

## Part I

### Section 165.--Losses

26 CFR 1.165-11: Election in respect of losses attributable to a disaster.

Rev. Rul. 2000-15

Under § 165(i) of the Internal Revenue Code, if a taxpayer suffers a loss attributable to a disaster occurring in an area subsequently determined by the President of the United States to warrant assistance by the Federal Government under the Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5204c (1988 & Supp. V 1993) (the Act), the taxpayer may elect to claim a deduction for that loss on the taxpayer's federal income tax return for the taxable year immediately preceding the taxable year in which the disaster occurred. For purposes of § 165(i), a disaster includes an event declared a major disaster or an emergency under the Act.

Section 1.165-11(e) of the Income Tax Regulations provides that the election to deduct a disaster loss for the preceding year must be made by filing a return, an amended return, or a claim for refund on or before the later of (1) the due date of the taxpayer's income tax return (determined without regard to any extension of time to file the return) for the taxable year in which the disaster actually occurred, or (2) the due date of the taxpayer's income tax return (determined with regard to any extension of time to file the

return) for the taxable year immediately preceding the taxable year in which the disaster actually occurred.

The provisions of § 165(i) apply only to losses that are otherwise deductible under § 165(a). An individual taxpayer may deduct losses if they are incurred in a trade or business, if they are incurred in a transaction entered into for profit, or if they are casualty losses under § 165(c)(3).

The President has determined that during 1999 the areas listed below have been adversely affected by disasters of sufficient severity and magnitude to warrant assistance by the Federal Government under the Act.

#### DRAFTING INFORMATION

The principal author of this revenue ruling is Timothy Sheppard of the Office of Assistant Chief Counsel (Income Tax and Accounting). For further information regarding this revenue ruling, contact Robert M. Casey on (202) 622-4960 (not a toll-free call).

Disaster Areas in 1999	Type of Disaster	Date of Disaster
Arizona County of Maricopa	Severe storms, flooding, and high winds	September 14-23
Arkansas Counties of Bradley, Chicot, Clay, Columbia, Drew, Faulkner, Grant, Greene, Hempstead, Independence, Jackson, Jefferson, Lafayette, Lonoke, Miller, Monroe, Poinsett, Pulaski, Randolph, St. Francis, Saline, and White; and City of Beebe in White County	Severe storms, tornadoes, and high winds	January 21-31
California Counties of Butte, Humboldt, Napa, Plumas, San Bernardino, Shasta, Tehama, Trinity, Tuolumne, and Yuba	Severe fires	August 24- November 29
Colorado Counties of Bent, Crowley, Custer, Elbert, El Paso, Fremont, Kiowa, Larimer, Las Animas, Otero, Pueblo, and Weld	Severe storms, flooding, landslides, and mudslides	April 29-May 19
Connecticut Counties of Fairfield, Litchfield, and Hartford	High winds, heavy rain and flooding associated with Tropical Storm Floyd	September 16-21
Delaware County of New Castle	Hurricane Floyd	September 15-17
Florida Counties of Alachua, Baker, Bay, Bradford, Brevard, Broward, Calhoun, Charlotte, Clay, Collier, Columbia, Dade, De Soto, Duval, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry,	Fire hazards	April 15-May 25

Highlands, Hillsbrough, Holms,  
Indian River, Jackson, Jefferson,  
Lee, Leon, Levy, Liberty,  
Manatee, Marion, Martin, Monroe,  
Nassau, Okeechobee Orange,  
Osceola, Palm Beach Pinellas,  
Polk, Putnam, Sarasota, Seminole,  
St. Lucie, Swannee, Union,  
Wakulla, Walton, and Washington

Counties of Brevard, Duval,  
Flagler, Glades, Highlands,  
Indian River, Martin, Nassau,  
Palm Beach, St. Johns, St. Lucie,  
and Volusia.

Hurricane  
Floyd

September 13-25

Counties of Broward and Dade

Hurricane  
Floyd

September 14-16

Counties of Brevard, Broward,  
Collier, Dade, Flagler, Glades,  
Hendry, Highlands, Indian River,  
Martin, Monroe, Okeechobee,  
Orange, Osceola, Palm Beach,  
Polk, St. Lucie, Seminole, and  
Volusia

Hurricane  
Irene

October 14-24

Counties of Charlotte, De Soto,  
Hardee, Hillsborough, Lake, Lee,  
Manatee, Pasco, Pinellas, and  
Sarasota

Hurricane  
Irene

October 14-19

#### Georgia

Counties of Candler and Dooly

Severe storms  
and tornadoes

April 15

Counties of Bryan, Camden,  
Chatham, Glynn, Liberty, and  
McIntosh

Hurricane  
Floyd

September 14-17

#### Illinois

Counties of Adams, Brown, Bureau,  
Calhoun, Cass, Champaign,  
Christian, Cook, DeWitt, Douglas,  
DuPage, Ford, Fulton, Greene,  
Grundy, Hancock, Henderson,  
Henry, Iroquois, Kane, Kankakee,  
Kendall, Knox, Lake, La Salle,  
Livingston, Logan, Macon,  
Marshall, Mason, McDonough,

