC, you must also include amounts exempted or deducted on PIT-ADJ, lines 10 and 11 as income when calculating modified gross income. For more information, see the instructions for PIT-RC.

**LINE 11 and BOXES 11a and 11b  
Income of persons age 100 years or older**

To qualify for this income exemption both of the following must be true:

- The taxpayer or spouse must be 100 years or older (a centenarian) at the end of the tax year for which you claim the exemption.
- Someone else cannot claim the centenarian as a dependent.

If you qualify, mark the box or boxes on lines 11a and 11b.

**IMPORTANT:** If you do not mark the box or boxes, the Department denies this exemption.

See the previous **NOTE FOR LINES 10 AND 11.**

**Unmarried Centenarians.** If you are an unmarried centenarian, you do not need to file a return unless you want to claim rebates and credits available for low income filers.

**TABLE 1. Exemptions for Persons 65 or Older or Blind (see line 12 instructions)**

Married Filing Jointly, Head of Household, Qualifying Widow(er)		Single		Married Filing Separately		Amount for each taxpayer 65 or older, or blind, for federal income tax purposes
Adjusted Gross Income PIT-1 Return, Line 9		Adjusted Gross Income PIT-1 Return, Line 9		Adjusted Gross Income PIT-1 Return, Line 9		
<u>But not Over</u>		<u>But not Over</u>		<u>But not Over</u>		
\$ 0	\$30,000	\$ 0	\$18,000	\$ 0	\$15,000	-----\$ 8,000
30,001	33,000	18,001	19,500	15,001	16,500	----- 7,000
33,001	36,000	19,501	21,000	16,501	18,000	----- 6,000
36,001	39,000	21,001	22,500	18,001	19,500	----- 5,000
39,001	42,000	22,501	24,000	19,501	21,000	----- 4,000
42,001	45,000	24,001	25,500	21,001	22,500	----- 3,000
45,001	48,000	25,501	27,000	22,501	24,000	----- 2,000
48,001	51,000	27,001	28,500	24,001	25,500	----- 1,000
51,001 -----		28,501 -----		25,501 -----		----- 0

**Married Centenarians.** New Mexico is a community property state, and rules are different for married centenarians.

If you are a married centenarian filing jointly or separately, you may exempt **half** of all community income and **all** of your separate income.

#### **Attach A Statement**

If you report an exemption for more or less than 50% of total joint income, attach a statement to your return showing a correct division of community property along with separate income and payments.

Not allowed are combined exemptions and deductions for more than 100% of income.

**IMPORTANT:** If you claim rebates and credits on Schedule PIT-RC, include this exempt income in calculating modified gross income on that schedule. See the instructions for Schedule PIT-RC.

For more information, see Bulletin *B-300.03, PIT Exemption for Centenarians*, at <http://www.tax.newmexico.gov/>. At the top, click **FORMS & PUBLICATIONS**, then select Bulletins from the Publications folder. Open the 300 Series-Income Taxes folder to access *B-300.3*.

**You may not claim the centerian exemption AND the deduction for 65 and older or blind.**

#### **LINE 12**

##### **Exemption for persons age 65 or older, or blind**

You may be eligible for an exemption of up to \$8,000 based on your filing status and your federal adjusted gross income from PIT-1, line 9, if:

- You are 65 or older, **or**
- You are not yet 65, but considered blind for federal income tax purposes.

Find the column in Table 1 that matches your filing status. Then find the row that includes your federal adjusted gross income. Read across to the last column for the exemption amount.

When both persons in a married couple are either 65 or older **or** blind on the last day of the tax year, the amount in the table applies to **each** taxpayer on a joint return.

#### **Mark Correct Boxes on PIT-1 Return**

If you or your spouse are 65 years of age or older, on page 1 of PIT-1 mark boxes **1d** and **2d**. If you or your spouse are blind for federal income tax purposes, mark boxes **1c** and **2c**. If the boxes are not marked correctly, the Department denies this exemption on the Schedule PIT-ADJ.

The Department at some time may request proof that you or, if applicable, your spouse are blind for federal purposes. Do not attach the proof to your return.

**NOTE:** The Department allows only one deduction per person. You cannot take deductions for being both 65 or older **and** blind.

**EXAMPLE:** A married couple files jointly and both people are 65 or older. Their federal adjusted gross income is \$35,000. According to Table 1, the exemption amount is \$12,000 or \$6,000 x 2.

If the same couple is also blind, the exemption is still \$12,000.

**EXAMPLE:** A married couple files jointly. The primary taxpayer is 65 and the spouse is 45 and blind. Their federal adjusted gross income is \$28,000. According to Table 1, the exemption is \$16,000 or \$8,000 x 2.

#### **LINE 13**

##### **Exemption for New Mexico medical care savings account**

If you or your spouse are enrolled in a New Mexico Medical Care Savings Account (NMMSA) established by an employer, and during 2018 you made or received contributions to the account or made or received distributions from the account, you may be entitled to claim a New Mexico medical care savings account exemption.

An NMMSA is a tax-exempt trust or custodial account set up by a self-em-

ployed individual or a small employer who maintains a high-deductible individual or family health plan. The funds from the NMMSA are used to pay the employee's unreimbursed medical care expenses. To qualify for the exemption, the qualified contributions or distributions must be included in your federal taxable income.

#### **When You Can Claim This Exemption**

If the following are included in your federal adjusted gross income, they are exempt from New Mexico income tax and reported on line 13:

- Principal contributed to an NMMSA
- Interest earned on an NMMSA
- Money paid for eligible medical expenses from funds in an NMMSA
- Money advanced to the employee by the employer for eligible medical expenses, according to the Medical Care Savings Account Act

Do not include excess contributions, unqualified distributions, or money rolled over into another NMMSA.

#### **When You Cannot Claim This Exemption**

Generally, qualified contributions and earnings are excluded, exempted, or deducted from federal adjusted gross income and distributions paid for eligible medical expenses are excluded, exempted, or deducted from federal taxable income. If your qualified contribution or distribution is excluded, exempted, or deducted from federal taxable income, you may not claim the exemption from New Mexico taxable income.

#### **LINE 14**

##### **Deduction for contributions to a New Mexico-approved Section 529 college savings plan**

The New Mexico Education Trust Fund is an account in one of the New Mexico-approved Section 529 college savings plans.

You can deduct contributions you made to the fund during the tax year for each beneficiary. Contributions include the principal and earnings of amounts rolled over to a New Mexico-

approved Section 529 college savings plan account from a non-New Mexico-approved Section 529 college savings plan.

A taxpayer and spouse who file separate returns (filing status is married filing separately) may each claim one-half of the deduction allowed on a joint return.

**NOTE:** You may only deduct contributions to a Section 529 plan established and approved by the New Mexico Education Trust Board. See Brochure #6, *New Mexico Income Tax and Your Education Trust (529) Plan*, on the Department's website.

#### **LINE 15**

##### **Net capital gains deduction**

You may deduct all or part of your net capital gains reported and claimed on your federal tax return. You may deduct the greater of:

- 100% of your net capital gains, not to exceed \$1,000; **or**
- 50% of your net capital gains.

A taxpayer and spouse who file separate returns (filing status is married filing separately) may each claim only one-half of the net capital gains deduction allowed on a joint return.

**IMPORTANT:** You may not claim the net capital gains deduction in addition to credit provided by the Venture Capital Investments Act.

#### **LINE 16**

##### **Armed Forces active duty pay**

Armed forces includes the Army, Navy, Air Force, Marine Corps, and Coast Guard. "Active duty," as defined in 37 USC 101, means full-time duty in active service. It includes the following:

- Full-time training duty
- Annual training duty
- Full-time National Guard duty
- Attendance, while in active service, at a school designated as a service school by law or by the Secretary of the service

If pay, wages, or salaries paid to you or your spouse for U.S. Armed Forces

active duty service was included in your federal adjusted gross income on your PIT-1 return, line 9, enter the amount here.

This exemption applies to residents and to non-residents of New Mexico.

**NOTE:** If you received active duty pay from the U.S. Public Health Service (USPHS), do not enter the income on this line. See the instructions for line 21.

##### **Income Inside and Outside the State**

If you have income from inside and outside New Mexico, also see the instructions for 2018 Schedule PIT-B, lines 1 and 11.

#### **LINE 17**

##### **Medical care expense exemption for persons age 65 years or older**

If you or your spouse are 65 years of age or older, and you paid unreimbursed and uncompensated medical care expenses of \$28,000 or more during tax year 2018, you may be eligible to claim an exemption of \$3,000.

If you meet the following qualifications and your expenses are allowed (see the next paragraph), enter \$3,000 on line 17 to claim the exemption:

- This exemption is for medical care expenses for the care of any combination of you, your spouse, or your dependents.
- The exemption is allowed for out-of-state residents with an income tax responsibility to New Mexico.

##### **Types of Medical Expenses Allowed**

The types of medical expenses you may include are described in PIT-1 instructions for line 16, page 24, with one exception. You may **include** unreimbursed and uncompensated medical care expenses included in the itemized deductions on federal Form 1040, Schedule A.

The unreimbursed and uncompensated medical care expenses used to compute this exemption include all qualified expenses used to calculate the refundable medical care credit for persons 65 or older reported on Schedule PIT-RC, line 23.

You may also include unreimbursed and uncompensated medical care expenses used to compute the medical care expense deduction claimed on PIT-1, line 16.

##### **Attach PIT-RC**

If you are eligible to claim this exemption, you are also eligible to claim the refundable medical care credit for persons 65 years or older reported on Schedule PIT-RC, line 23. This gives you an additional tax benefit. To claim that tax credit, complete and attach Schedule PIT-RC to your return.

#### **LINE 18**

##### **Deduction for organ donation-related expenses**

"Human organs" are defined as all or part of a heart, liver, pancreas, kidney, intestine, lung, or bone marrow.

Enter any human organ donation-related expenses, not to exceed \$10,000. This includes your or your dependent's lost wages, lodging, and travel expenses incurred during the tax year.

A taxpayer and spouse who file separate returns (filing status is married filing separately) may each claim only one-half of the deduction (or exemption) allowed on a joint return.

#### **LINE 19**

##### **New Mexico National Guard member life insurance reimbursements tax exemption**

If you receive a reimbursement from the National Guard Service Member's Life Insurance Reimbursement Fund, you may claim a personal income tax exemption in the amount of the reimbursement.

The New Mexico Office of Military Affairs issues the reimbursement and sends each recipient a Form 1099-MISC for the reimbursement.

##### **Attach Form 1099-MISC**

If you claim a New Mexico National Guard member life insurance reimbursements tax exemption, attach Form 1099-MISC to your return to support your exemption.

**LINE 20**

**Taxable refunds, credits, or offsets of state and local income taxes from federal Form 1040, Schedule 1, line 10.**

For tax years beginning on or after January 1, 2011, a deduction is allowed for the amount you entered on the current year federal Form 1040, Schedule 1, line 10, for **Taxable refunds, credits or offsets of state and local income taxes.**

To qualify, you must have itemized your deductions and included these refunds, credits, or offsets in adjusted gross income on a prior year federal Form 1040, Schedule A. You are required to report the taxable refunds credits or offsets of state and local income taxes on the current year (2018) federal Form 1040, Schedule 1.

**LINE 21**

**Non-resident U.S. Public Health Service members' active duty pay**

Enter the amount of income earned in New Mexico for active duty in the USPHS only if you are a non-resident of New Mexico. If you changed residency or domicile to or from New Mexico during the tax year, enter only the pay you earned while you were a non-resident of New Mexico.

This exemption applies only to non-residents of New Mexico.

**Income Inside and Outside the State**

If you have income from inside and outside New Mexico, also see the instructions for 2018 Schedule PIT-B, lines 1 and 11.

The spouse who moves to New Mexico for the sole purpose of being with their spouse, who is on active duty with the U.S. Public Health Service, may be eligible to allocate and apportion their income from services performed to their state of legal residency. In the instructions for PIT-B, see *Income and Residency of Military Servicemember's Spouse*.

*The Department encourages all taxpayers to file online. Electronic filing is fast and secure. It provides the fastest turnaround for a refund and saves tax dollars, costing less to process than a paper return.*