

# Rhode Island Department of Revenue Division of Taxation

Seminar for Tax Preparers CCRI Warwick

December 11, 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

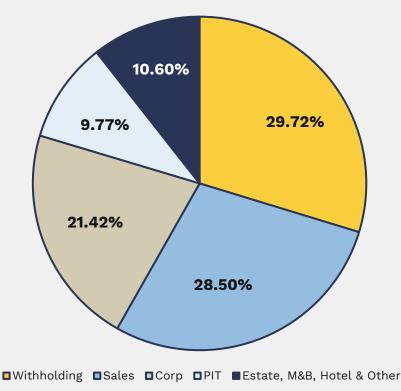
- The Rhode Island Division of Taxation employs 228 tax professionals, administering more than 59 different taxes and fees.
- Taxes represent **the most significant source of General Fund revenue** for Rhode Island funds used to help pay for vital services including public safety, education, transportation, 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**

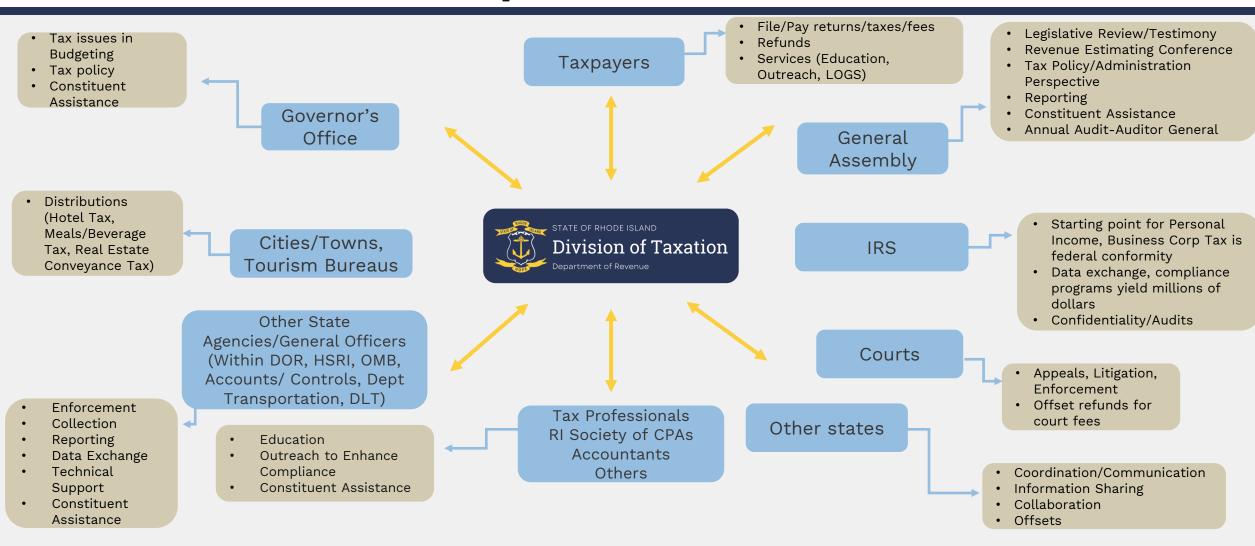
- To foster voluntary compliance with the Rhode Island tax laws and instill public confidence through professional, impartial and ethical conduct.
- To administer and collect all taxes as required by Rhode Island law in the most efficient and cost-effective manner.
- To assist taxpayers by helping them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