Record/near  
record snow

January 1-15

McHenry, McLean, Mercer, Menard,  
Morgan, Moultrie, Peoria, Piatt,  
Pike, Putnam, Sangamon, Schuyler,  
Scott, Shelby, Stark, Tazewell,  
Vermillion, Warren, Will, and  
Woodford

County of Jo Daviess

Severe storms  
and flash  
flooding

May 16-17

Indiana

Counties of Adams, Allen, Benton,  
Blackford, Boone, Carroll, Cass,  
Clay, Clinton, DeKalb, Delaware,  
Elkhart, Fayette, Fountain,  
Fulton, Grant, Hamilton, Hancock,  
Hendricks, Henry, Howard,  
Huntington, Jasper, Jay, Johnson,  
Kosciusko, Lake, Lagrange,  
LaPorte, Madison, Marion,  
Marshall, Miami, Montgomery,  
Morgan, Newton, Noble, Parke,  
Porter, Pulaski, Putnam,  
Randolph, Rush, St. Joseph,  
Shelby, Starke, Steuben, Tipton,  
Tippecanoe, Vermillion, Vigo,  
Wabash, Warren, Wayne, Wells,  
White, and Whitley

Record/near  
record snow

January 1-15

Iowa

Counties of Black Hawk, Bremer,  
Buchanan, Butler, Chickasaw,  
Clayton, Clinton, Crawford,  
Delaware, Dubuque, Fayette,  
Harrison, Jones, Linn,  
Montgomery, and Scott

Severe storms,  
flooding, and  
tornadoes

May 16-29

Counties of Black Hawk, Bremer,  
Buchanan, Butler, Cerro Gordo,  
Chickasaw, Clayton, Crawford,  
Fayette, Floyd, Harrison, Howard,  
Jones, Linn, Mills, Mitchell,  
Montgomery, Pottawattamie, Story,  
Woodbury, and Worth

Severe storms  
and flooding

July 2-August  
10

Kansas

Counties of Reno, Sedgwick, and  
Sumner

Severe storms  
and tornadoes

May 3-6

Louisiana		
Parishes of Bossier, Caddo, Claiborne, De Soto, and Webster	Severe storms, tornadoes, and flooding	April 3-7
Maine		
Counties of Androscoggin, Cumberland, Kennebec, Oxford, and Somerset	Hurricane Floyd	September 16-19
Maryland		
Counties of Anne Arundel, Calvert, Caroline, Cecil, Charles, Harford, Kent, Queen Anne's, Somerset, St. Mary's, and Talbot	Hurricane Floyd	September 16-20
Massachusetts		
County of Worcester	Fire	December 3-13
Michigan		
Counties of Alcona, Allegan, Arenac, Barry, Berrien, Cass, Crawford, Ionia, Iosco, Jackson, Kalamazoo, Kent, Lawrence, Lenawee, Macomb, Marquette, Mecosta, Monroe, Montmorency, Muskegeon, Newaygo, Oakland, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Ottawa, St. Joseph, Van Buren, Washtenaw, and Wayne	Near record snow	January 2-15
Minnesota		
Counties of Kittston, Marshall, Pennington, Polk, Red Lake, and Roseau	Severe ice storms, flooding and heavy rains	March 1-May 30
Counties of Aitkin, Beltrami, Cass, Clay, Cook, Hubbard, Itasca, Lake, and St. Louis	Severe storms, winds, and flooding	July 4-August 2
Missouri		
Counties of Andrew, Cole, Iron, Macon, Madison, and Osage	Severe storms and flooding	April 3-14
Nebraska		
Counties of Burt, Douglas, and Washington	Severe storms and flooding	August 6-9

Nevada		
County of Clark	Severe storms and flash flooding	July 8-16
New Hampshire		
Counties of Belknap, Cheshire, and Grafton	Tropical Storm Floyd	September 16-18
New Jersey		
Counties of Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Glouster, Mercer, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Salem, Somerset, Sussex, Union, and Warren	Hurricane Floyd	September 16-18
New Mexico		
Counties of Dona Ana, Luna, Mora, Rio Arriba, San Juan, Sandoval, and Sierra; and the Mescalero Apache Reservation	Severe storms and flooding	July 16-August 7
New York		
Counties of Cattaraugus, Chautauqua, Erie, Genesee, Jefferson, Lewis, Niagara, Orleans, St. Lawrence, and Wyoming	Near record snow	January 1-15
Counties of Livingston, Monroe, Ontario, Orleans, Wayne, and Wyoming	Near record snow	March 3-6
Counties of Albany, Dutchess, Essex, Greene, Nassau, Orange, Putnam, Rensselaer, Rockland, Schenectady, Schoharie, Suffolk, Ulster, Warren, and Westchester	Hurricane Floyd	September 16-18
North Carolina		
Counties of Beaufort, Brunswick, Carteret, Craven, Currituck, Dare, Hyde, New Hanover, Onslow, Pamlico, and Pender	Hurricane Dennis	August 29- September 11
Counties of Alamance, Anson, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan,	Hurricane Floyd	September, 15- November 2

