

West Virginia


2011

Personal Income Tax Forms & Instructions

Don't Forget
to complete & enclose Form IT-140W!

IT-140W REV 10-10 West Virginia Withholding Tax Schedule 2011		
Do NOT send W-2's, 1099's, K-1's and/or WVNRW-2's with your return. Enter WV withholding information below.		
EMPLOYER OR PAYER INFORMATION		EMPLOYEE OR TAXPAYER INFORMATION
1	A. Employer or Payer Information	B. Employee or Taxpayer Information
Employer or payer ID from IR-2, 1088-K, 112 and/or WVNRW-2		Name
Employer or payer name		Check appropriate box: <input type="checkbox"/> Self-employed <input type="checkbox"/> 1099-MISC <input type="checkbox"/> 1099-DIV <input type="checkbox"/> 1099-INT
Address		Enter State Abbreviation
City, State, ZIP		Enter WV withholding only
Employer or payer ID from IR-2, 1088-K, 112 and/or WVNRW-2		WV withholding amount
Employer or payer name		Check appropriate box: <input type="checkbox"/> Self-employed <input type="checkbox"/> 1099-MISC <input type="checkbox"/> 1099-DIV <input type="checkbox"/> 1099-INT
Address		Enter State Abbreviation
City, State, ZIP		Enter WV withholding only
Employer or payer ID from IR-2, 1088-K, 112 and/or WVNRW-2		WV withholding amount
Employer or payer name		Check appropriate box: <input type="checkbox"/> Self-employed <input type="checkbox"/> 1099-MISC <input type="checkbox"/> 1099-DIV <input type="checkbox"/> 1099-INT
Address		Enter State Abbreviation
City, State, ZIP		Enter WV withholding only
Employer or payer ID from IR-2, 1088-K, 112 and/or WVNRW-2		WV withholding amount
Employer or payer name		Check appropriate box: <input type="checkbox"/> Self-employed <input type="checkbox"/> 1099-MISC <input type="checkbox"/> 1099-DIV <input type="checkbox"/> 1099-INT
Address		Enter State Abbreviation
City, State, ZIP		Enter WV withholding only

Total WV tax withheld from columns C above.
If you have WV withholding on multiple pages, add the totals together and enter the GRAND total on line 13, Form IT-140.



You **MUST** enclose Form IT-140W with your return. If you claim credit for WV withholding on line 13, the IT-140W must be completed with the required information from your W-2, 1099 or other withholding document(s). It is not necessary to enclose your W-2, 1099, or other withholding document(s). If the IT-140W is not enclosed with your return, processing of your return will be delayed. Please see page 21 for detailed instructions on how to complete the IT-140W.



CLICK. ZIP. FAST ROUND TRIP.

Electronic Filing

More than 65% of West Virginian's electronically filed their 2010 income tax returns. Electronic filing is the preferred method for filing and allows the Tax Department to process data more quickly and **ISSUE REFUNDS FASTER** with fewer errors. If you filed a paper return for tax year 2010, we encourage you to file electronically this year.

Another way to reduce the time it takes to receive your refund is to have it directly deposited into your bank account. After your return is processed and if there are no errors discovered, the deposit can be made in less than a week.

Due date for filing your 2011 West Virginia Personal Income Tax Return is April 17, 2012.

Message from the Commissioner



West Virginia State Tax Department

Dear Taxpayer,

In 2011, the West Virginia Tax Department completed a successful tax season, processing more than xxx returns and issuing more than \$xxx in refunds. We look forward to even greater success in 2012.

We continually strive to make tax filing easier and more efficient for you.

More than 65 percent of 2010 returns were received electronically, and our efforts to strengthen that number continue. I encourage you to use one of the many programs available to file online. It not only improves our ability to serve your interests and cuts processing costs – it saves you time and money and quickens refund distribution.

For many taxpayers, e-filing is free. West Virginia continues an agreement with Free File Alliance member companies, allowing qualified West Virginia taxpayers to file online at no charge. Each Free File Alliance member sets eligibility requirements for its program. More than xx percent of West Virginians qualify. To find out if you're eligible, visit the Free Income Tax E-File section at www.WVTax.gov.

The Tax Department provides free assistance to all taxpayers each weekday. Call (800) 982-8297, e-mail TaxWVTaxAid@wv.gov or visit www.WVTax.gov to learn more and find the locations for Taxpayer Services Division offices throughout the state.

I am proud of our dedicated employees and the Tax Department's outstanding record. Each day, we work to improve and expand the services you deserve. When you file a return, you are investing in West Virginia's future, and we hope to show our appreciation by making the process as friendly as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Griffith'.

Craig A. Griffith
Tax Commissioner



New for 2011

The form has a new look

- There is now a checkbox available for taxpayers filing an Amended return who wish to cancel the original delayed debit transaction (*this will only work if the Amended return is filed before the debit transaction was set to occur*).
- There is a checkbox for preparers whose clients have chosen to 'Opt-Out' of e-filing their return.
- Taxpayers who are eligible to claim the Senior Citizen Tax Credit will now enter the allowable credit on line 15 of Form IT-140 and will no longer need to enter the amount on the Tax Credit Recap Schedule.

New Modification

- Autism Modification, see page 23.
- *Explain*

New Schedule

- Schedule UT, West Virginia Purchaser's Use Tax Schedule, see page 13
- *Explain*
- Schedule SCTC
- *Explain*

New Credits

- **Commercial Patent Incentives Tax Credit (§11-13AA)** – For tax years beginning on or after January 1, 2011, the Commercial Patent Incentives Tax Credit is available for the following: (1) the development, in West Virginia, of plant patent, design patent, or patents for direct use in a manufacturing process or product, (2) the use of a patent in a manufacturing process or product in West Virginia when the patent was developed in West Virginia. See www.wvtax.gov for additional information.
- **Alternative Fuels Credit (§11-6D)** – For tax years beginning on or after January 1, 2011, the Alternative-Fuel Tax Credit is available for (1) the purchase of a new dedicated or bi-fueled alternative-fuel motor vehicle for which the purchaser then obtains a valid West Virginia vehicle registration, (2) the conversion of a motor vehicle that is presently registered in West Virginia to operate exclusively on an alternative fuel, (3) the construction or purchase and installation of a qualified alternative fuel vehicle home refueling infrastructure in West Virginia that is capable of dispensing alternative fuel for alternative-fuel motor vehicles, (4) the construction or purchase and installation of a qualified alternative fuel vehicle refueling infrastructure in West Virginia that is capable of dispensing alternative fuel for alternative-fuel motor vehicles. See www.wvtax.gov for additional information.

Please visit our website at www.wvtax.gov for a comprehensive listing of available tax credits, instructions and required credit schedules.

Tips on Filing a Paper Return

The State Tax Department processes E-filed returns much quicker than paper returns. However, if you file a paper return there are several things you can do to speed-up the processing of your return. Faster processing means faster refunds!

- Make sure you have received all W-2s, 1099s, and other tax documents for the 2011 tax year.
- Complete your federal income tax return **first**.
- Do not use prior year forms.

**You must submit the IT-140W with your signed tax return, even if you have no withholding.
DO NOT SEND W-2s, 1099s, K-1s or WV-NRW2s**

Paper returns are electronically scanned. The processing of the return (and any refund) is delayed when information on the return is not clear.

Use BLACK INK. Do not use pencils, colored ink, or markers.

Write your name and address clearly using BLOCK CAPITAL LETTERS as in the following example:

- NEVER USE COMMAS when filling in dollar amounts.

SMITH <small>Last Name</small>	SR <small>Suffix</small>	JASON <small>Your First Name</small>	P <small>MI</small>
 <small>Spouse's Last Name – Only if different from Last Name above</small>	 <small>Suffix</small>	 <small>Spouse's First Name</small>	 <small>MI</small>
2375 N 7TH ST <small>First Line of Address</small>	 <small>Second Line of Address</small>		
ANYWHERE <small>City</small>	WV <small>State</small>	55555 <small>Zip Code</small>	– 5555

- Round off amounts to WHOLE DOLLARS – NO CENTS.
- Do not use parentheses () for a negative number. Use a dark, bold negative sign: -8300 rather than (8300).
- Print your numbers like this: **0 | 2 3 5 6 7 8** Do not use: Ø 1 4 7
- Do not add cents in front of the preprinted zeros on entry lines as shown below:

Federal Adjusted Gross Income	20000.00
Additions to Income	.00
Subtractions from Income	8000.00
West Virginia Adjusted Gross Income	12000.00

- Do not write in the margins.
- Always put entries on the lines, not to the side, above or below the line.
- Do not submit photocopies to the Department.
- Lines where no entry is required should be left blank. Do not fill in with zeros.
- Do not use staples.
- Make sure all required forms and schedules are included with the tax return.
- Sign your return.

Extended Due Date MM DD YYYY

Check box ONLY if you are a fiscal year filer.

Year End MM DD YYYY

SOCIAL SECURITY NUMBER

Deceased Prime

Date of Death

*SPOUSE'S SOCIAL SECURITY NUMBER

Deceased Spouse

Date of Death

Last Name Suffix

Your First Name MI

Spouse's Last Name - Only if different from Last Name above Suffix

Spouse's First Name MI

First Line of Address

Second Line of Address

City

State Zip Code

- Amended return, Check here if you wish to stop the original debit (amended return only), Net Operating Loss, Filing as a nonresident/part-year resident (See instructions on Page 15), Form WV-8379 filed as an injured spouse

Filing Status (Check One) 1 Single, 2 Head of Household, 3 Married, Filing Separately *Enter spouse's SS# and name in the boxes above., 4 Married, Filing Jointly, 5 Widow(er) with dependent child Telephone number

Exemptions

- 1. Exemptions claimed on your federal return (see instructions if you marked Filing Status 3)
2. Additional exemption if surviving spouse (see page 17). Enter decedent's SSN: Year Spouse Died:
3. Total Exemptions (add lines 1 & 2). Enter here and on line 6 below. If line 3 is zero, enter \$500 on line 6 below.

- 1. Federal Adjusted Gross Income or income to claim senior citizen tax credit from Schedule SCTC-1
2. Additions to income (line 35 of Schedule M)
3. Subtractions from income (line 50 of Schedule M)
4. West Virginia Adjusted Gross Income (line 1 plus line 2 minus line 3)
5. Low-Income Earned Income Exclusion (see worksheet on page 24)
6. Total Exemptions as shown above on Exemption Line 3 x \$2,000
7. West Virginia Taxable Income (line 4, minus lines 5 & 6) IF LESS THAN ZERO, ENTER ZERO
8. Income Tax Due (Check One) Tax Table Rate Schedule Nonresident/Part-year resident calculation schedule
9. Family Tax Credit if applicable (see required schedule on page 44)
10. Total Taxes Due (line 8 minus line 9)

Table with 2 columns: Line number and Amount. Rows 1-10 showing tax calculations and total taxes due.

