



# State Residency & Filing Rules

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If you're a **service member**, your state of legal residence (or **domicile**) is the state you consider your permanent home — not necessarily where you're stationed.

The **Military Spouses Residency Relief Act (MSRRA)** allows **military spouses** to maintain their state of residence **even after relocating** under military orders, as long as certain criteria are met.

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## Do I Need to File a State Tax Return?

It depends on:

- Your state of legal residence
- Whether your state of residence taxes income
- Where your income was earned
- Whether you qualify under MSRRA

 Some common scenarios:

- A **military member** stationed out-of-state may still owe taxes to their home state.
  - A **spouse with W-2 income** may be **exempt** from the duty station's state tax, if MSRRA applies.
  - A **spouse with business income** might owe taxes to the **state where the work is performed**, not the home state.
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## What Documentation Do I Need?

To claim MSRRA protections or file correctly, keep copies of:

- Military orders showing your relocation
  - Proof of legal domicile (voter registration, driver's license, lease, etc.)
  - W-2s showing withheld state tax (you may be eligible for a refund!)
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## Need Help?

Filing the wrong state return is one of the **most common tax mistakes** military families make — and it is often fixable. We can help you:

- Confirm your legal residence
- Correct past state filings
- Minimize your tax burden legally and ethically



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