

INSTRUCTIONS

2016 IT-140 NRC WEST VIRGINIA COMPOSITE INCOME TAX RETURN

Nonresident individuals who are members of a Pass-Through Entity (shareholders in an S Corporation or partners in a Partnership) or beneficiaries of an Estate or Trust, that derives income from West Virginia sources *may elect* to be a member of a nonresident composite group. Nonresident shareholders/partners or beneficiaries of an Estate or Trust are not required to join this composite group.

A Nonresident Composite Return is a return filed by a Pass-Through Entity for its nonresident distributees who elect to be included in the nonresident composite group. **PLEASE NOTE: A \$50 processing fee is required to be submitted with each composite return filed.**

The Pass-Through Entity filing a composite return is responsible for maintaining a list, which must set forth the name, address, taxpayer identification number, and percent of ownership or interest in the Pass-Through Entity, of those nonresident individuals included in the composite return. **The list should NOT be submitted with the composite return, but should be made available to the WV State Tax Department upon request.**

A Nonresident Composite Return need not be signed by the individuals electing to be in the composite group. The return must be signed by an officer of the S Corporation, an authorized partner of the Partnership, a trustee of the Trust, or the executor or administrator of the Estate filing the composite return.

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Line 1: For filers of Partnership or S-Corp returns, multiply the amount from your SPF-100, line 5 by the percentage amount on SPF-100, line 2, and enter here (this should equal SPF-100, Schedule SP, Grand Total line, Column H). Fiduciary filers use Line 6 of Schedule A, Column F as it pertains to a Nonresident Composite Group.

Line 3: Multiply the amount on line 1 by the tax rate on line 2 and enter here (this should equal SPF-100, Schedule SP, Grand Total line, Column I). For Fiduciary filers, this amount should equal Schedule A, Column H as it pertains to a Nonresident Composite Group.

Line 4: Enter the amount reported on your SPF-100, line 6 or IT-141, Line 9. *Please note: the Estate, Trust or Pass-Through Entity filing this Nonresident Composite Return is required to pay this nonresident withholding tax with their SPF-100 or IT-141 return.*

Line 5: Enter the amount of withholding tax due previously reported (amended returns only).

Line 6: Enter the amount of withholding tax paid and/or withheld as previously reported (amended returns only).

The election to file a composite return does not prevent the nonresident shareholder/partner or beneficiary from filing a West Virginia individual tax return, Form IT-140. This return is required if the nonresident has taxable income from any other West Virginia source. If an individual return is filed by the nonresident shareholder/partner or beneficiary, it must include the West Virginia income derived from the Pass-Through Entity filing this composite return. The nonresident shareholder/partner or beneficiary may claim the West Virginia income tax withheld on their behalf by the Pass-Through Entity, as shown on their NRW-2 or WVK-1 Equivalent.

Payment of the Composite Return Processing Fee can be paid by check, certified funds, or credit/debit card. Visit our website tax.wv.gov for payment options.

PLEASE NOTE: THE \$50 COMPOSITE RETURN PROCESSING FEE IS THE ONLY PAYMENT TO BE MADE WITH THIS RETURN. THE PASS-THROUGH ENTITY IS RESPONSIBLE FOR PAYING THE NONRESIDENT WITHHOLDING TAX WITH THEIR FORM SPF-100.

Contact the Taxpayer Services Division at (304) 558-3333 or 1-800-982-8297 (toll-free within West Virginia) if you need additional information.