

H-2A Farmworker Eligibility for \$1,200 Economic Impact Payments

How do I qualify for the \$1,200 the government is sending?



The government is sending one-time payments of \$1,200 per adult and \$500 per dependent child to “eligible individuals.” To be considered an “eligible individual” you must meet the following:

- Have a valid social security number in 2018 or 2019; and
- Filed U.S. taxes as a citizen, legal permanent resident, or “resident alien” in 2018 or 2019.

183 days

For 2019 tax filers, a “resident alien” for tax purposes means you were physically present in the U.S. for at least 31 days in 2019 and for a total of 183 days between January 1, 2017 and December 31, 2019.

Please note that days of “physical presence” in 2017 for the purposes of this test include only 1/6 of total days present, and for 2018 only 1/3 of total days count.

The deadline to file 2019 taxes is July 15, 2020

- *If you have not filed for 2019 yet, the government will go off 2018 eligibility.*
- *If you did not file in 2018 or 2019, you should file if you think you are eligible.*
- *Taxes for 2018 can still be filed late. Late filers may be subject to a late file penalty.*

What about my spouse and kids?



If you filed “jointly” on your most recent return with a non-resident spouse, your spouse needs to have had a social security number with the return in order for either of you to be eligible.

If you filed jointly with a spouse and either of you used an ITIN number you are not eligible for the \$1,200.

If you have not yet filed for 2019, and your spouse does not have a SSN, consider filing as “married filing separately” in order to receive the \$1,200 for you.



Parents that claimed children without social security numbers will not receive the \$500 on behalf of their children.

For children without social security numbers that are claimed on a return, it is not yet clear how claiming them will affect parental eligibility.

To further discuss your options confidentially with a lawyer, call our office Legal Aid of North Carolina, Farmworker Unit. All our services are free.



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