Columbus, Craven, Cumberland,  
Currituck, Dare, Davidson,  
Duplin, Durham, Edgecombe,  
Forsyth, Franklin, Gates,  
Granville, Greene, Guilford,  
Halifax, Harnett, Hertford, Hoke,  
Hyde, Johnston, Jones, Lee,  
Lenoir, Martin, Montgomery,  
Moore, Nash, New Hanover,  
Northampton, Onslow, Orange,  
Pamlico, Pasquotank, Pender,  
Perquimans, Person, Pitt,  
Randolph, Richmond, Robeson,  
Rockingham, Rowan, Sampson,  
Scotland, Stanly, Stokes,  
Tyrrell, Union, Vance, Wake,  
Warren, Washington, Wayne, and  
Wilson

#### North Dakota

Counties of Barnes, Benson,  
Bottineau, Burke, Burleigh, Cass,  
Cavalier, Dickey, Divide, Eddy,  
Emmons, Foster, Grand Forks,  
Griggs, Kidder, LaMoure, Logan,  
McHenry, McIntosh, McLean,  
Mercer, Morton, Mountrail,  
Nelson, Pembina, Pierce, Ramsey,  
Ransom, Renville, Richland,  
Rolette, Sargent, Sheridan,  
Sioux, Steele, Stutsman, Towner,  
Traill, Walsh, Ward, Wells, and  
Williams; and the Indian  
Reservations of the Spirit Lake  
Sioux Tribe, Standing Rock Soix  
(that portion of the reservation  
that lies within the State of  
North Dakota), Three Affiliated  
Tribes, and Turtle Mountain Band  
of Chippewa

Severe storms, March 1-July 19  
flooding, snow  
and ice,  
ground  
saturation,  
landslides,  
mudslides, and  
tornadoes

#### Oklahoma

Counties of Caddo, Canadian,  
Cleveland, Craig, Creek, Grady,  
Kingfisher, Latimer, Le Flore,  
Lincoln, Logan, McClain, Noble,  
Oklahoma, Okmulgee, Ottawa, Payne  
Pottawatomie, and Tulsa

Tornadoes and May 3-5  
severe storms



Pennsylvania

Counties of Juniata and McKean	Severe storms and flooding	August 20-21
Counties of Dauphin, Lycoming, Northumberland, Snyder, and Union	Severe flash flooding associated with Tropical Depression Dennis	September 6-7
Counties of Berks, Bucks, Chester, Delaware, Lancaster, Montgomery, Philadelphia, and York	Hurricane Floyd	September 16-29

Puerto Rico

All 78 municipalities	Hurricane Lenny	November 17-20
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South Carolina

Counties Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Charleston, Chesterfield, Clarendon, Colleton, Darlington, Dillon, Dorchester, Florence, Georgetown, Hampton, Horry, Jasper, Kershaw, Lee, Lexington, Marion, Marlboro, Orangeburg, Richland, Sumter, and Williamsburg	Hurricane Floyd	September 14-30
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South Dakota

County of Shannon and the Pine Ridge Indian Reservation	Severe storms, tornadoes, and flooding	June 4-18
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Tennessee

Counties of Benton, Carroll, Crockett, Decatur, Dickson, Fayette, Franklin, Giles, Hardeman, Haywood, Henderson, Houston, Humphreys, Jackson, Lauderdale, Lawrence, Lewis, Madison, Maury, Montgomery, Perry, Stewart, Warren, and Wayne	Severe storms, tornadoes, and high winds	January 17-February 1
Counties of Cheatham, Chester, Davidson, Decatur, Dickson, Hardeman, Hardin, Henderson, Hickman, Houston, Humphreys,	Severe storms, tornadoes, and flooding	May 5-19

