

**Commonwealth of Kentucky
Kentucky Department of Revenue**

**Handbook for Electronic Filers of
Individual Income Tax Returns**

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Tax Year 2016

Processing Year 2017

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The Kentucky Department of Revenue (KDOR) joined with the Internal Revenue Service (IRS) in 1994 to offer electronic filing of federal and state individual income tax returns. The Federal/State Electronic Filing Program allows taxpayers to file both their federal and state returns electronically. This program is an effort to provide “one-stop shopping” for all tax preparation and filing. Taxpayers, tax practitioners and KDOR benefit from electronic filing.

The Kentucky Handbook for Electronic Filers of Individual Income Tax Returns (KY Publication 1345) is used in conjunction with IRS Publication 1345. Because most functions in the Federal/State Electronic Filing Program are the same, this handbook highlights the special features unique to Kentucky. The information contained herein explains the program, including changes from last year.

Safeguarding taxpayers and IRS e-file from identity-theft refund fraud requires that providers be diligent in detecting and preventing identity-theft fraud patterns and schemes. Early detection of these patterns and schemes is critical to stopping them and their adverse impacts, and to protecting taxpayers and IRS/Kentucky e-file.

A “fraudulent return” is a return in which the individual is attempting to file using someone else’s name or SSN on the return or where the taxpayer is presenting documents or information that have no basis in fact.

Providers who collectively transmit more than 2,000 individual income tax returns per year are required to perform analysis to identify potential identity-theft fraud patterns and schemes. They must provide the results relative to any indicators of such fraud to the IRS/Kentucky on a weekly basis, in accordance with requirements distributed to providers.

Section 1 - What’s New for Tax Year 2016?

Filing Deadline will be April 18, 2017 for TY2016

The filing deadline for Tax Year 2016 will be April 18, 2017.

Form 740-NP-R, Kentucky Income Tax Return Nonresident-Reciprocal State

The Form 740-NP-R, Kentucky Income Tax Return Nonresident-Reciprocal State will be accepted for electronic filing beginning in tax year 2016. The Kentucky wage and tax statement(s) must be provided with the return or it will be rejected.

A direct deposit of the refund amount is not an option for the Form 740-NP-R. A check will be issued and mailed for the refund amount.

Please check with the software provider prior to purchasing to determine the forms and services supported by the tax software.

Form 725, Kentucky Single Member LLC Individually Owned Income and LLET Return

The Form 725, Kentucky Single Member LLC Individually Owned Income and LLET Return and supporting forms and schedules will be accepted for electronic filing beginning in tax year 2016.

Please check with the software provider prior to purchasing to determine the forms and services supported by the tax software.

Current Year Amended Returns

Kentucky current year amended returns and their supporting forms and schedules will be accepted for electronic filing beginning in tax year 2016.

Please wait for the receipt of the acknowledgement of the original return before submitting an amended return. The original return may be rejected and then you can correct the original and resubmit it eliminating the need to file an amended return. If the original return is accepted, then an amended return should be filed.

Please check with the software provider prior to purchasing to determine the forms and services supported by the tax software.

Standard Deduction

The standard deduction increased from \$2,440 to \$2,460.

Family Size Tax Credit

This credit provides benefit to individuals and families at incomes up to 133 percent of the threshold amount based on the federal poverty level. The 2016 threshold amount is \$11,880 for a family size of one, \$16,020 for a family of two, \$20,160 for a family size of three and \$24,300 for a family size of four or more.

Children of divorced or separated parents can be claimed for the FSTC based on where they resided the majority of the year, not necessarily the parent that claimed the child as a deduction.

Determining the Size of Family Unit:

- 1 - An individual either single or married living apart from his or her spouse for the entire year
- 2 - An individual with one dependent child or a married couple
- 3 - An individual with two dependent children or a married couple with one dependent child
- 4 or more - An individual with three dependent children or a married couple with two dependent children

For purposes of computing the family size tax credit, the maximum family size is 4.

The following table lists the percentage used in calculating the FSTC based on family size and modified gross income for tax year 2016. The MGI amounts in the family size tax table changed for TY2016.

Family Size	One		Two		Three		Four or More		Credit Percentage is
	Is over	Is not over	Is over	Is not over	Is over	Is not over	Is over	Is not over	
TY 2 0 1 6		11,880		16,020		20,160		24,300	100%
	11,880	12,355	16,020	16,661	20,160	20,966	24,300	25,272	90%
	12,355	12,830	16,661	17,302	20,966	21,773	25,272	26,244	80%
	12,830	13,306	17,302	17,942	21,773	22,579	26,244	27,216	70%
	13,306	13,781	17,942	18,583	22,579	23,386	27,216	28,188	60%
	13,781	14,256	18,583	19,224	23,386	24,192	28,188	29,160	50%
	14,256	14,731	19,224	19,865	24,192	24,998	29,160	30,132	40%
	14,731	15,088	19,865	20,345	24,998	25,603	30,132	30,861	30%
	15,088	15,444	20,345	20,826	25,603	26,208	30,861	31,590	20%
	15,444	15,800	20,826	21,307	26,208	26,813	31,590	32,319	10%
	15,800	-	21,307	-	26,813	-	32,319	-	0%

Military Spouse Indicator

The Military Spouses Residency Relief Act prohibits a spouse's income from being considered income earned in a tax jurisdiction if the spouse is not a resident or domiciliary of such jurisdiction when the spouse is in that jurisdiction solely to be with a service member serving under military orders. Those military spouses who fall under this law should file Form 740-NP to request a refund of the Kentucky income tax withheld from his or her pay. The income would not be reported as taxable on the Kentucky income tax return.

To assist the department in identifying those returns, please check the Military Spouse box at the top left of the Form 740-NP return.

