

740NP-WH

40A201 (10-15)

Commonwealth of Kentucky
DEPARTMENT OF REVENUE

2015

KENTUCKY NONRESIDENT INCOME TAX WITHHOLDING ON
DISTRIBUTIVE SHARE INCOME REPORT AND COMPOSITE INCOME TAX RETURN
(To be completed by a Pass-through Entity Only)

Taxable Year Ending

Mo. / Yr.

➤ See instructions.

KRS 141.206

Taxable period beginning ____/____/2015, and ending ____/____/201____.

A Name of Pass-through Entity			B Federal Identification Number _____	
Number and Street			C Kentucky Corporation/LLET Account Number (if applicable) _____	
City	State	ZIP Code		
D Check applicable Boxes: ☐ Nonresident Income Tax Withholding on Distributive Share Income Report ☐ Change of name ☐ Amended - Nonresident Income Tax Withholding on Distributive Share Income Report ☐ Composite Income Tax Return ☐ Amended - Composite Income Tax Return ☐ Change of address ☐ Change of accounting period ☐ Final return				
(1) Number of nonresident individuals, estates, trusts and corporations included in this withholding		1		
(2) Number of nonresident individuals, estates, trusts and corporations exempt from this withholding		2		
(3) Number of nonresident individuals, estates, and trusts included in this composite income tax return		3		
(4) Kentucky distributive share income subject to withholding or included in the composite income tax return before apportionment		4		00
(5) 100% or the apportionment fraction from the pass-through entity's Schedule A, Section I, line 12		5		%
(6) Kentucky distributive share income subject to withholding or included in the composite income tax return (line 4 multiplied by line 5)		6		00
(7) Tax before tax credits (line 6 multiplied by .06 (6%))		7		00
(8) Enter the partners', members' or shareholders' nonrefundable tax credits		8		00
(9) Kentucky income tax liability (line 7 less line 8)		9		00
(10) Estimated tax payments ☐ Check if Form 740NP-WH-P attached		10		00
(11) Extension payment		11		00
(12) Prior year's tax credit		12		00
(13) Total Payments (lines 10 through 12)		13		00
(14) Income Tax Due (line 9 less line 13)		14		00
(15) Income tax overpayment (line 13 less line 9)		15		00
(16) Credited to 2015 Interest		16		00
(17) Credited to 2015 Penalty		17		00
(18) Credited to 2016		18		00
(19) Amount to be refunded (line 15 less lines 16 through 18)		REFUND 19		00

OFFICIAL USE ONLY		Make check(s) or money order(s) payable to: Kentucky State Treasurer Mail to: Kentucky Department of Revenue Frankfort, KY 40619-0006	TAX PAYMENT SUMMARY (Round to nearest dollar)	
VAL #			1. Tax (Line (14))	\$ _____ .00
PW 204		2. Interest	\$ _____ .00	
		3. Penalty	\$ _____ .00	
		4. Total Payment	\$ _____ .00	

I, the undersigned, declare under the penalties of perjury, that I have examined this return, including all accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct and complete.

Print name of partner, member or shareholder

Signature of partner, member or shareholder

Daytime telephone number

Date

Name of person or firm preparing return

Date

SSN, PTIN or FEIN

May the DOR discuss this return with the preparer?

☐ Yes ☐ No

Email Address:

Telephone No.:

INSTRUCTIONS—Form 740NP-WH

A pass-through entity must complete this form and mail with payment to the Kentucky Department of Revenue by the 15th day of the fourth month following the close of the taxable year. Copy(ies) A of Form PTE-WH, or approved substitute, must be included.

Purpose of this Form—Form 740NP-WH (40A201) is used by every pass-through entity required to file a return as provided by KRS 141.206(2), except publicly traded partnerships as defined in KRS 141.0401(6)(r), to withhold Kentucky income tax on the distributive share, whether distributed or undistributed, of each nonresident individual partner, member or shareholder; or each C corporation partner or member that is doing business in Kentucky only through its ownership interest in a pass-through entity. Withholding shall be at the maximum rate provided in KRS 141.020 or 141.040. **It is also used to file a composite income tax return for those electing nonresident individual partners, members or shareholders exempt from withholding.**

“Individual” means an individual, estate or trust. The tax imposed by KRS 141.020 upon individuals shall apply to estates and trusts and to all fiduciaries. **KRS 141.030(1)**

A “Partnership or S corporation partner, member or shareholder” is not subject to withholding. A partnership or S corporation is classified as a pass-through entity as provided by KRS 141.010(26) and is not classified as a corporation or an individual.