TAX DEPT USE ONLY PAYMENT PLAN CORR SCTC NRSR



PRIMARY LAST NAME SHOWN ON FORM IT-140

SOCIAL SECURITY NUMBER

10. Total Taxes Due (line 8 minus line 9)	10	.00
11. West Virginia Income Tax Withheld (MUST COMPLETE WITHHOLDING TAX SCHEDULE, FORM IT-140W; MUST BE FILED EVEN IF YOU ARE NOT CLAIMING TAX WITHHELD) <input type="checkbox"/> CHECK HERE IF WITHHOLDING IS FROM NRSR (NON RESIDENT SALE OF REAL ESTATE)	11	.00
12. Estimated Tax Payments and Payments with Schedule L	12	.00
13. Senior Citizen Tax Credit for property tax paid from Schedule SCTC-1.....	13	.00
14. Credits from Tax Credit Recap Schedule (see schedule on page 10)	14	.00
15. Amount paid with original return (amended return only)	15	.00
16. Payments and Credits (add lines 11 through 15)	16	.00
17. Overpayment previously refunded or credited (amended return only)	17	.00
18. Total payments and credits (line 16 minus line 17)	18	.00
19. Balance of Tax Due (line 10 minus line 18)	19	.00
20. Penalty Due from Form IT-210. <input type="checkbox"/> CHECK IF REQUESTING WAIVER/ANNUALIZED WORKSHEET ATTACHED.....	20	.00
21. West Virginia Use Tax Due on out-of-state purchases (see Schedule UT on page 13).....	21	.00
22. Balance Due the State (add lines 19, 20, and 21) PAY THIS AMOUNT.....\$	22	.00
23. Overpayment (line 18 minus line 10 minus line 20 and line 21).....	23	.00
24. Amount of Overpayment to be Credited to 2012 Estimated tax.....	24	
25. West Virginia Children's Trust Fund to help prevent child abuse and neglect. Enter the amount of your contribution <input type="checkbox"/> \$5 <input type="checkbox"/> \$25 <input type="checkbox"/> \$100 <input type="checkbox"/> Other \$ _____	25	.00
26. Deductions from your overpayment (line 24 plus line 25).....	26	.00
27. Refund Due You (line 23 minus line 26 (Refund of \$2 or less, see page 21)..... REFUND	27	.00

Direct Deposit of Refund

CHECKING

SAVINGS

ROUTING NUMBER

ACCOUNT NUMBER

Under penalties of perjury, I declare that I have examined this return, accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct and complete. I authorize the State Tax Department to discuss my return with my preparer. YES NO

Your Signature _____ Date _____ Spouse's Signature _____ Date _____ Telephone Number _____

Signature of preparer other than above _____ Date _____ Address _____ Daytime Phone Number _____



Official Payments Corporation is a private credit card payment service provider. A convenience fee of 2.5% will be charged to your credit/debit card. The State will not receive this fee. You will be informed of the exact amount of the fee before you complete your transaction. After you complete your transaction, you will be given a confirmation number, which you should keep for your records.

Preparer's EIN

Preparer: Check here if client is requesting that form NOT be e-filed.

Payment Options

Returns filed with a balance of tax due may use any of the following payment options:

- Check or Money Order - If you filed a paper return, enclose your check or money order with your return. If you electronically filed, mail your check or money order with the payment voucher IT-140V that is provided to you after the submission of your tax return.
- Electronic Funds Transfer - If you electronically filed your return, your tax payment may be automatically deducted from your checking account. You may elect to authorize the withdrawal to occur at the time the return is filed or delay payment any time between filing and due date of April 17, 2012.
- Payment by credit card - Payments may be made through Official Payments Corp. using your Visa® Card, Discover® Card, American Express® Card or MasterCard®. Call 1-800-2PAYTAXSM or visit www.officialpayments.com.

MAIL TO:
REFUND WV State Tax Department
P.O. Box 1071
Charleston, WV 25324-1071
BALANCE DUE WV State Tax Department
P.O. Box 3694
Charleston, WV 25336-3694



Do NOT send W-2's, 1099's, K-1's and/or WV/NRW-2's with your return.

Enter WV withholding information below.

THIS FORM MUST BE FILED EVEN IF YOU HAVE NO INCOME OR WITHHOLDING

PRIMARY LAST NAME SHOWN ON FORM IT-140	SOCIAL SECURITY NUMBER
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1 A - Employer or Payer Information _____ Employer or payer ID from W-2, 1099, K-1, and/or WV/NRW-2 _____ Employer or payer name _____ Address _____ City, State, ZIP	B - Employee or Taxpayer Information _____ Name _____ Social Security Number _____ Income Subject to WV WITHHOLDING .00	C - WV Tax Withheld _____ WV WITHHOLDING .00 Check appropriate box. <input type="checkbox"/> W-2 <input type="checkbox"/> 1099 <input type="checkbox"/> K-1 <input type="checkbox"/> WV/NRW-2 _____ Enter State Abbreviation (from Box #15 on W-2 or Box # 11 on 1099) Enter WV withholding only
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2 A - Employer or Payer Information _____ Employer or payer ID from W-2, 1099, K-1, and/or WV/NRW-2 _____ Employer or payer name _____ Address _____ City, State, ZIP	B - Employee or Taxpayer Information _____ Name _____ Social Security Number _____ Income Subject to WV WITHHOLDING .00	C - WV Tax Withheld _____ WV WITHHOLDING .00 Check appropriate box. <input type="checkbox"/> W-2 <input type="checkbox"/> 1099 <input type="checkbox"/> K-1 <input type="checkbox"/> WV/NRW-2 _____ Enter State Abbreviation (from Box #15 on W-2 or Box # 11 on 1099) Enter WV withholding only
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3 A - Employer or Payer Information _____ Employer or payer ID from W-2, 1099, K-1, and/or WV/NRW-2 _____ Employer or payer name _____ Address _____ City, State, ZIP	B - Employee or Taxpayer Information _____ Name _____ Social Security Number _____ Income Subject to WV WITHHOLDING .00	C - WV Tax Withheld _____ WV WITHHOLDING .00 Check appropriate box. <input type="checkbox"/> W-2 <input type="checkbox"/> 1099 <input type="checkbox"/> K-1 <input type="checkbox"/> WV/NRW-2 _____ Enter State Abbreviation (from Box #15 on W-2 or Box # 11 on 1099) Enter WV withholding only
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4 A - Employer or Payer Information _____ Employer or payer ID from W-2, 1099, K-1, and/or WV/NRW-2 _____ Employer or payer name _____ Address _____ City, State, ZIP	B - Employee or Taxpayer Information _____ Name _____ Social Security Number _____ Income Subject to WV WITHHOLDING .00	C - WV Tax Withheld _____ WV WITHHOLDING .00 Check appropriate box. <input type="checkbox"/> W-2 <input type="checkbox"/> 1099 <input type="checkbox"/> K-1 <input type="checkbox"/> WV/NRW-2 _____ Enter State Abbreviation (from Box #15 on W-2 or Box # 11 on 1099) Enter WV withholding only
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Total WV tax withheld from column C above .00

If you have WV withholding on multiple pages, add the totals together and enter the GRAND total on line 11, Form IT-140.



Do NOT send W-2's, 1099's, K-1's and/or WV/NRW-2's with your return.

Enter WV withholding information below.

THIS FORM MUST BE FILED EVEN IF YOU HAVE NO INCOME OR WITHHOLDING

PRIMARY LAST NAME SHOWN ON FORM IT-140	SOCIAL SECURITY NUMBER
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1	A - Employer or Payer Information	B - Employee or Taxpayer Information	C - WV Tax Withheld
	Employer or payer ID from W-2, 1099, K-1, and/or WV/NRW-2 Employer or payer name Address City, State, ZIP	Name Social Security Number Income Subject to WV WITHHOLDING .00	WV WITHHOLDING .00 Check appropriate box. <input type="checkbox"/> W-2 <input type="checkbox"/> 1099 <input type="checkbox"/> K-1 <input type="checkbox"/> WV/NRW-2 Enter State Abbreviation (from Box #15 on W-2 or Box # 11 on 1099) Enter WV withholding only

2	A - Employer or Payer Information	B - Employee or Taxpayer Information	C - WV Tax Withheld
	Employer or payer ID from W-2, 1099, K-1 and/or WV/NRW-2 Employer or payer name Address City, State, ZIP	Name Social Security Number Income Subject to WV WITHHOLDING .00	WV WITHHOLDING .00 Check appropriate box. <input type="checkbox"/> W-2 <input type="checkbox"/> 1099 <input type="checkbox"/> K-1 <input type="checkbox"/> WV/NRW-2 Enter State Abbreviation (from Box #15 on W-2 or Box # 11 on 1099) Enter WV withholding only

3	A - Employer or Payer Information	B - Employee or Taxpayer Information	C - WV Tax Withheld
	Employer or payer ID from W-2, 1099, K-1 and/or WV/NRW-2 Employer or payer name Address City, State, ZIP	Name Social Security Number Income Subject to WV WITHHOLDING .00	WV WITHHOLDING .00 Check appropriate box. <input type="checkbox"/> W-2 <input type="checkbox"/> 1099 <input type="checkbox"/> K-1 <input type="checkbox"/> WV/NRW-2 Enter State Abbreviation (from Box #15 on W-2 or Box # 11 on 1099) Enter WV withholding only

4	A - Employer or Payer Information	B - Employee or Taxpayer Information	C - WV Tax Withheld
	Employer or payer ID from W-2, 1099, K-1 and/or WV/NRW-2 Employer or payer name Address City, State, ZIP	Name Social Security Number Income Subject to WV WITHHOLDING .00	WV WITHHOLDING .00 Check appropriate box. <input type="checkbox"/> W-2 <input type="checkbox"/> 1099 <input type="checkbox"/> K-1 <input type="checkbox"/> WV/NRW-2 Enter State Abbreviation (from Box #15 on W-2 or Box # 11 on 1099) Enter WV withholding only

Total WV tax withheld from column C above .00

If you have WV withholding on multiple pages, add the totals together and enter the GRAND total on line 11, Form IT-140.