Distilled Spirits Recapture Indicator

A checkbox was added on the Form 740, line 13 to indicate that a Schedule DS-R is being filed. This box should be checked if a recapture of the distilled spirits credit is being claimed; otherwise, leave unchecked. Please refer to the [Kentucky Tax Alert, November 2015, Vol.34, No. 6](#) for additional information.

Driver's License/State Issued Identification Number

The Department of Revenue is requesting that taxpayers include a driver's license or state issued identification number on their tax return. This additional information will assist the Department of Revenue's efforts to protect the taxpayer and their identity. Kentucky has implemented many internal measures along with collaborating with outside sources to prevent tax fraud and identity theft. Safeguarding tax information is very important to the Department of Revenue.

Individual Income Tax Refund Contributions

Effective for taxable years beginning on or after January 1, 2016, new contribution fund options have been added to the Form 740, Form 740-EZ, Form 740-NP and Form 740-

NP-R, which allow a designation of all or portion of an individual's overpayment to be contributed to the taxpayer's fund(s) of choice.

The new contribution fund options are as follows:

- **SPECIAL OLYMPICS KENTUCKY**—KRS 141.443 allows an individual's refund to be contributed to Special Olympics Kentucky. Designated funds support health, education and athletic programs serving children and adults with intellectual disabilities in the Special Olympics Kentucky program.
- **PEDIATRIC CANCER RESEARCH TRUST FUND**—KRS 141.445 allows an individual's refund to be contributed to the Pediatric Cancer Research Trust Fund. Designated funds support pediatric cancer research and treatment for Kentucky patients.
- **RAPE CRISIS CENTER TRUST FUND**—KRS 141.447 allows an individual's refund to be contributed to the Rape Crisis Center Trust Fund. Designated funds support centers which serve victims of rape and their families by providing counseling and other support.

Refer to [Kentucky Tax Alert, May 2015, Vol. 34, No. 3](#) for additional information.

Kentucky Energy Efficiency Products Tax Credit (Form 5695-K)

This nonrefundable credit was established by HB 2 in the 2008 General Assembly for tax periods beginning after Dec. 31, 2008, and before Jan. 1, 2016. The nonrefundable credit may be applied against tax imposed under KRS 141.020 or 141.040 and KRS 141.0401. Any unused credit may be carried forward one year. Thus, for tax year 2016 this credit has expired and the only allowable Kentucky Energy Efficiency Products Tax Credit will be any **unused credit carryforward from 2015** income tax returns.

Schedule FD – Food Donation Tax Credit – Form 41A720FD

A Schedule FD will be required to support the nonrefundable food donation tax credit claimed on Form 740 or Form 740-NP, Section A, line 22 for electronically and mailed in returns for tax year 2016.

Income and Withholding Tax Statements

All Kentucky withholding claimed on the tax return **must** be supported by an income and withholding tax statement. Form 1099-K will be supported in the schema for the upcoming tax year.

Debit Card Option for Tax Refunds

Taxpayers may choose to have their overpayment refunded on a prepaid debit card issued by Bank of America. Please refer to Section 10 for additional information and restrictions.

Schedule A Changes

Schedule A (740) – Itemized Deductions Limitation

For tax year 2016, the limitation on itemized deductions threshold changed from \$184,000 (\$92,000 if married filing separately on a combined return or filing separate returns) to \$184,850 (\$92,425 if married filing separately on a combined return or filing separate returns). If your Kentucky adjusted gross income is above this threshold then your itemized deductions (excluding medical and dental, investment interest, losses for casualty or theft and gambling losses) will be limited. In general, if the limitation applies, itemized deductions are reduced by the lesser of 3% of the adjusted gross income that exceeds the threshold or 80% of the allowable itemized deductions.

If the taxpayer is itemizing deductions, Part II of Schedule A must be completed if the filing status is Single or married filing jointly and the KY AGI is greater than \$184,850 or the filing status is married filing separately on a combined return or married filing separate returns and the Kentucky AGI is greater than \$92,425.

The only time Schedule A, Part I is completed is if the filing status is married filing separately on a combined return and the KY AGI is less than \$184,850.

Schedule A (740-NP) – Itemized Deductions Limitation

For tax year 2016, the limitation on itemized deductions threshold changed from \$184,000 (\$92,000 if married filing separately on a combined return or filing separate returns) to \$184,850 (\$92,425 if married filing separately on a combined return or filing separate returns). If your Kentucky adjusted gross income is above this threshold then your itemized deductions (excluding medical and dental, investment interest, losses for casualty or theft and gambling losses) will be limited. In general, if the limitation applies, itemized deductions are reduced by the lesser of 3% of the adjusted gross income that exceeds the threshold or 80% of the allowable itemized deductions.

Form 8863-K – Education Tuition Tax Credit

Any unused credit carryforward remaining from the 2011 tax return is no longer eligible for a carryforward on Form 8863K.

Common error found on last years returns resulting in an adjustment to the Education Tuition Tax Credit:

A taxpayer files their return in a given year and answers the questions to claim the nonrefundable Education Tuition Tax Credit, but for any number of reasons their tax liability that year is \$0 so they will not be able to claim the credit and will have to carry it forward to a future year. Some software does not submit the 8863-K in these instances since the taxpayer is not actually receiving the credit yet. Then, in future years, the taxpayer files a return with an 8863-K to claim the credit carryforward and the Department of Revenue is not able to verify carryforward because the 8863-K was never filed in the prior year to establish the credit.

In order to eliminate this problem, which places a hardship on the Department of Revenue, the taxpayers, and tax preparers, it would be extremely helpful if the 8863-K was filed in any year that it is necessary to establish the credit for carryforward purposes, not just the years where they are actually receiving the credit.