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

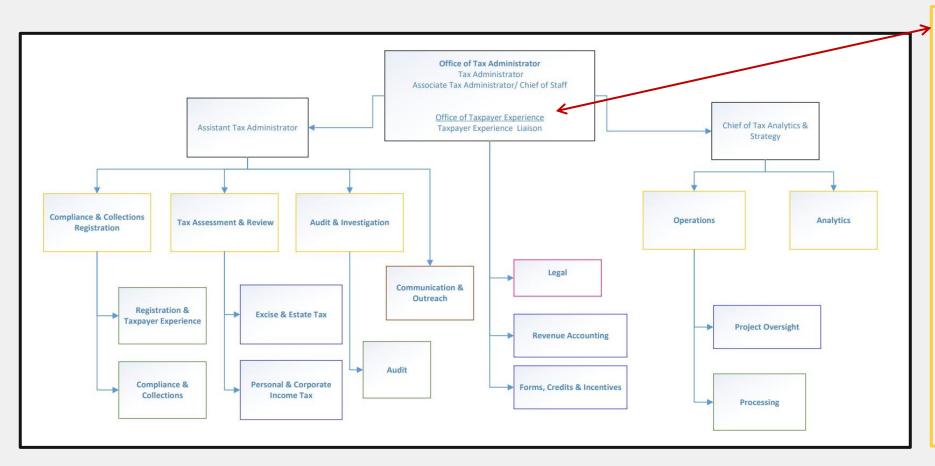
FY24 Receipts: \$5.14B



# About Us: Key Stakeholders/Interactions



# Taxpayer Experience Office/Team

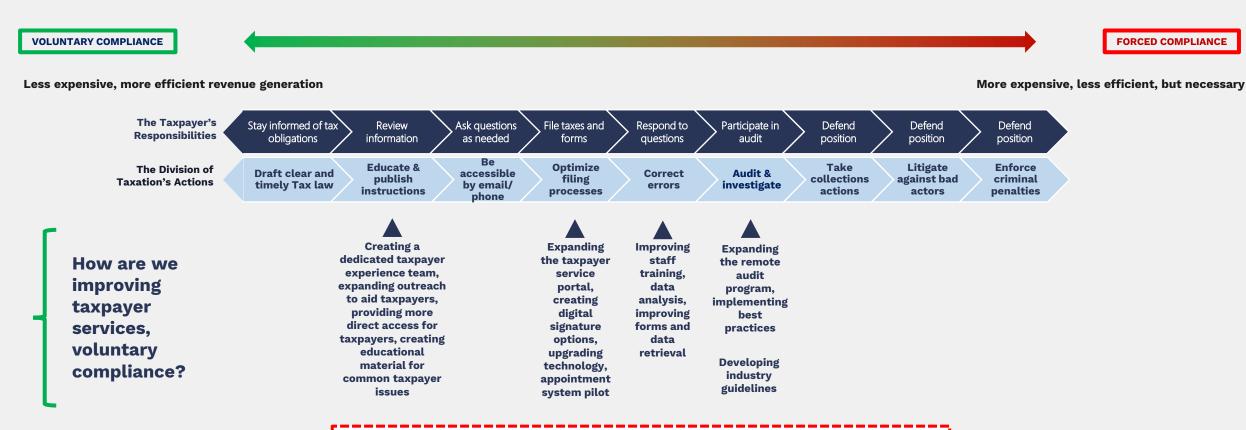


Taxpayer Experience Office Team

- Tax Administrator
- Asst Tax Administrator
- External Facing: Taxpayer Experience Liaison
- Internal Taxpayer
   Experience Team
   (With Initial Focus on Collections/Compliance)
- Continue Improvements
   Across Agency at all
   Taxpayer Contact Points

### Division of Taxation: Mission

#### **The Tax Administration Efficiency Continuum**

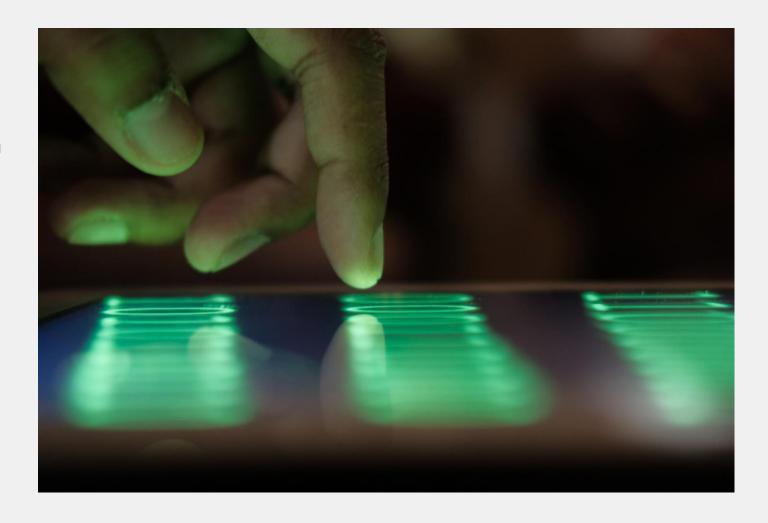


**Taxpayer Experience Office/Team** 



### 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
   Tax Fraud Activity? | Internal
   Revenue Service (irs.gov)
- <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: RI Taxpayer Portal.
- <u>How Do You Report Suspected Tax Fraud Activity? | Internal Revenue Service (irs.gov)</u>.
- Reach out to the RI Division of Taxation: <u>Contact Us | RI</u> Division of Taxation.

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

- Personal Exemptions \$4,950
- Standard Deduction
  - Single \$10,550
  - Joint/Qualifying Widow(er) \$21,150
  - HOH \$15,850
  - Married filing Separately \$10,575

- Exemption and Deduction Phaseout Amounts
  - \$246,450 **-** \$274,650

#### 2024 Tax Year

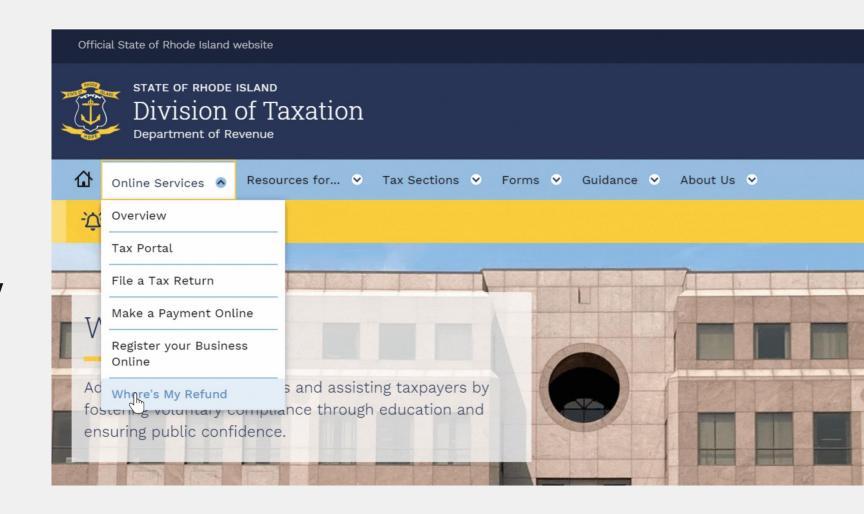
Inflationary changes

- Social Security Amounts
  - Single \$104,200
  - Joint \$130,250
- Pension and Annuity
  - Single \$104,200
  - Joint \$130,250