Form PTE-WH (40A200) shall be completed for each partner, member or shareholder, and Copy A of PTE-WH for each partner, member or shareholder shall be **attached** to the **740NP-WH** filed with the Department of Revenue. The total of the income tax withheld on the PTE-WH forms, Line 9 must equal the amount on 740NP-WH, Line 9. Also, see the instructions on PTE-WH.

Penalty and Interest—Effective for taxable years beginning on or after January 1, 2012, every pass-through entity required to withhold Kentucky income tax as provided by KRS 141.206(5) or files a composite income tax return as provided by KRS 141.206(16)(a) shall make a declaration and payments of estimated tax as required by KRS 141.206(6) if: (i) a nonresident partner's, member's or shareholder's estimated tax liability can reasonably be expected to exceed \$500; or (ii) a corporate partner's or member's estimated tax liability can reasonably be expected to exceed \$5,000. **Complete Form 740NP-WH-P to compute the penalty and interest for late payment or underpayment of estimated tax installments.**

SPECIFIC INSTRUCTIONS

Enter taxable year ending at the top right of Form 740NP-WH. The taxable year ending is the same as the pass-through entity's taxable year.

Item A – Enter the pass-through entity's name and address.

Item B – Enter the pass-through entity's Federal Employer Identification Number.

Item C – Enter the pass-through entity's Kentucky Corporation/ LLET Account Number.

Item D – Check the box to indicate the type of return the pass-through entity is filing. Also check the applicable box to indicate a change of name, change of address, change of accounting period or final return.

LINE-BY-LINE-INSTRUCTIONS

Line 1 – If filing a nonresident distributive share income withholding report, enter the number of nonresident individuals, estates, trusts and corporations included in this withholding on distributive share income report that are not exempt.

Line 2 – If filing a nonresident distributive share income withholding report, enter the number of nonresident individuals, estates, trusts and corporations exempt from withholding on distributive share income. Only include members exempt as provided by KRS 141.206.

Line 3 – If filing a composite income tax return, enter the number of nonresident individuals, estates and trusts included in this composite income tax return.

Line 4 – Enter the distributive share income of the nonresident individuals, estates, trusts and corporations included on Line 1, or the distributive share income of nonresident individuals, estates and trusts included on Line 3.

Line 5 – Enter the apportionment fraction from the pass-through entity's Schedule A, Section I, Line 12.

Line 6 – Enter the amount of Line 4 multiplied by Line 5.

Line 7 – Enter the amount of Line 6 multiplied by .06 (6%).

Line 8 – Enter the partners', members' or shareholders' nonrefundable tax credits from Schedules K-1. **Note: Allowable tax credits are allowed only if the credits are reasonably expected to be claimed in the current taxable year. For example, the recycling and composting tax credit allowed pursuant to KRS 141.390 shall be limited to the lesser of ten percent (10%) of the total credit in the year of purchase or twenty-five percent (25%) of the entity's tax liability. Carryforward tax credits not included on the current Schedule(s) K-1 shall not be allowed.**

Line 9 – Enter the amount on Line 7 less Line 8.

Line 10 – Enter the total estimated tax payments (Form 740NP-WH-ES Vouchers) made for the taxable year. Do not include the amount credited from the prior year.

Line 11 – Enter the tax payment made with Form 40A201NP-WH-SL, Extension of Time to File Kentucky Form 740NP-WH (40A201).

Line 12 – Enter the amount credited to 2015 from Form 740NP-WH, Line (18) of the 2014 return.

Line 13 – Enter the total payments listed on Lines 10 through 12.

Line 14 – If Line 9 is greater than Line 13, enter the difference on this line and enter the amount in the Tax Payment Summary.

Line 15 – If Line 9 is less than Line 13, enter the difference on this line.

Line 16 – Enter the portion of Line 15 to be credited to 2015 Interest.

Line 17 – Enter the portion of Line 15 to be credited to 2015 Penalty.

Line 18 – Enter the portion of Line 15 to be credited to 2016.

Line 19 – Enter the portion of Line 15 to be refunded (Line 15 less Lines 16 through 18).