Electronic Payment of Estimate Tax Payments Payment Dates

Taxpayers may schedule up to four equal payments via a direct debit of their financial institution account. The scheduled payment dates for the 2017 estimate tax payment period are: April 18, 2017, June 15, 2017, September 15, 2017, and January 16, 2018. The Form 8879-K and Form EPAY include authorization of the direct debit of estimate tax payments.

Please refer to Section 12 for additional information.

Angel Investor Tax Credit

Effective for taxable years beginning on or after January 1, 2015, KRS 141.396 makes available a nonrefundable personal income tax credit under the Kentucky angel investment credit program to individuals who invest a minimum of \$10,000 in certain Kentucky small businesses with high-growth potential that are engaged in knowledge-based activities, such as bioscience, environmental and energy technology, health and human development, information technology and communications, and materials science and advanced manufacturing, that will further the establishment or expansion of small businesses, create additional jobs, and foster the development of new products and technologies.

Kentucky Payment Voucher for Payments by Check/Money Order

For balance due returns filed electronically where taxpayer elects to pay by check or money order, taxpayers should mail the Form 740-V with the check or money order to the Kentucky Department of Revenue, Frankfort, KY 40620-0011. A copy of the electronically filed return should **not** be included with the payment. Do not staple the check/money order to the Form 740-V.

Please refer to Section 12 for additional information.

Section 2 - Kentucky Efile/EPay Important Dates

Kentucky follows the IRS's lead with regard to the beginning and ending filing dates.

For Taxable Period beginning January 1, 2016, and ending December 31, 2016
(Processing Year 2016)

Begin Federal/State Software Testing for TY2016	1/19/2016
Begin Transmitting TY2016 Returns to IRS/KDOR	
Form 740	1/19/2016
Form 740-NP	1/19/2016
Form 740-NP-R	
Form 40A102	1/19/2016
Form EPAY	1/19/2016
TY2016 Filing Deadline	4/18/2017
Last Day to Transmit Kentucky Returns Electronically for TY2016	
Form 740	TBD
Form 740-NP	TBD
Form 40A102	4/18/2017
Form EPAY	TBD
Last Day to Transmit Form EPAY Electronically for TY2016	TBD

NOTE: These dates are subject to change at any time.

Section 3 - Electronic Filing Help Desk

The help desk is for use by electronic transmitters and preparers experiencing problems with electronic filing. Taxpayer's needing assistance on all tax matters should contact the Taxpayer Assistance Branch at 502-564-4581 for assistance.

Help Desk Phone # 502-564-5370

The help desk operating hours are Monday through Friday, 7:00 a.m. through 3:30 p.m. (EST). The help desk will observe all state holidays.

Contacts

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Section 4 - Publications

Kentucky Tax Alerts

<http://revenue.ky.gov/News/Publications/Pages/Tax-Alerts.aspx>

The following publications describe the process of electronic filing and federal/state electronic filing:

Internal Revenue Service Publications

Publication 1345, Handbook for Authorized IRS e-file Providers of Individual Income Tax Returns

Publication 1346, Electronic Return File Specifications for Individual Income Tax Returns

Publication 4164, Modernized e-File Guide for Software Developers & Transmitters

Kentucky Department of Revenue Publications

Publication KY-1345, Kentucky Handbook for Electronic Filers of Individual Income Tax Returns

Publication 4164, Information for Fed/State Development of Modernized E-file for Individual Income Tax – Software Developer’s Guide

Additional publications and Kentucky forms are available on the KDOR website:
www.revenue.ky.gov

Section 5 - Federal/State Electronic Filing

General Information

Tax preparers and transmitters accepted in the IRS Electronic Filing Program will be able to participate in the Federal/State Electronic Filing Program and be able to file both the federal return and the state return in one transmission to the IRS through MeF. **The software used to transmit the data must be certified by both the IRS and Kentucky Department of Revenue (KDOR).** KDOR will provide a certification letter to all approved software developers. This certification should accompany the final version of the software. The IRS will acknowledge acceptance of the federal data and receipt of the state data packet. The IRS acts as a conduit through which KDOR will retrieve the state data packet for processing.

Who May Participate

Federal/state electronic filing for Kentucky returns is available to all interested parties who have been accepted in the federal electronic filing program. There is no additional application for Kentucky. Please contact your software provider directly if you have questions regarding availability of state software packages.

State-Only Filing

Kentucky is accepting state-only returns for the 2015 tax year. State-only filing is a method to file a state return through the current Fed/State system. The type returns that will be eligible for state-only filing are: 1) Previously rejected state e-filed returns and, 2) State returns input separately from a previously filed federal return. **In all transmissions, the federal data must be attached.**

Please consult your software provider to determine the availability of state-only filing.

Section 6 - Acceptance Process

In order to participate in the Federal/State Electronic Filing Program, participants must apply to the IRS Electronic Filing Program. An additional application is not required for the Kentucky Department of Revenue but a 2016 Kentucky Tax Software Provider Letter of Intent (LOI) is required.

Federal Publication 1345, Handbook for Electronic Filers of Individual Income Tax Returns, specifies the application process and requirements for federal participation. The IRS definition of the various categories of electronic filers (electronic return originator, transmitter or software developer) will apply for Kentucky electronic filing purposes under the federal/state program. KDOR will use the same EFIN and ETIN assigned by the IRS for the Federal/State Electronic Filing Program.

KDOR will recognize the federal acceptance process for the 2016 tax period. Acceptance into the federal program is automatic acceptance into the Kentucky electronic filing program. No separate application form is necessary for the Kentucky program. KDOR will conduct a suitability check on the applicants into the Federal/State Electronic Filing Program and will notify any applicant who is ineligible to participate.

