



# What You Need to Know About the Second Stimulus Check

On December 27, 2020, President Trump authorized sending most people a second stimulus check (sometimes called an “Economic Impact Payment” or “EIP”). People who qualify will get \$600, plus \$600 for each child under 17. This money does not need to be paid back to the government and will not be taxed as income for 2020 or 2021.

## Who is Eligible for the Second Stimulus Check?

Some people who received the first EIP will not qualify for the second EIP.

### **You are eligible to receive a cash payment if:**

- You have a valid Social Security number;
- You cannot be claimed as a dependent of another taxpayer;
- You meet the income guidelines below (some people will receive reduced payments based on higher income);
- If you are retired and eligible according to the income guidelines, you will also receive a second stimulus check;
- If you receive Social Security, Railroad Retirement disability benefits, or Veteran Administration benefits you are also eligible for a second stimulus payment.

### **You probably do not qualify for a second stimulus check if:**

- You were claimed as a dependent on someone else’s 2019 tax return.
- You do not have a valid Social Security number.
- You are a nonresident immigrant.
- If your income is too high (check the income guidelines)

### **Eligibility FAQ**

The IRS website offers a lot of information about who is eligible for this payment. If your question is not answered here, please check their website:

<https://www.irs.gov/coronavirus/second-eip-faqs#Eligibility>

#### *1. Does Someone Who Has Died Qualify for the Second Stimulus Payment?*

If someone died before January 1, 2020, they are not eligible for the payment. If someone died during 2020, the Recovery Rebate Credit may be claimed on their behalf through a 2020 tax return.

#### *2. Does Someone Who Is Incarcerated Qualify for the Second Payment?*

Yes. Individuals who are incarcerated ARE eligible for a second stimulus payment. Courts have clarified that no one can be denied either stimulus payment because of incarceration.

#### *3. I Claim My Child Who Is 17 or older As A Dependent—Are They Eligible for the Second Cash Payment?*

No. If your child is 17 or older, they will not be eligible for the additional \$600 stimulus payment, even if you claimed them as a dependent on your 2019 tax return.

4. *No One Claimed Me as A Dependent, Can I Get A Payment?*

Yes. Even if you are 15 or 16, if you cannot be claimed as a dependent by someone else, you may be entitled to a second stimulus payment.

5. *I Did Not Qualify for the Stimulus Based on My 2019 Returns, But My Circumstances Changed. What Can I Do?*

The government used data from 2019 to issue the second stimulus payment. If you were not eligible for a stimulus check (or a full stimulus check) in 2019, but your circumstances changed in 2020, you may be eligible now. You will need to file a 2020 tax return to get any missing payment.

6. *Can Mix-Status Households Receive the Second Stimulus Payment?*

Yes, many can. While mix-status households were denied access to the first EIP payments, a U.S. citizen and a resident spouse are both eligible for the second stimulus payment as long as they both have Social Security numbers and meet the other eligibility criteria. For some mixed status couple files jointly, where only one person has a valid Social Security number, only the spouse with the qualifying Social Security number, and any qualifying children, may be eligible receive the payment. At least one of the spouses in a married filing jointly return must have a Social Security number to get the \$600 supplement for their child (if the child has a Social Security number). This aspect of the stimulus payments is retroactive to the CARES Act first-round EIP so you can claim Recovery Rebate Credits on your 2020 return for any first-round EIP that you missed out on that you're now eligible for under this new criteria.

## How Much Will I Get in My Second Stimulus?

These payments are typically based on a 2019 tax return or any information you provided the IRS this year through the Non-Filer's Portal. If your circumstances have changed, you may be entitled to more money which you can claim through filing taxes and requesting a Recovery Rebate.

### **These income guidelines can help you determine how much you are likely to get in your second stimulus:**

You **will likely qualify for the full stimulus payment** if your adjusted gross income on your 2019 tax return is:

- \$75,000 or less if you are an individual or married couple that has filed separately;
- \$112,500 or less if you are head of household;
- \$150,000 or less if you filed jointly as a married couple.

You **may still receive a reduced payment** if your adjusted gross income on your 2019 tax return is between:

- \$75,000 and \$87,000 if you are an individual or married couple that has filed separately;
- \$112,500 and \$124,500 if you are head of household;
- \$150,000 and \$174,000 if you filed jointly as a married couple.

You **likely will not qualify for a payment** if your adjusted gross income on your 2019 tax return is higher than:

- \$87,000 if you filed as single, or are married and filed separately.
- \$124,500 if you filed as the head of household.
- \$174,000 if you filed jointly as a married couple.