Modifications to Adjusted Gross Income

2011

PRIMARY LAST NAME SHOWN ON FORM IT-140

SOCIAL SECURITY NUMBER

Modifications Increasing Federal Adjusted Gross Income		
28. Interest or dividend income on federal obligations which is exempt from federal tax but subject to state tax.....	28	.00
29. Interest or dividend income on state and local bonds other than bonds from West Virginia sources.....	29	.00
30. Interest on money borrowed to purchase bonds earning income exempt from West Virginia tax.....	30	.00
31. Qualifying 402(e) lump-sum income NOT included in federal adjusted gross income but subject to state tax.....	31	.00
32. Other income deducted from federal adjusted gross income but subject to state tax.....	32	.00
33. Withdrawals from a WV Prepaid Tuition/SMART529® Savings Plan NOT used for payment of qualifying expenses	33	.00
34. TOTAL ADDITIONS (Add lines 28 through 33). Enter here and on Line 2 of Form IT-140.....	34	.00

Modifications Decreasing Federal Adjusted Gross Income		Column A (You)	Column B (Spouse)
35. Interest or dividends received on United States or West Virginia obligations included in federal adjusted gross income but exempt from state tax	35	.00	.00
36. Total amount of any benefit (including survivorship annuities) received from any West Virginia state or local police, deputy sheriffs' or firemen's retirement system	36	.00	.00
37. Up to \$2,000 of benefits received from West Virginia Teachers' Retirement System and West Virginia Public Employees' Retirement System	37	.00	.00
38. Up to \$2,000 of benefits from Military Retirement and Federal Retirement Systems (Title 4 USC § 111)	38	.00	.00
Combined amounts of Lines 37 and 38 must not exceed \$2,000			
39. Military Retirement Modification	39	.00	.00
40. Railroad Retirement Board Income received.....	40	.00	.00
41. Autism Modification.....	41	.00	.00
42. Refunds of state and local income taxes received and reported as income to the IRS	42	.00	.00
43. Contributions to the West Virginia Prepaid Tuition/Savings Plan Trust Funds	43	.00	.00
44. Other deduction(s) i.e., Long-term care insurance, PBGC	44	.00	.00
45. West Virginia "EZ PASS" deduction. Total of column A and B cannot exceed \$1,200.....	45	.00	.00
46. Senior citizen or disability deduction (see instructions on page 23)			
		YOU	SPOUSE
YEAR OF BIRTH (IF 65 OR OLDER)			
YEAR OF DISABILITY			
(a) Income not included in lines 35 through 45	(a)	.00	.00
(b) Maximum modification	(b)	8000.00	8000.00
(c) Add lines 35 through 39 above	(c)	.00	.00
(d) Subtract line (c) from line (b)	(d)	.00	.00
(If less than zero, enter zero) Enter the smaller of (a) or (d)	46	.00	.00
47. Surviving spouse deduction (see instructions on page 23).....	47	.00	.00
48. Add lines 35 through 47 for each column	48	.00	.00
49. Total Subtractions (line 48, Column A plus line 48, Column B) Enter here and on line 3 of Form IT-140	49	.00	



PRIMARY LAST NAME SHOWN ON FORM IT-140

SOCIAL SECURITY NUMBER

This form is used by individuals to summarize tax credits that they claim against their personal income tax. In addition to completing this summary form, each tax credit has a schedule or form that is used to determine the amount of credit that can be claimed. Both this summary form and the appropriate credit calculation schedule(s) or form(s) MUST BE ENCLOSED with your return in order to claim a tax credit. Information for all of these tax credits may be obtained by visiting our website at www.wvtax.gov or by calling the Taxpayer Services Division at 1-800-982-8297.

WEST VIRGINIA TAX CREDIT RECAP SCHEDULE			
TAX CREDIT	SCHEDULE	APPLICABLE CREDIT	
1. Homestead Excess Property Tax Credit*	WV/HEPTC-1	1	.00
2. Credit for Income Tax paid to another state(s)	E	2	.00
** For what states?			
3. Non-family Adoption Credit	WV/NFA-1	3	.00
4. Business Investment and Jobs Expansion Credit	BCS-PIT	4	.00
5. General Economic Opportunity Tax Credit	WV/EOTC-PIT	5	.00
6. Strategic Research and Development Tax Credit	WV/SRDTC-1	6	.00
7. High-Growth Business Investment Tax Credit	WV/HGBITC-1	7	.00
8. WV Environmental Agricultural Equipment Credit	WV/AG-1	8	.00
9. WV Military Incentive Credit	J	9	.00
10. West Virginia Capital Company Credit	CCP	10	.00
11. Neighborhood Investment Program Credit	NIPA-2	11	.00
12. Historic Rehabilitated Buildings Investment Credit	RBIC	12	.00
13. Qualified Rehabilitated Buildings Investment Credit	RBIC-A	13	.00
14. West Virginia Film Industry Investment Tax Credit	WV/FIIA-TCS	14	.00
15. Apprenticeship Training Tax Credit	WV/ATTC-1	15	.00
16. Solar Energy Tax Credit	WV/SETC	16	.00
17. Alternative-Fuel Tax Credit	AFTC-1	17	.00
18. Commercial Patent Incentives Tax Credit	CPITC-1	18	.00
19. TOTAL CREDITS — add lines 1 through 18. <i>Enter on Form IT-140, line 14.</i>		19	.00

*NOTE: Either the Homestead Property Tax Credit or the Senior Citizen Tax Credit (see Schedule SCTC-1 for additional information) may be claimed; but not both.
**You cannot claim if you are a resident of KY, MD, PA, OH, or VA unless your source of income is other than wages and/or salaries.



Extended Due Date MM DD YYYY Check box ONLY if you are a fiscal year filer. Year End MM DD YYYY

Deceased Prime Deceased Spouse
 SOCIAL SECURITY NUMBER *SPOUSE'S SOCIAL SECURITY NUMBER
 Date of Death Date of Death

Last Name Suffix Your First Name MI
 Spouse's Last Name - Only if different from Last Name above Suffix Spouse's First Name MI

First Line of Address Second Line of Address
 City State Zip Code

Amended return Check here if you wish to stop the original debit (amended return only) Net Operating Loss Filing as a nonresident/part-year resident (See instructions on Page 15) Form WV-8379 filed as an injured spouse

Filing Status (Check One)

1 Single
 2 Head of Household
 3 Married, Filing Separately *Enter spouse's SS# and name in the boxes above.
 4 Married, Filing Jointly
 5 Widow(er) with dependent child
 Telephone number

Exemptions

1. Exemptions claimed on your federal return (see instructions if you marked Filing Status 3)
 2. Additional exemption if surviving spouse (see page 17).
 Enter decedent's SSN:
 Year Spouse Died:
 3. Total Exemptions (add lines 1 & 2). Enter here and on line 6 below. If line 3 is zero, enter \$500 on line 6 below.

1. Federal Adjusted Gross Income or income to claim senior citizen tax credit from Schedule SCTC-1.....	1	.00
2. Additions to income (line 35 of Schedule M).....	2	.00
3. Subtractions from income (line 50 of Schedule M).....	3	.00
4. West Virginia Adjusted Gross Income (line 1 plus line 2 minus line 3).....	4	.00
5. Low-Income Earned Income Exclusion (see worksheet on page 24).....	5	.00
6. Total Exemptions as shown above on Exemption Line 3 <input type="text"/> x \$2,000	6	.00
7. West Virginia Taxable Income (line 4, minus lines 5 & 6) IF LESS THAN ZERO, ENTER ZERO	7	.00
8. Income Tax Due (Check One) <input type="checkbox"/> Tax Table <input type="checkbox"/> Rate Schedule <input type="checkbox"/> Nonresident/Part-year resident calculation schedule.....	8	.00
9. Family Tax Credit if applicable (see required schedule on page 44).....	9	.00
10. Total Taxes Due (line 8 minus line 9).....	10	.00

TAX DEPT USE ONLY

PAYMENT PLAN CORR SCTC NRSR



PRIMARY LAST NAME SHOWN ON FORM IT-140

SOCIAL SECURITY NUMBER

10. Total Taxes Due (line 9 minus line 8)	10	.00
11. West Virginia Income Tax Withheld (MUST COMPLETE WITHHOLDING TAX SCHEDULE, FORM IT-140W; MUST BE FILED EVEN IF YOU ARE NOT CLAIMING TAX WITHHELD) <input type="checkbox"/> CHECK HERE IF WITHHOLDING IS FROM NRSR (NON RESIDENT SALE OF REAL ESTATE)	11	.00
12. Estimated Tax Payments and Payments with Schedule L	12	.00
13. Senior Citizen Tax Credit for property tax paid from Schedule SCTC-1.....	13	.00
14. Credits from Tax Credit Recap Schedule (see schedule on page 10)	14	.00
15. Amount paid with original return (amended return only)	15	.00
16. Payments and Credits (add lines 11 through 15)	16	.00
17. Overpayment previously refunded or credited (amended return only)	17	.00
18. Total payments and credits (line 16 minus line 17)	18	.00
19. Balance of Tax Due (line 10 minus line 18)	19	.00
20. Penalty Due from Form IT-210. <input type="checkbox"/> CHECK IF REQUESTING WAIVER/ANNUALIZED WORKSHEET ATTACHED.....	20	.00
21. West Virginia Use Tax Due on out-of-state purchases (see Schedule UT on page 13).....	21	.00
22. Balance Due the State (add lines 19, 20, and 21) PAY THIS AMOUNT..... \$	22	.00
23. Overpayment (line 18 minus line 10 minus line 20 and line 21).....	23	.00
24. Amount of Overpayment to be Credited to 2012 Estimated tax.....	24	
25. West Virginia Children's Trust Fund to help prevent child abuse and neglect. Enter the amount of your contribution <input type="checkbox"/> \$5 <input type="checkbox"/> \$25 <input type="checkbox"/> \$100 <input type="checkbox"/> Other \$	25	.00
26. Deductions from your overpayment (line 24 plus line 25).....	26	.00
27. Refund Due You (line 23 minus line 26 (Refund of \$2 or less, see page 21)..... REFUND	27	.00

Direct Deposit of Refund

CHECKING SAVINGS

ROUTING NUMBER

ACCOUNT NUMBER

Under penalties of perjury, I declare that I have examined this return, accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct and complete. I authorize the State Tax Department to discuss my return with my preparer. YES NO

Your Signature _____ Date _____ Spouse's Signature _____ Date _____ Telephone Number _____

Signature of preparer other than above _____ Date _____ Address _____ Daytime Phone Number _____

MAIL TO:

Preparer's EIN

REFUND
WV State Tax Department
P.O. Box 1071
Charleston, WV 25324-1071

BALANCE DUE
WV State Tax Department
P.O. Box 3694
Charleston, WV 25336-3694

Preparer: Check here if client is requesting that form NOT be e-filed.

Payment Options

Returns filed with a balance of tax due may use any of the following payment options:

- Check or Money Order - If you filed a paper return, enclose your check or money order with your return. If you electronically filed, mail your check or money order with the payment voucher IT-140V that is provided to you after the submission of your tax return.
- Electronic Funds Transfer - If you electronically filed your return, your tax payment may be automatically deducted from your checking account. You may elect to authorize the withdrawal to occur at the time the return is filed or delay payment any time between filing and due date of April 17, 2012.
- Payment by credit card - Payments may be made through Official Payments Corp. using your Visa® Card, Discover® Card, American Express® Card or MasterCard®. Call 1-800-2PAYTAXSM or visit www.officialpayments.com.