Lawrence, McNairy, Perry,  
Stewart, Sumner, White, and  
Williamson

Texas

Counties of Bowie, Gregg, Red  
River, and Titus

Severe storms  
and tornadoes

May 4

Counties of Anderson, Andrews,  
Angelina, Archer, Armstrong,  
Austin, Bailey, Bandera, Bastrop,  
Baylor, Bell, Bexar, Blanco,  
Borden, Bosque, Bowie, Brazoria,  
Brazos, Brewster, Briscoe, Brown,  
Burleson, Burnet, Caldwell,  
Calhoun, Callahan, Camp, Carson,  
Cass, Castro, Chambers, Cherokee,  
Childress, Clay, Cochran, Coke,  
Coleman, Collin, Collingsworth,  
Colorado, Comal, Comanche,  
Concho, Cooke, Coryell, Cottle,  
Crane, Crockett, Crosby,  
Culberson, Dallam, Dallas,  
Dawson, Deaf Smith, Delta,  
Denton, DeWitt, Dickens, Donley,  
Eastland, Ector, Edwards, El  
Paso, Ellis, Erath, Falls,  
Fannin, Fayette, Fisher, Floyd,  
Foard, Fort Bend, Franklin,  
Freestone, Gaines, Galveston,  
Garza, Gillespie, Glasscock,  
Gonzales, Gray, Grayson, Gregg,  
Grimes, Guadalupe, Hale, Hall,  
Hamilton, Hansford, Hardeman,  
Hardin, Harris, Harrison,  
Hartley, Haskell, Hays, Hemphill,  
Henderson, Hill, Hockley, Hood,  
Hopkins, Houston, Howard,  
Hudspeth, Hunt, Hutchinson,  
Irion, Jack, Jackson, Jasper,  
Jeff Davis, Jefferson, Johnson,  
Jones, Kaufman, Kendall, Kent,  
Kerr, Kimble, King, Kinney, Knox,  
Lamar, Lamb, Lampasas, Lavaca,  
Lee, Leon, Liberty, Limestone,  
Lipscomb, Llano, Loving, Lubbock,  
Lynn, Madison, Marion, Martin,  
Mason, Matagorda, McCulloch,  
McLennan, Medina, Menard,  
Midland, Milam, Mills, Mitchell,  
Montague, Montgomery, Moore,

Extreme fire  
hazards

August 1-  
December 10

Morris, Motley, Nacogdoches,  
Navarro, Newton, Nolan,  
Ochiltree, Oldham, Orange, Palo  
Pinto, Panola, Parker, Parmer,  
Pecos, Polk, Potter, Presidio,  
Rains, Randall, Reagan, Real, Red  
River, Reeves, Roberts,  
Robertson, Rockwall, Runnels,  
Rusk, Sabine, San Augustine, San  
Jacinto, San Saba, Schleicher,  
Scurry, Shackelford, Shelby,  
Sherman, Smith, Somerveil,  
Stephens, Sterling, Stonewall,  
Sutton, Swisher, Tarrant, Taylor,  
Terrell, Terry, Throckmorton,  
Titus, Tom Green, Travis,  
Trinity, Tyler, Upshur, Upton,  
Uvalde, Val Verde, Van Zandt,  
Victoria, Walker, Waller, Ward,  
Washington, Wharton, Wheeler,  
Wichita, Wilbarger, Williamson,  
Wilson, Winkler, Wise, Wood,  
Yoakum, and Young

Counties of Aransas, Brooks,  
Cameron, Duval, Hidalgo, Jim  
Hogg, Jim Wells, Kenedy, Kleberg,  
Nueces, San Patricio, Webb, and  
Willacy

Severe storms      August 21-26  
and flooding  
caused by  
Hurricane Bret

U.S. Virgin Islands  
The U.S. Virgin Islands

Hurricane      November 16-20  
Lenny

Utah  
County of Salt Lake

Tornado,      August 11  
severe  
thunderstorms,  
and hail

Vermont  
Counties of Bennington,  
Caledonia, Essex, Lamoille,  
Orange, Orleans, Rutland,  
Washington, Windham, and Windsor

Severe storms      September 16-21  
and flooding  
associated  
with Hurricane  
Floyd

Virginia  
City of Hampton

Tropical Storm      August 27-  
Dennis      September 13

Counties of Accomack, Brunswick,  
Caroline, Charles City,  
Chesterfield, Dinwiddie, Essex,  
Fairfax, Gloucester, Greenville,  
Halifax, Hanover, Henrico, Isle  
of Wight, James City, King and  
Queen, King George, King William,  
Lancaster, Lunenburg, Mathews,  
Mecklenburg, Middlesex, New Kent,  
Northampton, Northumberland,  
Prince George, Richmond,  
Southampton, Surry, Sussex,  
Westmoreland, and York, and  
Cities of Chesapeake City,  
Colonial Heights, Emporia,  
Franklin, Hampton, Hopewell,  
Newport News, Norfolk,  
Petersburg, Poquoson, Portsmouth,  
Richmond, Suffolk, Virginia  
Beach, and Williamsburg

Hurricane  
Floyd

September 13-26

Wisconsin

Counties of Ashland, Bayfield,  
Douglas, Florence, Iron, Oneida,  
Price, Rusk, Sawyer, and Vilas

Severe storms, July 4-31  
straight-line  
winds, and  
flooding