

## Rhode Island Department of Revenue Division of Taxation

Seminar for Tax Preparers CCRI Newport

December 10, 2024



# Neena Savage Tax Administrator Rhode Island Division of Taxation



## Agenda

- About Us: Division of Taxation
- Personal and Corporate Income Tax
- Compliance and Collections, Registration, and Taxpayer Experience
- Break
- Taxpayer Portal Demonstration
- Excise and Estate Taxes
- Tax Forms
- Taxpayer Experience Office
- More Tax Resources
- Questions
- Closing remarks



## About Us

#### The Division of Taxation: One of six agencies in the Department of Revenue

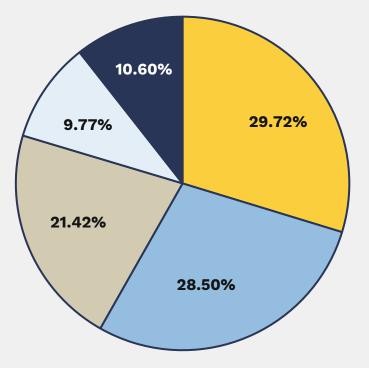
- The Rhode Island Division of Taxation employs **228 tax professionals**, administering more than **59 different taxes and fees**.
- Taxes represent **the most significant source of General Fund revenue** for Rhode Island funds used to help pay for vital services including public safety, education, transportation, and recreation for all Rhode Islanders.
- Each year, the Division **collects and distributes more than \$5.14 billion** in funds to the State, municipalities, and other agencies (as of FY 24).

#### **Our Mission**

- To foster voluntary compliance with the Rhode Island tax laws and instill public confidence through professional, impartial and ethical conduct.
- To administer and collect all taxes as required by Rhode Island law in the most efficient and cost-effective manner.
- To assist taxpayers by helping them understand and meet their tax responsibilities.

Total State Tax Revenue Collected by the Division of Taxation for Fiscal Year 2024 (\$, In Millions)

#### FY24 Receipts: \$5.14B



■Withholding ■Sales ■Corp ■PIT ■Estate, M&B, Hotel & Other

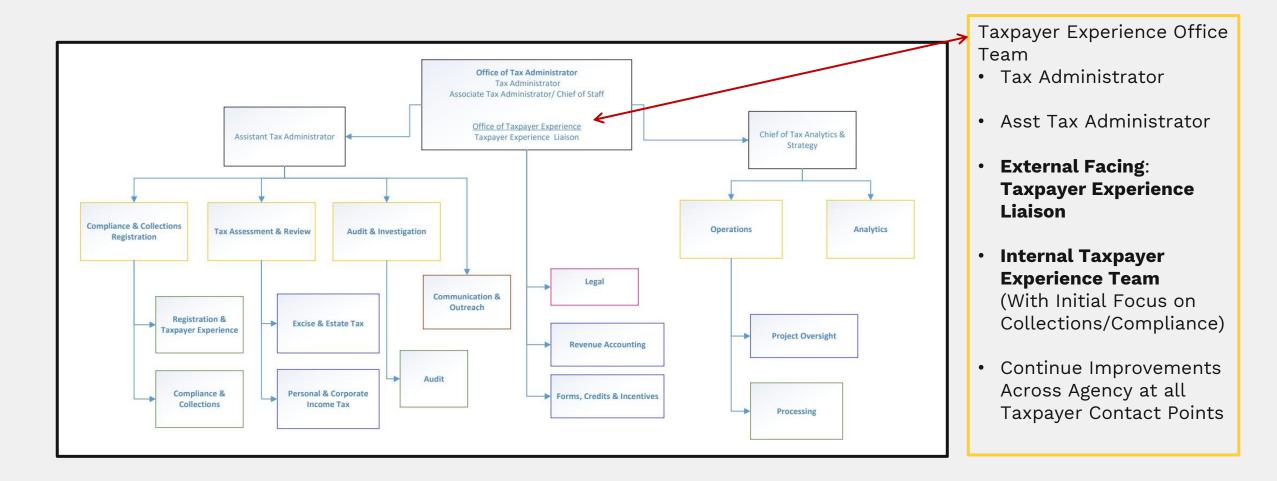


### About Us: Key Stakeholders/Interactions





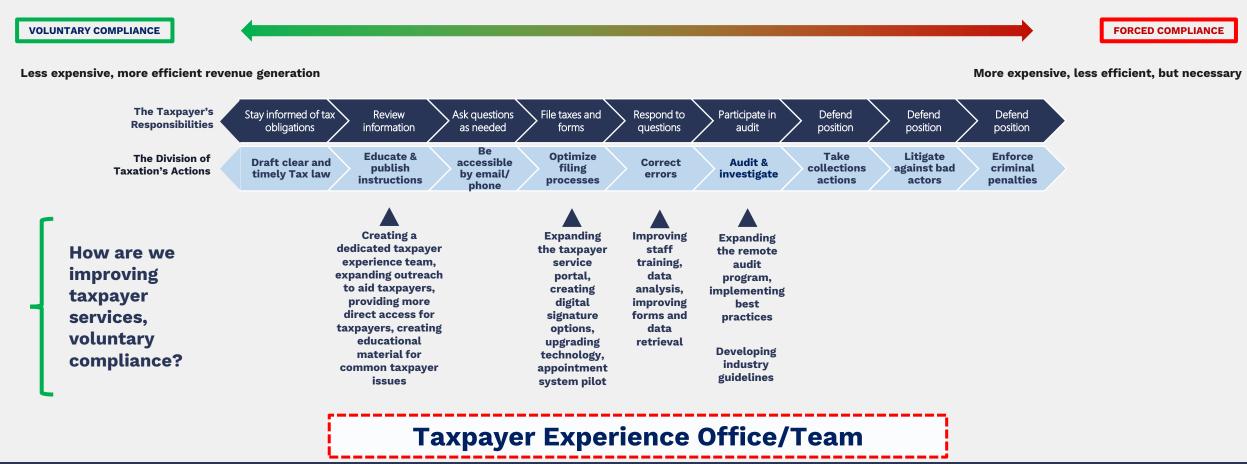
## Taxpayer Experience Office/Team





### **Division of Taxation: Mission**

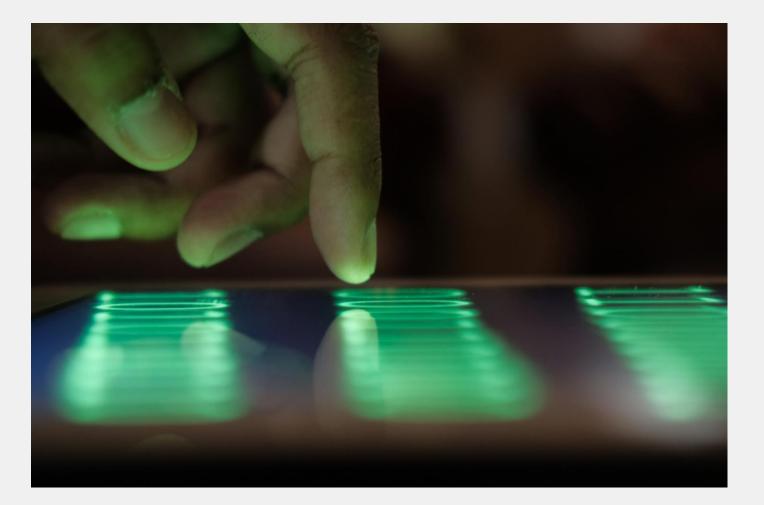
**The Tax Administration Efficiency Continuum** 





## Fraud Trends

- IRS/States/Tax Software Industry collaborating on fraud detection and prevention and monitoring data/trends through the IDTTRF-ISAC and the Security Summit.
- How Do You Report Suspected
   <u>Tax Fraud Activity? | Internal</u>
   <u>Revenue Service (irs.gov)</u>
- <u>Dirty Dozen | Internal Revenue</u> <u>Service (irs.gov)</u>
- Criminals are becoming more creative, with better technology, and means to perpetrate fraud.





## How to Mitigate Fraud

- Consistently update software and operating systems with latest patches—outdated applications and operating systems are the most targeted vulnerabilities for ransomware.
- Train your staff about phishing, cyber security and to look carefully at emails before responding. Check and double check.
- Multifactor Authentication/Strong Passwords.
- Back up data on a regular basis; maintain it on a separate device and store it offline.
- Implement a disaster recovery plan.
- Check the Taxpayer Portal: <u>RI Taxpayer Portal</u>.
- <u>How Do You Report Suspected Tax Fraud Activity? | Internal</u> <u>Revenue Service (irs.gov)</u>.
- Reach out to the RI Division of Taxation: <u>Contact Us | RI</u> <u>Division of Taxation</u>.



