THETAXBOOK News Release Date: 11/16/26

Clergy Act

Cross References

- Public Law 119-125

The Clergy Act was signed into law on October 20, 2026. The act establishes a two-year window for members of the clergy who have opted out of Social Security and Medicare taxes (and are thus ineligible for benefits under those programs) to opt back in.

Under current law, certain ministers, members of religious orders, and Christian Science practitioners who object to participation in public insurance programs on religious or conscientious grounds may apply to the Internal Revenue Service (IRS) for an exemption from Social Security and Medicare taxes on ministerial earnings. Individuals who are approved for the exemption do not receive Social Security or Medicare benefits in retirement unless they have qualifying credits from other employment. The exemption is generally irrevocable.

Under the new law, clergy members may choose to revoke their exemption by filing an application with the IRS by the due date of their federal income tax return for the second taxable year beginning after December 31, 2028 (i.e., April 15, 2031, or the extended due date if an extension is filed). A clergy member may choose for the revocation to take effect in taxable year 2029 or taxable year 2030. A revocation under the act is permanent.

Clergy members who opt back in will generally need 10 years of covered employment (40 credits) to be eligible for Social Security and Medicare benefits, as is currently required for these programs.

The IRS must develop a plan to inform clergy members of their eligibility to revoke prior exemptions, pursuant to the act's changes.

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