Official Payments Corporation is a private credit card payment service provider. A convenience fee of 2.5% will be charged to your credit/debit card. The State will not receive this fee. You will be informed of the exact amount of the fee before you complete your transaction. After you complete your transaction, you will be given a confirmation number, which you should keep for your records.



PRIMARY LAST NAME SHOWN ON FORM IT-140
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SOCIAL SECURITY NUMBER

INSTRUCTIONS

Purchaser's Use Tax is a tax on the use of tangible personal property or services in West Virginia where Sales Tax has not been paid. Use Tax applies to the following: internet purchases, magazine subscriptions, mail-order purchases, out-of-state purchases, telephone purchases originating out-of-state, TV shopping networks, and other purchases of taxable items. A credit will be granted for any sales tax paid to another state not to exceed the West Virginia Use Tax liability. For Part I, add lines 1 and 2 and enter on line 9 of Part III. For Part II, add lines 4e through 7e and enter on line 10 of Part III. For Part III, add lines 9 and 10 and subtract line 11. Line 12: enter this amount on line 21 of the Form IT-140. For detailed instructions on the Schedule UT, please visit our website at www.wvtax.gov.

Part I State Use Tax Calculation

1. Food purchases subject to state use tax.....	\$	x .03	\$
2. All other purchases subject to state use tax.....	\$	x .06	\$
3. Total State Use Tax (add lines 1 and 2 and enter on line 9) →			\$

Part II Municipal Use Tax Calculation

Municipal Code (enter from table below)		City/Town Name	Purchases Subject to Municipal Use Tax	Tax Rate (enter from table below)	Municipal Tax Due (Purchases multiplied by rate)
4a	4b		4c \$	4d	4e \$
5a	5b		5c \$	5d	5e \$
6a	6b		6c \$	6d	6e \$
7a	7b		7c \$	7d	7e \$
8. Total Municipal Use Tax (add lines 4e through 7e and enter on line 10) →					\$

Part III Total Amount Due

9. Total State Use Tax due (from line 3).....	9	\$
10. Total Municipal Use Tax due (from line 8).....	10	\$
11. Sales/Use Tax paid to other states or municipalities.....	11	\$
12. Total Use Tax Due (add lines 9 & 10 and subtract line 11. Enter here and on line 21 of Form IT-140) →	12	\$

Residents of the following municipalities are subject to the municipal use tax. Enter applicable municipal code in line 4a through 7a and applicable rate in line 4d through 7d.

Municipality	Code	Rate
Williamstown	54232	.01



DRAFT
9/13/11

General Information

Who Must File

You must file a West Virginia income tax return if:

- You were a resident of West Virginia for the entire taxable year.
- You were a resident of West Virginia for a part of the taxable year (Part-Year Resident)
- You were not a resident of West Virginia at any time during 2011, but your federal adjusted gross income includes income from West Virginia sources (nonresident).

Certain persons that are not deemed residents, although domiciled in West Virginia, are residents for income tax purposes unless all three of the following conditions are met:

- a. Maintained no permanent place of abode in West Virginia,
- b. Spent less than 30 days in West Virginia during 2011, **and**
- c. Maintained a permanent place of abode outside West Virginia (nonresident).

You are required to file a West Virginia return even though you may not be required to file a federal return if:

- Your West Virginia adjusted gross income is greater than your allowable deduction for personal exemptions (\$2,000 per exemption, or \$500 if you claim zero exemptions). Your income and number of exemptions are to be determined as if you had been required to file a federal return.
- You are due a refund.

You are not required to file a West Virginia return if you and your spouse are 65 or older and your total income is less than your exemption allowance plus the senior citizen modification. For example, \$2,000 per exemption plus up to \$8,000 of income received by each taxpayer who is 65 or older. However, if you are entitled to a refund you **MUST** file a return.

What Form to Use

IT-140 Resident

A **resident** is an individual who:

- spends more than 30 days in West Virginia with the intent of West Virginia becoming his/her permanent residence; or
- maintains a physical presence in West Virginia for more than 183 days of the taxable year, even though he/she

may also be considered a resident of another state.

IT-140

Part-Year Resident

A **part-year resident** is an individual who changes his/her residence either:

- From West Virginia to another state, or
- From another state to West Virginia during the taxable year.

IT-140

Full Year Nonresident

A **full year nonresident** is an individual who is:

- a resident of another state who does not maintain a physical presence within West Virginia and does not spend more than 183 days of the taxable year within West Virginia; or
- a resident of West Virginia who spends less than 30 days of the taxable year in West Virginia, and maintains a permanent place of residence outside West Virginia.

IT-140NRS

Special Nonresidents

You must file the special nonresident return (form IT-140NRS) if:

- you were not a part-year resident of West Virginia; **and**
- you were a resident of Kentucky, Maryland, Ohio, Pennsylvania, or Virginia for the entire taxable year; **and**
- your only source of West Virginia income was from wages and salaries.

IT-140NRC

Composite Return

Nonresident individuals who are partners in a partnership, shareholders in an S corporation or beneficiaries of an estate or trust who derive income from West Virginia sources may elect to file a nonresident composite income tax return, Form IT-140NRC. A \$50 processing fee is required for each composite return filed.

If a separate individual return is filed, the nonresident must include the West Virginia income derived from the pass-through entity filing the composite return. Credit may be claimed for the share of West Virginia income tax remitted with the composite return.

This form is available on our website at www.wvtax.gov.

Amended Return

For tax years beginning after January 1, 2007, use form IT-140 and check the "Amended Return" box on the front of the

form. For tax years prior to January 1, 2007, use Form IT-140X. This form is available on our website at www.wvtax.gov.

You must file a West Virginia amended return if any of the following conditions occur:

- To correct a **previously** filed return; or
- You filed an amended federal income tax return and that change affected your West Virginia tax liability; or
- The Internal Revenue Service made any changes to your federal return (i.e., change in federal adjusted gross income, change in exemptions, etc.).

If a change is made to your federal return, an amended West Virginia return must be filed within ninety (90) days. A copy of your amended federal income tax return must be enclosed with the West Virginia amended return.

If you are changing your filing status from married filing jointly to married filing separately or from married filing separately to married filing jointly, you must do so in compliance with federal guidelines. If your original return was filed jointly and you are amending to file separately, your spouse must also file an amended separate return.

If the amended return is filed after the due date, interest and penalty for late payment will be charged on any additional tax due. An additional penalty will be assessed if you fail to report any change to your federal return within the prescribed time.

Space is provided on page 42 to explain why you are filing an amended return.

Nonresident/ Part-year Resident Information

A part-year resident is subject to West Virginia tax on the following:

- Taxable income received from **ALL** sources while a resident of West Virginia;
- West Virginia source income earned during the period of nonresidence; **and**
- Applicable special accruals.

West Virginia Source Income

The West Virginia source income of a nonresident is derived from the following sources included in your federal adjusted gross income:

- Real or tangible personal property

located in West Virginia;

- Employee services performed in West Virginia;
- a business, trade, profession, or occupation conducted in West Virginia;
- a S corporation in which you are a shareholder;
- Your distributive share of West Virginia partnership income or gain;
- Your share of West Virginia estate or trust income or gain and royalty income;
- West Virginia Unemployment Compensation benefits.

West Virginia source income of a nonresident **does not** include the following income even if it was included in your federal adjusted gross income:

- Annuities and pensions;
- Interest, dividends or gains from the sale or exchange of intangible personal property unless they are part of the income you received from conducting a business, trade, profession, or occupation in West Virginia.

NONRESIDENTS AND PART-YEAR RESIDENTS MUST FIRST COMPLETE LINES 1 THROUGH 7 OF FORM IT-140, THEN COMPLETE SCHEDULE A. To compute tax due, use the calculation worksheet located on page 38. (Line by line instructions for Schedule A can be found on pages 24, 25, and 26.)

Income

In Column A of Schedule A, you must enter the amounts from your federal return. Income received while you were a resident of West Virginia must be reported in Column B. Income received from West Virginia sources while a nonresident of West Virginia must be reported in Column C.

Adjustments

The amounts to be shown in each line of Column B and/or Column C of Schedule A are those items that were actually paid or incurred during your period of residency, or paid or incurred as a result of the West Virginia source income during the period of nonresidence. For example, if you made payments to an Individual Retirement Account during the entire taxable year, you may not claim any payments made while a nonresident unless the payments were made from West Virginia source income. However, you may claim the full amount of any payments made during your period of West Virginia residency.

Special Accruals

In the case of a taxpayer changing from a RESIDENT to a NONRESIDENT status, the return must include all items

of income, gain, or loss accrued to the taxpayer up to the time of his change of residence. This includes any amounts not otherwise includible on the return because of an election to report income on an installment basis. The return must be filed on the accrual basis whether or not that is the taxpayer's established method of reporting.

For example, a taxpayer who moves from West Virginia and sells his West Virginia home on an installment plan must report all income from the sale in the year of the sale, even though federal tax is deferred until the income is actually received.

Filing Status

There are five (5) filing status categories for state income tax purposes. Your filing status will determine the rate used to calculate your tax.

1. Single
2. Head of Household
3. Married Filing Separately. If you are married but filed separate federal returns, you **MUST** file separate state returns. If you file separate returns you must use the "Married Filing Separately" tax Rate Schedule II to determine your state tax.
4. Married Filing Jointly. You must have filed a joint federal return to be eligible to file a joint state return. If you filed a joint federal return, you may elect to file your state return as either "Married Filing Jointly" using the state's tax Rate Schedule I or as "Married Filing Separately" using Rate Schedule II.
5. Widow(er) with a dependent child.

When joint federal but separate state returns are filed, each spouse must compute his/her West Virginia adjusted gross income separately as if the federal adjusted gross income of each had been determined on separately filed federal returns.

If one spouse was a resident of West Virginia for the entire taxable year and the other spouse a nonresident for the entire taxable year and they filed a joint federal income tax return, they may choose to file jointly as residents of West Virginia. The total income earned by each spouse for the entire year, regardless of where earned, must be reported on the joint return as taxable to West Virginia. No credit will be allowed for income taxes paid to the other state.

A joint return may not be filed if one spouse changes residence during the taxable year,

while the other spouse maintained status as a resident or nonresident during the entire taxable year.