A 2016 Kentucky Tax Software Provider Letter of Intent is required. The LOI is maintained on the FTA State Exchange System (SES). The names of the authorized SES tax industry users will be provided to the states by the National Association of Computerized Tax Processors (NACTP). Access to the SES is limited to 2 authorized users from each tax software company. Contact the NACTP with request to be added to the industry list. Once the LOI is received, KDOR will check the authorized user list and then grant access to the Kentucky folders in SES.

Software developers are required to test with KDOR prior to distribution of software. Use of untested software will cause the Kentucky returns to be rejected.

In addition to software developers, transmitters will be allowed to test with KDOR to ensure they have the ability to retrieve the Kentucky acknowledgment records. Tax preparers and EROs also have the option to test with KDOR but this is not required.

Kentucky participates in ATS testing. Testing information will be posted on the SES or can be obtained by contacting the Kentucky Department of Revenue. Kentucky will accept criteria based tests for tax year 2016.

Please also refer to the [Kentucky Modernized Electronic Filing](#) web page for testing information.

Section 7 - Filing an Electronic Return

Composition of an Electronic Return

An electronic return consists of data transmitted electronically to KDOR, using the IRS as a conduit.

Electronic Portion of Return

The following forms and schedules can be transmitted electronically and are considered the electronic portion of the return:

- All federal individual income tax forms and schedules allowed by IRS Publication 1345, Section 18
- Form 740, Kentucky Individual Income Tax Return*
- Form 740-NP, Kentucky Individual Income Tax Return – Nonresident and Part-Year Resident Return
- Form 740-NP-R, Kentucky Individual Income Tax Return – Nonresident – Reciprocal
- Amended 740-NP, Kentucky Individual Income Tax Return – Nonresident and Part-Year Resident Return
- Form 740-X – Amended Kentucky Individual Income Tax Return
- Form 725, Kentucky Single Member LLC Individually Owned LLET Return
- Form EPAY, Kentucky Electronic Payment Request Form
- Schedule A, Kentucky Itemized Deductions
- Schedule A (Form 740-NP), Kentucky Itemized Deductions
- Schedule ME (Form 740-NP), Moving Expense and Reimbursement
- Schedule J, Kentucky Farm Income Averaging
- Schedule KNOL, Kentucky Net Operating Loss
- Schedule M, Kentucky Federal Adjusted Gross Income Modifications
- Schedule P, Kentucky Pension Income Exclusion
- Form 2210-K, Underpayment of Estimated Tax by Individuals
- Form 4562K, Kentucky Depreciation & Amortization
- Form 4972K, Kentucky Tax on Lump-Sum Distributions
- Form 5695K, Kentucky Energy Efficiency Products Tax Credits
- Form 8582K, Kentucky Passive Activity Loss Limitations
- Form 8863K, Kentucky Education Tuition Tax Credit
- Worksheet A, Tax Paid to Other State
- Worksheet C, Limited Liability Entity Tax Credit
- Wage and Tax Statements – W2, W2-G, 1099-B, 1099-DIV, 1099-G, 1099-INT, 1099-MISC, 1099-OID, 1099-R and Form PTE-WH are all supported in the schema
- Form 40A102 – Application for Extension of Time to File Individual, General Partnership, and Fiduciary Income Tax Returns for Kentucky (The electronic filing of the 40A102 is accepted through IMF for the Form 740 and Form 740-NP. The electronic filing of the 40A102 for the Form 765-GP is accepted through BMF. Kentucky does not support electronic filing of the 40A102 for the Fiduciary Income Tax return at this time.)

*740-EZ is filed through the Form 740 format.

Software packages may or may not support all forms available for Kentucky electronic filing. **Check your software package for forms availability.** Any electronic tax returns submitted without all required forms will be rejected. See the following website for a list of rejection codes: <http://revenue.ky.gov/Software-Developer/Pages/Modernized-Electronic-Filing.aspx>

Income and Withholding Tax Statements

All Kentucky withholding claimed on the tax return **must** be supported by an income and withholding tax statement. The following income and withholding tax statements are available as schemas: W-2, W-2G, 1099-R, 1099-B, 1099-G, 1099-INT, 1099-MISC, 1099-OID, 1099-DIV and Form PTE-WH. If the software does not support the income and withholding tax statement, a PDF attached to the electronic submission will be accepted. The submission of a PDF document will delay the processing of the tax return as it will have to be manually reviewed by KDOR staff. Please check with your software provider to determine what is supported by the software.

Non-electronic Portion of Return

The non-electronic portion of the return consists of the following:

- Form 8879-K, Kentucky Individual Income Tax Declaration for Electronic Filing
- Form EPAY- The hardcopy of the Form EPAY (42A740-EPAY) with the applicable signatures.
- Supporting schedules and documents requiring signatures. (Neither the federal nor state return is required to be attached to Form 8879-K since they are sent electronically. However, if someone other than the transmitter prepared the return, the preparer should sign Form 8879-K or the transmitter should attach the paper return with the preparer's original signature to the Form 8879-K).
- Any other informational documents that the taxpayer voluntarily includes with the return as supporting material.

Guidelines for Form 8879-K / Form 40A102 / Form EPAY

Note: Form 40A102, Form 8879-K and Form EPAY are the only forms that contains direct deposit and/or direct debit information and should be printed for any taxpayer that selects these options.

Form 8879-K

- Fed/State E-filed returns with a federal PIN – For returns filed via this method, an 8879-K is **not** required. The use of the federal PIN meets signature requirements for the Kentucky return.
- Fed/State E-filed returns without a federal PIN – For returns filed via this method, an 8879-K is required. **This document does not need to be mailed to KDOR at the time of the filing.** It may be requested at a later date. EROs must retain them for a period of three years. State copies of the wage statements,

supporting schedules, documents requiring signatures and other informational documents should be attached to the 8879-K and be retained by the ERO for a period of three years.