# Nicole Coleman Assistant Chief Revenue Agent Personal and Corporate Income Tax Section

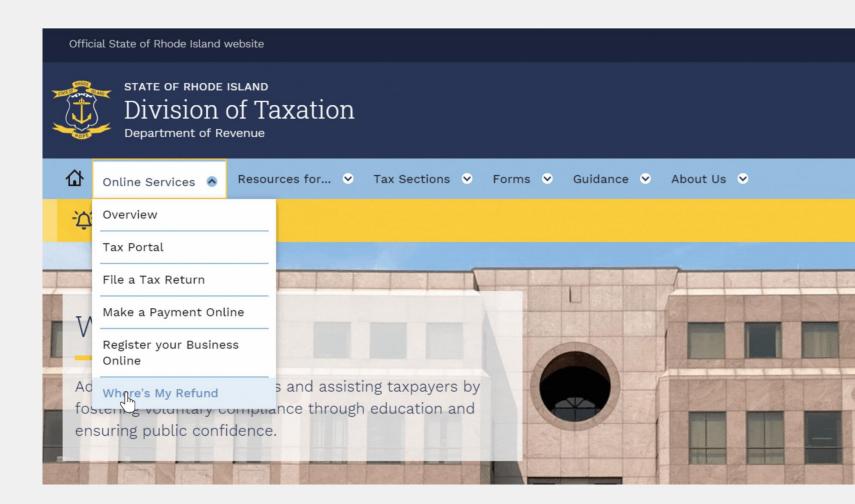


<ul> <li>Personal Exemptions \$4,950</li> <li>Standard Deduction <ul> <li>Single \$10,550</li> <li>Joint/Qualifying Widow(er) \$21,150</li> <li>HOH \$15,850</li> <li>Married filing Separately \$10,575</li> </ul> </li> </ul>		<ul> <li>Exemption and Deduction Phaseout Amounts</li> <li>\$246,450 - \$274,650</li> </ul>		
	2024 Ta	ax Year		
<ul> <li>Social Security Amounts <ul> <li>Single \$104,200</li> <li>Joint \$130,250</li> </ul> </li> <li>Pension and Annuity <ul> <li>Single \$104,200</li> <li>Joint \$130,250</li> </ul> </li> </ul>	Inflationar	•	erty Tax Relief Credit \$675 ncome Limitation \$39,275	



"Where's My Refund?" Update

Our "Where's My Refund?" tool has been updated so taxpayers can view their refund status in real time.





### "Where's My Refund?" Update

Our "Where's My Refund?" tool has been updated so taxpayers can view their refund status in real time.

STATE OF RHODE ISLAND Division of Taxation Department of Revenue					
Home					
Home / Where's my refund					
Check the status of your state pers	onal income tax refund 🔞				
Access this secure website to see if the Division of Taxation received your return and whether your refund was processed. To view your refund status, you will need the following information as shown on your return: • The filing year for which you would like to check the status (you can only search for refunds starting with tax year 2020,); • Your social security number; and • The expected refund amount (this is the amount on your return when you filed).					
Document Information	Document Information				
	* indicates required field				
* Tax Year	✓				
* Social Security Number					
* Expected Refund					
	I'm not a robot     I'm not a robot     CHECK STATUS     CLEAR				
	HOME				
Rhode Island Division of Taxation. All rights res	erved. <u>Contact Us</u>				



#### "Where's My Refund?" Update

- The updated version of our "Where's My Refund?" tool now provides detailed real-time information.
  - The approval status of the refund.
  - Additional information that needs to be provided for the refund to be processed.
  - Information on when the taxpayer can expect to receive their refund.
- To access the updated "Where's My Refund?" tool, visit the Division of Taxation's website at <u>https://tax.ri.gov</u>.
  - You can also access the tool directly from <a href="https://www.ri.gov/taxation/refund/">https://www.ri.gov/taxation/refund/</a>.



### Legislative Changes – Impacting Tax Year 2025

- Pass-through Entity Tax Credit Percent
  - Decreases the credit percentage that the individual receives for the tax paid by the entity from 100% to 90%.
- Cannabis Allowance of 280E Deduction
  - Allows for a deduction for the business expenses disallowed federally by IRC 280E.
- Net Operating Loss (NOL) Carryforward
  - Increases the number of years that a business may use a NOL carryforward from 5 to 20 years.
- Pension Income Modification Increase
  - This change increases the Pension and Annuity Income Modification from \$20,000 to \$50,000 (or \$100,000 for filers married filing jointly). It does not change the qualifying income thresholds.



### Withholding

- All employers will receive a "Withholding Account Summary" notice from the RI Division of Taxation.
  - Sent in December of each year informing them of required due dates for payment of their taxes withheld and their return filings for the upcoming calendar year.
- Effective with Tax Year 2024, the process for filing W-2s, W-3s, and 1099s is changing.
  - Employers and/or their authorized representative will be able to submit properly formatted W-2 and 1099 files electronically using the R.I. Division of Taxation's Taxpayer Portal.



### Withholding

Updates

• Letter of Intent (LOI) specific

to Withholding for this season

• Withholding booklet.

for software vendors.





RHODE ISLAND EMPLOYER'S INCOME TAX WITHHOLDING TABLES





### Withholding

How do I file W-2s?

- If you are an employer submitting W-2s for your business, you can:
  - Upload your W-2 file in Taxation's Portal, or
  - Send your W-2 file on a CD or DVD to the Division of Taxation.
- If you are an accounting firm submitting W-2s for your client(s) AND you are authorized to access your client(s) Taxpayer Portal account, you can upload one file containing your client(s) W-2 information via the Portal.
- If you are a payroll company or third-party vendor registered as a bulk filer, you can upload bulk files containing your clients W-2 information via the Portal.



### Withholding

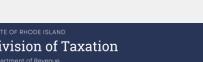
How do I file W-2s? (continued)

- NOTE: **Regardless of the filer type**, the W-2 file **must** be in the proper <u>EFW2 format</u>.
  - See the <u>Withholding Filing Requirements</u> <u>Guide</u> for information on the EFW2 file requirements and specifications.
  - This file format is the same as last year's.

STATE OF RHODE ISLAND DIVISION OF TAXATION

WITHHOLDING TAX FILING & TRANSMITTAL REQUIREMENTS

Or click/tap the guide, right.



### Withholding

How do I file W-3s?

- If you are an employer submitting W-3s for your business, you can:
  - Upload your W-3 file in the Taxpayer Portal, or
  - Send your W-3 file on a CD or DVD to the Division of Taxation.
- If you are an accounting firm submitting W-3s for your client(s) AND you are authorized to access your client(s) Taxpayer Portal account, you can upload one file containing your client(s) W-3 information via the Taxpayer Portal.
- If you are a payroll company or third-party vendor registered as a bulk filer, you can upload bulk files containing your clients W-3 information via the Taxpayer Portal.



### Withholding

How do I file W-3s? (continued)

 NOTE: This process will replace the prior process of uploading to the secure EFT link sent to you by Tax.ProdControl@tax.ri.gov.

More information in the guide, right.

STATE OF RHODE ISLAND DIVISION OF TAXATION

WITHHOLDING TAX FILING & TRANSMITTAL REQUIREMENTS



### Withholding

How do I file 1099s?

- If you are an individual submitting 1099s for your business:
  - You can upload your 1099 file in your Withholding account in the Taxpayer Portal.
- If you are an accounting firm submitting 1099s for your client(s):
  - You can upload your 1099 file in the Taxpayer Portal.
- If you are a payroll company or third-party vendor registered as a bulk filer:
  - You can upload bulk files containing your clients 1099 information via the Taxpayer Portal.
  - To register as a bulk filer, complete and submit the Payroll Letter of Intent found on the <u>Software Developers page</u>.
- NOTES:
  - Regardless of the filer type, the 1099 file must be in the proper <u>FIRE format</u>. See the <u>Withholding Filing Requirements Guide</u> for information.
  - 1099s should only be filed with the Division of Taxation if there is Rhode Island withholding listed on the 1099.



Fiduciary

- Filed on Form RI-1041
- Fiduciary income follows federal tax treatment on most items of income

State of Rhode Island Division of Taxation 2023 RI-1041

Fiduciary Income Tax Return



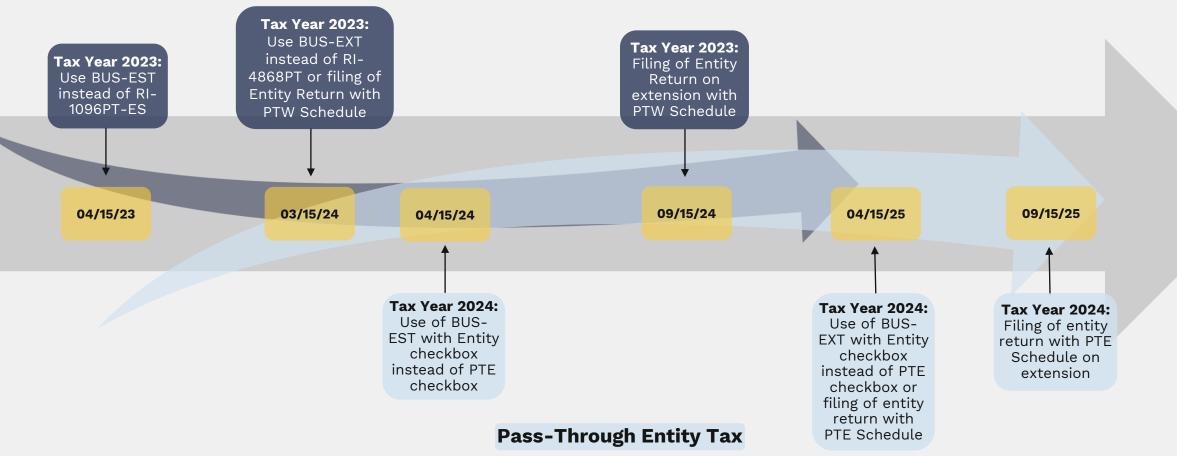
23101799990101

You must check a box:	Name of estate or trust			Federal employer identification number
Estates and Trusts	Name and title of fiduciary			
Bankruptcy Estate	Address 1			
Amended Address 2				
	City, town or post office	State ZIP code	E-mail address	
Year End Calendar Year: 01/01/2023 through 12/31/2023 Fiscal Year: beginning MM/DD/2023 through MM/DD/2024				
Income				
1 Federal total income of fiduciary from Federal Form 1041, line 9 1				