Deceased Taxpayer

A return must be filed for a taxpayer who died during the taxable year. Check the box "DECEASED" and enter the date of death in the box provided. If a joint federal return was filed for the deceased and the surviving spouse, the West Virginia return may be filed jointly. The surviving spouse should write on the signature line for the deceased "filing as surviving spouse". If a refund is expected, a completed Schedule F must be enclosed with the return so the refund can be issued to the surviving spouse or to the decedent's estate.

Exemptions

The West Virginia personal exemption allowance is \$2,000 per allowable exemption or \$500 for zero exemptions. The number of West Virginia personal exemptions that you are allowed to claim are the same number as your federal exemptions. If you claim zero exemptions on your federal return because you are claimed as a dependent on another person's return, you must claim zero on your West Virginia return.

Itemized Deductions

The State of West Virginia does not recognize itemized deductions for personal income tax purposes. Consequently, itemized deductions claimed on the federal income tax return cannot be carried to the West Virginia return. Gambling losses claimed as itemized deductions on the federal income tax return cannot be deducted on the West Virginia tax return. Consequently, there is no provision in the West Virginia Code to offset gambling winnings with gambling losses.

Senior Citizens Tax Credit

Low-income taxpayers who are eligible for the Homestead Property Tax Exemption may be eligible for the Senior Citizens Tax Credit. **YOU MUST FILE A RETURN TO RECEIVE THIS REFUNDABLE CREDIT.**

Credit eligibility is restricted to taxpayers who participate in the Homestead Exemption program, who incur and pay property taxes and whose federal adjusted gross income is less than 150% of federal poverty guidelines.

The maximum federal adjusted gross income level is \$16,335 for a single person household plus an additional \$5,730 for

each additional person in the household (e.g., \$22,065 for a two-person household).

Additional information can be found on page 30 of this booklet and in Publication TSD-411 which can be found on our website at www.wvtax.gov.

Spouses of United States Military Service Members

Effective for taxable year 2009, spouses of military service members may be exempt from West Virginia income tax on wages received from services performed in West Virginia if all three of the following conditions are met:

- The service member is present in West Virginia in compliance with military orders;
- The spouse is in West Virginia solely to be with the service member; **and**
- The spouse maintains domicile in another state.

It is not a requirement for both spouses to have the same state of domicile, nor in the case of border installations, live in the state where the service member is stationed. Eligible spouses wishing to claim this exemption from income tax may file a revised Form IT-104 with the spouse's employer and must also attach a copy of their "spouse military identification card" when providing this form to their employer.

Any refunds for taxable year 2011 may be claimed on a properly filed IT-140 indicating "Non Resident Military Spouse" above the title on the first page. Military spouses should indicate the amount of their wages included in their federal adjusted gross income as a decreasing modification on line 44 of the West Virginia Schedule M. A copy of their State of Legal Residence Certificate, form DD2058, must be enclosed with their return when it is filed.

Nonresident military service members and their spouses may be liable for West Virginia income tax on other types of West Virginia income such as business income, interest income, unemployment compensation, etc. These types of income are reported on the Schedule A (see pages 39 & 40).

Members of the Armed Forces

If your legal residence was West Virginia at the time you entered military service, assignment to duty outside the state does not change your West Virginia residency status. You must file your return and pay the tax due in the same manner as any other resident individual unless you did not maintain a physical presence in West

Virginia for more than 30 days during the taxable year.

If, during 2011, you spent more than 30 days in West Virginia, you are considered to be a West Virginia resident for income tax purposes and must file a resident return and report **all** of your income to West Virginia.

If there is no West Virginia income tax withheld from your military income, you may find it necessary to make quarterly estimated tax payments using Form IT-140ES.

If, during 2011, you did not spend more than 30 days in West Virginia and had income from a West Virginia source, you may be required to file an income tax return with West Virginia as any other nonresident individual, depending upon the type of income received.

A member of the Armed Forces who is domiciled outside West Virginia is considered to be a nonresident of West Virginia for income tax purposes; therefore, his/her military compensation is not taxable to West Virginia even though he/she is stationed in West Virginia and maintains a permanent place of abode therein.

Combat Pay

Combat pay received *during 2011* is not taxable on the federal income tax return. Therefore, it is not taxable on the state return.

Active Duty Military Pay

Military income received while you were a member of the National Guard or Armed Forces Reserves called to duty pursuant to an Executive Order of the President of the United States is **not** taxable on the West Virginia return. This income is shown on Schedule M, line 44, as a decreasing modification to your federal adjusted gross income.

Additional Military Retirement

There is an additional modification for the first \$20,000 of military retirement income to the extent it is included in federal adjusted gross income.

Certain State and Federal Retirement Systems

The modification for pensions and annuities received from the West Virginia Public Employees' Retirement System, the West Virginia Teachers' Retirement System, Military Retirement, and Federal Retirement is limited to a maximum of \$2,000 and entered on Schedule M. The State of West Virginia does not impose income tax on the retirement income received from any West Virginia state or

local police, deputy sheriffs' or firemen's retirement system, including any survivorship annuities. See instructions for Schedule M on pages 22 and 23.

US Railroad Retirement

The State of West Virginia does not tax this income. All types of United States Railroad Retirement Board benefits, including unemployment compensation, disability and sick pay included on the federal return should be entered on Schedule M, line 40.

Taxpayers over age 65 or Disabled

An individual, regardless of age, who was certified by a physician as being permanently and totally disabled during the taxable year, or an individual who was 65 before the end of the taxable year may be eligible for certain modifications that will reduce their federal adjusted gross income for West Virginia income tax purposes up to \$8,000. See instructions for Schedule M on pages 22 and 23.

Surviving Spouse

Regardless of age, a surviving spouse of a decedent may be eligible for a modification reducing his/her income up to \$8,000 provided he/she did not remarry before the end of the taxable year. The modification is claimed on Schedule M. The decedent must have attained the age of 65 prior to his/her death or, regardless of age, must have been certified as permanently and totally disabled. See specific definitions and line-by-line instructions for Schedule M to determine if you qualify for this modification. The surviving spouse should write on the signature line for the deceased "filing as surviving spouse".

A surviving spouse who has not remarried at any time before the end of the taxable year for which the return is being filed may claim an additional exemption for the two (2) taxable years **following** the year of death of his/her spouse.

WV College Savings Plan and Prepaid Tuition Trust Funds

Taxpayers making payments or contributions to programs of the West Virginia Prepaid Tuition Trust and/or West Virginia Savings Plan Trust, operated under the trade names of **SMART529™** or **West Virginia Prepaid College Plan**, may be eligible for a modification reducing the federal adjusted gross income. This deduction can be claimed in the amount and in the year that the contribution is

made or the remainder of the reducing modification may be carried forward for a period not to exceed five taxable years beginning in the tax year in which the payment or contribution was made. For more information regarding participation in this program, contact SMART529™ Service Center at 1-866-574-3542.

Filing Requirements for Children Under Age 18 Who Have Unearned (Investment) Income

Any child under the age of 18 who has investment income and whose parents qualify and elect to report that income on their return, is not required to file a return with the State of West Virginia. This election is made in accordance with federal guidelines.

Any child under the age of 18 whose income is not reported on his/her parent's return must file their own West Virginia return and report all of their income. If the child is claimed as an exemption on their parent's return, he/she must claim zero exemptions on the state return and claim a \$500 personal exemption allowance.

Refund of Overpayment

A return must be filed to obtain a refund of any overpayment. In order to receive a refund of an overpayment of \$2 or less, you must enclose a signed statement with your return requesting that the refund be sent to you.

Direct Deposit

You may have your refund directly deposited into your bank account. To avoid delay of your direct deposit, verify your routing and account numbers from a check before filing your return. Refunds are issued in the form of United States currency. If you choose to have your refund direct deposited, your depositor must be capable of accepting US currency.

Penalties and Interest

Interest must be added to any tax due that is not paid by the due date of the return even if an extension of time for filing has been granted. The rate of interest will be determined every six months under regulations promulgated by the State Tax Commissioner. The annual rate of interest cannot be less than eight percent (8%).

The applicable interest rate for taxable year 2011 for tax underpayments is nine

and one-half percent (9.5%).

Penalties (i.e. Additions to Tax) for late filing can be avoided by sending in your return by the due date. The law provides that a penalty of five percent (5%) of the tax due for each month, or part of a month, may be imposed for the late filing of the return up to a maximum of twenty-five (25%) unless reasonable cause can be shown for the delay.

The law provides that an additional penalty may be imposed for not paying your tax when due. This penalty is one-half of one percent ($\frac{1}{2}$ of 1%) of the unpaid balance of tax for each month, or part of a month, the tax remains unpaid, up to a maximum of twenty-five percent (25%).

You may access an Interest and Additions to Tax Calculator on our website at www.wvtax.gov or you may call (304) 558-3333 or 1-800-982-8297 for assistance.

The West Virginia Tax Crimes and Penalties Act imposes severe penalties for failing to file a return or pay any tax when due, or for making a false return or certification. The mere fact that the figures reported on your state return are taken from your federal return will not relieve you from the imposition of penalties because of negligence or for filing a false or fraudulent return. The statute of limitations for prosecuting these offenses is three years after the offense was committed.

Penalty For Underpayment of Estimated Tax

If your return shows a balance due greater than \$600, you may be subject to a penalty for not prepaying enough personal income tax through withholding and/or quarterly estimated tax payments. The penalty is computed separately for each installment date. Therefore, you may owe the penalty for an earlier due date even if you paid enough tax later to make up the underpayment. This is true even if you are due a refund when you file your tax return. However, you may be able to reduce or eliminate the penalty by using the annualized income installment method. Use Form IT-210 on page 49 to calculate your penalty. Instructions can be found on page 28. If you do not complete form IT-210, the West Virginia State Tax Department will calculate the penalty for you. You will receive a notice for the amount of penalty due.

To avoid future penalties, you should increase your withholding or begin making quarterly estimated payments for tax year 2012.

Credit for Estimated Tax

You must make quarterly estimated tax payments if your estimated tax liability (your estimated tax reduced by any state tax withheld from your income) is at least \$600, unless that liability is less than ten (10%) of your estimated tax. The total estimated tax credit to be claimed on your return is the sum of the payments made with the quarterly installments for taxable year 2011, any overpayments applied from your 2010 personal income tax return and any payments made with your West Virginia Application for Extension of Time to File (Schedule L).

Extension of Time

If you obtain an extension of time to file your federal income tax return, you are automatically allowed the same extension of time to file your West Virginia income tax return. Enter on your West Virginia return the date to which the federal extension was granted. If a federal extension was granted electronically, write "Federal Extension Granted" and the confirmation number at the top of the West Virginia return. Enter the extended due date in the appropriate box. A copy of Federal Schedule 4868 must be enclosed with your return. If you need an extension of time for West Virginia purposes but not for federal purposes, or if you expect to owe tax to West Virginia, you must submit a completed West Virginia Application for Extension of Time to File (Schedule L) and pay any tax expected to be due. See page 47.