- Online Filing – For returns filed via this method, an 8879-K is required. This document does **not** need to be mailed to KDOR. Taxpayers must retain the form for a period of three years.
- Form 8879-K may be signed by the taxpayer using any electronic signature method authorized by the Internal Revenue Service (IRS) for signing federal Form 8879 as outlined in IRS Publication 1345.

Form 40A102

- A copy of the Form 40A102 should be signed and retained by the taxpayer and/or tax preparer if the state extension is being filed electronically. It may be requested at a later date. The retention period of the Form 40A102 is 5 years, the same as the Individual Income Tax Return.

Form EPAY

This is a new form for TY2015. The purpose of this form is to authorize the Kentucky Department of Revenue and its designated Financial Agent to initiate an ACH electronic funds withdrawal to the financial institution account indicated by the taxpayer for payment of taxes and estimate tax other than at the time of filing the individual income tax return.

If the request to make the withdrawal is being made at the time of filing the individual income tax return, Form 8879-K, Kentucky Individual Income Tax Declaration For Electronic Filing must be completed instead of Form EPAY.

The following is the sequence of events in the handling of Form EPAY:

- An ERO prepares the Form EPAY and computes the taxes based on the information the taxpayer provides or accepts an already prepared Form EPAY for the purpose of transmitting it electronically.
- Use the same name on Form EPAY and the income tax return. This will aid in matching the payment to the correct account.
- After the Form EPAY has been prepared and before it is transmitted, the taxpayer must verify the information and sign Form EPAY.
- A copy of the Form EPAY must be provided to the taxpayer.
- Retain the signed form for a period of 3 years.

Form EPAY authorizing the electronic tax payment is completed for the purposes of taxpayer verification and signature. Practitioners are prohibited from allowing taxpayers to sign a blank Form EPAY. It is permissible to have the taxpayer review the completed form on the display terminal. The taxpayer should always review the completed Form EPAY before signing it.

A Submission Identification Number (Submission ID) should be assigned to Form EPAY. This Submission ID should be entered on the form and the copy provided to the taxpayer. If the form is rejected and resubmitted, a new Submission ID must be assigned. If multiple payments are made throughout the year, a new Form EPAY should be used each time.

Additional Requirements:

- The signed copy of the form must be retained for a period of 3 years from the date the form is accepted for processing by Kentucky. An acknowledgement record will be provided for every submission.
- Do not mail the form to the Department unless requested to do so. If requested, a copy of the form must be provided to KDOR within 5 days of the request.
- If the taxpayer is using an ERO, it is the responsibility of the ERO to retain the form and provide the taxpayer with a copy of the signed document.
- If the taxpayer is paying on an existing bill, the notice number of the bill should be provided with the payment.
- If the ERO is the paid preparer, the ERO may check the “Also paid preparer” check box and complete only the ERO section. However, the PTIN number should also be provided in the ID # field.
- Use only the official Form EPAY or an approved substitute form that duplicates the official form in format, language, content and size. Photocopies are acceptable.
- A copy of the individual income tax form or bill should **not** be attached to the electronic filed Form EPAY.

NOTE: Due to federal electronic banking regulations, question 10 must be answered on Form EPAY if the taxpayer elects to pay via direct debit.

- If a taxpayer elects to pay via direct debit and answers yes for question 10, direct debit is not an option. The taxpayer must submit payment via check or money order or pay the amount due via credit card by visiting our website.

Exclusions from Electronic Filing

In addition to the returns excluded from federal electronic filing listed in IRS Publication 1345 for tax year 2016 (2017 filing season), the following are specific Kentucky forms which are also excluded:

- Prior Year Returns
- Fiscal Year Returns
- Injured Spouse Declaration
- Fiduciary Returns.

Section 8 - Transmitting the Kentucky Electronic Return

Kentucky returns included in the Federal/State Electronic Filing Program will be transmitted to the IRS, along with the federal return. Transmissions shall be accomplished according to IRS procedures.

Kentucky will continue to accept state-only returns for the 2016 tax year. Please consult your software vendor to determine the availability of state-only filing.

Once the IRS has provided an acknowledgment to the ERO, the state data segment will be made available to KDOR for retrieval within 24 business hours. **KDOR will not receive any state data associated with a rejected federal return.**

The IRS acknowledges only that it received the state data for both Fed/State and state-only transmissions. The IRS acknowledgment is not an indication that the KDOR has “accepted” your state return. You must receive the Kentucky acknowledgment to be assured your state return has been accepted. Contact KDOR if you receive a federal acknowledgment but no state acknowledgment within three business days from the time acknowledgment is received from the IRS.

Acknowledgment of Receipt and Acceptance/Rejection of the Kentucky Return

The Kentucky receipt and acknowledgment system is designed to inform transmitters that the Kentucky return has been received and either accepted or rejected by the KDOR. Kentucky’s acknowledgement system is handled through the IRS. We will be using the same format that is described by the IRS for all acknowledgements.

Transmitters are encouraged to retrieve their acknowledgment records regularly. Transmitters should notify their EROs of the return’s acceptance within two working days after obtaining the acknowledgment. EROs are instructed to wait until they receive the acknowledgment record before the corresponding Form 8879-K is held for the retention period. (See Section 9).

Upon receipt of the Kentucky submission from the IRS, KDOR will generate an acknowledgment record to the IRS for retrieval by transmitters. Two acknowledgment records will be provided for each submission. The first is the acknowledgement of the receipt of the submission and is completed immediately upon the retrieval of the submission or shortly thereafter depending on the intake volume.

The second is the acceptance/rejection acknowledgement. The acknowledgement record should be processed within two working days from the time the submission is received or shortly thereafter depending on the intake volume.

The system will provide codes of “A” for accepted, “R” for rejected. The records with acknowledgement codes of rejected will not be accepted for processing and a reason for the rejection will be provided. The acknowledgement code of “A” means that the return has been accepted for processing by KDOR but not necessarily that the return is error free.