- Property Tax Relief Credit \$675
  - Income Limitation \$39,275

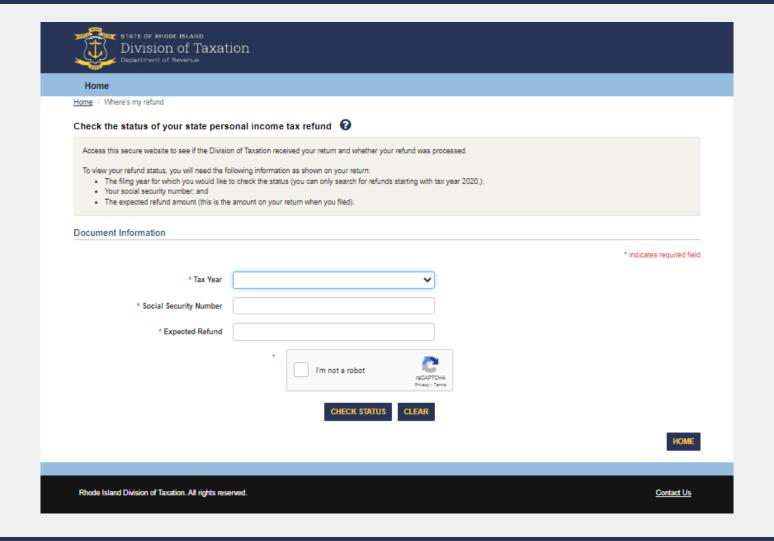
# "Where's My Refund?" Update

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



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



### "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 <a href="https://tax.ri.gov">https://tax.ri.gov</a>.
  - 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.

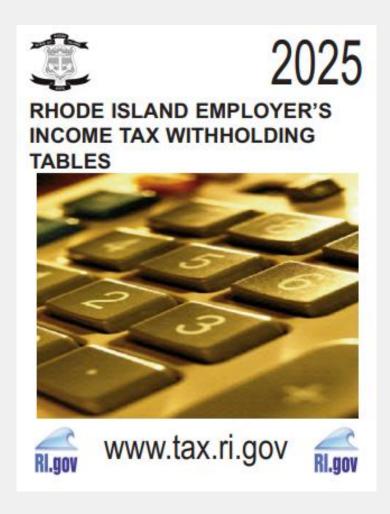
### Withholding

### **Updates**

Withholding booklet.



 Letter of Intent (LOI) specific to Withholding for this season for software vendors.



### 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.

Or click/tap the guide, right.

STATE OF RHODE ISLAND DIVISION OF TAXATION

WITHHOLDING TAX FILING & TRANSMITTAL REQUIREMENTS



### 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.

# State of Rhode Island Division of Taxation 2023 RI-1041 Fiduciary Income Tax Return



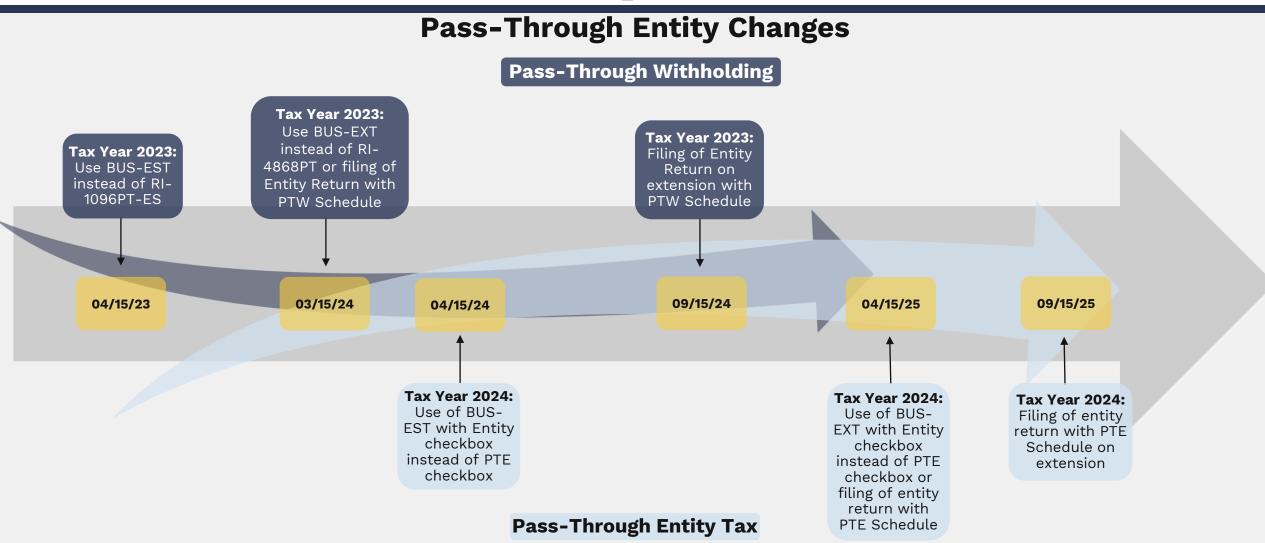
### **Fiduciary**

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



- 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





**TY 2024 Updated Filing Options** 

### MeF

- RI-1040
- RI-1120C, RI-1120S, RI-1065 (with PTE & PTW Schedules)
- RI-1041 (with PTE & PTW Schedules)
  - (PTE for corp. only)
  - May issue a K1 to its beneficiaries, but it cannot receive a K1 that notes PTE credit.
- Return Payments
- Extensions

### **Portal**

- Extensions
- Estimates

# Estimates Available on Paper\*

- RI-1040ES
- BUS-EST
- RI-1041ES

\*Please note, if the taxpayer is an entity subject to RI's Electronic Filing Mandate, filing on paper may subject 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) TY 2023 version is online

### 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

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 1065.  Go to www.irs.gov/ScheduleC for instructions and the latest information.		OMB No. 1545-0074  2023  Attachment Sequence No. 09
Name of proprietor		Social security number (SSN)		
A	Principal busines	rofession, including product or service (see instructions)  B Enter code for		de from instructions
С	Business name.	If no separate business name, leave blank.  D Employ		ID number (EIN) (see inst
_	Rusiness address	s (including suite or room no.)		