- Follows same increasing/decreasing modifications as personal income tax
- Flow through income to beneficiary(s) is on Line 19 of Federal 1041
  - Nonresident beneficiaries subject to pass-through withholding on Schedule PTW
  - Schedule PTE available for Tax Year 2024
  - K-1 reporting on the flow through income

#### **Pass-Through Entity Changes**

Pass-Through Withholding





### **TY 2024 Updated Filing Options**

MeF	Portal	Estimates Available on Paper*
<ul> <li>RI-1040</li> <li>RI-1120C, RI-1120S, RI-1065 (with PTE &amp; PTW Schedules)</li> <li>RI-1041 (with PTE &amp; PTW Schedules)</li> <li>(PTE for corp. only)</li> <li>May issue a K1 to its beneficiaries, but it cannot receive a K1 that notes PTE credit.</li> </ul>	<ul> <li>Extensions</li> <li>Estimates</li> </ul>	<ul> <li>RI-1040ES</li> <li>BUS-EST</li> <li>RI-1041ES</li> <li>*Please note, if the taxpayer is an entity subject to RI's Electronic Filing Mandate, filing on paper may subject</li> </ul>
<ul><li>Return Payments</li><li>Extensions</li></ul>		the taxpayer to penalties.



### Pension and Annuity Modification – Tax Year 2024

- Modification cap = \$20,000 (increasing to \$50,000 in Tax Year 2025)
- Inflation increase to current AGI limit
  - For 2024: Single For 2024: Single \$104,200/ Joint \$130,250
- Modification is based on full retirement age of 66 years and 8 months
  - Born on or before May 1, 1958
- All filing statuses (single, separate, head of household, married joint, or widow(er))
- Once AGI limitations are passed, no modification
- Does not include IRAs
- \$20,000 limitation applies per individual for pension/annuity unlimited for SSI
- "Rhode Island Retirement Income Tax Guide Modifications For Retirement Income"
  - Produced annually (TY 2024 version to be forthcoming) <u>TY 2023 version is online</u>



Earned Income Tax Credit Reminders

- The Rhode Island EITC is in addition to the Federal EITC.
  Rhode Island EITC rate is a percentage of the Federal EITC amount: 2018-2023=15.0%, 2024-2025=16.0%.
- RI EITC is a refundable credit, which means the credit will be refunded to the taxpayer to the extent it exceeds the taxpayer's tax liability.
- RI tax preparer's regulation includes guidance on due diligence requirements and records retention for EITC and RI-1040H Property Tax Credit. <u>Tax Preparer's Regulation 280-RICR-20-55-4</u>.



### Earned Income Tax Credit Reminders

- RI conforms to federal eligibility and income thresholds.
  - We do also review and approve or deny, if denial is warranted.
  - If credit ineligibility is suspected, we may need to take extra steps to validate the EITC claim.
- Other points to consider:
  - Returns without expenses
  - Documentation for income reporting (e.g. requests for licenses, records, statements, etc.)



### Earned Income Tax Credit Reminders

- NAICS Codes:
  - Schedule C must be submitted with a valid NAICS code
  - NAICS code should be 6 digits & match closely to a valid business activity code (per IRS)
  - Check that invalid NAICS codes are not carried over from prior years

Visit <u>census.gov</u> for more information on NAICS Codes.

ivision of Taxation

SCHEDULE C (Form 1040) Department of the Treasury Internal Revenue Service		Profit or Loss From Business (Sole Proprietorship) Attach to Form 1040, 1040-SR, 1040-SS, 1040-NR, or 1041; partnerships must generally file Form 106 Go to www.irs.gov/ScheduleC for instructions and the latest information.		OMB No. 1545-0074	
Name	e of proprietor		Social sec	urity number (SSN)	
A	Principal busines	as or profession, including product or service (see instructions)		B Enter code from instructions	
С	Business name.	ess name. If no separate business name, leave blank. D Employer		r ID number (EIN) (see instr.)	
E	Business addres	s (including suite or room no.)			

#### Non-resident Real Estate Withholding

- Referred to as "71.3 Withholding"
- Any seller that is not an individual is required to obtain an EIN per the IRS.
  - Link <u>Do you need an EIN? | Internal Revenue Service (irs.gov)</u>
- If property is owned by a LLC or Trust, required to provide the selling entity's info, not the individual's information.
- Discharges should match the election forms if the election method was used.
- Please make every attempt to adhere to the 20-day rule, regarding submissions
  - We must receive the election form 20 or more days before the date of the closing.
  - Please remember most mail is received 3 to 5 days after it is mailed.
    - Do not submit forms with a past date.
    - Avoid mail delays by using our email process:
      - 1. Email: <u>Tax.NonRes713@tax.ri.gov</u>.
      - 2. Always include the name of the seller and the property address in the email subject line.
      - 3. Remittances that require payment cannot be emailed.
      - 4. Complete forms entirely.



#### **Non-resident Real Estate Withholding**

- Helpful Links
  - Latest Advisory regarding electronic signature submission: <u>https://tax.ri.gov/sites/g/files/xkgbur541/files/2022-</u> <u>11/ADV\_2022\_32\_electronic\_signature.pdf</u>
  - Non-resident Real Estate Withholding forms: <u>http://www.tax.ri.gov/taxforms/nrrewh.php</u>



### **Income Requests**

### Penalty Waivers

- Requests should be in writing and all balances should be paid in full less the penalty.
- Allow at least 30 days to process.
- Notification will be sent to the taxpayer once processed.

### Requests for Information

- Responses should be **received within 20 days** of request.
- Documentation can be mailed, emailed, faxed, or submitted through drop box.
- **Email** or **fax** encouraged, as it allows for proof of receipt.
- Once response is submitted, please allow **5 business days** before checking the status.
- **Only send copies**, we are not responsible for originals sent via mail.



#### **Income Tax Forms Best Practices**

Common Errors:

- Incorrect Federal identification numbers. ID numbers are used to verify withholding amounts.
- Use the correct code for the document on Sch W ("P" or "G").
- Late employer filings could delay withholding verification.
- "Other payments" on RI-1040, line 14f and RI-1040NR, line 17e, generally will be used for extension payments only do not include RI-TDI.
- Do <u>NOT</u> include Non-resident Real Estate Withholding on Schedule W (should be included on RI-1040NR, Line 17c).
- Make sure the taxpayer's name is consistent year to year
- Non-resident allocation indicators and schedules
- Include all schedules with Amended RI-1040, even if nothing has changed.



#### **Section Contact Information**

Personal Income Tax	<ul> <li>Phone: 401-574-8829 Option #3</li> <li>Email: <u>Tax.Assist@tax.ri.gov</u></li> </ul>		
Non-resident Real Estate Withholding	<ul> <li>Phone: 401-574-8829 Option#4</li> <li>Email: <u>Tax.NonRes713@tax.ri.gov</u></li> </ul>		
Corporate Income Tax	<ul> <li>Phone: 401-574-8829 Option #6</li> <li>Email: Tax.Corporate@tax.ri.gov</li> </ul>		

• Email: <u>Tax.Corporate@tax.ri.gov</u>



# Cheri O'Connor Assistant Chief Revenue Agent Compliance and Collections, Registration, and Taxpayer Experience Section



## **Compliance and Collections**

#### Expansion of Rhode Island's Tax Delinquent Public Disclosure List

- Previously:
  - Two lists posted on the Division of Taxation's website.
  - One includes up to 100 taxpayers with the largest amount of delinquent personal income tax.
  - Second list includes up to 100 taxpayers with the largest amount of delinquent business taxes.
- Now:
  - Two lists posted on the Division of Taxation's website.
  - Criteria for inclusion on each of these lists expanded to taxpayers that owe at least \$50,000.



#### Expansion of Rhode Island's Tax Delinquent Public Disclosure List

- Our process:
  - Formal notice sent by regular and certified mail.
    - Notice sent to taxpayer 30 days in advance of intent to publish the taxpayer's name and account information.
- Taxpayer process:
  - Taxpayer can choose to pay the delinquency or to enter into a reasonable installment agreement to pay the outstanding debt.