Signature

Your return **MUST** be signed. A joint return must be signed by both husband and wife. If you and your spouse (if filing a joint return) do not sign the return, it will not be processed. If the return is prepared by an authorized agent of the taxpayer, the agent must also sign on the line provided and enter his/her address and telephone number. If a joint federal return was filed for a deceased taxpayer, the surviving spouse should write on the signature line for the deceased "filing as surviving spouse".

Failure to Receive a Withholding Tax Statement (W-2)

If you fail to receive a withholding tax statement (Form W-2, W-2G, or 1099) from an employer by February 15th, you may file your income tax return using a substitute form. All efforts to obtain a W-2 statement from the payer must be ex-

hausted before a substitute form will be accepted. West Virginia Substitute W-2 (Form WV/IT-102-1) must be completed and retained for your records in the same manner as Form W-2 for a period of not less than three years. This information may be obtained from your pay stub(s). The federal Form 4852 (Substitute for Form W-2) does not provide all the information necessary to process your state return. It WILL NOT be accepted in lieu of Form WV/IT-102-1.

Prior Year Tax Liabilities

Taxpayers who have delinquent tax liabilities, state or federal, may not receive the full amount of their tax refund. If you have an outstanding state or federal tax lien, your refund will be reduced and applied to your past due liability. If a portion of your refund is captured, you will receive a notice and a check for the balance of the refund. Any final unpaid West Virginia personal income tax liabilities may be referred to the United States Treasury Department in order to capture that amount from your federal income tax refund.

IRS Information Exchange

The West Virginia State Tax Department and the Internal Revenue Service share tax information including results of any audits. Differences, other than those allowed under state law, will be identified and may result in the assessment of a negligence penalty. Taxpayers so identified will be subject to further investigation and future audits.

The American Jobs Creation Act

This Act, in part, is a federal tax benefit that allows a deduction for certain domestic production activities. The deduction is attributable to the qualifying production activities of a partnership or S corporation. West Virginia law does not allow this deduction and any amount deducted under **Section 199 Internal Revenue Code** must be reported as an increasing modification on Schedule M.

Pension Benefit Guaranty Modification

If you retired under an employer-provided defined benefit plan that terminated prior to or after retirement and the pension plan is covered by a guarantor whose maximum benefit guarantee is less than the maximum benefit to which you were entitled, you may be allowed a reducing modification of the difference between the amount you would have received had the plan not terminated and the amount actually received from the guarantor. Enclose the completed Schedule PBGC (page 42) and a completed IT-140W. Failure to do so will delay the processing of your return.

Homestead Excess Property Tax Credit

The Homestead Excess Property Tax Credit provides a refundable credit of up to \$1,000.00 for low income property owners whose real property tax paid exceeds 4% of their federal adjusted gross income. Low income is defined as federal adjusted gross income that is 150% or less of the federal poverty guideline, based upon the number of individuals in the family. Completing the Schedule HEPTC-1 on page 43 will determine eligibility to claim the credit.

For Seniors, this credit can be an alternative to the Senior Citizens Tax Credit. If, after completing the HEPTC-1 on page 43, the Homestead Excess Property Tax Credit is larger than the credit permitted on the Senior Citizens Tax Credit, then the larger of the two credits can be claimed. **However, under no circumstances can both credits be claimed.** Seniors should evaluate these options carefully before filing their tax return.

Injured Spouse

You may be considered an injured spouse if you file a joint return and all or part of your refund was, or is expected to be, applied against your spouse's past due child support payments or a prior year tax liability. You must file an injured spouse allocation form (Form WV-8379) to claim your part of the refund if *all* three of the

following apply:

- you are not required to pay the past due amount;
- you received and reported income (such as wages, taxable interest, etc.) on a joint return; and
- you made and reported payments such as West Virginia tax withheld from your wages or estimated tax payments.

If all of the above apply and you want your share of the overpayment shown on the joint return refund, you must:

1. **Check** the injured spouse box on the front of the return;
2. **Complete** the West Virginia Injured Spouse Allocation Form, WV-8379; and
3. **Enclose** the completed form with your West Virginia personal income tax return.

DO NOT check the injured spouse box unless you qualify as an injured spouse and have enclosed the completed form with your return. This will cause a delay in the processing of your refund.

Tax Department Processing and Procedures

The Tax Department has implemented a modern tax system that allows us to better serve you. This new system decreases processing time and allows us to contact taxpayers in a timely manner. If a change has been made to your return you will first receive a letter from us explaining the change. If there is an additional amount due the State, you will receive a Statement of Account. If you disagree with the amount shown to be due, return a copy of the statement with your comments and provide any additional schedules to substantiate your claim. You will receive a statement of account on a monthly basis until such time as your outstanding liability is either paid or your account is settled. If you sent us information and receive a second statement of account, it may be a timing issue. Please allow sufficient time for mailing and processing of the additional information before you contact us again.

Form IT-140 Instructions

The due date for filing your 2011 West Virginia Personal Income Tax return is April 17, 2012, unless you have a valid extension of time to file. The starting point for the West Virginia income tax return is your federal adjusted gross income.

Therefore, you must complete your federal return before you can begin your state return. It is not necessary to enclose a copy of your federal return with your West Virginia return.

Social Security Number

Print your social security number as it appears on your social security card.

Name & Address

Enter your name and address in the spaces provided. If you are married and filing a joint return or married filing separate returns, fill in your spouse's name and your spouse's social security number. If the taxpayer or spouse died during the taxable year, check the box by the decedent's social security number and enter date of death in the box provided.

Amended Return

Enter a check mark in this box if you are filing an amended return. Enter a check mark in both boxes if you are filing an amended return reflecting a net operating loss.

Delayed Debit Cancel

You should check this box if you are filing an Amended return and wish to stop the original delayed debit transaction from occurring. This will only work if your original balance due was set as a delayed debit and the amended return you are filing is prior to this delayed date.

NOL

Check this box if you are filing an Amended return resulting from a Net Operating Loss.

Nonresident or Part-Year Resident

Enter a check mark in this box if you are filing as a non resident or part-year resident (See page 15).

Injured Spouse

If filing an injured spouse claim (Form WV-8379), enter a check mark in the Injured Spouse Box (See page 19).

Filing Status

CHECK ONLY ONE. Your filing status is generally the same filing status shown on your federal return. See page 16 for more information regarding your filing status.

Exemptions

If your filing status for West Virginia purposes is the same as on your federal return, enter the total number of exemptions claimed on your federal return on line 1. If you claim zero exemptions on your federal return, you must claim zero exemptions on your state return. If you are married filing a joint federal return but are filing separate state returns, enter the

total number of exemptions you would have been entitled to claim if you had filed separate federal returns.

If you are eligible to claim an additional exemption as a surviving spouse, enter the spouse's social security number and year of death and enter "1" on line 2. See page 17 for additional information.

Enter the total number of exemptions claimed on lines 1 and 2 on line 3.

Complete Lines 1 through 27 of Form IT-140 According to the Following Instructions

1 FEDERAL ADJUSTED GROSS INCOME. Enter your federal adjusted gross income as shown on Federal Form 1040, 140A or Form 1040EZ.

2 ADDITIONS TO INCOME. Enter the total additions shown on line 35 of Schedule M (page 9). See page 22 for additional information.

3 SUBTRACTIONS FROM INCOME. Enter the total subtractions from income shown on line 50 of Schedule M (page 9). See page 22 for additional information.

4 WEST VIRGINIA ADJUSTED GROSS INCOME. Enter the result of line 1 plus line 2 minus line 3.

5 LOW-INCOME EARNED INCOME EXCLUSION. To determine if you qualify for this exclusion, complete the worksheet on page 24 and enter the qualifying exclusion on this line.

6 EXEMPTIONS. Enter the number of exemptions shown on Line 3 above (under "Exemptions") and multiply that number by \$2,000. If you claimed zero exemptions, enter \$500 on this line.

7 WEST VIRGINIA TAXABLE INCOME. Line 4 minus lines 5 and 6 and enter the result on this line. If less than zero, enter zero.

8 WEST VIRGINIA INCOME TAX. Check the appropriate box to indicate the method you used to calculate your tax.

RESIDENTS—If your filing status is single, head of household, widow(er) with a dependent child or married filing jointly and your taxable income is less than \$100,000, apply the amount of taxable income shown on line 8 to the Tax Table on page 33 and enter your tax on this line. If your taxable income is over \$100,000, use Rate Schedule I on page 38 to compute

your tax.

If your filing status is **MARRIED FILING SEPARATELY**, you **MUST** use Rate Schedule II on page 38 to compute your tax.

NONRESIDENTS AND PART-YEAR RESIDENTS—If you are a nonresident or part-year resident of West Virginia, you must first complete lines 1 through 7 of Form IT-140, then complete Schedule A on page 39.

9 FAMILY TAX CREDIT. Enter the amount of allowable credit, if any, shown on line 8 of the West Virginia Family Tax Credit Schedule found on page 44. **This schedule MUST BE ATTACHED TO Form IT-140 to claim this credit.**

10 TOTAL TAXES DUE. Line 8 minus line 9.

11 WEST VIRGINIA INCOME TAX WITHHELD. Enter the total amount of West Virginia tax withheld as shown on your Form IT-140W. If you are filing a joint return, be sure to include any withholding for your spouse. A completed IT-140W must be enclosed with your return. Failure to submit this document will result in the disallowance of the credit claimed. Local or municipal fees cannot be claimed as West Virginia income tax withheld.

12 ESTIMATED TAX PAYMENTS. Enter the total amount of estimated tax payments paid by you (and your spouse) for taxable year 2011. Include any 2010 overpayment you carried forward to 2011 and any payment made with your West Virginia Application for Extension of Time to File (Schedule L).

13 SENIOR CITIZEN TAX CREDIT. Complete Schedule SCTC and enter amount of credit from line 2, part II if you are eligible for the credit.

14 CREDITS FROM TAX CREDIT RECAP SCHEDULE. Enter Total Credits shown on line 19 of the Tax Credit Recap Schedule found on page 10.

15 AMENDED RETURN ONLY. Enter the amount, if any, paid on your original return.

16 SUM OF PAYMENTS AND CREDITS. Add lines 11 through 15 and enter the result on this line. Amount must be entered in lines 11 through 15 to support the amount entered on line 16. If you enter any amount on line 16 without entering anything on lines 11 through

**DUE DATE IS
APRIL 17, 2012**

15, the processing of your return will be delayed.

17 AMENDED RETURN ONLY. Enter the amount of any overpayment previously refunded or credited from your original return.

18 TOTAL PAYMENTS AND CREDITS. Line 16 minus line 17.

19 BALANCE OF TAX DUE. If line 10 is greater than line 18, there is a balance of tax due. Subtract line 18 from line 10 and enter the result here.

