

141.016 Reporting federal adjusted gross income attributed to husband and wife -- Allocation of income and business deductions between husband and wife.

- (1) If the federal adjusted gross income of husband or wife is entered on a separate federal return, their Kentucky adjusted gross incomes may be entered on their separate Kentucky tax returns or their joint Kentucky tax return as they so elect.
- (2) If the federal adjusted gross income of husband and wife is entered on a joint federal return, or if neither files a federal return:
 - (a) Their adjusted gross income shall be entered on their joint Kentucky tax return; or
 - (b) Separate adjusted gross incomes may be entered on their separate Kentucky tax returns if they so elect.
- (3) Where husband and wife have not separately reported and claimed items of income and adjustments of income for federal income tax purposes, and have not elected to file a joint Kentucky income tax return, such items allowable for Kentucky income tax purposes shall be allocated and adjusted as follows:
 - (a) Income shall be allocated to the spouse who earned the income or with respect to whose property the income is attributable;
 - (b) Allowable deductions with respect to trade, business, or production of income shall be allocated to the spouse to whom attributable.

Effective: April 11, 1990

History: Created 1990 Ky. Acts ch. 476, Pt. VII D, sec. 639, effective April 11, 1990.