NOTE: All transmitters will be allowed to perform state testing to ensure they can access and retrieve the state acknowledgment record.

Non-receipt of Kentucky Acknowledgment Record

If any of the following error conditions occur, please follow the resolution process indicated below.

- Kentucky acknowledgment records are received for some, but not all returns filed on a given date. Please note that Kentucky has a manual review process for some edit failures that will delay the acknowledgement during peak filing periods.
- IRS acknowledgment records were received more than four working days ago and no Kentucky acknowledgment records have been received.
- A transmission day is skipped (i.e., received acknowledgment records for a Monday and a Wednesday but none for a Tuesday transmission).

In all instances, the IRS acknowledgment record should be received before you contact the Kentucky Department of Revenue.

Resolution Process

To check the status of a Kentucky acknowledgment record, contact the Electronic Filing Helpdesk after the 2 working day timeframe has expired. Please provide the submission id and date of transmission to the help desk when inquiring about a missing acknowledgement.

Paper Returns to Replace Rejected Returns

If it is determined the return is not eligible for state-only filing, you may be required to file a paper return. The paper return should include a printout of the return (including a copy of the federal return and all supporting schedules) and copies of all income/withholding tax statements (Forms W-2, W-2G, 1099-R, etc.). Please include a note on the return explaining that it was electronically filed on (date) and rejected. The date the return was originally e-filed will be used as the filing date.

Paper returns to replace rejected electronic returns should be sent to the following address based on the type of return:

Refund/Other Returns

Kentucky Department of Revenue
Frankfort, KY 40618-0006

Pay Returns

Kentucky Department of Revenue
Frankfort, KY 40619-0008

Changes to Electronic Returns

After electronic returns are transmitted, they cannot be recalled or intercepted in process. If the electronic filer or taxpayer wishes to change any entries after a return has been accepted, an amended return (Form 740-X or Form 740-NP with the amended box selected) must be filed. No action should be taken to change the computation between the date transmitted and the date the KDOR acknowledges the return.

Section 9 - Form 8879-K - Kentucky Individual Income Tax Declaration for Electronic Filing

NOTE: Due to federal electronic banking regulations, questions 10a or 10b must be answered on Form 8879-K if the taxpayer elects to receive a refund via direct deposit (Question 10a) or pay via direct debit (Question 10b).

- If the taxpayer elects a direct deposit of their refund and answers yes on question 10a, a paper check will be issued.
- If a taxpayer elects to pay via direct debit and answers yes on question 10b, KDOR will notify the taxpayer that they must submit payment via check or money order, or pay the amount due via credit card by visiting our website.

Form 8879-K is the signature portion of the return. If required, it must be completed and signed by all appropriate parties before the return is transmitted electronically. It also serves to transmit the taxpayer's banking information for direct deposits and direct debits.

Form 8879-K:

- Authenticates the return;
- Authorizes the ERO to file the return electronically on behalf of the taxpayer; and
- Authorizes KDOR to inform the ERO whether a taxpayer's return has been accepted.

Returns requiring forms or schedules excluded in Section 7 must be filed in paper format. Electronic filers must not use Form 8879-K to submit forms or schedules which are excluded from electronic filing.

Form 8879-K authorizes the KDOR to discuss tax return information with the ERO.

Use only the official Form 8879-K or an approved substitute form that duplicates the official form in format, language, content and size. Photocopies are acceptable.

The following is the sequence of events in the handling of Form 8879-K:

- An ERO prepares the return and computes the taxes based on the information the taxpayer provides or accepts an already prepared tax return for the purpose of transmitting it electronically.
- After the return has been prepared and before it is transmitted, the taxpayer must verify the information on the return and sign Form 8879-K. The signature of both taxpayers is required on returns filed "Married, filing joint return" or "Married, filing separately on a combined return."
- A copy of the prepared return must be provided to the taxpayer.

Form 8879-K is completed for the electronic tax return for the purposes of taxpayer verification and signature. See Section 7 for details on when to use the 8879-K. A blank Form 8879-K is the same as a blank tax return. Practitioners are prohibited from allowing taxpayers to sign a blank tax return. However, it is permissible to have the taxpayer review the completed tax return on the display terminal. The taxpayer should also review the completed Form 8879-K before signing it.

The Submission Identification Number (Submission ID) assigned to the taxpayer's federal return will also be used for the Kentucky return. This Submission ID should be entered on Form 8879-K. If the electronic return is rejected by the IRS and a new Submission ID is assigned, you must use the Submission ID accepted by the IRS on the Kentucky electronic return and Form 8879-K.

Following the new guidelines for Form 8879-K (see Section 7), the ERO is required to retain this form for a period of three years.

If requested by the KDOR, the ERO must provide the department with a copy of the Form 8879-K or a new Form 8879-K within five days of the department's request for the form.

Section 10 - Refund Options

Taxpayers may elect to receive their overpayments refunded in various methods:

- Applied to their next tax year's estimated tax
- Mailed to them in the form of a refund check
- Deposited directly into a bank account
- Loaded to a state issued debit card

Direct Deposit

The same verification procedures outlined in IRS Publication 1345 must be followed. Taxpayers' Kentucky refunds do not have to be direct deposited in the same bank account as their federal refunds.

KDOR's acknowledgment of the electronic return will not indicate whether the refund will be direct deposited.

Some items which could cause KDOR to deny a direct deposit request:

- Direct deposit is not an option for the Form 740-NP filer.
- KDOR reserves the right to deny direct deposit requests at our discretion.
- An invalid account number or bank routing number was provided.
- The amount of the refund is adjusted by the tax processing system.
- All or part of the overpayment is applied to the taxpayer's delinquent Kentucky taxes or the taxpayer's debts to other state agencies and/or the IRS.
- A Kentucky individual income tax return was not filed for the previous tax year.