20 PENALTY DUE. If line 19 is greater than \$600, you may be subject to a penalty for underpayment of tax. The penalty is computed separately for each installment due date. Therefore, you may owe the penalty for an earlier due date even if you paid enough tax later to make up the underpayment. This is true even if you are due a refund when you file your tax return. However, you may be able to reduce or eliminate the penalty by using the annualized income installment method. Check the box on this line if you are requesting a Waiver of Penalty or are enclosing the Annualized Income Worksheet. See page 28 for additional information.

21 WEST VIRGINIA USE TAX DUE. Individual purchaser's use tax is due on the purchase of goods or services when Sales Tax has not been paid. See page 13 for additional information and the worksheet to be used to calculate this tax if applicable.

22 BALANCE DUE THE STATE. Add lines 19, 20 and 21 and enter the result on this line. Write your social security number and "2011 Form IT-140" on your check or money order. The Tax Department may convert your check into an electronic transaction. Receipt of your check is considered your authorization for the Tax Department to convert your check into an ACH Debit entry (electronic withdrawal) to your bank account. Your check information will be captured and reported on your bank statement.



23 OVERPAYMENT. If line 18 is greater than line 10, there is an overpayment. Subtract line 10 from line 18; and enter the result here. If you have a penalty due shown on line 20, your penalty will reduce the amount of the overpayment.

24 AMOUNT TO BE CREDITED TO YOUR 2012 ESTIMATED TAX ACCOUNT. Enter the amount (all or part) of your overpayment you wish to have credited to your 2012 estimated tax account.

25 THE WEST VIRGINIA CHILDREN'S TRUST FUND funds community projects that keep children free from abuse and neglect. Examples include public awareness

activities, school based programs, programs for new parents, and family resource centers.

If you (and your spouse) wish to make a contribution, enter the total amount of your contribution on line 25. Your overpayment will be reduced or your payment increased by this amount. If you do not have an overpayment and want to make a contribution, a check or money order for tax due plus the desired contribution (line 22 plus line 25) must be made payable to the West Virginia State Tax Department and enclosed with your return.

To learn more about the WV Children's Trust Fund or to make a direct contribution, visit the website <http://wvctf.org> or write to West Virginia Children's Trust Fund, P.O. Box 3192, Charleston, WV 25332 or call 304-558-4637.

Donations made to the West Virginia Children's Trust Fund are tax deductible on your federal income tax return as an itemized deduction.

26 DEDUCTIONS FROM OVERPAYMENT. Add lines 24 and 25. This amount will be subtracted from your overpayment to determine your refund.

27 REFUND. Subtract line 26 from line 23 and enter the result here. This is the amount of your refund. To receive a refund of \$2 or less, you must enclose a signed statement with your return requesting that the refund be sent to you.

Form IT-140-W Instructions

You must enclose the IT-140W with your return even if you have no income or withholding.

A – Employer or Payer information:

- Enter the name and address of the company from which you received the W-2, 1099, K-1, or WV-NRW-2.

B – Employee or Taxpayer Information:

- Enter your name or spouse's

name. Make sure the Social Security Number(s) agree with your statements and are correct.

C – WV Tax Withheld:

- Enter the amount of WEST VIRGINIA TAX WITHHELD from:

- W-2, line 17
- 1099, line 10
- K-1, line 8 (WV only)
- NRW-2, WV only
- Check the source of withholding, then enter the state abbreviation.
- Check the box that identifies the tax statement type.

1	A - Employer or Payer Information	B - Employee or Taxpayer Information	C - WV Tax Withheld
	<p>123456789 Employer or payer ID from W-2, 1099, K-1, and/or WV/NRW-2</p> <p>ABC Company Employer or payer name</p> <p>229 Any Street Address</p> <p>Any City, OH 12345 City, State, ZIP</p>	<p>Jason Smith Name</p> <p>555555555 Social Security Number</p> <p>10000.00 Income Subject to WV WITHHOLDING</p>	<p>2000.00</p> <p>WV WITHHOLDING</p> <p>Check appropriate box.</p> <p><input checked="" type="checkbox"/> W-2 <input type="checkbox"/> 1099 <input type="checkbox"/> K-1 <input type="checkbox"/> WV/NRW-2</p> <p>WV Enter State Abbreviation (from Box #15 on W-2 or Box # 11 on 1099)</p> <p>Enter WV withholding only</p>

Schedule M Instructions

Complete Schedule M to report increasing or decreasing modifications to your federal adjusted gross income.

Modifications Increasing Federal Adjusted Gross Income (Additions to Income)

28 INTEREST OR DIVIDEND INCOME ON FEDERAL OBLIGATIONS. Enter amount of any interest or dividend income (received by or credited to you during the taxable year) on bonds or securities of any United States authority, commission or instrumentality which the laws of the United States exempt from federal income tax but not from state income tax.

29 INTEREST OR DIVIDEND ON STATE OR LOCAL BONDS (OTHER THAN WEST VIRGINIA). Enter the amount of any interest or dividend income on state and local bonds (other than West Virginia and its political subdivisions) received by or credited to you.

30 INTEREST ON MONEY BORROWED TO PURCHASE BONDS EARNING EXEMPT WEST VIRGINIA INCOME. Enter the amount of any interest deducted, as a business expense or otherwise, from your federal adjusted gross income in connection with money borrowed to purchase or carry bonds or securities, the income from which is exempt from West Virginia income tax.

31 LUMP SUM PENSION DISTRIBUTIONS. Enter the amount of any qualifying 402(e) lump sum distributions **not** included in your federal adjusted gross income that was separately reported and taxed on federal Form 4972.

32 OTHER INCOME EXCLUDED FROM FEDERAL ADJUSTED GROSS INCOME BUT SUBJECT TO STATE TAX. West Virginia income tax is based on federal adjusted gross income. However, certain income must be added back. For example; income deducted under Section 199 of the Internal Revenue Code. Enclose Schedule K-1(s).

33 WITHDRAWALS FROM A PREPAID TUITION/SAVINGS PLAN NOT USED FOR PAYMENT OF QUALIFYING EXPENSES. Enter the basis amount in a withdrawal from a WV Prepaid Tuition/SMART529[®] Savings Plan which was spent for *OTHER* than qualifying expenses, if a deduction was previously taken.

34 TOTAL ADDITIONS. Add lines 28 through 33. Enter the result here and on line 2 of Form IT-140.

Modifications Decreasing Federal Adjusted Gross Income (Subtractions from Income)

If filing a joint return, enter the modification(s) for both you and your spouse in Columns A and B. In cases of joint ownership of income producing tangible or intangible property, each spouse should use the total income multiplied by the relative percentage of ownership. See example on page 24.

35 INTEREST OR DIVIDENDS ON UNITED STATES OBLIGATIONS. Enter the total income on obligations of the United States and its possessions and bonds or securities from any United States authority, commission or instrumentality that are included in your federal adjusted gross income but exempt from state income tax under federal law. This will include United States Savings Bonds and federal interest dividends paid to shareholders of a regulated investment company under Section 852 of the IRS Code. Include on this line interest earned on West Virginia bonds which are subject to federal tax but exempt from state tax under West Virginia law.

36 ANY WEST VIRGINIA STATE OR LOCAL POLICE, DEPUTY SHERIFFS' OR FIREMEN'S RETIREMENT. Enter the taxable amount of retirement income reported on your federal return which was received from any **West Virginia** state or local police, deputy

sheriffs' or firemen's retirement system, regardless of your age. This is the taxable amount of retirement income received from these sources including any survivorship annuities.

37 WEST VIRGINIA TEACHERS' RETIREMENT AND WEST VIRGINIA PUBLIC EMPLOYEES' RETIREMENT. Regardless of age, enter the taxable amount of retirement income (not to exceed \$2,000) reported on your federal return received from The West Virginia Teachers' Retirement System and/or The West Virginia Public Employees' Retirement System. **Do not enter more than \$2,000.**

38 MILITARY RETIREMENT AND FEDERAL RETIREMENT. Regardless of age, enter the taxable amount of retirement income (not to exceed \$2,000) reported on your federal return received from Military Retirement and/or Federal Retirement. **Do not enter more than \$2,000.**

Combined amounts of Lines 37 and 38 must not exceed \$2,000.

39 MILITARY RETIREMENT MODIFICATION. There is an additional modification of a maximum \$20,000. If your pension is equal to or greater than \$22,000, enter \$20,000 here. If the pension is less than \$22,000, enter the total amount of the pension received less the \$2,000 claimed on line 38. In no case should the combined amount (line 38 and line 39) exceed the total amount of military retirement income or \$22,000, whichever is less.

40 RAILROAD RETIREMENT. Enter the amount(s) of income received from the United States Railroad Retirement Board including unemployment compensation, disability and sick pay that is included in your federal adjusted gross income. West Virginia does not impose tax on this income.

Social Security benefits that are taxable on your federal return are also taxable

to West Virginia and should NOT be included on this line.

41 AUTISM MODIFICATION. For tax years beginning January 1, 2011 a modification was created reducing federal adjusted gross income in the amount of any qualifying contribution to a qualified trust maintained for the benefit of a child with autism. Any established trust must first be approved by the West Virginia Children with Autism Trust Board. The modification is claimed on line 41 of Schedule M with maximum amounts of \$1,000.00 per individual filer and persons who are married but filing separately and \$2,000 per year for persons married and filing a joint income tax return.

42 REFUNDS OF STATE AND LOCAL INCOME TAXES. Enter the amount reported on your federal return only. Only refunds included in your federal adjusted gross income qualify for this modification.

43 CONTRIBUTIONS TO THE WEST VIRGINIA PREPAID TUITION TRUST/WEST VIRGINIA SAVINGS PLAN TRUST. Enter any payments paid to the prepaid tuition trust fund/savings plan trust, but only to the extent the payments have not been previously allowed as a deduction when arriving at your federal adjusted gross income. The Tax Department may request documentation that supports this deduction.

44 OTHER DEDUCTION(S) Enter here payments for premiums paid for long-term care insurance but only to the extent that payments have not been previously allowed as a deduction when arriving at your federal adjusted gross income. The Tax Department may request documentation that supports this deduction. If the modification is a result of Schedule PBGC (page 42), you must enclose the Schedule PBGC with your return.

45 WEST VIRGINIA "EZ PASS" DEDUCTION. Enter the amount, not less than \$25 and not to exceed \$1,200,

of any payment for amounts expended for tolls paid electronically through use of a West Virginia Parkways, Economic Development and Tourism Authority PAC card (Parkways Authority Commuter Card) for non-commercial passes for travel on toll roads in West Virginia, not including amounts refunded or reimbursed by an employer. Any amount of qualified tolls paid and eligible for this decreasing modification and not used in the taxable year when paid shall carryforward for up to three (3) years subsequent to the taxable year. Qualified toll payments not used by the end of the carry forward period shall be forfeited.



