**8544. What are the current long-term capital gains tax rates?**

In 2014, for long-term capital gain, adjusted net capital gain (see Q 8545) is generally subject to the following tax rates:

(1) 0 percent for taxpayers in the 10 and 15 percent tax brackets;

(2) 15 percent for taxpayers in the 25 percent, 28 percent, 33 percent and 35 percent tax brackets; and

(3) 20 percent for taxpayers in the 39.6 percent tax bracket.

However, detailed rules as to the exact calculation of the capital gains tax result in some exceptions. See Q 8545 (determining amount of capital gain), Q 8546 (Section 1250, Section 1202 and collectibles property) and Q 8550 (holding period requirement for determining whether gain is subject to long-term or short-term rates).[[1]](#footnote-1)

See Q 8556 for an outline of the netting process used in determining capital gains and losses when multiple asset classes are involved.

Beginning in 2013, taxpayers with adjusted gross income in excess of certain thresholds may be subject to the 3.8% net investment income tax pursuant to Code Section 1411 (see Q 8560 to Q 8566). This 3.8% is a surtax added to the taxpayer’s otherwise applicable tax rate.

1. . IRC Sec. 1(h), as amended by ATRA. [↑](#footnote-ref-1)