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

### 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: <a href="http://www.tax.ri.gov/taxforms/nrrewh.php">http://www.tax.ri.gov/taxforms/nrrewh.php</a>

### **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

- Phone: 401-574-8829 Option #3
- Email: <u>Tax.Assist@tax.ri.gov</u>

# Non-resident Real Estate Withholding

- Phone: 401-574-8829 Option#4
- Email: <u>Tax.NonRes713@tax.ri.gov</u>

### Corporate Income Tax

- Phone: 401-574-8829 Option #6
- 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: R.I. Gen. Laws § 44-1-34.

#### **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

#### High likelihood for approval: **Requirements:** You have a total balance greater than \$1,000 Complete Installment Agreement Request: Form RI-9465 Remit 50% Down Option 1 Full compliance with all filing requirements Result Option

You may still be approved if you complete these steps:

- Complete Income/Expense Statement section of form RI-9465, Installment Agreement Request for review
- Provide any backup documentation requested



Remaining balance must be paid in 12 installments or less

**Moving forward:** 

#### Must continue to stay in compliance with filings and payments

Interest and penalties continue to accrue until tax portion of liability is paid in full (if applicable)

#### **Offers in Compromise:**

#### What You Need to Know

## Qualifications:

• If debt is excessive, Illegal, or uncollectible <u>Regulation</u> 280-RICR-20-00-6

## Requirements:

- Complete <u>Form RI-656</u>
- Complete <u>Form 433A</u> or <u>Form 433B</u>
- Full compliance with all filing requirements

# Documentation Needed:

 Financial Statements and verification of reason request may be required

#### **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**

Be sure to include the \$50 fee







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**



## Justin Haas

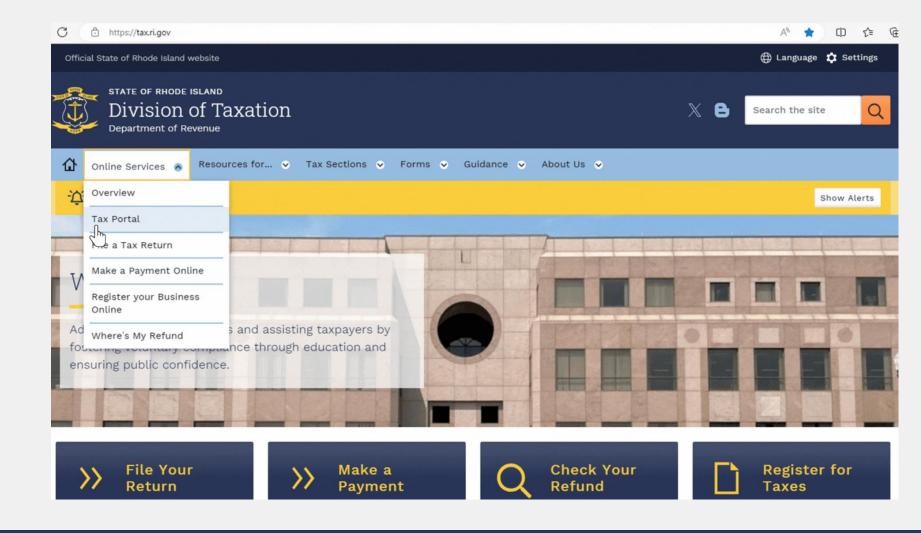
Taxpayer Assistance Representative Supervisor

Compliance and Collections, Registration, and Taxpayer Experience Section

Taxpayer Portal

Visit our website: <a href="https://tax.ri.gov/">https://tax.ri.gov/</a>.

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

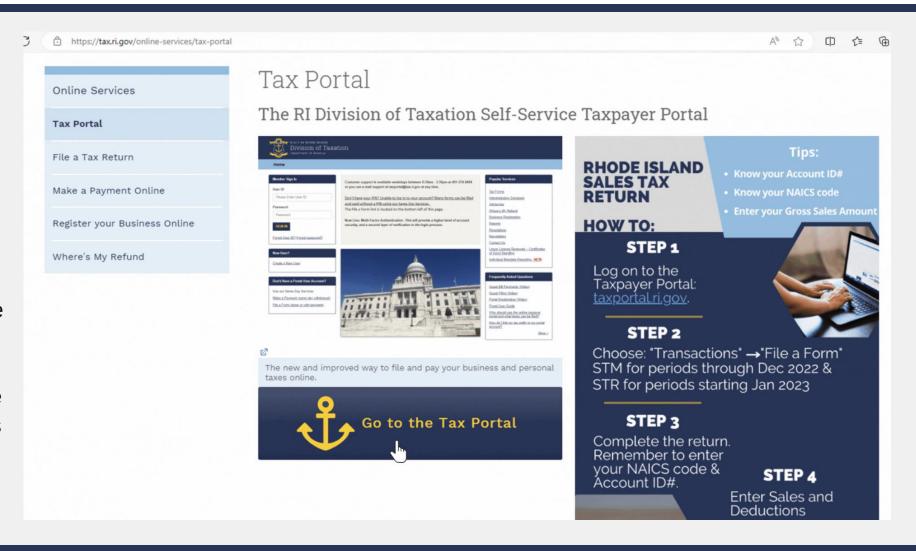




Our Portal information page is located at: <a href="https://tax.ri.gov/online-services/tax-portal">https://tax.ri.gov/online-services/tax-portal</a>.