#### **Expansion of Rhode Island's Tax Delinquent Public Disclosure List**

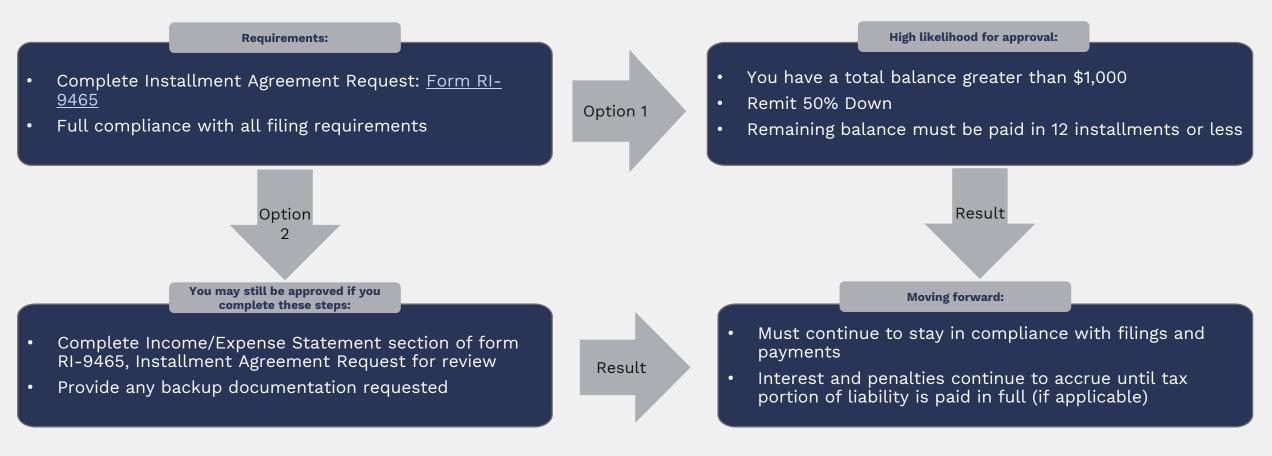
- Conditions for inclusion:
  - State tax balance has been unpaid for a period in excess of 90 days following the date their tax was due.
  - Cases are not on appeal.
- Removal:
  - A taxpayer's account information is removed from the list as promptly as possible after that taxpayer pays the outstanding debt or enters into a reasonable installment agreement.
- Processes set by law: <u>R.I. Gen. Laws § 44-1-34</u>.



#### Levy Program

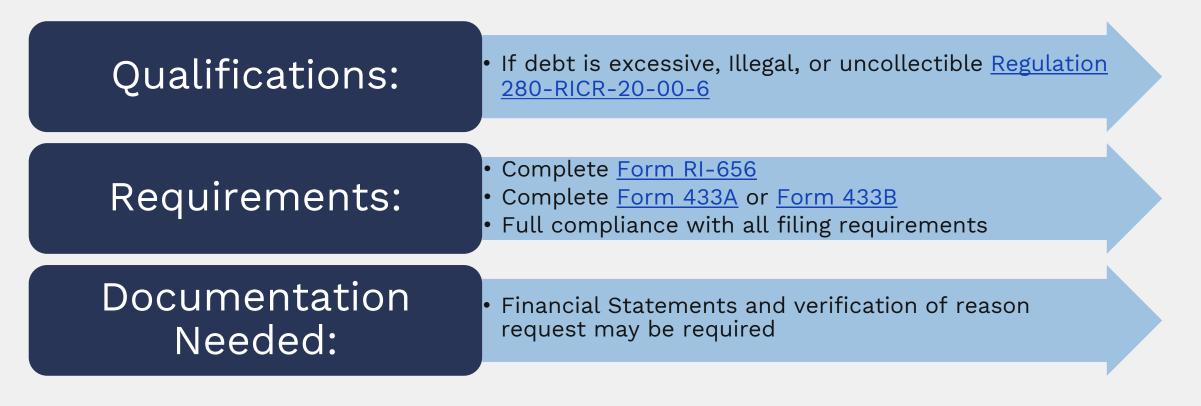
- Liability must be in Collections
- Notifications
  - Numerous bills have already been sent to the taxpayer.
  - Taxpayer is mailed a 10 Day Demand for Taxes Due.
  - If there is no resolution, the taxpayer is mailed a Notice of Intention To Levy (30-day reply).
- Resolutions
  - Taxpayer must be in compliance with all filings.
  - Prior to a levy, the taxpayer may satisfy their debt, enter into an installment agreement, or voluntary wage garnishment.
  - If a levy has already occurred, Taxation may consider a levy reduction based on various circumstances.

#### Installment Agreements: What You Need to Know





Offers in Compromise: What You Need to Know





#### Letters of Good Standing (LOGS)

- Calendar Year 2023 Benchmarks:
  - Assigned to a Revenue Officer for review within 24 hours of receipt.
  - If Taxpayer is compliant, Letter of Good Standing issued within 2-3 business days.
  - If Taxpayer is non-compliant, Letter of Good Standing issued within 21 calendar days based on Division's work with Taxpayer to become compliant.
- Calendar Year 2023 Stats
  - Received 7,848 applications for the calendar year 2023
  - 25.18% able to be issued without additional information
  - Mailed nearly 5,872 Additional Information letters to contacts
  - 31% did not respond to these Additional Information letters



#### Letters of Good Standing (LOGS)

Letters of Good Standing Received Additional Information Letters Sent Letters of Good Standing Issued LOGS Closed w/ No Response From Taxpayer Average # of Calendar Days to Issuance-Non-Compliant Average # of Calendar Days to Issuance-Compliant

> Growth in LOGS Applications Received Percentage of Cases Closed With No Response

2020	2021	2022	2023	2024*
5428	6659	7796	7848	3995
4146	5192	6019	5872	2994
4029	4188	4678	4803	2653
1924	1793	2580	2453	1711
36	34	37	35	29
3	3.93	3.64	3.44	2.9
-22%	23%	17%	1%	
35%	27%	33%	31%	43%

\*2024 figures are Calendar Year '24, as of 8/26/2024



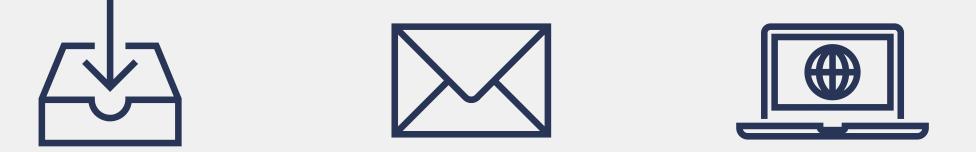
#### Letters of Good Standing (LOGS) Best Practices

- Requests can be made via drop box, mail or Portal
- Complete Compliance Check through Portal
  - Will show missing filings/payments
  - Include any delinquent filings and payments with LOGS application
- Verify the document requirements from LOGS application
- Be sure to include the \$50 fee



#### Letters of Good Standing (LOGS) Best Practices

Requests can be made via drop box, mail or Portal





#### Letters of Good Standing (LOGS) Best Practices

Complete Compliance Check through Portal

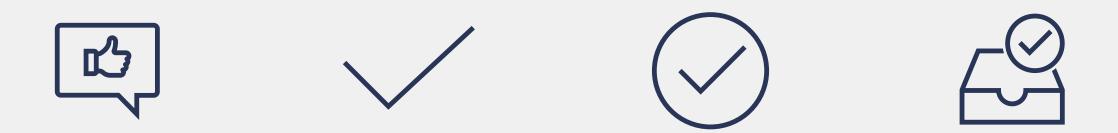
- Will show missing filings/payments
- Include any delinquent filings and payments with LOGS application





#### Letters of Good Standing (LOGS) Best Practices

Verify the document requirements from LOGS application





#### **Letters of Good Standing (LOGS) Best Practices**



Please NO cash in the drop box. Cash payments can be made at the cashier's window in our office. You can pay securely online via bank account or credit card (credit card payments are subject to payment processing fees). You can also pay by check.



Letters of Good Standing (LOGS)

- Entity must be compliant for all required tax returns, payments, and fees for all requests of Letters of Good Standing.
  - Major Sale LOGS Requirements:
    - An application for LOGS (§ 44-11-29).
    - Proforma RI Tax Return with payment through date of sale. Must reflect the sale.
    - Copy of Proforma Federal tax return (Form 4797/Sch. D).
    - Schedule PTW or PTE needed if there is a gain with Non-resident members.
    - Purchase and Sales Agreement.
    - All other taxes must be filed and all balances paid.



#### Section Contact Information

### Compliance and Collections Section

- Phone: 401-574-8941
- Email: <u>Tax.Collections@tax.ri.gov</u>

### Taxpayer Portal Section

- Phone: 401-574-8484
- Email: <u>Taxportal@tax.ri.gov</u>



### Break



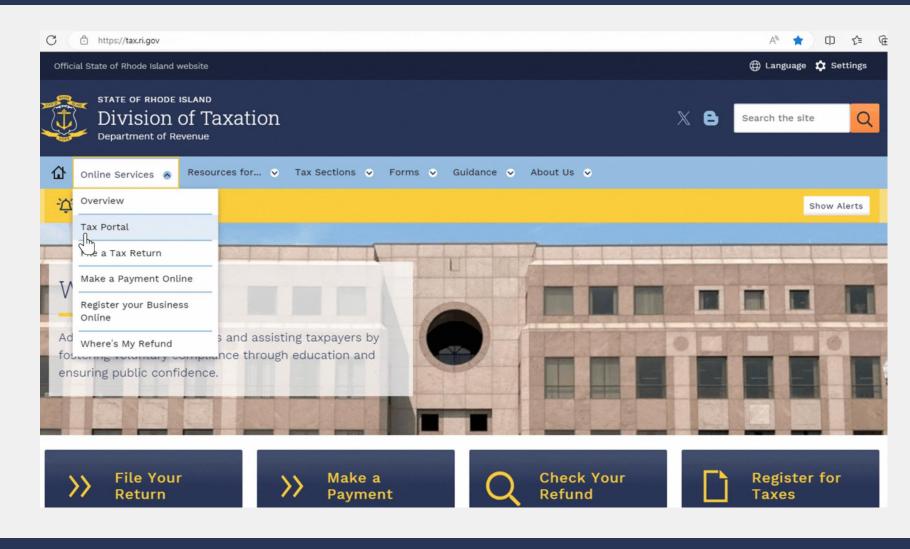






Visit our website: <u>https://tax.ri.gov/</u>.

The Taxpayer Portal information page can be accessed from the "Online Services" menu.

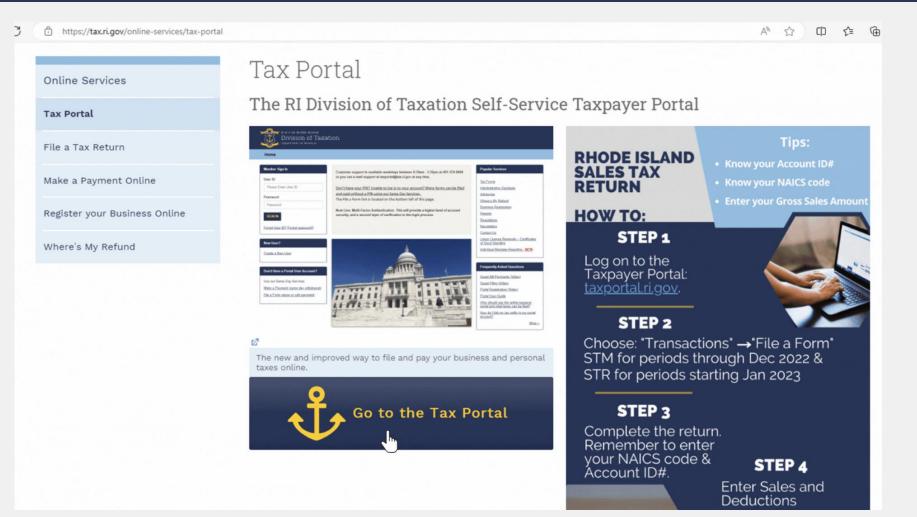




Our Portal information page is located at: <u>https://tax.ri.gov/online-</u> <u>services/tax-portal</u>.

This page provides tips, answers to commonly asked questions, and contact information for the Portal Team.

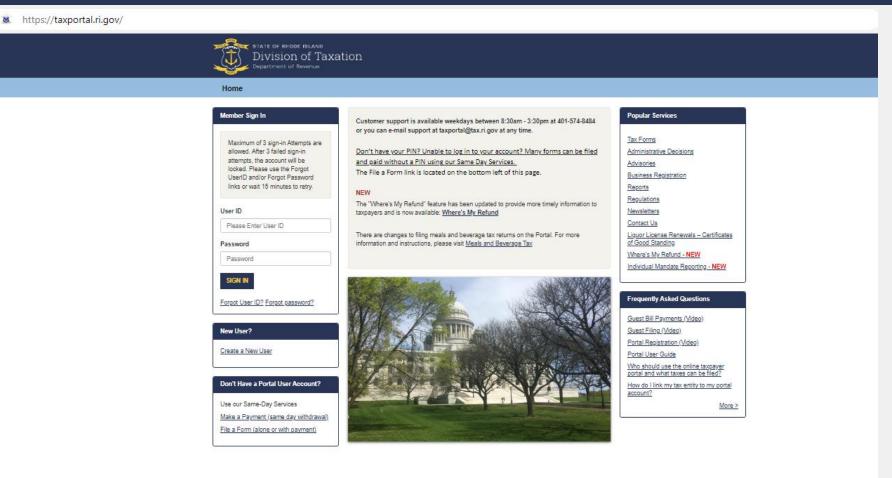
The Taxpayer Portal can be accessed directly from this page.







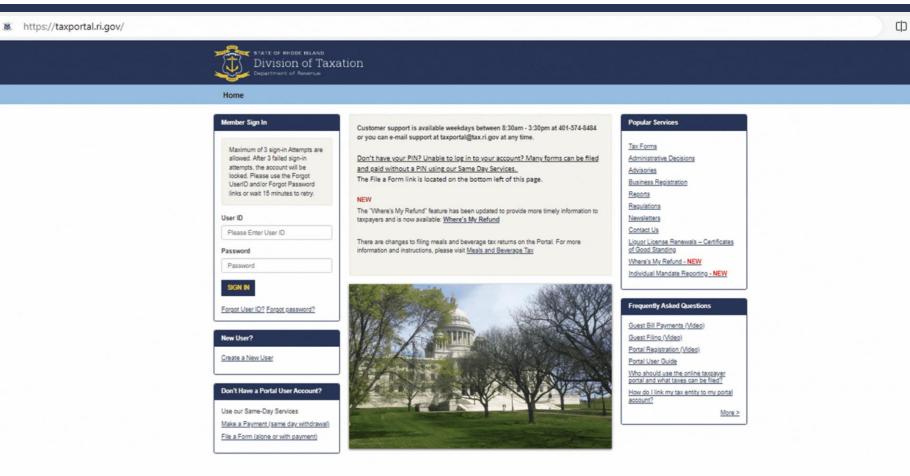
**Division of Taxation** 



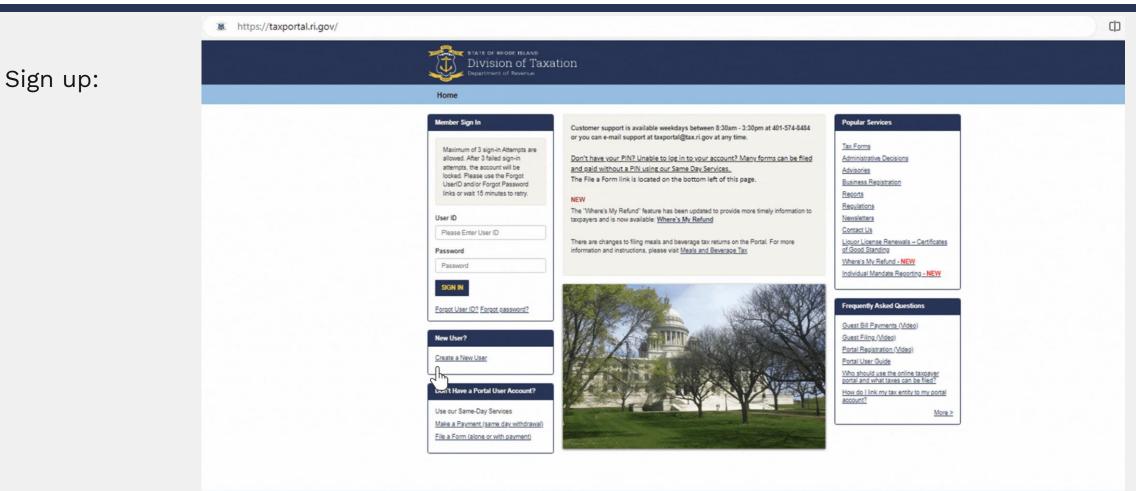
Rhode Island Division of Taxation. All rights reserved.

Contact Us

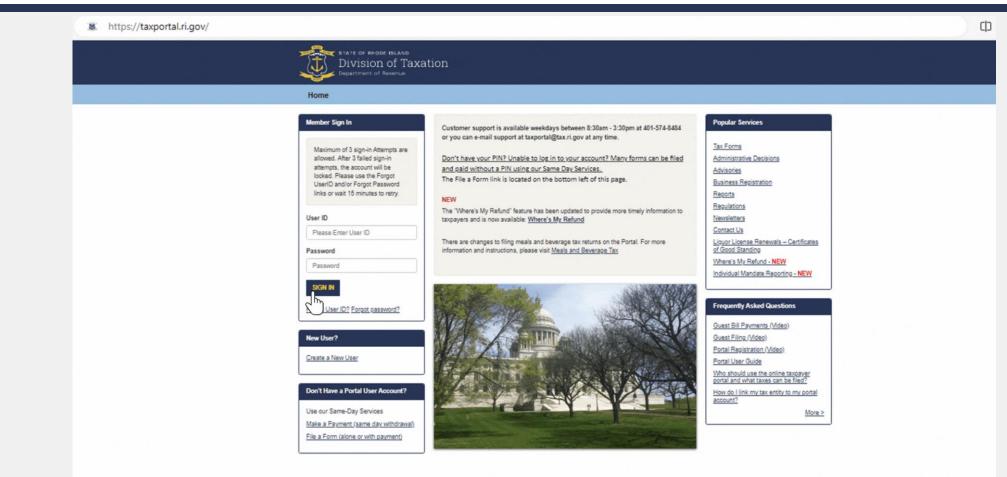
The latest Portal updates are posted to the sign-in page.







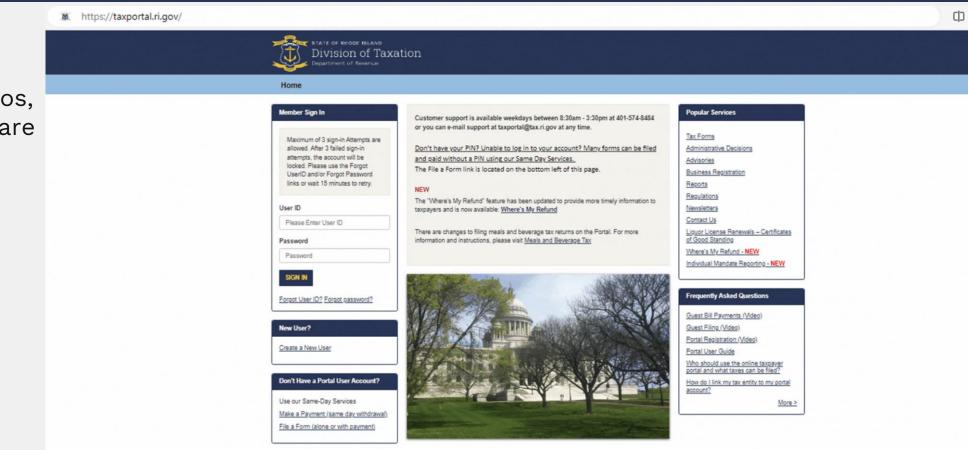




Sign in:

Rhode Island Division of Taxation. All rights reserved



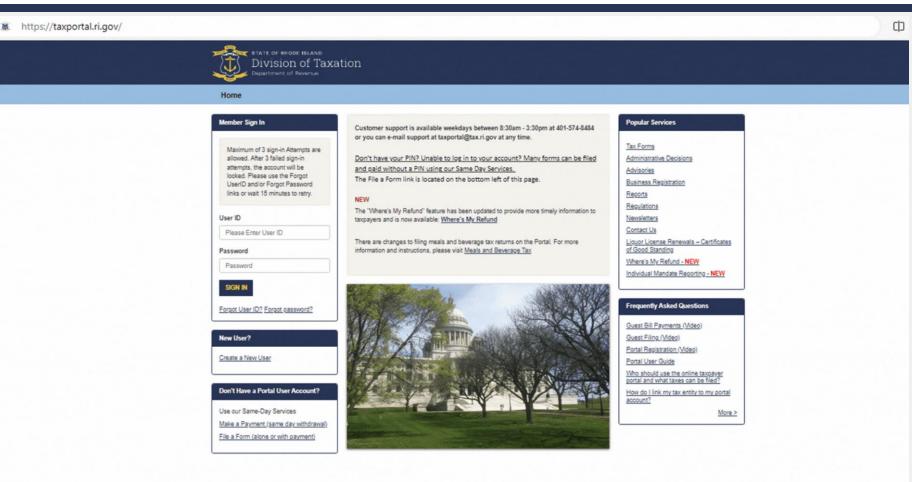


Frequently asked questions, helpful videos, and more information are all easy to access.

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Same Day Services aka Guest Services are available to those that do not yet have a Portal account.



Rhode Island Division of Taxation. All rights reserved



#### **Contact Information**

### Taxpayer Portal Section

- Phone: 401-574-8484
- Email: <u>Taxportal@tax.ri.gov</u>



# Loriann Baccari Principal Tax Auditor Excise and Estate Tax Section



#### Legislative Changes

Elimination of Fee for Obtaining or Renewing Exemption Certificate

- Beginning on or after January 1, 2025, no fee to apply for or renew Sales Tax Exemption Certificate for qualifying charitable organizations.
  - Exemption Certificate for qualifying charitable, educational, and religious organizations to make qualifying purchases at retail without paying sales tax.
  - In 2017, legislation established that Sales Tax Exemption Certificates are to be valid for four (4) years from the date of issuance.
  - The process for applications and renewals will remain unchanged, except there will no longer be a fee (\$25.00) for applications or renewals due on or after January 1, 2025.

#### Elimination of Estate Tax Filing Fee

- For decedents with date of death on or after January 1, 2025, no fee to file a Rhode Island Estate Tax return.
  - For decedents with dates of death before January 1, 2025, the Estate Tax filing fee (\$50.00) is still required, including for Estate Tax returns that are filed on or after January 1, 2025.



### **Excise and Estate Tax**

#### **Legislative Changes**

Increase of the Cigarette Tax

- Tax through August 31, 2024
  - \$4.25 per pack of 20 cigarettes
- As of 12:01 am on September 1, 2024
  - Cigarette tax increased by \$.25 per pack of 20 to \$4.50 per pack
- "Floor tax" on existing inventory
  - Was measured as of 9/3/2024
  - Return was due 9/16/2024
- Floor tax returns and payments not available on the Portal
- The prepaid sales tax on cigarettes also increased by \$.30
  - As of 9/3/2024 increased to \$0.88 per pack of 20
- <u>Notice to Cigarette Dealers</u>

Other Tobacco Products (OTP) Change:

• OTP now required to be purchased from a licensed distributor

#### Legislative Changes

Electronic Nicotine Delivery Systems (aka Vape): Tax, Unified Licensing, & Required Purchase from a Licensed Distributor

- Regulation of Electronic Nicotine-Delivery System (ENDS) products, commonly known as vape now under Division of Taxation.
- ENDS products for sale at retail may only be purchased from distributors with Rhode Island licenses.
  - Licenses for manufacturers, importers, and distributors consolidated into a single license application.
- Licenses for ENDS products retailers will be combined with licenses for cigarette retailers (known as a Cigarette Dealer License), and OTP.
- As of January 1, 2025, an ENDS tax is imposed on all ENDS products.
  - \$0.50/mL of the e-liquid and/or e-liquid products (prefilled closed systems).
  - All other ENDS products (open system products) the taxed at 10% of the wholesale cost of the product.
- The sale, or offer for sale of, or the possession with intent to sell or to offer for sale, flavored ENDS products to individuals in Rhode Island is prohibited (<u>Notice 2024-03</u>).
- ENDS Webpage

#### Best Practices for Filing an Estate Tax Return

- Removal of \$50 fee starting DOD after 01/01/2025
- Form-RI-706 Estate Tax return
  - Form used for taxable and non-taxable estates
  - Estates greater than \$1.3M need to complete entire return
  - Estates below \$1.3M need to complete pages 1 4 including Part
    6, recapitulation schedule
  - Taxable estate with DOD prior to 01/01/2015 should email <u>Tax.Estate@tax.ri.gov</u> for Form 100A
  - 2024 Inflation adjusted amounts:
    - Threshold \$1,774,583 Credit \$83,370
  - 2025 Inflation adjusted amounts:
    - Threshold \$1,802,431 Credit \$85,375

#### Best Practices for Filing an Estate Tax Return

- All applicable items on Part 6, Recapitulation Schedule must be completed for taxable and non-taxable estates.
- Backup must be provided for all items listed on part 6 for estates greater than \$1.3M.
- Early lien releases only provided when the decedent / estate owns multiple properties in Rhode Island.
  - Full payment of the estimated liability must be included.
- Book value at date of death hierarchy:
  - Purchase and sale within 6 months of DOD;
  - Appraisal; and
  - Assessed values (may request appraisal based on return review).



### Excise and Estate Tax

#### Best Practices for Filing an Estate Tax Return

- Other items required of all returns:
  - Certificate of Appointment;
  - Power of attorney, if applicable;
  - Wills;
  - Trust agreements; and
  - Other items listed on part 5.
- Copies of federal schedules are not acceptable in place of the RI schedules. All RI schedules must be completed.



### **Excise and Estate Tax**

#### **Estate Tax Update**

#### Notes on non-taxable estates

Non-taxable estates may file an Estate Tax return for various reasons, including:

- To obtain a discharge of the automatic statutory lien that attaches to all real estate that a decedent owns at death.
- To obtain a Notice of No Tax Due for probate court purposes.
- To obtain a Waiver to allow the sale of Rhode Island securities, including Rhode Island incorporated stock, Rhode Island state and municipal bonds, and mutual funds organized as business trusts that do business in Rhode Island.



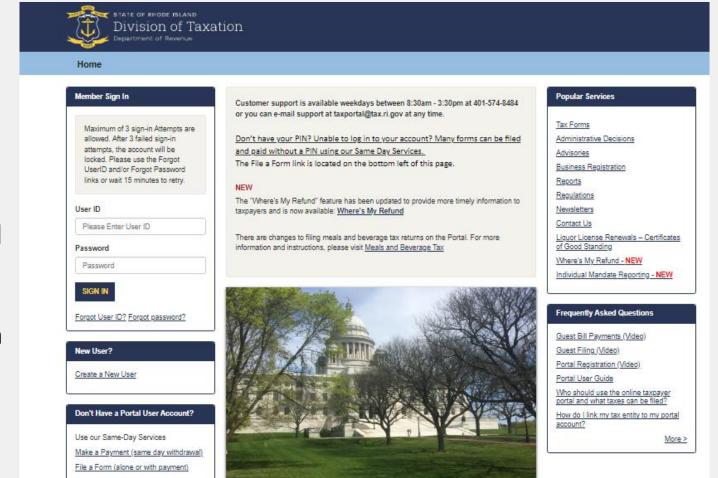
#### **Electronic Filing & Payment Mandate**

Electronic filing and payment mandate for larger business registrant taxpayers effective 01/01/2023.

- Larger Business Registrant defined:
  - is operating a business whose combined annual liability for **all taxes** administered by the Division of Taxation for the entity is or exceeds \$5,000; or
  - is operating a business whose annual gross income is over \$100,000 for the entity.
- Penalties:
  - \$50 per occurrence for failure to file electronically.
  - 5% of tax amount or \$500, whichever is less for failure to pay electronically.
- Taxpayers with reasonable causes may be exempt on a case-by-case basis.
- Individuals and trusts filing personal or fiduciary income tax returns are not larger business registrants for the purposes of R.I. Gen Laws §44-1-31.2.

Division of Taxation

### **Excise and Estate Tax**



### Portal Update

- Meals and Beverage Tax
  - Schedule A must be completed
  - Itemized listing of city and towns required
  - Will be unable to submit return without this information being fully completed



#### **Sales Tax Responsibilities**

When is a sales permit required?

- Every business making sales at retail or renting living quarters.
- Retail sale
  - Sale, lease or rental of tangible personal property
    - "Tangible personal property" means personal property which may be seen, weighed, measured, felt, or touched, or which is in any other manner perceptible to the senses.
  - Prewritten computer software
  - Specified digital products
  - Taxable services
- Sales permit is required even though all products sold are exempt from sales tax.
- Annual renewal by 02/01 for no fee.



#### **Sales Tax Responsibilities**

- What is Taxable?
  - All Tangible Personal Property and certain enumerated services.
    - <u>§ 44-18-7.3. Services defined</u>
      - Taxicab and limousine services
      - Other road transportation services
      - Pet care services
      - Room resellers
      - Investigation, Guard, and Armored Car Services
- A better question: "What is **<u>not</u>** taxable?"
  - <u>§ 44-18-30. Gross receipts exempt from sales and use taxes</u>



#### Sales Tax Responsibilities

- Exemption examples
  - Food and Food Ingredients-substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value.
    - Does not include "alcoholic beverages," "tobacco," "candy," "dietary supplements," and "soft drinks."
    - Prepared foods are taxable
  - Manufacturing purposes (exemption certificate required)
  - Electricity and Gas
  - Clothing less than \$250
  - Exempt Organizations (exemption certificate required)
  - Sales for resale (exemption certificate required)

**Excise and Estate Tax** 

**Section Contact Information** 



- Phone: 401-574-8829 Option #8
- Email: <u>Tax.Estate@tax.ri.gov</u>

Sales & Excise Tax

- Phone: 401-574-8955
- Email: <u>Tax.Excise@tax.ri.gov</u>



# Leo Lebeuf Taxpayer Experience Liaison



### **Forms Approval and Submission Process**

MeF, 2D Barcode, and Paper filings follow this process

Draft Form	Software Vendor	Final Form	Submission	Vendor Approval
Posting	Submissions	Postings	Review	
<ul> <li>To allow software vendors to update software products for new forms and changes to existing forms</li> <li>Begin programming updates of Taxation system(s)</li> </ul>	<ul> <li>Taxation creates test cases for software vendors</li> <li>Software vendors submit test case returns for Taxation review</li> </ul>	<ul> <li>Software vendors are allowed to submit test cases prior to final forms</li> <li>If forms are updated after submission, vendor is informed by Taxation to resubmit</li> </ul>	<ul> <li>Taxation will review submissions and require vendors to make necessary corrections prior to approval</li> </ul>	<ul> <li>Taxation posts approved software vendors to website periodically</li> <li><u>Approved</u> <u>Software</u> <u>Vendors   RI</u> <u>Division of</u> <u>Taxation</u></li> </ul>



### Forms Approval and Submission Process

Approved Software Vendors

Listing of approved vendors, and which forms are approved for each is available at:

https://tax.ri.gov/resources/software-developers/approved-software-vendors.

This list is updated periodically, it is not updated in real-time. The listing **will be updated at the end of December or early January.** 

Please check back at that time for an updated listing of approved vendors for Tax Year 2024/filing season 2025. That is generally when approvals are finalized and when they will start being added.





### Forms Approval and Submission Process FAQs

1. Do approved vendors need to support SMLLC filings?

Yes. For tax years beginning on or after January 1, 2024, all vendors supporting SMLLC filings on Form RI-1065 will be required to properly support the filing to be an approved vendor.

The RI Division of Taxation expects that a SMLLC entity will be able to:

- File Form RI-1065 as an unlinked state return.
- File as a SMLLC without having to create an additional member for their entity.
- Be able to verify that the return does not have errors without having to disable error checking on the return in order to submit the return.



### **Forms Approval and Submission Process** FAQs

Do approved vendors need to support electronic filing and payments of Extensions and Vouchers? 2.

Yes. All software vendors supporting the following tax types will be required to support electronic filing of Extensions and Vouchers to be an approved vendor.

- Electronic filing of extensions for:
  - Form RI-1065
  - Form RI-1120S
- with or without a payment, using Form BUS-EXT
  - Form RI-1120C
- Electronic filing & paying of return payments as part of submission included with:
  - Form RI-1065
  - Form RI-1120S
  - using the existing elements within the MeF schema • Form RI-1120C



### Forms Approval and Submission Process FAQs

3. The software vendor I use is not listed as approved on the Division of Taxation's website. What should I do?

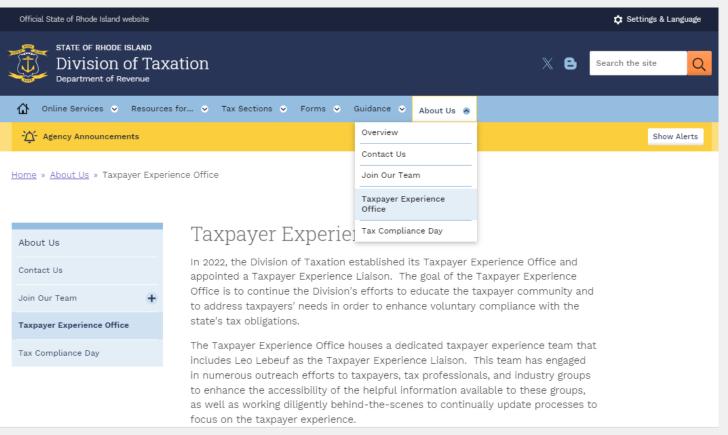
If your software vendor is not listed as approved under the tax type you are trying to file, please contact your vendor directly.





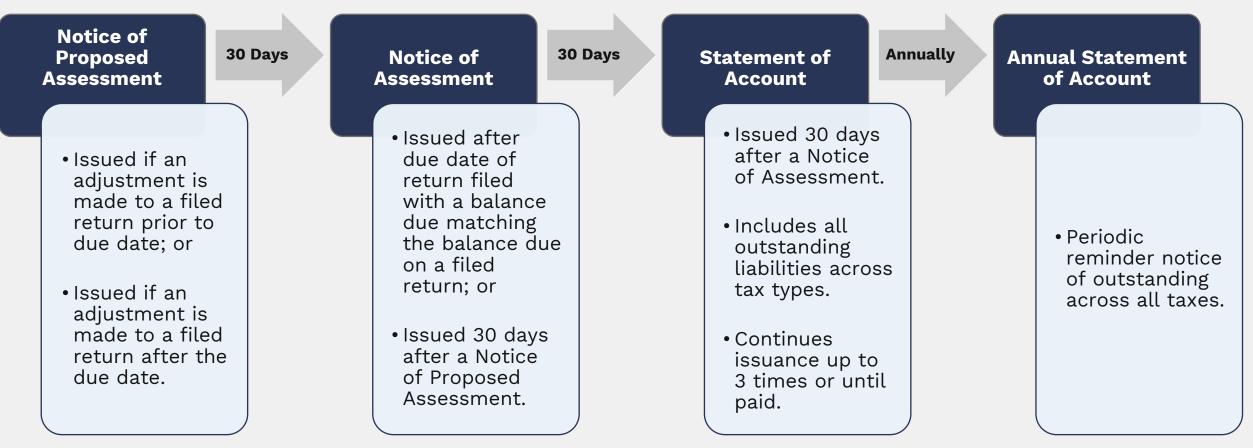
#### **Website Components and Features**

- <u>Taxpayer Experience Office</u>
  - Trainings and Presentations
  - Industry Guides
  - Compliant Taxpayer Profiles





#### **State Tax Notices Timeline**





#### **State Tax Notices Timeline**

- Other assessment notices
  - Compliance Notices similar to the NOPA
    - CP 2000 match to federal audit change notice
    - Federal State Match matching state filing to federal filing for discrepancies
    - IRMF matching federal income sources to RI non-filers
    - IRTF Filed federal return with no RI return
  - Audit Notices
    - Audit Notice of Assessment
    - Responsible Officer Notice of Assessment
  - Overpayment Adjustment Notice



### Changes to the RI **Notice of Assessment**

- QR code to make payments easier
  - Use the invoice number and account ID number
- Language updates for clarity
- Hearing language separated to own section



State of Rhode Island DIVISION OF TAXATION Providence, RI 02908-5800



Phone: (401) 574-8935 TTY Via 711 Fax: (401) 574-8932 Email: tax.corporate@tax.ri.gov

#### NOTICE OF ASSESSMENT

TEST BUSINESS 1 CAPITOL HL PROVIDENCE, RI 02908-5816

Account ID:	
Tax Type:	
Notice ID:	
Bill Due Date:	

CORPORATE
10/03/2024

Dear Taxpayer,

09/03/2024

This is a bill for an overdue balance of \$39,928.66. The filing and/or payment for your CORPORATE account was due on 07/15/2024. A breakdown of how the balance was determined for the tax period ending 12/31/2023 is on the back of this notice. Please make full payment of the balance due on or before 10/03/2024. If the balance is not paid on or before this date, additional interest and penalties will continue to accrue.

How to Make a Payment: use

or https://taxportal.ri.gov to pay online. OR

Page 1

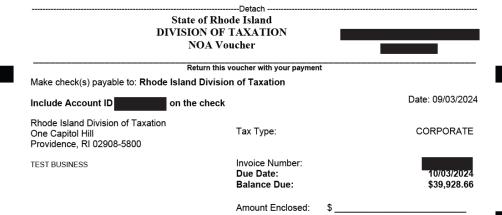
Detach and return the bill voucher below with your check made payable Division of Taxation - include your Account ID on your check.

