

2023 INSTRUCTIONS FOR FILING RI-1040

WHAT'S NEW FOR TAX YEAR 2023

Each year the RI Division of Taxation is required to make an inflationary adjustment for the following amounts:

- Standard deduction amounts (see page I-4 for the increased amounts)
- Exemption amount (see page I-4 for the increased amount)
- Income tax brackets (see page I-11 for the new tiers)
- Increased Standard Deduction and Exemption phaseout amount (see page I-4 for the increased amount)
- Federal AGI amounts for the social security modification (see worksheet on page 18)
- Federal AGI amounts for the pension and annuity modification (see instructions on page I-9)
- RI-1040H - Property Tax Relief Credit (see Form RI-1040H)

Additional changes for tax year 2023 include:

- New Low-Income Housing tax credit on RI Schedule CR (see instructions on page I-8)
- New Decreasing Modification for Military Service Pensions on RI Schedule M (see instructions on page I-10)
- New exemption for Medicaid recipients on Form IND-HEALTH (see instructions on page IND-6)

GENERAL INSTRUCTIONS

The RI-1040 Resident booklet contains returns and instructions for filing the 2023 Rhode Island Resident Individual Income Tax Return. Read the instructions in this booklet carefully. For your convenience we have provided "line by line instructions" which will aid you in completing your return. Please print or type so that it will be legible. Fillable forms are available on our website at www.tax.ri.gov. Check the accuracy of your name(s), address, social security number(s) and the federal identification numbers listed on RI Schedule W.

Most resident taxpayers will only need to complete the first three pages of Form RI-1040, RI Schedule W, RI Schedule E and RI Schedule U. Those taxpayers claiming modifications to federal adjusted gross income must complete RI Schedule M on pages 9 and 10. Taxpayers claiming a credit for income taxes paid to another state must complete RI Schedule II on page 3. See page I-6 if claiming credit for multiple states.

These instructions are for the use of full year resident taxpayers only. Nonresidents and part-year residents will file their Rhode Island Individual Income Tax Returns using Form RI-1040NR. Forms and instructions are available upon request at the Rhode Island Division of Taxation and on our website at:

<https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>.

Complete your 2023 Federal Income Tax Return first.

It is the basis for preparing your Rhode Island income tax return. In general, the Rhode Island income tax is based on your federal adjusted gross income.

Accuracy and attention to detail in completing the return in accordance with these instructions will facilitate the processing of your tax return. You may find the following points helpful in preparing your Rhode Island Income Tax Return.

WHO MUST FILE A RETURN

RESIDENT INDIVIDUALS – Every resident individual of Rhode Island who is required to file a federal income tax return must file a Rhode Island individual income tax return (RI-1040).

A resident individual who is not required to file a federal income tax return may be required to file a Rhode Island income tax return if his/her income for the taxable year is in excess of the sum of his/her Rhode Island personal exemptions and applicable standard deduction.

"Resident" means an individual who is domiciled in the State of Rhode Island or an individual who maintains a permanent place of abode in Rhode Island and spends more than 183 days of the year in Rhode Island.

For purposes of the above definition, domicile is found to be a place an individual regards as his or her permanent home – the place to which he or she intends to return after a period of absence. A domicile, once established, continues until a new fixed and permanent home is acquired. No change of domicile results from moving to a new location if the intention is to remain only for a limited time, even if it is for a relatively long duration. For a married couple, normally both individuals have the same domicile.

Any person asserting a change in domicile must show:

- (1) an intent to abandon the former domicile,
- (2) an intent to acquire a new domicile and
- (3) actual physical presence in a new domicile.

JOINT AND SEPARATE RETURNS

JOINT RETURNS: Generally, if two married individuals file a joint federal income tax return, they also must file a joint Rhode Island income tax return. However, if either one of the married individuals is a resident and the other is a nonresident, they must file separate returns, unless they elect to file a joint return as if both were residents of Rhode Island. If the resident spouse files separately in Rhode Island and a joint federal return is filed for both spouses, the resident spouse must compute income, exemptions, credits and tax as if a separate federal return had been filed.

If neither spouse is required to file a federal income tax return and either or both are required to file a Rhode Island income tax return, they may elect to file a joint Rhode Island income tax return.

Individuals filing joint Rhode Island income tax returns are both equally liable to pay the tax. They incur what is known as "joint and several liability" for Rhode Island income tax.

SEPARATE RETURNS: Married individuals filing separate federal income tax returns must file separate Rhode Island income tax returns.

MILITARY PERSONNEL

Under the provisions of the Soldiers and Sailors Civil Relief Act, the service pay of members of the armed forces can only be subject to income tax by the state of which they are legal residents. Place of legal residence at the time of entry into the service is normally presumed to be the legal state of residence and remains so until legal residence in another state is established and service records are changed accordingly. The Rhode Island income tax is imposed on all the federal taxable income of a resident who is a member of the armed forces, regardless of where such income is received.

Military pay received by a nonresident service person stationed in Rhode Island is not subject to Rhode Island income tax. This does not apply to other income derived from Rhode Island sources, e.g., if the service person holds a separate job, not connected with his or her military service, income received from that job is subject to Rhode Island income tax.

In addition, under the provisions of the Military Spouses Residency Relief Act, income for services performed by the servicemember's spouse can only be subject to income tax by the state of his/her legal residency if the servicemember's spouse meets certain conditions.

Income for services performed by the servicemember's spouse in Rhode Island would be exempt from Rhode Island income tax if the servicemember's spouse moved to Rhode Island solely to be with the servicemember complying with military orders sending the servicemember to Rhode Island. The servicemember and the servicemember's spouse must also share the same non-Rhode Island domicile.

However, other income derived from Rhode Island sources such as business income, ownership or disposition of any interest in real or tangible per-

sonal property and gambling winnings are still subject to Rhode Island income tax.

Internal Revenue Code provisions governing armed forces pay while serving in a "combat zone" or in an area under conditions that qualify for Hostile Fire Pay are applicable for Rhode Island purposes.

DECEASED TAXPAYERS

If the taxpayer died before filing a return for tax year 2023, the taxpayer's spouse or personal representative must file and sign a return for the person who died if the deceased was required to file a return. A personal representative can be an executor, administrator or anyone who is in charge of the taxpayer's property.

The person filing the return should check the "deceased" check box after the deceased's name.

If you are claiming a refund as a surviving spouse filing a joint return with the deceased, no other form is needed to have the refund issued to you. However, all other filers requesting a refund due the deceased, must file Form RI-1310, Statement of Person Claiming Refund Due a Deceased Taxpayer, to claim the refund.

If you are filing Form RI-1040H, the right to file a claim does not survive a person's death. Therefore, a claim filed on behalf of a deceased person cannot be allowed. If the claimant dies after having filed a timely claim, the amount thereof will be disbursed to another member of the household as determined by the Tax Administrator.

WHERE AND WHEN TO FILE

Rhode Island income tax returns will be considered timely filed if post-marked by **Monday, April 15, 2024**.

If you are claiming a refund, mail your return to:

Rhode Island Division of Taxation
One Capitol Hill
Providence, RI 02908 – 5806

If you are making a payment, mail your return, payment and Form RI-1040V to:

Rhode Island Division of Taxation
One Capitol Hill
Providence, RI 02908 – 5807

EXTENSION OF TIME

Any extension of time granted for filing an individual income tax return shall not operate to extend the time for the payment of any tax due on such return.

In General -

- (1) An individual who is required to file a Rhode Island income tax return shall be allowed an automatic six month extension of time to file such return.
- (2) An application must be prepared in duplicate on form RI-4868.
- (3) The original of the application must be filed on or before the date prescribed for the filing of the return of the individual with the Rhode Island Division of Taxation.
- (4) Such application for extension must show the full amount **properly estimated** as tax for such taxpayer for such taxable year, and such application must be accompanied by the full remittance of the amount properly estimated as tax which is unpaid as of the date prescribed for the filing of the return.

NOTE: If no payment is required to be made with your Rhode Island extension form and you are filing a federal extension form for the same period of time, **you do not need to submit the Rhode Island form**. Attach a copy of Federal Form 4868 or the electronic acknowledgment you receive from the IRS to your Rhode Island individual income tax return at the time it is submitted.

