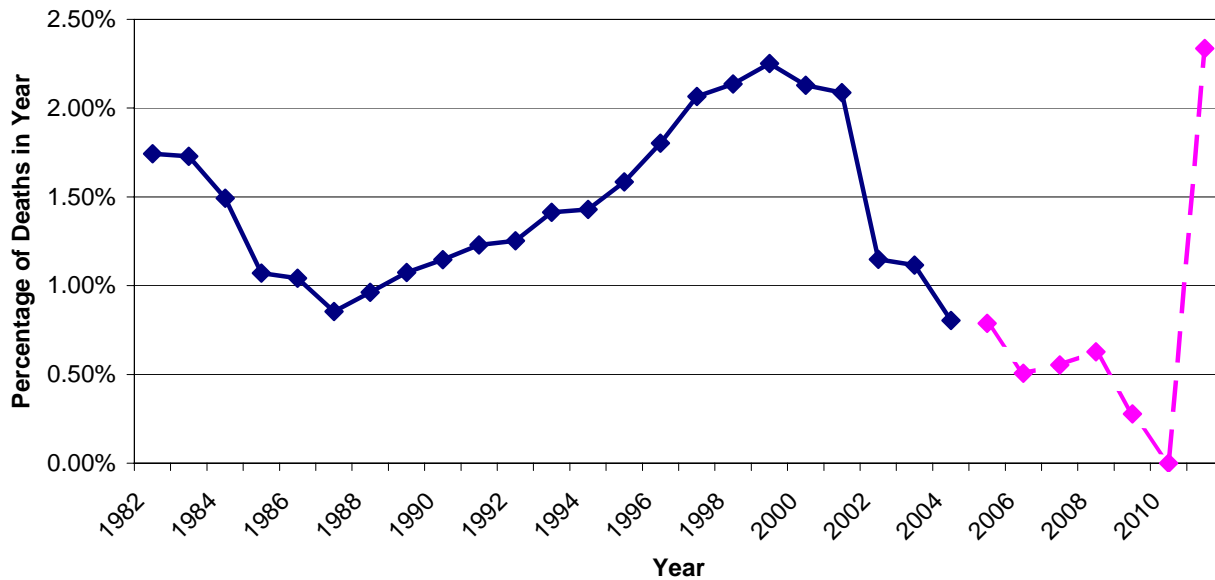


Figure 1: Percentage of Decedents Paying Any Estate Tax 1982-2011



Source: Actual Numbers 1982-2004, Centers for Disease Control, National Center for Health Statistics and Internal Revenue Service Statistics on Income Division. Predicted Numbers 2005-2011, US Census Bureau National Population Projections, Urban-Brookings Tax Policy Center

Table 1: Estate Tax Exclusion Limits and Top Tax Rate, 2001-2011

Year	Exclusion limits	Top Tax Rate
2001	\$675,000	55%*
2002	\$1,000,000	50%
2003	\$1,000,000	49%
2004	\$1,500,000	48%
2005	\$1,500,000	47%
2006	\$2,000,000	46%
2007	\$2,000,000	45%
2008	\$2,000,000	45%
2009	\$3,500,000	45%
2010	Unlimited	0%
2011 & Later	\$1,000,000	55%*

* An additional 5 percent surtax applies to taxable estates between \$10 million and \$17.184 million.

Federal Estate Tax Disadvantages for Same-Sex Couples
by Dr. Michael D. Steinberger

Tax Policy Center and Williams Institute
Thursday, December 17, 2009

Table 2: Estate Taxes Paid by Equivalent Married and Same-Sex Estates Making Bequests to Surviving Spouse/Partner in 2004 (Money amounts are in 2008 dollars)

	<u>Married Decedent</u>	<u>Same-Sex Decedent</u>
Average Estate Value*	\$5,510,464	\$5,510,464
Standard Exemption	\$1,740,000	\$1,740,000
Average Bequest to Surviving Spouse/Partner	\$3,414,534	\$3,414,534
Taxable Estate (assuming no other deductions employed)	\$355,930	\$3,770,464
Tax Consequence of Bequest to Surviving Partner/Spouse	\$0	\$1,638,976

* Average gross estate value of all married decedents' estates, including decedents who did not claim a marital deduction.

Source: Author's Calculations

Table 3: Excess Estate Taxes Payments by Same-Sex Decedents Relative to Married Decedents 2001-2011 (Money amounts are in millions of 2008 dollars)

Year	Predicted Number of Estate Tax Returns	Same-Sex Decedents Affected	Tax Disadvantage Relative to Married Decedents				Average Added Tax per Estate	Total Revenue Gain by Government
			Total Bequests Not Receiving Marital Deduction	Total Denied Family-Owned Business Exemptions	Assets Not Receiving Basis Increase			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
2001	109,562*	434	\$835.9	\$2.7		\$1.1	\$462.0	
2002	66,400	293	\$783.4	\$2.7		\$1.3	\$393.1	
2003	67,000	296	\$777.5	\$2.7		\$1.3	\$382.3	
2004	42,239*	179	\$612.8	\$2.0		\$1.6	\$295.1	
2005	44,300	188	\$626.0	\$2.0		\$1.6	\$295.2	
2006	30,300	139	\$593.8	\$1.0		\$2.0	\$273.6	
2007	33,100	152	\$630.8	\$1.0		\$1.9	\$284.3	
2008	37,100	170	\$667.0	\$1.0		\$1.8	\$300.6	
2009	15,400	73	\$527.5	\$1.0		\$3.3	\$237.8	
2010	0	76			\$90.0	\$0.2	\$13.5	
2011	124,600	550	\$1,120.6	\$3.8		\$1.1	\$618.4	

* Actual number of estate tax returns reported by Internal Revenue Service

Source: Author's Calculations