46 SENIOR CITIZEN OR DISABILITY DEDUCTION. Taxpayers MUST be at least age 65 OR certified as permanently and totally disabled during 2011 to receive this deduction. **Taxpayers age 65 or older simply have to enter their year of birth in the space provided in order to claim the deduction as a Senior Citizen.** Joint income must be divided between husband and wife with regard to their respective percentage of ownership. **ONLY THE INCOME OF THE SPOUSE WHO MEETS THE ELIGIBILITY REQUIREMENTS QUALIFIES FOR THE MODIFICATION.** See an example on page 24. The **Disability Deduction** can be claimed by taxpayers under age 65 who have been *medically certified* as unable to engage in any substantial gainful activity due to physical or mental impairment. IF 2011 is the first year of a medically certified disability, you **MUST** enclose a 2011 West Virginia **Schedule H** or a copy of **Federal Schedule R** and enter 2011 as the year the disability began in the space provided. IF the disability deduction has been claimed in prior years AND documentation has been submitted with prior claims, then **only the year that the disability began, entered in the space provided, is needed to claim the deduction.** The **Surviving Spouse** of a deceased taxpayer may also qualify for this modification. See line 48 instructions for more information.

46(a) Enter all income (for each spouse, if joint return) that has not been reported on lines 35 through 45 of Schedule M.

46(b) \$8,000 is the maximum modification allowed for each senior citizen or disabled taxpayer.

46(c) Add lines 35 through 39 for each spouse and enter on this line.

46(d) Subtract line 46(c) from line 46(b) for each spouse. If line 46(c) is larger than line 46(b), enter zero on line 46(d).

Compare the amounts shown on lines 46(a) and 46(d) for each spouse. Enter the **smaller** of these two amounts on line 46 for that spouse. For example, if one spouse only has \$4,000 in income, then the maximum deduction for that spouse is \$4,000.

47 INCOME RECEIVED BY SURVIVING SPOUSE. A surviving spouse is a taxpayer whose spouse died during the year **prior to the taxable year** for which the annual return is being filed and who has not remarried at any time before the end of that year.

The surviving spouse, regardless of age, of a decedent who was 65 or older OR was certified as permanently and totally disabled prior to his/her death, may take a modification if they received taxable income from any source not included on line 46. This is a one-time modification and must be claimed on the annual income tax return in the year **following the year** in which the death of the spouse occurred. If the total deductions from income shown on lines 35 through 39 and 46 are \$8,000 or more, you are not eligible for an additional modification on line 47.

48 Add lines 35 through 47 for each column and enter the results here.

49 TOTAL SUBTRACTIONS. Add Columns A and B from line 48 and enter the result here and on line 3 of Form IT-140.

EXAMPLE OF SENIOR CITIZEN DEDUCTION CALCULATION

John Doe, age 69, and Mary Doe, age 65, file a joint tax return. They received the following income in 2011.

	John	Mary
West Virginia Police Retirement	7,000	0
IRA Distributions	4,000	1,000
Wages and Salaries	0	10,000
Interest (jointly held)	1,500	1,500
US Savings Bond Interest	500	500
Total Income	13,000	13,000

Their federal adjusted gross income which they report on line 1 of their West Virginia IT-140 is \$26,000. Property which John and Mary hold jointly is split between them according to their percentage of ownership. In this case, each taxpayer owned 50% of the joint income.

1. Mr. Doe's total income is 13,000. However, he reported his police pension on line 36 and his share of their joint savings bond interest on line 35 of Schedule M. Therefore, he reports \$5,500 on line 46(a) of Schedule M (\$13,000 minus \$7,000 minus \$500).
2. Mrs. Doe's total income is also \$13,000. She enters \$12,500 on line 46(a) of Schedule M (\$13,000 less her share of their jointly-held savings bond interest reported [500] on line 35).
3. Mr. Doe enters \$7,500 on line 46(c) of Schedule M (\$500 from line 35 plus \$7,000 from line 36). He then subtracts line 46(c) from line 46(b) and enters the result (\$500) on line 46(d).
4. Mrs. Doe enters the \$500 from line 35 on line 46(c). She then subtracts line 46(c) from line 46(b) and enters the result (\$7,500) on line 46(d).
5. Mr. and Mrs. Doe are each allowed the smaller of the amounts shown on line 46(a) and 46(d) as their senior citizen deduction. Therefore, Mr. Doe enters \$500 on line 46 and Mrs. Doe enters \$7,500 on line 46.

	John	Mary
46(a)	5,500	12,500
46(b)	8,000	8,000
46(c)	7,500	500
46(d)	500	7,500

WEST VIRGINIA LOW-INCOME EARNED INCOME EXCLUSION WORKSHEET

INSTRUCTIONS

You may be eligible to claim the low-income exclusion if you received earned income (see definition) during the taxable year and:

1. Your filing status is single, married filing jointly, head of household or widow(er) with a dependent child and your federal adjusted gross income is \$10,000 or less; or
2. Your filing status is married filing separately and your federal adjusted gross income is \$5,000 or less.

This exclusion may be taken even if you are claimed as a dependent on someone else's return.

EARNED INCOME includes wages, salaries, tips, and other employee compensation. Earned income also includes any net taxable earnings from self-employment reported on the federal Schedule C.

EARNED INCOME does NOT include interest, dividends, and retirement income in the form of pensions or annuities and any other income that is not employee compensation. Earned income does not include income received for services provided by an individual while he or she is an inmate at a penal institution.

WORKSHEET

A. Enter your Federal Adjusted Gross income from line 1 of Form IT-140.....

A		.00
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If Line A is greater than \$10,000 (\$5,000 if married filing separate returns, you are not eligible for the exclusion. STOP HERE

B. List the source and amount of your earned income. Enter the total amount on Line B

B		.00

C. Maximum exclusion. Enter \$5,000 if your filing status is married filing separately; otherwise enter \$10,000

C		.00
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D. Enter the smaller of the amounts shown on Line A, Line B, or Line C here and on Line 5 of Form IT-140.....

D		.00
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Schedule A Instructions

50 WAGES SALARIES, AND TIPS.

Column A – Enter total wages, salaries, tips and other employee compensation reported on your federal income tax return.

Column B – Enter the amount received

during your period of West Virginia residency.

Column C – Enter the amount received from West Virginia source(s) while you were a nonresident of West Virginia.

RESIDENTS OF KENTUCKY, MARYLAND, OHIO, PENNSYLVANIA AND

VIRGINIA – wages and salaries received from West Virginia should NOT be reported in Column C.

51 & 52 INTEREST AND DIVIDEND INCOME

Column A – Enter total interest and

dividend income reported on your federal income tax return.

Column B – Enter the amount received during your period of West Virginia residency.

Column C – Enter the amount received from a business, trade, profession or occupation carried on in West Virginia while you were a nonresident of West Virginia.

53 REFUNDS OF STATE AND LOCAL INCOME TAXES

Column A – Enter total taxable state and local income tax refunds reported on your federal income tax return.

Column B – Enter the amount received during your period of West Virginia residency.

Column C – Do not enter any refunds received during the period you were a nonresident of West Virginia.

54 ALIMONY RECEIVED.

Column A – Enter total alimony received reported on your federal income tax return.

Column B – Enter the amount received during your period of West Virginia residency.

Column C – Do not enter any alimony received while you were a nonresident of West Virginia.

55 BUSINESS INCOME *(include business profit or loss and income from rents, royalties, partnerships, estates, trusts, and S corporations)*

Column A – Enter the total amount of ALL business income reported on your federal income tax return.

Column B – Enter the amount received during your period of West Virginia residency.

Column C – Enter any amount derived from West Virginia source(s) while you were a nonresident of West Virginia.

Business Conducted in West Virginia

A business, trade, profession, or occupation (not including personal services as an employee) is considered to be conducted in West Virginia if you maintain, operate, or occupy desk space, an office, a shop, a store, a warehouse, a factory, an agency or other place where your affairs are regularly conducted in West Virginia if it is transacted here with a fair measure of permanency and continuity.

Business Conducted Within and Without West Virginia

If, while a nonresident, a business, trade or profession is conducted within and without West Virginia and your accounts clearly reflect income from West Virginia

operations, enter the net profit or loss from business conducted within West Virginia on line 56, Column C.

Rent & Royalty Income

As a nonresident, enter in Column C any rents and royalties from:

- real property located in West Virginia, whether or not the property is used in connection with a business;
- tangible personal property not used in business if such property is located in West Virginia; and
- tangible and intangible personal property used in or connected with a business, trade, profession, or occupation conducted in West Virginia.

If a business is conducted both within West Virginia and from sources outside West Virginia, attach your method of allocation on a separate sheet.

Do not allocate income from real property. Real property must be included in its entirety. Real property located outside West Virginia must be excluded.

Report in Column C your share of rent and royalty income from a partnership of which you are a member shown on Form WV/SPF-100 or from an estate or trust of which you are a beneficiary shown on Form IT-141.

Partnerships

As a nonresident, enter in Column C your distributive share of partnership income from Form NRW-2, Schedule K-1, or Form WV/SPF-100.

S corporation Shareholders

As a nonresident, enter in Column C your pro rata share of income or loss from an electing West Virginia S corporation from Form NRW-2, Schedule K-1, or Form WV/SPF-100

Estates & Trusts

Enter in Columns B and C your share of estate or trust income as a part-year resident or a nonresident from West Virginia source(s) obtained from information provided by the fiduciary shown on Form NRW-2, Schedule K-1, or Form IT-141.

Passive Activity Loss Limitations

A nonresident must recompute any deduction taken on the federal return for passive activity losses to determine the amounts that would be allowed if federal adjusted gross income took into account only those items of income, gain, loss, or deduction derived from or connected with West Virginia source(s).

56 CAPITAL GAINS OR LOSSES.

Column A – Enter the total amount of capital gain or loss from the sale or exchange of property, including securities reported on your federal return.

Column B – Enter any capital gain or loss which occurred during your period of West Virginia residency.

Column C – Compute the amount to be reported as capital gain or loss from West Virginia sources in accordance with federal provisions for determining capital gains or losses and deductions for capital loss carryover from West Virginia sources to the extent included in computing your federal adjusted gross income and enter in this column.

Capital transactions from West Virginia sources include capital gains or losses derived from real or tangible property located within West Virginia whether or not the property is connected with a business or trade and capital gains or losses from stocks, bonds, and other intangible personal property used in or connected with a business, trade, profession, or occupation carried on in West Virginia. