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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
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MEMORANDUM

TO: All House Members

FROM: Representative Tina Davis

DATE: February 9, 2011

SUBJECT: Legislation allowing a surviving spouse to file joint return

In the near future, I intend to introduce legislation that would amend the Tax Reform Code of 1971, in order to allow a surviving spouse to file a joint tax return with their deceased spouse during the year their spouse passed away.

Under current statute, when a married person passes away, their spouse may claim their deceased spouse's income on their tax return in the year their spouse dies. The executor or administrator of the deceased's property, however, must file the decedent's tax return. This creates additional work for both the executor of the estate as well as for our already understaffed Department of Revenue. I believe this legislation would provide a small but important change for many individuals across the Commonwealth.

Should you wish to co-sponsor this legislation, please contact Debi Brady in my office at 783-4903 or dbrady@pahouse.net.