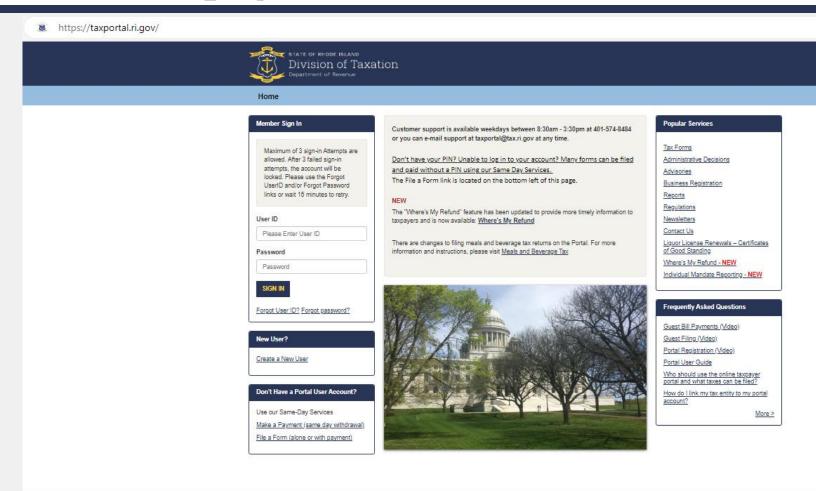
This page provides tips, answers to commonly asked questions, and contact information for the Portal Team.

The Taxpayer Portal can be accessed directly from this page.



The Taxpayer Portal web address is:

https://taxportal.ri.gov/.

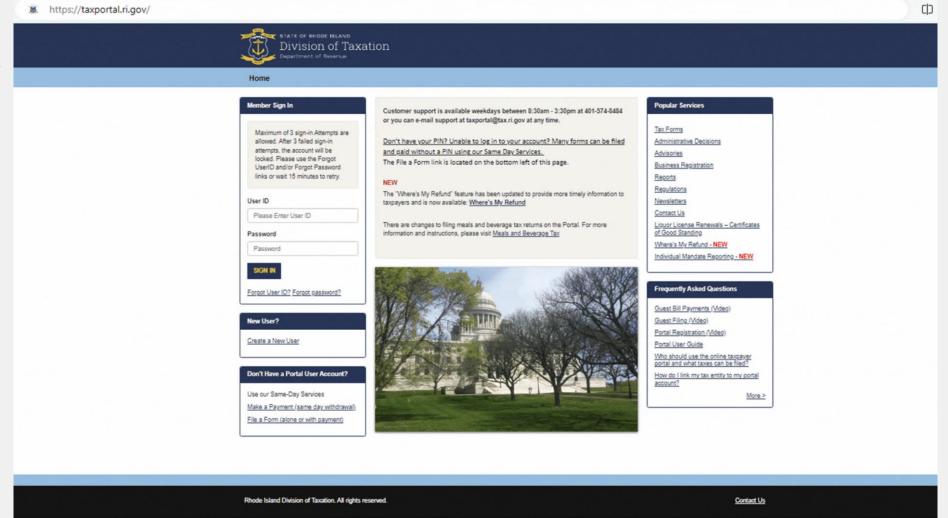


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Contact Us



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



https://taxportal.ri.gov/

STATE OF RHODE ISLAND Division of Taxation Sign up: **Popular Services** Member Sign In Customer support is available weekdays between 8:30am - 3:30pm at 401-574-8484 or you can e-mail support at taxportal@tax.ri.gov at any time. Tax Forms Maximum of 3 sign-in Attempts are allowed. After 3 failed sign-in Don't have your PIN? Unable to log in to your account? Many forms can be filed Administrative Decisions attempts, the account will be and paid without a PIN using our Same Day Services. Advisories locked. Please use the Forgot The File a Form link is located on the bottom left of this page. **Business Registration** UserID and/or Forgot Password links or wait 15 minutes to retry. Reports Regulations The "Where's My Refund" feature has been updated to provide more timely information to User ID taxpayers and is now available: Where's My Refund Newsletters Contact Us Please Enter User ID There are changes to filing meals and beverage tax returns on the Portal. For more Liquor License Renewals - Certificates of Good Standing Password information and instructions, please visit Meals and Beverage Tax Where's My Refund - NEW Password Individual Mandate Reporting - NEW SIGN IN Frequently Asked Questions Forgot User ID? Forgot password? Guest Bill Payments (Video) New User? Guest Filing (Video) Portal Registration (Video) Create a New User Portal User Guide

bun't Have a Portal User Account?

Make a Payment (same day withdrawal)
File a Form (alone or with payment)

Use our Same-Day Services

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Contact Us

More >

Who should use the online taxpayer portal and what taxes can be filed?

account?