The taxpayer may determine the reason for the conversion by calling the Department of Revenue's Taxpayer Assistance Section at (502) 564-4581 between 8:00 a.m. and 5:00 p.m., Monday through Friday, Eastern Standard Time.

Please verify all banking information before transmitting returns.

State Issued Debit Card

Taxpayers may choose to receive their refund on a state issued debit card issued by Bank of America by checking the appropriate box under refund options. Taxpayers have the option of receiving the debit card material in Spanish. The Debit Card Option boxes are found on line 36 of the Form 740, Form 740-NP and line 15 of the Form 740-EZ.

- The debit card is not an option for Form 740-NP-R.
- KDOR reserves the right to deny debit card requests at our discretion.
- The debit card is not an option if the amount of the refund is adjusted by the tax processing system.

- The debit card is not an option if all or part of the overpayment is applied to the taxpayer's delinquent Kentucky taxes or the taxpayer's debts to other state agencies and/or the IRS.

Section 11 – Refund Information

Refund Delays

It is anticipated that refunds from Kentucky returns filed in the Federal/State Electronic Filing Program will be issued within two weeks. The average amount of time to issue a refund during the 2016 processing year was 7 to 10 days. However, the following conditions may delay refunds and/or change refund amounts on electronically filed returns:

- The taxpayer owes delinquent Kentucky taxes.
- The taxpayer owes a debt to another state agency or to the IRS.
- The estimated tax payments claimed on the return do not match the estimated tax payments recorded on KDOR's estimated tax file.
- The refund amount is adjusted when the electronic return is processed.
- Common problems are addresses containing a rural route. While the KDOR recognizes that some rural routes still exist in Kentucky, most rural routes have been eliminated and assigned a street name with a house number. Preparers should verify that the rural route is still a valid address before utilizing this address on the taxpayer's return. Another common problem is an address that contains both a post office box number and a street address. Please enter the street name and house number on the first address line and enter the post office box number on the second address line.

Refund Inquiries

Check the status of your refund by accessing "Where's My Refund?" at the following link <http://www.revenue.ky.gov/refund.htm> or by calling our automated line at (502) 564-1600 (Toll). These systems are available 24 hours, 7 days a week, and are updated nightly.

The following information from your return will be required:

- Your Social Security number shown on the return.
- The **exact** whole-dollar amount to be refunded to you.

Section 12 – Payment Information

Payment of Balance Due Amounts

The taxpayer is responsible for paying the amount due the KDOR on or before April 18, 2017 to avoid penalties and interest. Details of each payment option are listed below.

A 'tax due notice' will **not** be sent to the taxpayer prior to the April 18 filing deadline. The taxpayer should submit payment using one of the payment options listed below prior to April 18, 2017, to avoid penalties and interest.

Failure to abide by these requirements may delay the processing of the income tax return and/or payment.

Direct Debit of Your Financial Institution Account

Taxpayers may elect to have the payment debited directly from their financial institution.

- **At the time of electronically filing the income tax return**
 - The payment **must** be the amount due as indicated on the return. No partial payments.
 - Allow up to two weeks for your debit payment to be withdrawn from your account.
 - A debit request received prior to April 18, 2017 can be warehoused through the April 18th due date. Payments with a requested debit date prior to the due date that are received prior to April 18, 2017 will be considered timely even if they are processed at a later date.
 - Debit requests received after April 18, 2017 will not be warehoused. The debit will occur once the return processing is complete. Please use the current date or transmitting date as the direct debit date so the return will not be rejected for an invalid requested debit date.
 - The direct debit is authorized on the Form 8879-K. The completed/signed form must be retained for 3 years.
- **At times other than when electronically filing the income tax return**
 - Taxpayers may file a Form EPAY to request a payment be debited from their financial institution account at other times throughout the year other than with the electronic filing of the individual income tax return.
 - The direct debit is authorized on the Form EPAY. The completed/signed form must be retained for 3 years.

Refer to Section 7 for additional information on Form 8879-K and Form EPAY.

Payment by Check/Money Order

Form 740-V is a payment coupon that is made available for printing through the ERO's software package. Taxpayers may elect to pay by check or money order. The 740-V should be enclosed with payments made by check or money order for e-filed returns. A paper copy of the electronic filed income tax return should **not** be mailed with the 740-V.

- **Taxpayers who file their income tax return electronically but elect to pay by check/money order**
 - Make check/money order payable to Kentucky State Treasurer
 - Write "KY Income Tax-2016" on the check/money order
 - Include your social security number on the check/money order
 - Use the same name on the Kentucky tax return and the Form 740-V
 - Do not staple the check and the Form 740-V to each other.
 - Do not include a copy of the electronically filed return with the payment. This delays processing of the electronic voucher and payment.
 - Taxpayers should mail the check or money order with the Form 740-V to the following address
 - Kentucky Department of Revenue
 - Frankfort, KY 40620-0011

Payment by Credit Card or ACH Debit

Taxpayers may pay their individual income tax by MasterCard, Visa, Discover or American Express credit card or by ACH Debit through April 18, 2017. Access the Department of Revenue's secure Web site (www.revenue.ky.gov) to make credit card payments and electronic check payments over the Internet. Click on the *KY E-Tax* logo then select E-Payments-Credit Cards and ACH Debits link. If the taxpayer does not have access to the Internet, they may call the Taxpayer Assistance Branch (502) 564-4581 for assistance with payments.

To make a credit care payment, the following information is needed: credit card type credit card number, expiration date, and the cardholder's address as it appears on the credit card billing statement. To make an ACH Debit payment, the following information is needed: bank account number and bank routing number.