Filing for an extension of time to file Form RI-1040 does not extend the time to file Form RI-1040H, Rhode Island Property Tax Relief Claim or Form RI-6238, Rhode Island Residential Lead Paint Credit. Rhode Island income tax returns will be considered timely filed if post-marked by **Monday, April 15, 2024**.

WHERE TO GET FORMS

Forms (and instructions) may be obtained by:

- visiting the Division of Taxation's website:
<https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>
- calling the Division of Taxation's Forms Request line: (401) 574-8970
- emailing the Division of Taxation's Forms address: Tax.Forms@tax.ri.gov

MISSING OR INCORRECT FORM W-2

This form is given to you by your employer showing the amount of income tax withheld on your behalf by your employer. A copy of it must accompany your Rhode Island income tax return if you are to receive credit for such withheld tax. **Only your employer can issue or correct this form.** If you have not received a Form W-2 from your employer by February 15, 2024 or if the form which you have received is incorrect, contact your **employer** as soon as possible.

CHANGES IN YOUR FEDERAL TAXABLE INCOME OR FEDERAL TAX LIABILITY

You must report to the Rhode Island Division of Taxation any change or correction in federal taxable income or federal tax liability as reported on your federal income tax return, whether resulting from the filing of an **amended** federal return or otherwise. Such report must be made within ninety (90) days after filing an amended federal return or final determination of such change by the Internal Revenue Service. Report any changes on Form RI-1040, and check the Amended checkbox. Using the Supplement to Individual Income Tax Return, provide an explanation of the changes to your income, deductions and/or credits. Attach the supplement to your amended return along with all schedules that are part of your return, not just those that were changed because of the amendment. The Supplement can be found on page 23 of the Resident Booklet or on the Division of Taxation's website at:

<https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>

RHODE ISLAND LOTTERY PRIZES AND GAMBLING WINNINGS

Winnings and prizes received from the Rhode Island Lottery and other gambling establishments are taxable under the Rhode Island personal income tax law and are to be included in the income of both residents and nonresidents alike.

ESTIMATED INCOME TAX PAYMENTS

If a taxpayer can reasonably expect to owe more than \$250 after allowing for withholding tax and/or credits, he or she must make estimated tax payments. Estimated tax payments are made on Form RI-1040ES that has instructions for computing the estimated tax and making payments.

PAYMENTS OR REFUNDS

Any **PAYMENT** of tax liability shown on your return to be due to the State of Rhode Island must be paid in full with your return. Complete and submit Form RI-1040V with your payment.

An amount due of less than five dollars (\$5) need not be paid.

See **"Where and When to File"** for mailing instructions.

A **REFUND** will be made if an overpayment of income tax is shown on your return, unless you indicate on your return that such overpayment is to be credited to your estimated tax liability for 2024. No other application for refund is necessary. Please note that no refund can be made unless your return is properly signed.

Refunds of less than \$5.00 will not be paid unless specifically requested.

See **"Where and When to File"** for mailing instructions.

REFUND CLAIMS

R.I. Gen. Laws § 44-30-87 provides different time periods within which a refund claim is allowed. A refund may be claimed within three (3) years of

filing a return or two (2) years from the time the tax was paid, whichever expires later.

If a claim is made within the three (3) year period, the amount of the refund cannot exceed the amount of tax paid within that three (3) year period.

If a claim is made within the two (2) year period, the amount of refund may not exceed the portion of tax paid during the two (2) years preceding the filing of the claim.

For purposes of this section, any income tax withheld from the taxpayer during any calendar year and any amount paid as estimated income tax for a taxable year is deemed to have been paid on the fifteenth day of the fourth month following the close of the taxable year for which the payments were being made.

For more information, call the Personal Income Tax Section at (401) 574-8829, option #3.

VICTIM OF IDENTITY THEFT

If you are a victim of identity theft, attach a copy of Federal Form 14039 to your return.

SIGNATURE

You must sign your Rhode Island income tax return. If filing a joint return, both married individuals must sign the return. An unsigned return cannot be processed.

Any paid preparer who prepares a taxpayer's return must also sign as "preparer". If a firm or corporation prepares the return, it should be signed in the name of the firm or corporation.

If you wish to allow the Tax Division to contact your paid preparer should questions arise about your return, check the appropriate box located below the preparer's information.

NET OPERATING LOSS DEDUCTIONS

The Rhode Island Personal Income Tax law relating to Net Operating Loss deduction (NOL) has been amended by enactment of R.I. Gen. Laws § 44-30-2.8 and R.I. Gen. Laws § 44-30-87.1.

Under the provisions of R.I. Gen. Laws § 44-30-87.1, for losses incurred for taxable years beginning on or after January 1, 2002, an NOL deduction may not be carried back for Rhode Island personal income tax purposes, but will only be allowed as a carry forward for the number of succeeding years as provided in IRS §172. A carry forward can only be used on the Rhode Island return to the extent that the carry forward is used on the federal return.

Should you have any questions regarding this matter, please call the Personal Income Tax Section at (401) 574-8829, option #3.

BONUS DEPRECIATION

A bill passed disallowing the federal bonus depreciation for Rhode Island tax purposes. When filing a Rhode Island tax return any bonus depreciation taken for federal purposes must be added back to income as a modification on RI Schedule M - page 2, line 2d for Rhode Island purposes. In subsequent years, when federal depreciation is less than what previously would have been allowed, the difference may be deducted from income as a modification on RI Schedule M - page 1, line 1i for Rhode Island purposes.

A separate schedule of depreciation must be kept for Rhode Island purposes. The gain or loss on the sale or other disposition of the asset is to be determined, for Rhode Island purposes, using a Rhode Island depreciation schedule.

EXAMPLE: A company bought equipment after September 11, 2001 that cost \$10,000 and had a 10 year life and qualified for 30% bonus depreciation. Depreciation for federal purposes in the first year was \$3,700 (30% X \$10,000) + (10% x 7,000). Normal depreciation in the first year would have been \$1,000. The Company should add back on RI Schedule M, page 2, line 2d the amount of \$2,700 (\$3,700 - \$1,000). In subsequent years the company should deduct \$300 (\$1000 - \$700) each year while depreciation lasts. The deduction should be on RI Schedule M - page 1, line 1i.

If a taxpayer has already filed a return, an amended return should be filed. Questions on this procedure should be addressed by calling the Personal Income Tax Section at (401) 574-8829, option #3.

SECTION 179 DEPRECIATION

Rhode Island passed a bill disallowing the increase in the Section 179 depreciation under the Jobs & Growth Tax Relief Reconciliation Act of 2003. Section 179 depreciation will remain limited to \$25,000 for Rhode Island income tax purposes. When filing your Rhode Island tax return, a deduction is allowed for depreciation taken on your federal return in prior years which was previously taken as an increasing modification to adjusted gross income. Enter the deduction as a modification on Schedule M - page 1, line 1j.

A separate schedule of depreciation must be kept for Rhode Island purposes. The gain or loss on the sale or other disposition of the asset is to be determined, for Rhode Island purposes, using the Rhode Island depreciation schedule.

Legislation passed in July of 2013 sets Rhode Island to conform with the federal Section 179 deduction amounts for all assets placed in service on or after January 1, 2015.

TUITION SAVINGS PROGRAM – SECTION 529

A modification decreasing federal adjusted gross income may be claimed for contributions made to a Rhode Island "qualified tuition program" under section 529 of the Internal Revenue Code, 26 U.S.C. §529. The maximum modification shall not exceed \$500, \$1,000 if a joint return, regardless of the number of accounts. Taxpayers should claim the modification on Schedule M - page 1, line 1g.

If the funds are rolled over to a Tuition Savings Plan of another state or are an unqualified withdrawal, recapture is required.

Taxpayers may also take a modification decreasing federal adjusted gross income in the amount of any qualified withdrawal or distribution from the "Tuition Saving Program" which is included in federal adjusted gross income. Taxpayers should claim the modification on Schedule M - page 1, line 1g.

RHODE ISLAND TAX CREDITS

Rhode Island law provides special Rhode Island tax credits which may be applied against the Rhode Island income tax. Before claiming any credits, taxpayers should refer to the Rhode Island law and/or regulations for specific requirements for each credit such as carry over provisions and the order in which the credits must be used. Taxpayers claiming credits must attach RI Schedule CR and the proper form(s) and other documentation to the return; failure to do so will result in disallowance of the credit. A list of allowable Rhode Island credits is available on RI Schedule CR.

If you do not see a particular credit on RI Schedule CR, that means the credit is no longer allowed against personal income tax.

See page I-7 of these instructions for more information.

INTEREST

Any tax not paid when due, including failure to pay adequate estimated tax, is subject to interest at the rate of 12% (0.1200) per annum.

Interest on refunds of tax overpayments will be paid if the refund is not paid within ninety (90) days of the due date or the date the completed return was filed, whichever is later. The interest rate for tax overpayments is 8.50% (0.0850) per annum.

PENALTIES

The law provides for penalties in the following circumstances:

- Failure to file an income tax return by the due date. A late filing penalty will be assessed at 5% (0.0500) per month on the unpaid tax for each month or part of a month the return is late. The maximum late filing penalty is 25% (0.2500).

- Failure to pay any tax due by the due date. A late payment penalty will be assessed at 1/2% (0.0050) per month on the unpaid tax for each month or part of a month the tax remains unpaid. The maximum late payment penalty is 25% (0.2500).

- Preparing or filing a fraudulent income tax return.

Regulation 280-RICR-20-55-4 implements the state law enacted in 2013 which establishes civil and criminal penalties for paid preparers who prepare Rhode Island personal income tax returns with the intent to wrongfully evade or reduce a tax obligation.

USE OF FEDERAL INCOME TAX INFORMATION

All amounts reported from the Federal Forms 1040, 1040NR and 1040-SR, as well as those reported on Form RI-1040, are subject to verification and audit by the Rhode Island Division of Taxation.

The Rhode Island Division of Taxation and the Internal Revenue Service exchange income tax information to verify the accuracy of the information reported on Federal and Rhode Island income tax returns.

AMENDED RETURNS

Report any changes to your original filing on Form RI-1040, and check the Amended checkbox. Using the Supplement to Individual Income Tax Return, provide an explanation of changes to your income, deductions or credits. Attach the supplement to your amended return along with all sched-

ules that are part of your return, not just those that were changed because of the amendment. In addition provide any documents required to support those schedules that are a part of your return. The Supplement can be found on page 23 of the Resident Booklet or on the Division of Taxation's website: <https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>

OTHER QUESTIONS

Obviously the foregoing general instructions and the specific instructions for completing the return form(s) which follow will not answer all questions that may arise. If you have any doubt regarding completion of your return, further assistance may be obtained at the Division of Taxation, One Capitol Hill, Providence RI 02908-5801 or by calling the Personal Income Tax Section at (401) 574-8829, option #3.

SPECIFIC LINE INSTRUCTIONS

NAME AND ADDRESS

Complete the identification portion of the return, including your name and social security number, your spouse's name and social security number (if applicable), address, daytime telephone number and your city or town of legal residence.

ELECTORAL SYSTEM CONTRIBUTION

You may designate a contribution of five dollars (\$5) or ten dollars (\$10) if married and filing a joint return, to the account for the public financing of the electoral system. The first two dollars (\$2) or four dollars (\$4) if married and filing a joint return, up to a total of two hundred thousand dollars (\$200,000) collectively for all parties and the nonpartisan account, shall be allocated only to political parties which at the preceding general election, nominated a candidate for governor and such candidate polled at least 5 percent of the entire vote cast in the state for governor. The remaining funds shall be allocated for the public financing of campaigns for governor.

An electoral system contribution will **NOT** increase your tax due or reduce your refund.

DESIGNATION OF POLITICAL PARTY

If you don't name a political party, your contribution will be credited to the nonpartisan general account or you can check the box and designate a political party. If you designate:

- (1) a political party which did not receive at least 5 percent of the entire vote for Governor in the preceding general election,
- (2) a non-existent political party,
- (3) a particular office,
- (4) an individual officeholder or political figure, or
- (5) a national party which is not a state party, your electoral system contribution will be credited to the nonpartisan general account.

If you designate more than one political party, your contribution will be credited to the first political party named.

FILING STATUS

Check the appropriate box to indicate your filing status. Generally your filing status for Rhode Island income tax purposes is the same as for Federal income tax purposes.

Taxpayers using the filing status of Qualifying Surviving Spouse on their Federal return should use the filing status of Qualifying Widow(er) on their Rhode Island return.

INCOME, TAX AND CREDITS

Line 1 – Federal Adjusted Gross Income: Enter your federal adjusted gross income from Federal Form 1040 or Federal Form 1040-SR, line 11.

Line 2 – Modifications: Enter your net modifications from RI Schedule M - page 2, line 3. If you are claiming a modification, you must attach RI Schedule M along with supporting documentation to your return.

RI Schedule M is discussed further beginning on page I-8 of these instructions.

Line 3 – Modified Federal Adjusted Gross Income: Determine your modified federal adjusted gross income by combining the amount on line 1 with the amount on line 2.

Line 4 – Deductions: Enter your Rhode Island standard deduction from the list in the next column. Rhode Island does not allow the use of federal itemized deductions.

Single	\$10,000
Married Joint	\$20,050
Qualifying Widow(er)	\$20,050
Married Separate	\$10,025
Head of Household	\$15,050

However, if line 3 is more than \$233,750 see the Exemption Worksheet on the inside of the back cover to compute your exemption amount.

Line 5 - Subtract line 4 from line 3. If zero or less, enter zero.

Line 6 – Exemptions: Complete RI Schedule E (found on page 5 of the RI-1040 Resident booklet) listing the name, social security number, date of birth and relationship to you of each dependent for whom you are claiming an exemption. Enter the number of Exemptions from RI Schedule E, line 5 in the box on line 6. Attach RI Schedule E to your RI-1040 tax return.

RI Schedule E is discussed further on page I-7 of these instructions.

Exemption Amount: Multiply the number of exemptions in the box by \$4,700.

However, if line 3 is more than \$233,750 see the Exemption Worksheet on the inside of the back cover to compute your exemption amount.

NOTE: If someone else can claim you on their return, your exemption amount is zero.

Line 7 – Rhode Island Taxable Income: Subtract line 6 from line 5. If zero or less, enter zero.

Line 8 – Rhode Island Income Tax: Enter the RI income tax from the RI Tax Table or Computation Worksheet.

Line 9a – Rhode Island Percentage of Allowable Federal Credit: Enter the amount of allowable federal credit from page 3, RI Schedule I, line 22.

Line 9b – Credit for Taxes Paid to Other States: Enter amount of credit for taxes paid to other states from page 3, RI Schedule II, line 29. If credit is claimed for taxes paid to more than one state, make a separate calculation of each state using Form RI-1040MU which can be found on page 11 of the RI-1040 Resident booklet.

Form RI-1040MU is discussed further on page I-6 of these instructions.

NOTE: You must attach a signed copy of each state return for which you are claiming credit. Failure to attach copies could result in the credit being disallowed.

Line 9c - Other Rhode Island Credits: Enter amount of Other Rhode Island Credits from RI Schedule CR, line 9. Attach RI Schedule CR and your original certificate(s) or a carry-forward schedule to your RI-1040.

NOTE: All credits require the original certificate be attached to the return unless the credit amount is a carry forward from a prior year. Failure to attach the original certificate will result in the disallowance of the credit until the original is provided.

RI Schedule CR is discussed further on page I-7 of these instructions.

Line 9d - Total Rhode Island Credits: Add lines 9a, 9b and 9c.

Line 10a – Rhode Island Income Tax after Credits: Subtract line 9d from line 8. If zero or less, enter zero.

Line 10b - Recapture of Prior Year Other Rhode Island Credits: Enter amount of Credit Recapture from page 6, RI Schedule CR, line 12.

Line 11 – Rhode Island Checkoff Contributions: Enter the amount of checkoff contributions from page 3, RI Checkoff Contributions Schedule, line 37. A list of the checkoff contributions can be found on page I-6 of these instructions. These checkoff contributions will increase your tax due or reduce your refund.

Line 12a – Use/Sales Tax Due: Enter the amount of Use/Sales Tax from Schedule U, line 4 or line 8, whichever applies.

RI Schedule U is discussed further on page I-10 of these instructions.

Line 12b – Individual Mandate Penalty: Enter the amount of your individual mandate penalty from the 2023 Shared Responsibility Worksheet, line 15.

If you and all members of your tax household had minimum essential health coverage for all of 2023, check the checkbox next to line 12b.

If you and all members of your tax household did not have minimum essential coverage, you must complete Form IND-HEALTH and the Shared Responsibility Worksheet to determine the amount of your Individual Mandate Penalty. (See pages 7 and 8 of this booklet)

For more information refer to the Instructions for the Individual Healthcare Mandate for Rhode Island Residents - Individual Healthcare Form and Shared Responsibility Worksheet. (See pages IND-1 - IND-11 of this booklet)

Line 13a – Total Rhode Island Tax and Checkoff Contributions: Add lines 10a, 10b, 11, 12a and 12b.

Line 13b - Enter the amount from line 13a.

PAYMENTS AND PROPERTY TAX RELIEF CREDIT

Line 14a – Rhode Island Income Tax Withheld: Enter total amount of Rhode Island 2023 income tax withheld from RI Schedule W, line 16. (Attach state copy of all forms W-2, 1099s, etc. to the front of the return). Credit for Rhode Island income tax withheld will be allowed only for those amounts supported by attached W-2s, 1099s, etc.

RI Schedule W, along with your W-2s, 1099s, etc. must be attached to your return in order to receive credit for Rhode Island income tax withheld.

Withholding from a Pass-through entity reported on RI Schedule K-1 should be entered on Schedule W and included in the amount for Line 14a.

RI Schedule K-1 must be attached to your return

The tax elected to be paid by a Pass-through Entity on Form RI-PTE on be-

half of the members or partners of a Pass-through entity shall also be claimed on RI Schedule W and included in the amount for Line 14a.

Form RI-1099E must be attached to your return

RI Schedule W is discussed further on page I-7 of these instructions.

NOTE: You can not claim Rhode Island Temporary Disability Insurance payments (RI TDI or SDI) as income tax withheld. These amounts are non-refundable on Form RI-1040.

Line 14b – 2023 Estimated Payments and Amount Applied from 2022 Return: Enter the amount of estimated payments paid in 2023 Form RI-1040ES and the amount of overpayment applied from your 2022 return.

Line 14c – Property Tax Relief Credit: Enter the amount of allowable property tax relief credit from Form RI-1040H, line 13. If you are filing a Rhode Island Form RI-1040, attach Form RI-1040H to your RI-1040. However, if you are not required to file a Form RI-1040 or if you are filing an extension for your RI-1040, you may file Form RI-1040H separately to claim your property tax relief credit. Filing an extension of time to file Form RI-1040 does **NOT** extend the time to file Form RI-1040H.

Form RI-1040H, Rhode Island Property Tax Relief Claim, must be filed by April 15, 2024.

Form RI-1040H and its instructions can be found on pages 13 - 15 of this booklet or on the Division of Taxation's website:

<https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>

Line 14d – RI Earned Income Credit: Enter amount from page 3, RI Schedule EIC, line 40. If you are claiming a Rhode Island earned income credit, you must complete and attach RI Schedule EIC located on page 3 to your RI-1040.

Line 14e - RI Residential Lead Paint Credit: Enter the amount from Form RI-6238, line 7. You must attach a copy of Form RI-6238 to your RI-1040. However, if you are not required to file a Form RI-1040 or if you are filing an extension for your RI-1040, you may file Form RI-6238 separately to claim your RI Residential Lead Paint Credit. Filing an extension of time to file Form RI-1040 does **NOT** extend the time to file Form RI-6238.

Form RI-6238, Rhode Island Residential Lead Paint Credit, must be filed by April 15, 2024.

Form RI-6238 can be found on the Division of Taxation's website:

<https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>

Line 14f – Other Payments: Enter the total amount of any other payments and any advance payments made with your application for an automatic extension of time to file (Form RI-4868). Attach a copy of Form RI-4868 to your return.

Any pass-through withholding from RI Schedule K-1 or Pass-through Entity Election Tax from Form RI-1099E must be entered on RI Schedule W and not included in "Other Payments" on this line. RI Schedule K-1 and Form RI-1099E must be attached to your return.

Line 14g – Total Payments and Credits: Add lines 14a, 14b, 14c, 14d, 14e and 14f.

Line 14h - Previously Issued Overpayments: If filing an amended return, enter the amount of any prior overpayments for this tax period (whether refunded or carried forward previously).

Line 14i - Net Payments: Subtract line 14h from line 14g.

Line 15a – Balance Due: If the amount on line 13b is greater than the amount of line 14i. **SUBTRACT** line 14i from line 13b and enter the balance due on this line. This is the amount you owe.

Line 15b – Underestimating Interest Due: Complete Form RI-2210 or Form RI-2210A. Enter the amount of interest due from Form RI-2210, line 12 or line 22 or Form RI-2210A, line 12 on this line. This amount should be added to line 15a or subtracted from line 16, whichever applies.

Line 15c – Total Amount Due: Add lines 15a and 15b. This amount is payable in full with your return. Complete Form RI-1040V. Send payment and Form RI-1040V with your return. An amount due of less than five dollars (\$5) need not be paid.

Line 16 – Overpayment: If the amount on line 14g is greater than the amount on line 13b then **SUBTRACT** line 13b from line 14i and enter the overpayment on line 16.

If there is an amount due on line 15b for underestimating interest, subtract line 15b from line 16.

If the amount of underestimating interest on line 15b is more than the amount of overpayment from line 16, subtract line 16 from line 15b and enter the result on line 15c.

Line 17 – Refund: Enter the amount of the overpayment from line 16 that is to be refunded. Refunds of less than \$5.00 will not be paid unless specifically requested.

Line 18 - Overpayment to be applied to 2024:

Enter the amount of overpayment from line 16 which is to be applied to your 2024 estimated tax. (See General Instructions on page I-2)

**RI SCHEDULE I
ALLOWABLE FEDERAL CREDIT**

Line 19 – Rhode Island Income Tax: Enter the amount from Form RI-1040, page 1, line 8.

Line 20 – Credit for Child and Dependent Care Expenses: Enter the amount from Federal Form 1040 or Federal Form 1040-SR, Schedule 3, line 2.

Line 21 – Multiply the amount on line 20 by 25%

Line 22 - Maximum Credit: Enter the amount from line 19 or 21, whichever is less. Enter here and on form RI-1040, page 1, line 9a.

**RI SCHEDULE II
CREDIT FOR INCOME TAXES PAID TO ANOTHER STATE**

 **R.I. Gen. Laws § 44-30-18**
If you are claiming credit for income taxes paid to more than one state, use Form RI-1040MU, Credit for Income Taxes Paid to Multiple States. Enter the applicable amounts from Form(s) RI-1040MU onto this schedule.

Line 23 – Rhode Island Income Tax: Enter the amount from page 1, line 8 less allowable federal credit from page 3, RI Schedule I, line 22.

Line 24 – Income from Other State(s): Enter the amount of income derived from other state.

Income from more than one other state?

If state income tax has been paid to more than one other state, prepare a separate calculation for each state on Form RI-1040MU. Enter the amount of income from other states from Form RI-1040MU, line 29.

If you need to use more than one Form RI-1040MU, add all of the Form RI-1040MU line 29 amounts together and enter the total amount on line 24.

Out-of-state gross income is determined in the same manner as that which would be used for Federal purposes and generally includes the net amounts of income that appear on the face of the other state's return or what would be comparable to the face of the Federal Income Tax Return.

Line 25 – Modified Federal AGI: Enter amount from page 1, line 3.

Line 26 – Divide line 24 by line 25. If greater than 1.0000, enter 1.0000.

Line 27 – Tentative Credit: Multiply the amount on line 23 by the percentage on line 26.

Line 28 – Tax Due and Paid to Other State: Enter the amount of income tax due and paid to the other state and write the abbreviation for the name of the state in the space provided.

Income tax paid to more than one other state?

If state income tax has been paid to more than one other state, prepare a separate calculation for each state, on Form RI-1040MU. Enter the amount of credit from Form RI-1040MU, line 30.

If you need to use more than one Form RI-1040MU, add all of the Form RI-1040MU line 30 amounts together and enter the total amount on line 28.

In the space provided for the abbreviation for the name of state to which income taxes were due and paid enter "MU".

NOTE: You must attach a signed copy of the return filed with the other state(s). If you owe no tax to the other state(s) and are to be refunded all the taxes withheld or paid to the other state(s), enter \$0.00 on line 28. If included on a composite filing in another state(s), you must attach a copy of the composite filing(s) showing your income and the taxes paid on your behalf. Do not just attach just a RI Schedule K-1.

Line 29 – Maximum Credit for Tax Paid to Another State: Enter the amount from line 23, line 27 or line 28, whichever is the smallest. Enter here and on page 1, line 9b.

**RI CHECK-OFF
CONTRIBUTIONS SCHEDULE**

 **These checkoff contributions will increase your tax due or reduce your refund. All checkoff contributions are voluntary.**

Lines 30 through 36 – Contributions: A contribution to the following programs may be made by checking the appropriate box(es) or by entering the amount you want to contribute. All such contributions are deposited as general revenues.

- (30) Drug Program Account
- (31) Olympic Contribution
- (32) Rhode Island Organ Transplant Fund
- (33) Rhode Island Council on the Arts
- (34) Rhode Island Non-game Wildlife Appropriation
- (35) Childhood Disease Victims' Fund and Substance Use and Mental Health Leadership Council of RI
- (36) RI Military Family Relief Fund

Line 37 – Total Contributions: Add lines 30, 31, 32, 33, 34, 35 and 36. Enter the total here and on page 1, line 11.

**RI SCHEDULE EIC
EARNED INCOME CREDIT**

Line 38 – Federal Earned Income Credit: Enter the amount of Federal Earned Income Credit from Federal Form 1040 or Federal Form 1040-SR, line 27.

Line 39 – The Rhode Island percentage is 15%.

Line 40 – Rhode Island Earned Income Credit: Multiply line 38 by line 39. Enter here and on page 1, line 14d.

SCHEDULE W RHODE ISLAND WITHHOLDING INFORMATION

RI Schedule W can be found on page 4 of the RI-1040 Resident booklet or on the Division of Taxation's website:

<https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>

If claiming Rhode Island income tax withheld on Form RI-1040, page 1, line 14a, RI Schedule W must be completed and attached along with the actual form W-2 or 1099 showing the Rhode Island tax withheld amount.

Do not include any nonresident real estate withholding on RI Schedule W.

Lines 1 - 15:

Please complete columns A, B, C, D and E for each W-2, 1099, etc. showing Rhode Island withholding.

Column A: For each W-2, 1099, etc. being entered, leave blank if the W-2, 1099, etc. is for you. Enter an "S" if the form belongs to your spouse.

Column B: For each W-2, 1099, etc. being entered, leave blank if the information being entered is from a W-2. For all other forms being entered, refer to the chart on RI Schedule W and enter the applicable letter code.

Pass-through Entity Election

If you and/or your spouse, if applicable, are a member or partner of a pass-through entity that has elected to pay Rhode Island tax on Form RI-PTE, enter the amount of tax paid on behalf of you and/or your spouse, if applicable, by that pass-through entity on RI Schedule W along with the identification number of the pass-through entity. In column B enter the letter code "E".

Not filing Form RI-PTE along with all RI-1099E(s) and/or not providing RI-1099E(s) with your personal income tax return may delay the processing of your return.

Column C: For each W-2, 1099, etc. being entered, enter the name of the employer or payer.

Column D: For each W-2, enter the employer's state identification number from box 15 of the W-2.

NOTE: The state identification number may be different than the employer's federal identification number. Be sure to enter the identification number from box 15, rather than box b of the W-2.

For each form that is not a W-2, enter the payer's federal identification number.

DO NOT ENTER MORE THAN 9 DIGITS FOR THE ID NUMBER. IF "00" FOLLOWS THE 9 DIGIT ID NUMBER, DO NOT ENTER THE "00".

Column E: For each W-2, 1099, etc. enter the amount of Rhode Island withholding as shown on each form. See the chart on the bottom of RI Schedule W for box reference.

Line 16 - Total Rhode Island Income Tax Withheld. Add the amounts from Column E, lines 1 through 15. Enter the total here and on RI-1040, line 14a.

Line 17 - Enter the number of W-2s, 1099s and other forms entered on lines 1-15 showing Rhode Island income tax withheld.

Schedule W plus all W-2s, 1099s, etc. with Rhode Island withholding must be attached to your Rhode Island return in order to receive credit for your Rhode Island withholding tax amount.

For those taxpayers claiming payments from Form RI-PTE, attach a copy of Form RI-PTE, and Form RI-1099E showing the amount of Rhode Island source income earned from, and Rhode Island tax paid on your behalf by, the pass-through entity. You must also enter the amount of tax paid on your and/or your spouse's, if applicable, behalf as a modification increasing federal adjusted gross income on RI Schedule M, line 2h.

RI SCHEDULE E DEPENDENT SCHEDULE

RI Schedule E can be found on page 5 of the RI-1040 Resident booklet or on the Division of Taxation's website:

<https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>

Unless you can be claimed as a dependent by someone else, complete Schedule E listing all dependents in your household.

You cannot claim a person as a dependent unless that person is your qualifying child or qualifying relative. Refer to IRS Publication 501 (2023) for further guidance.

Line 1a - Check the "Yourself" checkbox.

Line 1b - If filing a joint return, also check the "Spouse" checkbox.

Lines 2a - 2m - Use pages 17 - 22 of the IRS 1040 Instructions to determine eligible dependents that may be claimed as exemptions on your RI-1040.

Column A - List the full name of your dependent

Column B - List the social security number of your dependent

Column C - List the date of birth of your dependent using this format:

MMDDYYYY

01012023

Column D - List the relationship of your dependent to you. For example: daughter, son, mother, father, grandmother, grandfather, niece, nephew.

Line 3 - Enter the number of boxes from lines 1a and 1b that are checked.

Line 4a - Enter the number of children from lines 2a - 2m who lived with you.

Line 4b - Enter the number of children from lines 2a - 2m who did not live with you due to divorce or separation.

Line 4c - Enter the number of other dependents from lines 2a - 2m not included on lines 4a or 4b.

Line 5 - Add the numbers from lines 3 - 4c. Enter here and in the box on RI-1040, page 1, line 6.

RI SCHEDULE CR OTHER RI CREDITS

RI Schedule CR can be found on page 6 of the RI-1040 Resident booklet or on the Division of Taxation's website:

<https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>

CURRENT YEAR OTHER RI CREDITS:

This credit schedule details "Other Rhode Island Credits" being used on your RI-1040. Each Rhode Island credit has its own line. On the appropriate line, enter the dollar amount of the credit being taken. The total of all credits will be entered on Form RI-1040, page 1, line 9c.

Proper documentation must be submitted for each credit you are using or carrying forward.

If you are using amounts carried forward from prior years, attach a schedule showing the year of credit origination and any amounts used to date.

Any missing or incomplete documentation will cause a delay in processing your return.



Pursuant to R.I. Gen. Laws § 44-30-2.6(c)(3)(E), only the following credits are allowed as credits against Rhode Island Personal Income

Tax. No other credits can be allowed. This also pertains to any carry forward of a credit that is not listed in this section.

If the credit you are trying to claim is not listed on lines 1 through 8, the credit is no longer allowed against personal income tax. Entering an amount for an ineligible credit on one of these lines or on an attached statement will delay the processing of your return and result in the disallowance of the credit.

Line 1 - Historic Residence Credit - RI-0715 – for approved residence rehabilitation. Effective for tax year 2017 and thereafter for unused carryforward amounts only. No new credits are authorized. In order to claim any unused credit, you must attach a copy of the original certification from the Rhode Island Historical Preservation & Heritage Commission, as well as a carryforward schedule showing the original amount of certified credit, the year of certification and the amount of credit used since certification. The credit used since certification should be listed by year and amount of usage. Any unused credit may be carried forward until used. R.I. Gen. Laws § 44-33.1

Line 2 - Tax Credits for Contributions to Scholarship Organizations - RI-2276 - for business entities that make contributions to qualified scholarship organizations. The entity must apply for approval of the tax credit and will receive a tax credit certificate issued by the Division of Taxation. **The original certificate must be attached to the return.** The credit must be used in the tax year that the entity made the contribution. Unused amounts **CANNOT** be carried forward. R.I. Gen. Laws § 44-62

Line 3 - Historic Structures - Tax Credit (Historic Preservation Investment Tax Credit) or Historic Preservation Tax Credits 2013 - RI-286B – for approved rehabilitation of certified historic structures. **The original certificate must be attached to the return.** Any unused credit amount may be carried forward for ten (10) years. R.I. Gen. Laws § 44-33.2 and R.I. Gen. Laws § 44-33.6

NOTE: This credit is for holders of a Historic Preservation Investment Tax Credit certificate received under the state's Historic Structure or Historic Preservation Tax Credits 2013 programs only. This credit is NOT for owners of historic residences who qualified under the Historic Homeownership Assistance Act - R.I. Gen. Laws § 44-33.1.

Those taxpayers with unused Historic Homeownership Assistance Act credit should refer to the instructions on line 1 of this schedule.

Line 4 - Low Income Housing Tax Credits - RI-5442 - For eligible taxpayers having an ownership interest in a qualified low-income housing Rhode Island project that has been certified by, and received a tax credit certificate from, the Rhode Island Department of Housing. The original certificate must be attached to the return. Any unused credit amount may be carried forward for four (4) years. R.I. Gen. Laws § 44-71.

Line 5 - Rhode Island New Qualified Jobs Incentive Act 2015 - RI-6754 - For Rhode Island businesses creating new full-time jobs that did not previously exist in this state. The Rhode Island business must be approved by the Rhode Island Commerce Corporation and must possess a tax credit certificate issued by the Rhode Island Division of Taxation. **The original certificate must be attached to the return.** Any unused amounts may be carried forward for four (4) years. R.I. Gen. Laws § 44-48.3

Line 6 - Rebuild Rhode Island Tax Credit - RI-7253 - For Rhode Island businesses demonstrating that even though the business has committed capital investment or owner equity of at least 20% of the total project cost there exists a project financing gap which will likely cause the project not to be completed. The Rhode Island business must be approved by the Rhode Island Commerce Corporation and must possess a tax credit certificate issued by the Rhode Island Division of Taxation. **The original certificate must be attached to the return.** Any unused amounts may be carried forward for four (4) years. R.I. Gen. Laws § 42-64.20

Line 7 - Motion Picture Production Tax Credits or Musical and Theatrical Production Tax Credits - RI-8201 - For certified production costs as determined by the Rhode Island Film and Television Office or the Division of Taxation. **The original certificate must be attached to the return.** Any unused credit amount may be carried forward for three (3) years. R.I. Gen. Laws § 44-31.2 and R.I. Gen. Laws § 44-31.3.

Line 8 - Stay Invested in RI Wavemaker Fellowship Tax Credits - RI-9283 - For eligible graduates working for a Rhode Island based employer in the field of life, natural or environmental sciences; computer, information or software technology; advanced mathematics or finance; engineering; industrial or other commercially related design; or medicine or medical device technology. The graduate must be approved by the Rhode Island Commerce Corporation and must possess a tax credit certificate issued by the Rhode Island Division of Taxation. **The original certificate must be attached to the return.** Any unused amounts may be carried forward for four (4) years. R.I. Gen. Laws § 42-64.26.

Line 9 - TOTAL CREDITS - Add lines 1, 2, 3, 4, 5, 6, 7 and 8. Enter the total here and on RI-1040, page 1, line 9c.

RECAPTURE OF OTHER RI CREDITS:

If a Rhode Island credit amount must be recaptured, enter the credit number, the credit name, and the amount of the credit to be recaptured in the space provided on lines 10 and 11.

Line 12 - TOTAL AMOUNT OF CREDIT TO BE RECAPTURED - Add lines 10 and 11. Enter here and on RI-1040, page 1, line 10b.

RI SCHEDULE M RI MODIFICATIONS TO FEDERAL ADJUSTED GROSS INCOME

RI Schedule M can be found on pages 9 and 10 of the RI-1040 Resident booklet or on the Division of Taxation's website:

<https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>

A complete list of modifications is available on RI Schedule M.

- 1) Modification amounts must be entered on the appropriate modification line.**
- 2) You must attach all supporting schedules to any modification claimed.**
- 3) If modification amounts are not listed properly on this schedule and/or supporting documents are not attached, the processing of your return will be delayed.**

Modifications Decreasing Federal AGI:

Line 1a – Income from obligations of the United States Government to the extent included in adjusted gross income for federal tax purposes but exempt for state purposes. However, this amount shall be reduced by any investment interest incurred or continued on the obligation which has been taken as a federal itemized deduction. Example – US Government Series E bond interest. Taxpayers claiming these modifications must submit a schedule showing the source and amount of income claimed to be exempt. R.I. Gen. Laws § 44-30-12(c)(1)

Line 1b – Rhode Island fiduciary adjustment under R.I. Gen. Laws § 44-30-17. A fiduciary adjustment is allowed for a beneficiary for income that maintains its character as it flows from the fiduciary. For example, if the estate or trust has tax exempt interest, the beneficiary would be allowed an adjustment for the tax exempt interest and would list that fiduciary adjustment on this line.

Line 1c – Elective deduction for new research and development facilities under R.I. Gen. Laws § 44-32-1.

Line 1d – Under the Federal 1974 Railroad Retirement Act, the entire amount of Railroad Retirement benefits included in gross income for federal income tax purposes are exempt from state income taxes.

Line 1e – Qualifying investment in a certified venture capital partnership under R.I. Gen. Laws § 44-43-2.

Line 1f – Family Education Accounts under R.I. Gen. Laws § 44-30-25(f).

Line 1g – Tuition Saving Program (section 529 accounts) R.I. Gen. Laws

§ 44-30-12(c)(4) - A modification decreasing federal adjusted gross income may be claimed for any contributions made to a Rhode Island account under the tuition savings program. The maximum modification shall not exceed \$500, \$1,000 if a joint return. (See General Instructions on pg I-3 for more details).

Line 1h – Exemptions from tax on profit or gain for writers, composers and artists residing within a section of the defined Economic Development Zone as defined in R.I. Gen. Laws § 44-30-1.1 within the cities of Newport, Providence, Pawtucket, Woonsocket or Warwick, or the Towns of Little Compton, Tiverton, Warren or Westerly and creating artistic works while a resident of the Zone. Taxpayers claiming these modifications must submit a schedule showing the source and amount of income claimed to be exempt.

Line 1i – Depreciation that has not been taken for federal purposes because of the bonus depreciation that must be subtracted from Rhode Island income - R.I. Gen. Laws § 44-61-1. (See General Instructions on page I-3 for more details)

Line 1j – Depreciation that has not been taken for federal purposes because of the increased section 179 depreciation was not taken originally - R.I. Gen. Laws § 44-61-1.1. (See General Instructions on page I-3 for more details).

Line 1k – Allowable modification for performance based compensation realized by an eligible employee under the Rhode Island Jobs Growth Act under R.I. Gen. Laws § 42-64.11-4.

Line 1l – Modification for exclusion for qualifying option under R.I. Gen. Laws § 44-39.3 AND modification for exclusion for qualifying securities or investments under R.I. Gen. Laws § 44-43-8.