How do I link my tax entity to my portal

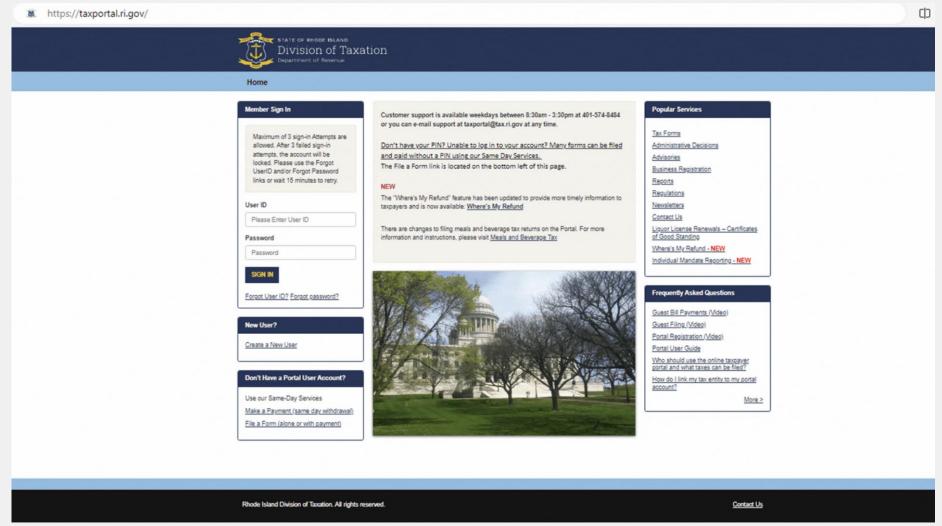


https://taxportal.ri.gov/ STATE OF RHODE ISLAND Division of Taxation Sign in: **Popular Services** Member Sign In Customer support is available weekdays between 8:30am - 3:30pm at 401-574-8484 or you can e-mail support at taxportal@tax.ri.gov at any time. Tax Forms Maximum of 3 sign-in Attempts are allowed. After 3 failed sign-in Don't have your PIN? Unable to log in to your account? Many forms can be filed Administrative Decisions attempts, the account will be and paid without a PIN using our Same Day Services. Advisories locked. Please use the Forgot The File a Form link is located on the bottom left of this page. **Business Registration** UserID and/or Forgot Password links or wait 15 minutes to retry. Reports Regulations The "Where's My Refund" feature has been updated to provide more timely information to User ID taxpayers and is now available: Where's My Refund Newsletters Contact Us Please Enter User ID There are changes to filing meals and beverage tax returns on the Portal. For more Liquor License Renewals - Certificates of Good Standing Password information and instructions, please visit Meals and Beverage Tax Where's My Refund - NEW Password Individual Mandate Reporting - NEW Frequently Asked Questions User ID? Forgot password? Guest Bill Payments (Video) New User? Guest Filing (Video) Portal Registration (Video) Create a New User Portal User Guide Who should use the online taxpayer portal and what taxes can be filed? Don't Have a Portal User Account? How do I link my tax entity to my portal account? Use our Same-Day Services More > Make a Payment (same day withdrawal) File a Form (alone or with payment)

Rhode Island Division of Taxation. All rights reserved

Contact Us

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



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



#### **Contact Information**

Taxpayer Portal Section

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

# Amanda Cirillo 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.

#### **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
- Notice to Cigarette Dealers

#### 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 (Notice 2024-03).
- 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).

#### 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.

#### **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**

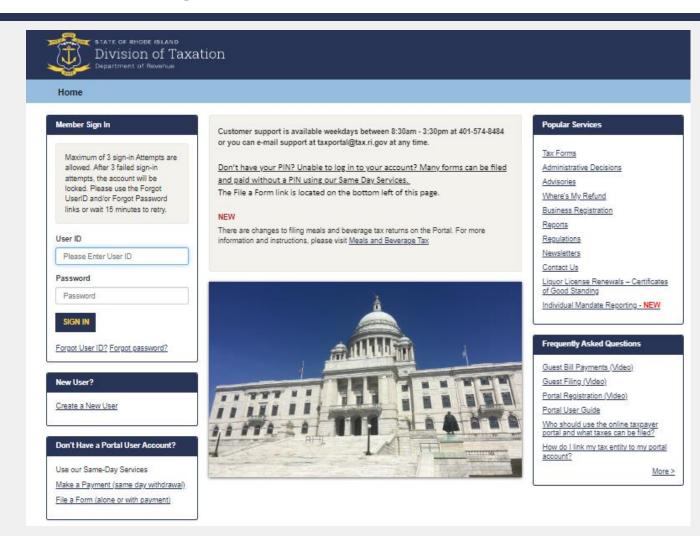
Electronic filing and payment mandate for larger business registrant taxpayers effective 01/01/2023.

- 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.



## 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.

## **Excise and Estate Tax**

## **Sales Tax Responsibilities**

- What is Taxable?
  - All Tangible Personal Property and certain enumerated services.
    - § 44-18-7.3. Services defined
      - 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?"
  - § 44-18-30. Gross receipts exempt from sales and use taxes

## **Excise and Estate Tax**

## **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**

Estate Tax

• 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 Posting

- To allow software vendors to update software products for new forms and changes to existing forms
- Begin programming updates of Taxation system(s)

## Software Vendor Submissions

- Taxation creates test cases for software vendors
- Software vendors submit test case returns for Taxation review

## Final Form Postings

- Software vendors are allowed to submit test cases prior to final forms
- If forms are
  updated after
  submission, vendor
  is informed by
  Taxation to
  resubmit

### Submission Review

 Taxation will review submissions and require vendors to make necessary corrections prior to approval

## Vendor Approval

- Taxation posts approved software vendors to website periodically
  - Approved
    Software
    Vendors | RI
    Division of
    Taxation



## **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.

#### Draft Form Posting

- To allow software vendors to update software products for new forms and changes to existing forms
- Begin programming updates of Taxation system(s)

#### Software Vendor Submissions

- Taxation creates test cases for software
- Software vendors submit test case return for Taxation residues.

#### Final Form Postings

Taxation to

Software vendors are allowed to review submit test cases prior to final forms require updated after submission, vendor is informed by to approximate to approximate the correct to appr

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to approval

### Vendor Approval

Taxation posts approved software vendors to website periodically
 Approved Software Vendors | RI Division of

<u>Taxation</u>

STATE OF RHODE ISLAND

Division of Taxation

Department of Revenue

# Forms Approval and Submission Process FAQs

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

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

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
  - Form RI-1120C

with or without a payment, using Form BUS-EXT

- Electronic filing & paying of return payments as part of submission included with:
  - Form RI-1065
  - Form RI-1120S
  - Form RI-1120C

using the existing elements within the MeF schema

# 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?

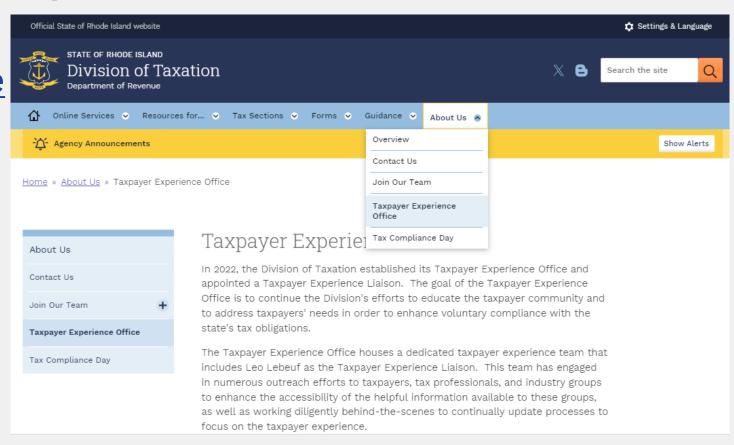
If your software vendor is not listed as approved under the tax type you are trying to file, please contact your vendor directly.