Electronic Estimate Tax Payments

Taxpayers may schedule up to four equal direct debit of estimate tax at the time their state tax return is electronically filed. Direct debit of estimate tax can be scheduled in addition to a direct debit of the tax amount due or direct deposit of refund, but the financial institution information (routing number, account number and type of account) must be the same in all the requested transactions. Direct debit of estimate tax may also be scheduled in the absence of a direct deposit of refund or direct debit of tax amount due transaction.

To revoke (cancel) a payment, the taxpayer must contact the Kentucky Department of Revenue at (502) 564-4581 no later than 2 business days prior to the payment (debit) date.

The scheduled payment dates for the 2016 estimate tax payment period are April 18, 2017, June 15, 2017, September 15, 2017 and January 16, 2018.

Section 13 – ERO Information

What Electronic Return Originators Must Provide to the Taxpayer

The ERO must furnish the taxpayer with documentation of all completed Kentucky forms and schedules filed for the taxpayer. This material should be provided to taxpayers at the time they sign Form 8879-K or use one of the electronic pin signature methods made available by the IRS.

The ERO must also provide the taxpayer with a copy of the following material filed with KDOR:

- The completed Form 8879-K, Kentucky Individual Income Tax Declaration for Electronic Filing, if required.
- Other documents containing required signatures.
- Any other documents which are not Kentucky forms or schedules.

In addition, the ERO should advise the taxpayer to retain copies of the following material:

- Income/Tax statements (Form W-2, W-2G, 1099-R, etc).
- Any other documents, not required by KDOR, which the taxpayer voluntarily includes as supporting material.
- The signed Form 8879-K, if required.

Immediately upon learning that a return was not accepted by KDOR, the ERO must advise the taxpayer that their return was not accepted, **(if the return is not eligible for state-only filing)** and that a paper return must be filed. The taxpayer should allow up to twelve weeks for any Kentucky refund to be issued on a paper return.

If an electronically filed return was acknowledged as accepted by the KDOR, the ERO should advise the taxpayer to wait three weeks from the acknowledgment date before making an inquiry about his/her refund.

It is the responsibility of the electronic return originator to follow all guidelines in IRS Publication 1345.

Section 14 – Penalties/Fees

Penalties for Disclosure or Use of Information

Guidelines outlined in IRS Revenue Procedure 94-63 and 94-63A should be followed as well as Kentucky Revised Statute 131.190.

Penalties for Late Filing, Late Payment and Fraudulent Returns

This provision provides due notice that all additions to tax, penalties, and criminal provisions applicable to paper filers are also applicable to electronic filers. Specifically, penalties and interest for late filing, late payment and underpayment of estimate tax will be assessed.

Penalties will be assessed against any person filing an incomplete or misleading return. Additionally, any person who willfully subscribes or presents a fraudulent return will be subject to prosecution and penalties. Other criminal provisions will be applicable to the extent that a person attempts to commit forgery and falsify signatures on any electronic filing form, check or direct deposit form.

Electronic Filing Mandate - Form 8948-K - Preparer Explanation for Not Filing Electronically

Tax preparers that file more than ten individual income tax returns are required to file their client's returns electronically. A preparer who fails or refuses to comply with the mandate shall pay a return processing fee of \$10 for each return not filed as required, unless it is shown that failure is due to reasonable cause.

The Form 8948-K should be completed to explain why a particular return is being filed by paper. The form must be attached and mailed with the paper return.

If you feel you have a valid reason to be exempted from this mandate, please provide a letter of explanation and a request for waiver to Audrey Terry.

Section 15 – Inquiries

Taxpayer Assistance and Refund Inquiry

Taxpayers may confirm acknowledgment of their Kentucky returns with their practitioner or transmitter and are advised to wait three weeks from the transmission date before calling or writing KDOR to inquire about their refund status.

If a taxpayer and/or spouse owes money to KDOR, other state agency, IRS, etc., the amount may be deducted from the refund. This debt will delay processing of the taxpayer's refund because all claims against the refund must be resolved before a refund check can be processed. Electronically filed returns experiencing errors in KDOR income tax system will be given first priority for resolution.

Refund Inquiries for Taxpayers

Check the status of your refund by accessing “Where’s My Refund?” at the following link <http://www.revenue.ky.gov/refund.htm> or by calling our automated line at (502) 564-1600 (Toll). These systems are available 24 hours, 7 days a week, and are updated nightly.

The following information from your return will be required:

- Your Social Security number shown on the return.
- The **exact** whole-dollar amount to be refunded to you.

Taxpayers needing assistance to resolve any adjustments on returns or problems after processing should contact the Taxpayer Assistance Branch at (502) 564-4581.

APPENDIX A

MeF Rejection Codes

MeF Rejection Codes and Explanations for Tax Year 2015 can be found on the following webpage: <http://revenue.ky.gov/sdi/mef.htm>

APPENDIX B

Sample Addresses

Prefix Names:

EXAMPLE:	O'Brien Van Winkle Mc Donald	KEY:	Obrien Vanwinkle McDonald
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Street:

EXAMPLE:	120 South Fourth Street
KEY:	120 S Fourth Street

EXAMPLE:	23 East 4th Street
KEY:	23 E 4th St

EXAMPLE:	2466 1/2 West Highway North
KEY:	2466 West Hwy N

EXAMPLE:	C/O George Smith
KEY:	CO George Smith

EXAMPLE:	C/O Jones Mfg Co
KEY:	Jones Mfg Co

EXAMPLE:	C/O 123 Main St
KEY:	123 Main St

EXAMPLE:	12 North St Apt #4
KEY:	12 North St Apt 4

EXAMPLE:	34 Hopewell-Bohon Rd
KEY:	34 Hopewell Bohon Rd

EXAMPLE:	543 Lovelace-Florence Station Rd
KEY:	543 Lovelace Florence Sta Rd