Line 1m – Modification for Tax Incentives for Employers under R.I. Gen. Laws § 44-55-4.1. Attach Form RI-107.

Line 1n – Tax credit income claimed on Federal return exempt for Rhode Island purposes: Historic Structures - Tax Credit income under R.I. Gen. Laws § 44-33.2-3(e)(2), Historic Preservation Tax Credits 2013 income under R.I. Gen. Laws § 44-31.2-9(c), Motion Picture Production Company Tax Credit income or Musical and Theatrical Production Tax Credit income under R.I. Gen. Laws § 44-31.3-2(b)(6), and Stay Invested in RI Wavemaker Fellowship under R.I. Gen. Laws § 42-64.26-8(d).

Line 1o – Active duty military pay of Nonresidents stationed in Rhode Island, as well as the income of their nonresident spouses for services performed in Rhode Island. Income for services performed by the servicemember's spouse in Rhode Island would be exempt from Rhode Island income tax only if the servicemember's spouse moves to Rhode Island solely to be with the servicemember complying with military orders sending him/her to Rhode Island. The servicemember and the servicemember's spouse must also share the same non-Rhode Island domicile.

Not all income earned by the servicemember or his/her spouse is exempt from Rhode Island income tax. Non-military pay of the servicemember, as well as business income, gambling winnings or income from the ownership or disposition of real or tangible property earned from Rhode Island by either the servicemember or his/her spouse is still subject to Rhode Island income tax.

Note: The military servicemember and/or his/her spouse may be asked to submit proof of residency to support taking this modification.

Line 1p – Contributions to a Scituate Medical Savings Account deemed taxable under the Internal Revenue Code, but tax exempt under R.I. Gen. Laws § 44-30-25.1(d)(1).

Line 1q - Amounts of insurance benefits for dependents and domestic partners included in Federal adjusted gross income pursuant to chapter 12 under title 36 under R.I. Gen. Laws § 44-30-12(c)(6).

Line 1r - Rhode Island full-year residents only. Up to \$10,000 in unreimbursed expenses for travel, lodging and lost wages incurred by an individual as a result of the individual donating one or more of his/her organs to another human being for organ transplantation under R.I. Gen. Laws § 44-30-12(c)(7). Modification can only be taken once during the lifetime of the individual and is taken in the year that the human organ transplantation occurs.

Line 1s - Taxable Social Security income under R.I. Gen. Laws § 44-30-12(c)(8). For those taxpayers who have reached full retirement age, use the Social Security Modification worksheet on page 18 of the RI-1040 Resident booklet to determine the amount of taxable social security income allowed as a decreasing modification. Enter your date of birth, and if applicable, your spouse's date of birth, in the space provided on line 1s.

This worksheet can also be found on the Division of Taxation's website: <https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>

Line 1t - Modification up to \$20,000 for taxable retirement income from certain pension plans or annuities under R.I. Gen. Laws § 44-30-12(c)(9). For those taxpayers who have reached full retirement age, if you answer YES to the following two questions, complete the table below to determine how much taxable pension income you can deduct.

1) Were you or your spouse (if applicable) born on or before July 1, 1957?

NOTE: Only retirement income received by the taxpayer born on or before July 1, 1957 qualifies for this modification.

AND

2) Is your Federal AGI less than or equal to the amount listed below for your filing status?

Single \$101,000
 Married Joint \$126,250
 Qualifying Widow(er) \$126,250
 Married Separate \$101,025
 Head of Household \$101,000

If you answered YES to Question 1 AND Question 2, continue to the table in the next column and enter ONLY the information pertaining to the taxpayer born on or before July 1, 1957, as well as ONLY those amounts from Federal Form 1040 or Federal Form 1040-SR, line 5b pertaining to pensions and annuities.

NOTE:

Pursuant to R.I. Gen. Laws § 44-30-12(c)(11), beginning with tax year 2023, there is a decreasing modification solely for reporting a military service pension. Accordingly, do not include any amount related to a military service pension on this line. Instead use line 1v (see that specific line in these instructions for details).

This decreasing modification amount should NOT include any amounts for IRAs listed on line 4b of your Federal Form 1040 or Federal Form 1040-SR.

	(a) Primary	(b) Spouse
1) Date of birth		
2) For each column, if the date of birth on line 1 is on or before July 1, 1957, enter the amount from Federal Form 1040 or Federal 1040-SR, line 5b attributable to that person AND ONLY attributable to pensions and annuities. DO NOT include any amounts relating to IRAs now being included on the Federal Form 1040 or Federal Form 1040-SR, line 4b.		
3) For each person, enter the amount from line 2 or \$20,000, whichever is less.		
4) Add the amounts from lines 3a and 3b together. Enter this amount and date(s) of birth on Schedule M, line 1t.		

For more information, read Publication 2023-01 - *RHODE ISLAND PERSONAL INCOME TAX GUIDE: MODIFICATION FOR INCOME FROM PENSIONS, 401(K) PLANS, ANNUITIES, AND OTHER SUCH SOURCES* issued by the RI Division of Taxation on April 12, 2023. The Publication can be found at: <https://tax.ri.gov/guidance>

Line 1u - Cash Basis Only - Deduction for Pass-Through Entity Tax claimed in the prior year - a portion of which was refunded to the entity.

This modification only applies if the entity is a cash basis entity as shown on the entity's federal return and the RI-PTE for tax year 2022 had an overpayment that was refunded, in whole or in part, to the entity.

Tax Year 2022 Overpayment Carried Forward to Tax Year 2023

If the pass-through entity applied an overpayment from tax year 2022 as a carryforward to tax year 2023 and no refund was received by the entity then the individual member(s) of the entity would not include a decreasing modification for that pass-through entity's overpayment. The entity would not account for the carryforward as income eliminating the need for the individual taxpayer to offset the additional income with a decreasing modification.

Tax Year 2022 Overpayment Refunded to the Entity

If the pass-through entity's tax year 2022 overpayment was refunded to the entity, the entity would be expected to include that refund as income on its tax year 2023 corporate filings enabling the individual taxpayer to claim a decreasing modification in tax year 2023 IF the individual taxpayer previously accounted for the tax year 2022 refund as part of the payments made in calendar year 2022 AND properly claimed the payments as an increasing modification in tax year 2022. If any part of the 2022 overpayment was due to payments made within calendar year 2023, the individual taxpayer should not have accounted for those payments as part of the 2022 increasing modification because the payments were made within 2023.

Tax Year 2022 Overpayment Split Between a Carryforward and a Refund

If the pass-through entity's tax year 2022 overpayment was split between a refund and carryforward, the individual taxpayer would apply the above treatment on the allocated amount of the overpayment.

Line 1v - For tax years beginning on or after January 1, 2023, there is a modification reducing federal adjusted gross income for taxpayers receiving military service pension benefits as defined in 20 C.F.R. § 212.2. R.I. Gen. Laws § 44-30-12(c)(11). Enter the amount from Federal Form 1040 or Federal Form 1040-SR, line 5b pertaining to a military service pension benefit as defined in 20 C.F.R. § 212.2.

Line 1w – Total Modifications Decreasing Federal Adjusted Gross Income: Add lines 1a through 1v. Enter as a negative number.

Modifications INCREASING Federal AGI:

Line 2a – Income from obligations of any state or its political subdivision, other than Rhode Island under R.I. Gen. Laws § 44-30-12(b)(1) and § 44-30-12(b)(2).

Line 2b – Rhode Island fiduciary adjustment under R.I. Gen. Laws § 44-30-17. A fiduciary adjustment would be required for a beneficiary for income that maintains its character as it flows from the fiduciary. For example, if the estate or trust has municipal bond interest from a state other than Rhode Island, the beneficiary would be allowed an adjustment for that municipal bond interest and would list that fiduciary adjustment on this line.

Line 2c – Recapture of Family Education Account Modifications under R.I. Gen. Laws § 44-30-25(g).

Line 2d – Bonus depreciation that has been taken for federal purposes that must be added back to Rhode Island income under R.I. Gen. Laws § 44-61-1 (See General Instructions on page I-3 for more details).