## When Will I Get My Second Stimulus?

**The government finished sending out second stimulus payments on January 15, 2021.**

Payments were sent out the same way as the first stimulus: by direct deposit, check, or EIP debit card. Many people have already received their second stimulus payment, but if your payment was sent by mail, it may arrive as late as mid-February.

EIP debit cards will be sent in a white envelope that prominently displays the U.S. Department of the Treasury Seal. **PLEASE DO NOT THROW AWAY EIP DEBIT CARDS.** If you lost or destroyed your EIP card you should call (800) 240-8100 and select option 2. There is also a 211 EIP hotline at (844) 322-3639. Here are some useful tips on how to use your EIP debit card without paying fees: <https://www.nclc.org/images/Issue-Brief-Money-Network-EIP-Cards.pdf>.

On January 22, 2021, President Biden signed an executive order to “expand and improve delivery of Economic Impact Payments” and to “make sure those who have not yet accessed their funds get the relief they deserve.” We will keep you posted about this new order, and what it means for people who have not received their first or second stimulus payments.

## I Haven't Received My Payment or My Complete Payment, What Should I Do?

There are many reasons why someone may have not received a second stimulus payment, even if they are eligible. If you still have not received your second stimulus and don't think it's coming in the mail, you can take the following steps:

### Try to track your Stimulus Payment

Use the IRS's Get My Payment tool to find information about your payment, how it will arrive and if there have been errors processing your check at <https://www.irs.gov/coronavirus/get-my-payment>

If the Get My Payment portal shows that your payment was issued, but you have not received your stimulus, you can request a Payment Trace by calling IRS toll-free at (800) 919-9835 or by sending a Form 3911 (Taxpayer Statement Regarding Refund) to the IRS and write EIP on the top of the form. Only request of Payment Trace if it has been:

- 5 days since the deposit date in Get My Payment and your bank says they have not received it
- 4 weeks since it was mailed to your standard address
- 6 weeks since it was mailed to you, but your mail is being forwarded
- 15 or more days since you received a letter from the IRS saying you received your second EIP payment (called a Notice 1444-B), and you still haven't received it.

If you are experiencing difficulty and live in Philadelphia, Philadelphia Legal Assistance and their Taxpayer Support Clinic may be able to help. Please contact PLA intake at (215) 981-3800 from 9:30 a.m. to 12 p.m. Monday through Thursday with questions.

## Get Your Payment by Filing 2020 Taxes

If you did not receive any of all or your first or second stimulus payments, you can still get that payment by filing your 2020 Taxes and requesting a **Recovery Rebate Credit**. Here is what you need to know:

- You cannot file your taxes until February 12, 2021. The IRS will begin accepting Tax Returns on February 12, 2021. But don't dawdle: the deadline to file that return is April 15, 2021.
- Many people do not need to pay to file taxes. If you want to file your taxes yourself, you may qualify to file electronically for free, here: <https://www.irs.gov/filing/free-file-do-your-federal-taxes-for-free>.
- Free tax preparation is available:
  - If you live in Pennsylvania, the Campaign for Working Families may be able to help you file your taxes online: <https://cwfp Philly.org/>
  - If you live outside Pennsylvania, you may qualify for free assistance from an IRS Volunteer Income Tax Assistance (VITA) clinic. You can see if there is one near you here: <https://irs.treasury.gov/freetaxprep/>
- If you are going to pay a tax preparer, please review PLA's guide to Choosing a Paid Tax Preparer: <https://philalegal.org/node/183>
- You can file taxes to get your Recovery Rebate even if you do not work or have other income, and are traditionally a non-filer.
- If you got more stimulus payment than your 2020 information indicates you should have received, you generally do NOT need to pay back that amount!

## Avoid Being Scammed

Do not be fooled by scammers looking to use the stimulus checks as an opportunity to steal from you. The IRS website is the only tool you will need to receive a check, and that site is free to use. The IRS and other government agencies will never call, text, email, or contact you on social media asking for personal or bank account information.

If a service or person is asking for money so that you can receive the second stimulus payment, it is a scam. If someone contacts you and asks for your banking information, do not give it to them, even if they tell you they're from your bank. You can confirm if someone contacting you is from your bank by calling or emailing your bank directly at a number you know is correct. If you have any doubts about someone that is contacting you, be cautious and do not give out your information.

If you are taking care of a loved one, help them avoid being scammed by keeping an eye on their accounts and looking out for unusual activity. Let them know to be on the lookout for scammers and to not give out their information.

If you think you've been scammed, called Community Legal Services at (215) 981-3700. Follow the prompts and leave us a message. Someone will return your call to provide legal advice. You can also file a complaint with the Pennsylvania Attorney General's office online.