## **Website Components and Features**

- Taxpayer Experience Office
  - Trainings and Presentations
  - Industry Guides
  - Compliant Taxpayer Profiles



### **State Tax Notices Timeline**

**Notice of Proposed Assessment** 

30 Days

- Issued if an adjustment is made to a filed return prior to due date; or
- Issued if an adjustment is made to a filed return after the due date.

**Notice of Assessment**  30 Days

- Issued after due date of return filed with a balance due matching the balance due on a filed return; or
- Issued 30 days after a Notice of Proposed Assessment.

Statement of Account

- **Annually**
- Issued 30 days after a Notice of Assessment.
- Includes all outstanding liabilities across tax types.
- Continues issuance up to 3 times or until paid.

**Annual Statement** of Account

> Periodic reminder notice of outstanding across all taxes.



### **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





Phone: (401) 574-8935 TTY Via 711 Fax: (401) 574-8932

Email: tax.corporate@tax.ri.gov

09/03/2024

#### NOTICE OF ASSESSMENT

TEST BUSINESS 1 CAPITOL HL PROVIDENCE. RI 02908-5816 Account ID: Tax Type: Notice ID: Bill Due Date:



Dear Taxpayer,

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

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

State of Rhode Island
DIVISION OF TAXATION

Return this voucher with your payment

Make check(s) payable to: Rhode Island Division of Taxation

Include Account ID on the check

NOA Voucher

Date: 09/03/2024

Rhode Island Division of Taxation One Capitol Hill Providence, RI 02908-5800

Tax Type:

CORPORATE

TEST BUSINESS

Invoice Number: Due Date: Balance Due:

10/03/2024 \$39,928.66

Amount Enclosed:

Division of Taxation

Page 1

## Changes to the RI 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)



Phone: (401) 574-8935 TTY Via 711 Fax: (401) 574-8932

Email: tax.corporate@tax.ri.gov

ce ID:

Account ID:

#### CORPORATE

Period: 01/01/2023 - 12/31/2023

Return/Payment Due Date: 10/03/2024

Liabilities	Amount
Tax/Fees	\$34,958.00
Underestimating Interest	\$2,241.79
Late Payment Interest	\$548.49
Late Payment Penalty	\$334.58
Late Filing Penalty	\$3,345.80
Total Liabilities	\$41,428.66
Payments/Credits	
Credits	(\$750.00)
Payments	(\$750.00)
Total Payments/Credits	\$1,500.00
Balance Due	\$39,928.66

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.

#### 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.

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: <a href="https://www.youtube.com/watch?v=efl7bHaYnsc&t=3284s">https://www.youtube.com/watch?v=efl7bHaYnsc&t=3284s</a>

### Information for farmers

Expanded guidance for farmers: ADV 2024-24

- 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: ADV 2024-24

- 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**

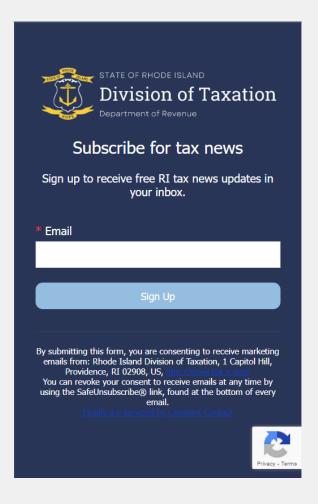
- Files Form 1040
   reporting on
   Schedule C, E or F to
   pay federal income
   taxes
- Files RI-1040/RI 1040NR to pay state income tax on Federal AGI including Schedule C income

### **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

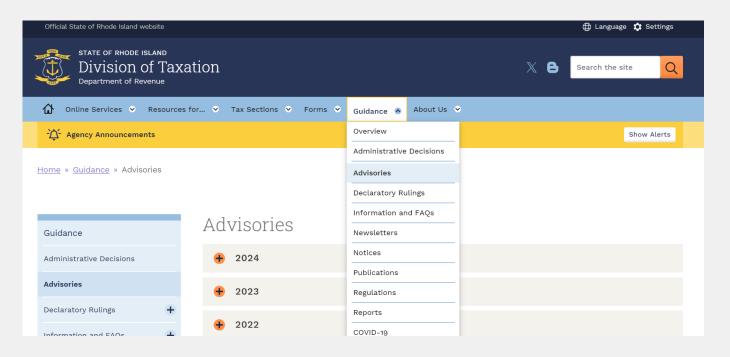


### **Section Contact Information**

Taxpayer Experience Office

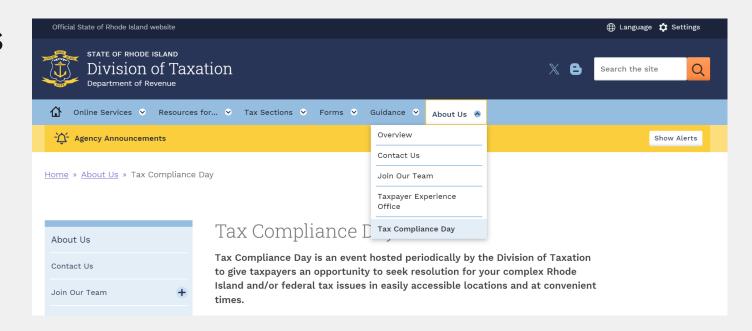
- Phone: 401-574-8983
- Email: <u>Taxpayer.Experience@tax.ri.gov</u>