Line 2e – Recapture of Tuition Savings Program modifications (section 529 accounts) under R.I. Gen. Laws § 44-30-12(b)(4) (See General Instructions on page I-3 for more details).

Line 2f – Recapture of tax credit income previously claimed as a modifica-

tion decreasing Federal AGI for Historic Structures - Tax Credit, Historic Preservation Tax Credits 2013, Motion Picture Production Tax Credit or Musical and Theatrical Production Tax Credit under R.I. Gen. Laws § 44-33.2-3(e)(2), R.I. Gen. Laws § 44-33.2-3(f), R.I. Gen. Laws § 44-31.2-9(5) and § 44-31.3-2, respectively.

Line 2g – Recapture of Scituate Medical Savings Account modifications under R.I. Gen. Laws § 44-30-25.1(d)(3)(i).

Line 2h – If you and/or your spouse, if applicable, are a member or partner of a pass-through entity that has elected to pay Rhode Island tax on Form RI-PTE, enter the amount of tax paid on your behalf by that pass-through entity. The amount of tax paid on your behalf must be added back to your Federal Adjusted Gross Income. You cannot claim the amount paid on you and/or your spouse's, if applicable, behalf unless that same amount is also taken as a modification increasing federal adjusted gross income.

Line 2i – Unemployment Compensation received but not included in federal adjusted gross income under R.I. Gen. Laws § 44-30-12(b)(6).

Line 2j – Taxable portion of Paycheck Protection Loan amount under R.I. Gen. Laws § 44-30-12(b)(8).

Line 2k – Reserved for future use. Leave this space blank.

Line 2l - Total Modifications Increasing Federal Adjusted Gross Income: Add lines 2a through 2k.

NET Modifications to Federal AGI:

Line 1 – Total Modifications Decreasing Federal AGI. Enter the amount from Schedule M, page 1, line 1w.

Line 2 – Total Modifications Increasing Federal AGI. Enter the amount from Schedule M, page 2, line 2l.

Line 3 – Net Modifications to Federal AGI: Combine lines 1 and 2. Enter the amount here and on RI-1040, page 1, line 2.

RI SCHEDULE U INDIVIDUAL USE TAX

RI Schedule U can be found on page 12 of the RI-1040 Resident booklet or on the Division of Taxation's website:

<https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>

WHAT IS A USE TAX? A Use Tax is a tax on the use of tangible personal property in a state where the property has not been subject to the sales tax. Rhode Island Use Tax applies when merchandise purchased outside of Rhode Island is brought into Rhode Island. Sales and use taxes are complementary taxes and are assessed at the same rate. In Rhode Island the sales and use tax rate is 7%. The Rhode Island Use Tax is most often due when merchandise subject to the sales tax in Rhode Island is purchased from an out-of-state vendor who did not collect the Rhode Island tax and the property is subsequently used in this state. Common examples of transactions from which use tax liability may arise are mail-order catalog, out-of-state purchases, toll-free "800" purchases and purchases made over the internet.

WHAT IS TAXABLE? The same items that are subject to the Rhode Island Sales Tax are subject to the use tax. Some typical examples of taxable items are jewelry, computers, electronic equipment, Software as a Service and specified digital products. Clothing and footwear costing \$250 or less are not taxable. Refer to RI Reg. 280-RICR-20-70-6 for more information regarding the tax on clothing and footwear.

Pursuant to R.I. Gen. Laws § 44-30-100, when reporting the amount of use tax obligation on the Rhode Island personal income return, the taxpayer shall list either the actual amount (from books, records, and other sources), or an amount using a lookup table established by the tax administrator.

The tax administrator shall create the lookup table with reference to a tax-

payer's federal adjusted gross income (AGI) as listed on the Rhode Island personal income tax return before modifications, adjustments, or other changes. To determine the amount of use tax from the lookup table, the taxpayer shall multiply 0.0008 by the amount of the taxpayer's federal AGI as listed on the Rhode Island personal income tax return before modifications, adjustments, or other changes.

If a taxpayer uses the lookup table, the taxpayer shall list on the return not only the result from the lookup table, but also the actual amount of each single purchase whose purchase price equals or exceeds one thousand dollars (\$1,000).

Instructions for the personal income tax form shall indicate that the use of the lookup table as described in this section is, for the taxpayer, a "safe harbor" alternative to listing the actual amount of the taxpayer's use tax obligation. When completing and filing a Rhode Island personal income tax return, the taxpayer shall check a box attesting to the amount of use tax listed on the return. The tax administrator shall direct computer software providers to require the taxpayer or the taxpayer's preparer to proactively check the box; software providers shall not program an automatically checked attestation box.

NOTE: When reporting the amount of use tax obligation on the Rhode Island personal income tax return. The taxpayer shall list either the actual amount of use tax due, or an amount using the Rhode Island Use Tax Lookup Table below. If you know the actual amount of all purchases made that are subject to the use tax, use Option #1. Otherwise, use Option #2. Be sure to check the box on page 1 of your return attesting to the amount of use tax listed on your return.

Option #1: Actual Use Tax Due
Use if the actual amount of all purchases is known.

- Line 1** - Enter the total price of all purchases subject to the use tax.
- Line 2** - Multiply line 1 by 7% (0.07). This is the amount of use tax due.
- Line 3** - Enter the amount of sales tax paid on line 1 purchases in other states.
- Line 4** - Net use tax due. Subtract line 3 from line 2. Enter the result on this line and on RI-1040, page 1, line 12.

Option #2: Rhode Island Use Tax Lookup Table
Use if the actual amount of all purchases is not known. This method is also a "safe harbor" alternative to listing the actual amount of the taxpayer's use tax obligation.

- Line 5** - Enter your 2023 Federal AGI from Form RI-1040, page 1, line 1.
- Line 6** - Multiply line 5 by 0.0008 or use the amount from the Use Tax Table found on Schedule U.
- Lines 7a through 7d** - For each single purchase greater than or equal to \$1,000, enter the product purchased, product cost, tax due, sales tax paid

to another state and the sales tax due.

Line 7e - Add the net use tax due on all single purchases greater than or equal to \$1,000. Add lines 7a, 7b, 7c and 7d.

Line 8 - Use tax due. Add lines 6 and 7e. Enter the result on this line and on RI-1040, page 1, line 12.

**AMENDED SUPPLEMENT
SUPPLEMENT TO INDIVIDUAL INCOME TAX RETURN**

The Amended Supplement can be found on page 23 of the RI-1040 Resident booklet or on the Division of Taxation's website:
<https://tax.ri.gov/forms/individual-tax-forms/personal-income-tax-forms>

- Did you receive a W-2 after you filed Form RI-1040?
- Did you forget to include a 1099?
- Did you forget to include a RI K-1?
- Was there an error on your return?
- Did you receive an adjustment from the IRS or another state?
- Did you receive a Federal Audit Change?

The above are just a few examples of why you may need to file an Amended RI-1040.

If you need to file an amended return, you must attach the Supplement to Individual Income Tax Return to your Form RI-1040.

Check the "Amended Return" checkbox on top of page 1 and attach a completed Supplement to Individual Income Tax Return along with all schedules that are part of your return. You must include all schedules and not just those that are changing with the amended filing.

NOTE: An Amended return cannot be filed to claim a Property Tax Relief credit on Form RI-1040H, or a Residential Lead Abatement Credit on Form RI-6238 after April 15, 2024. Form RI-1040H and Form RI-6238 MUST be filed on or before April 15, 2024.

RHODE ISLAND TAX COMPUTATION WORKSHEET

Use for all filing status types

TAX

If Taxable Income- RI-1040, line 7 or RI-1040NR, line 7 is:	(a) Enter the amount from RI-1040, line 7 or RI-1040NR, line 7	(b) Multiplication amount	(c) Multiply (a) by (b)	(d) Subtraction amount	Subtract (d) from (c) Enter here and on RI-1040, line 8 or RI-1040NR, line 8
Over \$0 But not over \$73,450		3.75%		\$0.00	
\$73,450 \$166,950		4.75%		\$734.50	
Over \$166,950		5.99%		\$2,804.68	