#### Request For Hearing

You may request a hearing under R.I. Gen. Laws § 44-1-32. All requests for hearing must be submitted in writing within thirty (30) days of the date of this notice. Please attach a copy of this notice and your request for hearing including the best phone number and/or email address to contact you. Mail all documents to: The Division of Taxation-ATTN: Tax Administrator, One Capitol Hill Providence, RI, 02908-5800.

Interest and penalties will continue to accrue on any unpaid tax balance during the hearing period. If you fail to submit your written request for a hearing within thirty (30) days of the date of this notice, the assessment, including interest and penalties, will become final and collection activities will commence

#### DIVISION OF TAXATION



#### Phone: (401) 574-8935 State of Rhode Island TTY Via 711 DIVISION OF TAXATION **Taxpayer Experience** One Capitol Hill Fax: (401) 574-8932 Providence, RI 02908-5800 Email: tax.corporate@tax.ri.gov Office Notice ID Account ID: Changes to the RI Period: 01/01/2023 - 12 **Notice of Assessment**

- New updated table
  - Breakdown of liabilities
  - Breakdown of credits and payments
- QR code to website for explanations of billing content (removing need for 3<sup>rd</sup> page)

CORPOR	<u>RATE</u>		
2/31/2023 Return/Payment Due Date: 10/03/2024			
Liabilities	Amount		
ax/Fees	\$34,958.00		
Inderestimating Interest	\$2,241.79		
ate Payment Interest	\$548.49		
ate Payment Penalty	\$334.58		
ate Filing Penalty	\$3,345.80		
Total Liabilities	\$41,428.66		
Payments/Credits			
Credits	(\$750.00)		
ayments	(\$750.00)		

Interest is calculated through the date of this notice. A bill less than thirty (30) days old may not be included in the above total.

**Total Payments/Credits** 

**Balance Due** 

#### Need Help Understanding Your Bill?

For more information about your bill, please visit our website at: https://tax.ri.gov/about-us/taxpayer-experience-office or by using the QR code below:

Bankruptcy

If you are presently in bankruptcy, you may have received this bill in error. Please call the Collections section at 401-574-8941 Monday through Friday between the hours of 8:30am and 3:30pm.

\$1,500.00

\$39,928.66

Page 2



#### Homework

Want more tax info?

Watch our joint presentation with the RI Department of State, Business Services Division "LLC Fundamentals for the Solopreneur"



YouTube Video at the QR code above or at: <u>https://www.youtube.com/watch?v=efl7bHaYnsc&t=3284s</u>



#### **Information for farmers**

Expanded guidance for farmers: <u>ADV 2024-24</u>

- Farm exemption
  - Sales and Use Tax Exemption for farm equipment for qualified farmers.
  - Exemption relieves the farm of its obligation to pay sales and use tax on its purchases of certain equipment and supplies used in farming operations.
  - A farm must apply with the Division of Taxation to obtain a Certificate of Exemption for Farm Equipment/Structure Construction Material if it qualifies for the exemption.
- To qualify for the exemption:
  - Applicants:
    - Provide proof the farm meets or exceeds annual gross sales thresholds from commercial farming for 1 year prior to the application.
  - Renewals:
    - Provide proof the farm meets or exceeds annual gross sales thresholds from commercial for 2 years prior to the renewal.
  - The level for which the farmer qualifies impacts the value of a motor vehicle that can be purchased.

#### **Information for farmers**

Expanded guidance for farmers: <u>ADV 2024-24</u>

- Sales tax requirements
  - All taxpayers that make retail sales, including farmers, must register with the Rhode Island Division of Taxation and obtain a sales permit.
  - Even if a farm or farmer sells only products that are exempt from sales tax, a sales permit is required.
  - Obligation to collect and remit Rhode Island sales tax on taxable retail sales is separate and distinct from a farm exemption, if the farm holds one.
    - A farm exemption certificate relieves the farm of its obligation to pay tax on its purchases of certain equipment and supplies used in farming operations.
    - A farm's exemption certificate does not exempt the farm from collecting and remitting sales tax on all taxable retail sales. The exemption applies only to purchases made by the farm.



### Personal and Corporate Income Tax

#### Single Member LLC vs Sole Proprietor

#### Single Member LLC

- Entity separate from its owner
- Registered as an entity with RI Department of State
- Has liability protection limited to investment
- Registration date dissolution date
- Subject to annual charge (currently \$400) on separate tax form for state purposes

#### Similarities

- Files Form 1040

   reporting on
   Schedule C, E or F to
   pay federal income
   taxes
- Files RI-1040/RI-1040NR to pay state income tax on Federal AGI including Schedule C income

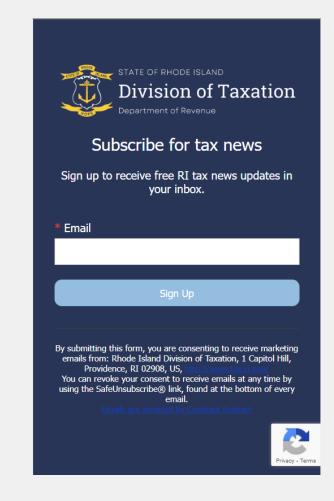
#### **Sole Proprietor**

- Owner is the entity
- Can register a trade name with local municipality
- Personal liability
- No dissolution to close business
- No separate filing requirement or annual charge



#### **More Tax Resources**

- Sign up for our emails
  - Tax news delivered to your inbox
  - Quarterly newsletters
  - Important updates





#### **Section Contact Information**



- Phone: 401-574-8983
- Email:
  - Taxpayer.Experience@tax.ri.gov



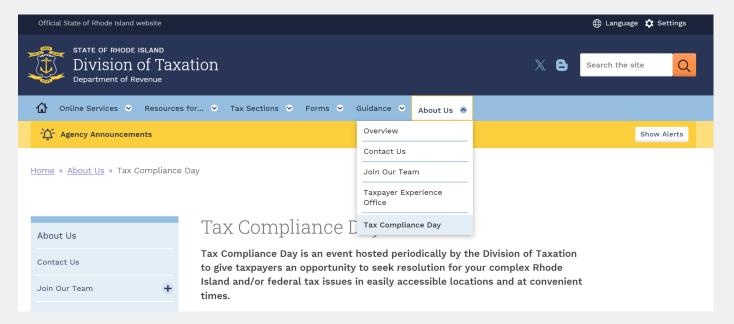
### Advisories

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Administrative Decisions	<b>+</b> 2024	Notices		
Advisories		Publications		
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Declaratory Rulings +		Reports		
Information and EAOs	<b>+</b> 2022	COVID-19		

- <u>www.tax.ri.gov</u> > "Guidance" > "Advisories" > select the appropriate year
- <u>https://tax.ri.gov/guidance/advisories</u>



Tax Compliance Days



- <a>www.tax.ri.gov</a> "About Us" > "Tax Compliance Day"
- <u>https://tax.ri.gov/about-us/tax-compliance-day</u>

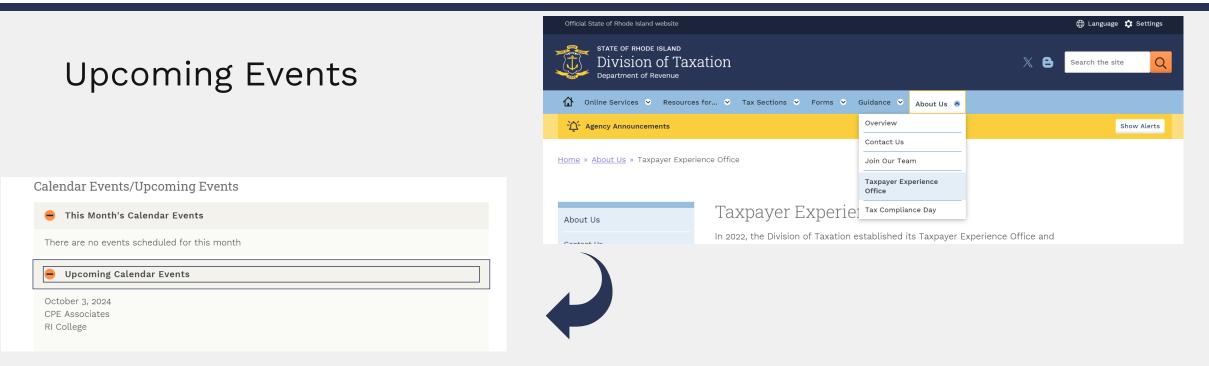


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- <u>www.tax.ri.gov</u> > "About Us" > "Taxpayer Experience Office" > scroll to "Outreach and Useful Materials"
- <u>https://tax.ri.gov/sites/g/files/xkgbur541/files/2024-01/2024%20Taxpayer%20Profiles%20132024.pdf</u>





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Calendar Events/Upcoming Events	Home » About Us » Taxpayer Experience Office	Join Our Team		
This Month's Calendar Events		Taxpayer Experience Office		
🛞 Upcoming Calendar Events	About Us Taxpayer Exper	[e] Tax Compliance Day		
😑 Past Calendar Events - 2024	In 2022, the Division of Taxatio	on established its Taxpayer E	xperience Office and	
January 4, 2024 RI/MA Chapter of NATP Southbridge Hotel and Conference Center January 9, 2024 RIAPA Annual Presentation Chelo's Warwick February 7, 2024 Food Policy Council – Specialty Crop Farmers Via Zoom				

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### Questions







# Thank you

**Contact Us** 401-574-8829 <u>Taxpayer.Experience@tax.ri.gov</u> One Capitol Hill <u>Providence, RI 02908</u>



www.tax.ri.gov



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