

Subject 301

Alimony Paid

If you were divorced or separated during the year, you may be able to deduct the alimony or separate maintenance payments that you were required to make to your spouse or former spouse, or on behalf of that spouse.

Alimony payments you made are deductible if all of the following requirements are met:

1. You paid in cash or check,
2. You and your spouse or former spouse did not designate that the payment was not alimony,
3. You were separated and did not live together when you made the payment,
4. You had no liability to make any payment (in cash or property) after the death of your spouse or former spouse, and
5. Your payment was not treated as child support.

Lump sum payments and property settlement payments are not deductible. A property settlement, whether in a lump sum or installments, even though required by the decree or agreement, does not qualify as alimony. Any payments not required by the decree or agreement do not qualify as alimony.

You may claim the payments on Form AR1000 ADJ, Schedule of Other Adjustments. You must provide the first name, last name, and Social Security Number of your spouse or former spouse who is receiving the payments.

If you are the spouse or former spouse who received the alimony, you must report the full amount as income on Form AR1000 or AR1000NR.