

## Section 83(b) Election

The undersigned taxpayer hereby elects, pursuant to § 83(b) of the Internal Revenue Code of 1986, as amended, to include in gross income as compensation for services the excess (if any) of the fair market value of the property described below over the amount paid for the property.

1. The taxpayer's name, taxpayer identification number (TIN), and address:

Taxpayer's name

Taxpayer's TIN

Address (*number and street*)

City	State or province	ZIP or postal code	Country
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2. The property subject to this election is (*describe property and quantity below*)

3. The date the property is transferred

4. Taxable year for which the election is being made (*taxable year that includes the date the property is transferred as reported in Box 3*)

5. The property is subject to the following restrictions (*describe applicable restrictions below*)

6. The total fair market value of the property at the time of transfer is

a. Value per item	b. Quantity	c. Total fair market value
	x	=

7. The total amount paid for the property is

a. Price paid per item	b. Quantity	c. Total price paid
	x	=

8. The total amount to include in gross income for the taxable year is (*the result of the amount reported in Box 6(c) minus the amount reported in Box 7(c)*)

9. Name, TIN, and address of the person for whom the taxpayer is providing services in connection with the transfer of property (*optional*)

Name

TIN

Address (*number and street*)

City	State or province	ZIP or postal code	Country
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The undersigned taxpayer is the person performing the services in connection with which the property is transferred. The undersigned taxpayer agrees to provide a copy of the election to (i) the person for whom the services are performed and (ii) the transferee of the property, if the taxpayer and the transferee of the property are not the same person.

Under penalties of perjury, the undersigned taxpayer declares that, to the best of undersigned taxpayer's knowledge and belief, the information entered on this Form 15620 is true, correct, and complete.

Taxpayer signature

Date signed

## Instructions for Form 15620, Section 83(b) Election

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Section references are to the Internal Revenue Code unless otherwise noted.

### **General Instructions**

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#### **Purpose of Form**

When substantially nonvested property is transferred in connection with the performance of services, the person who performs the services may elect under IRC § 83(b) (83(b) election) to currently include in gross income the excess (if any) of the property's fair market value at the time of the transfer over the amount (if any) paid for the property at the time of transfer, rather than when the property later becomes substantially vested. Refer to the Restricted Property section of Publication 525 for a description of the tax consequences of substantially nonvested property transferred in connection with the performance of services.

#### **Where to File**

Submit this completed and signed Form 15620 to the IRS **via mail** with the IRS office with which the person who performs the services files a federal income tax return.

#### **Additional Copies**

The person who performs the services is also required to submit a copy of the completed and signed Form 15620 to the person for whom the services are performed. In addition, if the person who performs the services and the transferee of the property are not the same person, the person who performs the services is also required to submit a copy of the completed and signed Form 15620 to the transferee of the property.

#### **Revocation of an 83(b) Election**

An 83(b) election may not be revoked except with the consent of the IRS. Taxpayers are encouraged to review applicable federal guidance regarding the revocability of 83(b) elections. For additional guidance regarding the revocation of an 83(b) election, refer to Treas. Reg. § 1.83-2(f) and Revenue Procedure 2006-31.

### **Specific Instructions**

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#### **Who May File**

When substantially nonvested property is transferred in connection with the performance of services, the person who performs the services (e.g., an employee or an independent contractor) may make an 83(b) election by filing Form 15620. In the alternative, an 83(b) election may be made by filing a written statement that satisfies the requirements of Treas. Reg. § 1.83-2.

#### **When to File**

An 83(b) election must be filed no later than 30 days after the date the property was transferred. In accordance with IRC § 7503, if the thirtieth day following the transfer of property falls on a Saturday, Sunday or legal holiday, the election will be considered timely filed if it is postmarked by the next succeeding day which is not a Saturday, Sunday or legal holiday. For more information, see IRC § 83(b)(2) and Treas. Reg. § 1.83-2(b).

**Box 1. Name, TIN, and Address.** Enter the name, TIN, and address of the person making the 83(b) election.

**Box 2. Description of Property.** Enter a description of the property that is transferred, including the quantity transferred. For example, "1,000 shares of Class A common stock of Corporation B."

For more information on what constitutes property for purposes of IRC § 83, see Treas. Reg. § 1.83-3(e).

**Box 3. Date Property is Transferred.** Enter the date the property is transferred.

For more information on what constitutes a transfer of property for purposes of IRC § 83, see Treas. Reg. § 1.83-3(a).

**Box 4. Taxable Year for Which the Election is Made.** Enter the taxable year for which the 83(b) election is being made. This is the taxable year that includes the date the property is transferred as reported in Box 3. For example, "calendar year 2025" or "fiscal year ending May 31, 2025."

**Box 5. Description of Applicable Restriction(s) on the Property.** Enter a description of the restrictions applicable to the substantially nonvested property that is transferred. For example, "the terms of the restricted stock agreement provide that 1,000 shares of Class A common stock of Corporation B will be forfeited if the person making the election ceases to provide services to Corporation B as an employee prior to April 1, 2027."

For more information on what constitutes substantially nonvested property for purposes of IRC § 83, see Treas. Reg. § 1.83-3(b).

**Box 6. Fair Market Value of the Property at the Time of Transfer.**

- a. Enter the fair market value per item of property at the time of transfer.
- b. Enter the quantity transferred.
- c. Enter the total fair market value of the property (Box 6(a) multiplied by Box 6(b)).

The fair market value is determined without regard to any lapse restriction, as defined in Treas. Reg. § 1.83-3(i).

**Box 7. Amount (if any) Paid for the Property.**

- a. Enter the price paid (if any) per item of property.
- b. Enter the quantity transferred.
- c. Enter the total price paid for the property (Box 7(a) multiplied by Box 7(b)).

For more information on what constitutes the amount paid for property for purposes of IRC § 83, see Treas. Reg. § 1.83-3(g).

**Box 8. The Amount (if any) to Include in Gross Income.** Enter the total amount (if any) included in gross income for the taxable year indicated in Box 4. Calculate this amount by subtracting the total amount paid for property reported in Box 7(c) from the total fair market value of the property at the time of transfer reported in Box 6(c).

**Box 9. Name, TIN, and Address of Service Recipient.** Enter the name, TIN, and address of the person for whom the person making the 83(b) election is providing services in connection with the transfer of property. Providing a response in Box 9 is optional and not required to make a valid 83(b) election.

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### Privacy Act and Paperwork Reduction Act Notice

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We ask for the information on this form to carry out the Internal Revenue laws of the United States. Form 15620 is provided by the IRS for your convenience and its use is voluntary. You're not required to make a section 83(b) election. However, if you choose to make this election, sections 83(b), 6001, 6011, 6012, and 6109 and their regulations require you to provide the information requested on this form. Failure to provide all requested information may delay or prevent processing your election. Providing false or fraudulent information may subject you to penalties.

Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal non-tax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. The estimated burden for individual taxpayers filing this form is approved under 1545-0074 and for business taxpayers filing this form is approved under 1545-0123. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by Code section 6103. The average time and expenses required to complete and file this form will vary depending on individual circumstances. For estimated averages, see the instructions for your income tax return. If you have suggestions for making this form simpler, we would be happy to hear from you. See the instructions for your income tax return.