



# Rhode Island Department of Revenue

## Division of Taxation

NOTICE 2021-08

AUGUST 24, 2021

### Entity filing requirements

Every entity registered with the Rhode Island Secretary of State likely has filing requirements with the Rhode Island Division of Taxation, even if no business is conducted within Rhode Island for a particular year.

#### C corporation

An entity treated as a C corporation for federal tax purposes must file Form RI-1120C and pay the Rhode Island business corporation tax each year, generally 7 percent of net income, as set forth in Rhode Island General Laws § 44-11-2. The minimum tax is \$400 per year for tax years beginning on or after January 1, 2017.

#### S corporation

An entity treated as an S corporation for federal tax purposes must file Form RI-1120S and pay the annual minimum tax as set forth in Rhode Island General Laws § 44-11-2, which is \$400 for tax years beginning on or after January 1, 2017.

#### Limited liability company (LLC)

Any limited liability company (LLC) not treated as a corporation for federal tax purposes must pay an annual charge equal to the minimum business corporation tax, which is \$400 for tax years beginning on or after January 1, 2017. This requirement also applies to each single-member LLC (SMLLC) and to any LLC treated as a disregarded entity for federal tax purposes. Form RI-1065 must be filed for any tax year beginning on or after January 1, 2012. For tax years prior to 2012, Form RI-1120S must be filed to pay the annual charge.

#### Partnership

Entities treated as partnerships for federal tax purposes must file Form RI-1065. Any limited liability partnership (LLP) and any limited partnership (LP) for tax years beginning on or after January 1, 2012, are subject to an annual charge equal to the minimum business corporation tax, which is \$400 for tax years beginning on or after January 1, 2017.

#### Information on pass-through withholding for nonresidents: entity-level tax

Pass-through entities with members, partners, etc., who are nonresidents of Rhode Island, must also file Form RI-1096PT ("Pass-through Withholding Return and Transmittal"), reporting the income flowing through and the amount of tax to be withheld for the nonresidents. Nonresident individuals and entities must file the appropriate Rhode Island tax returns reporting the pass-through income and any pass-through withheld tax. In some instances, Form RI-1040C, "Composite Income Tax Return," may be filed.

Note: Under Rhode Island legislation enacted in 2019, pass-through entities can elect to pay an entity-level tax. If an entity elects to pay income tax at the entity level on Form RI-PTE ("Pass-through Entity Election Tax Return"), the entity is not required to comply with the requirements for Form RI-1096PT.

For more information about the entity-level tax, use the following links:

- <https://go.usa.gov/xGr4Q>
- [http://www.tax.ri.gov/taxforms/pte\\_election.php](http://www.tax.ri.gov/taxforms/pte_election.php).

#### Other information

For corporation tax, partnership, and individual income tax returns, there is no registration requirement with the Division of Taxation; the filing of the first return is sufficient notice to establish an account.

If an entity has failed to pay its tax or filing charge/fee to the Division of Taxation in prior years, there is no time limit regarding how far back the Division of Taxation can go when it comes to collecting from non-filers. Also, failure to file and pay will prevent an entity from receiving a letter of good standing from the Division of Taxation, which in turn could prevent the entity from selling real estate or other key assets held by the entity. If an entity cannot pay all of what is due, please call the Division of Taxation's Compliance & Collections section and ask about payment plans. The number to call is (401) 574-8941, which is typically staffed from 8:30 a.m. to 3:30 p.m. business days.

Annual Rhode Island tax filing obligation for calendar-year entities		
ENTITY/TAX TYPE	FORM TO FILE ANNUALLY	FILING DEADLINE
General partnerships	RI-1065	March 15
Limited partnerships	RI-1065	March 15
Limited liability companies	RI-1065	March 15
Single-member LLC*	RI-1065	March 15
Subchapter S corporations	RI-1120S	March 15
Withholding of pass-through entity	RI-1096PT	March 15
Composite income tax return**	RI-1040C	March 15
Political organization tax	RI-1120POL	March 15
Corporate income tax	RI-1120C	April 15
Public service gross earnings tax	T-72	April 15
Bank excise tax	T-74	April 15
Insurance gross premiums tax	T-71	April 15
Single-member LLC*	RI-1065	April 15
Income tax of trust, estate	RI-1041	April 15
<p>* Single-member LLC, also known as SMLLC, uses same due date as its owner. (Table assumes owner is calendar-year S corporation.)</p> <p>** Dates also apply to filers of Form RI-1040C-NE.</p> <p>Table shows annual tax/fee filing requirement for calendar-year filers. (To find due date for fiscal-year filer, see applicable form.) Payments and filings other than those listed may be required depending on nature of business, including, but not limited to, unemployment tax and sales and use tax. If an entity has or will have employees, see following website for information on employer taxes: <a href="http://www.uitax.ri.gov/">http://www.uitax.ri.gov/</a>.</p>		

*The Rhode Island Division of Taxation office is located at One Capitol Hill in Providence, R.I., diagonally across from the Smith Street entrance to the State House, and is open to the public from 8:30 a.m. to 3:30 p.m. business days. For more information, contact the Division of Taxation at (401) 574-8829 or use the following link: <http://www.tax.ri.gov/contact>. This document is for general information purposes only and is not a substitute for Rhode Island General Laws, or for Division of Taxation regulations, rulings, or notices.*

- ✓ *For the latest information on the coronavirus (COVID-19), including rules governing visits to State offices, please see: <https://covid.ri.gov/>.*