### Advisories



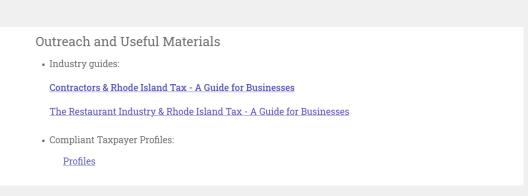
- <a href="www.tax.ri.gov"> "Guidance"> "Advisories"> select the appropriate year</a>
- <a href="https://tax.ri.gov/guidance/advisories">https://tax.ri.gov/guidance/advisories</a>

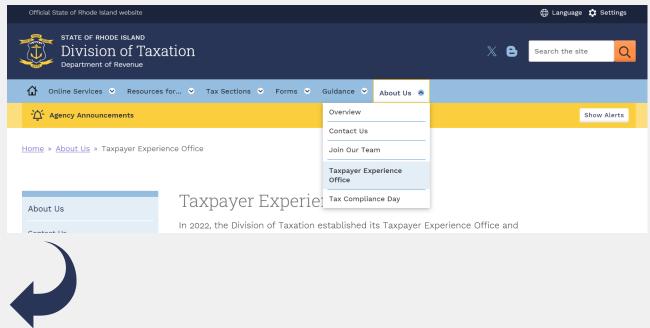
## Tax Compliance Days



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

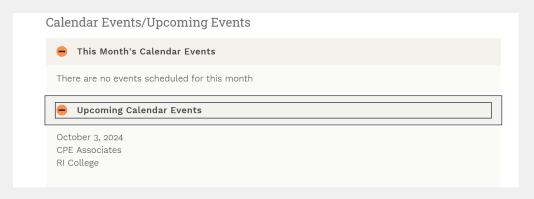
## Compliant Taxpayer Profiles

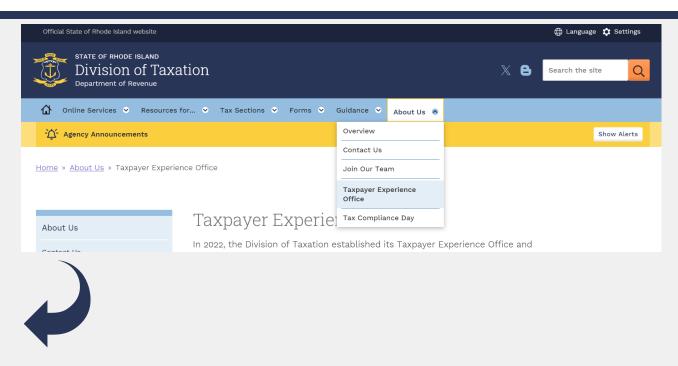




- <a href="www.tax.ri.gov"> "About Us" > "Taxpayer Experience Office" > scroll to "Outreach and Useful Materials"</a>
- <a href="https://tax.ri.gov/sites/g/files/xkgbur541/files/2024-01/2024%20Taxpayer%20Profiles%20132024.pdf">https://tax.ri.gov/sites/g/files/xkgbur541/files/2024-01/2024%20Taxpayer%20Profiles%20132024.pdf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

## **Upcoming Events**

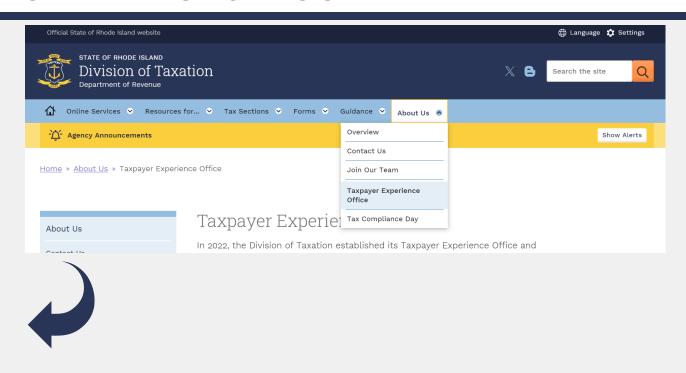




- <a href="www.tax.ri.gov"> "About Us" > "Taxpayer Experience Office" scroll to "Calendar Events/Upcoming Events" > "This Month's Calendar" Events or "Upcoming Calendar Events"</a>
- Taxpayer Experience Office | RI Division of Taxation

## Past presentations





- <u>www.tax.ri.gov</u> > "About Us" > "Taxpayer Experience Office" scroll to "Calendar Events/Upcoming Events" > select the appropriate year
- Taxpayer Experience Office | RI Division of Taxation

- Advisories
  - <a href="www.tax.ri.gov"> "Guidance"> "Advisories"> select the appropriate year <a href="https://tax.ri.gov/guidance/advisories"> https://tax.ri.gov/guidance/advisories</a>
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  - https://tax.ri.gov/sites/g/files/xkgbur541/files/2024-01/2024%20Taxpayer%20Profiles%20132024.pdf
- Upcoming Events
  - <u>www.tax.ri.gov</u> > "About Us" > "Taxpayer Experience Office" scroll to "Calendar Events/Upcoming Events" > "This Month's Calendar" Events or "Upcoming Calendar Events"
  - <u>Taxpayer Experience Office | RI Division of Taxation</u>
- Past presentations
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  - Taxpayer Experience Office | RI Division of Taxation

## Questions



# Thank you



**Contact Us** 

401-574-8829

<u>Taxpayer.Experience@tax.ri.gov</u>

One Capitol Hill

Providence, RI 02908

www.tax.ri.gov



