United States House Committee on
Ways & Means
CHAIRMAN JASON SMITH

Electronic Filing and Payment Fairness Act (H.R. 1152)

Background:

Mailbox Rule

- Currently, if a taxpayer mails a payment to the IRS that is postmarked by midnight on the due date, the payment or tax return will be considered timely even if it is received a week later.
- However, if a taxpayer submits the same payment or return electronically on the due date, it may be considered late if the IRS receives it and processes it on the next day.
- In Fiscal Year 2023, **more than 213 million—79% of all filings— returns and other forms were filed electronically**.
- Not only does this dichotomy harm taxpayers who make timely electronic submissions, but it also favors paper transmission over electronic transmission—the **opposite incentive IRS rules should provide**.
- **Electronic payments are received more quickly, are cheaper to process**, and eliminate the risk that a mailed check will be lost or misplaced.

The Electronic Filing and Payment Fairness Act:

- The Electronic Filing and Payment Fairness Act provides that **electronic payments or documents submitted by midnight on the due date will be considered timely**, even if the IRS does not receive and process the payment that day.
- The legislative recommendation included in this bill is recommendation #3 in the 2025 Purple Book.

Endorsed by:

- American Institute of CPAs (AICPA)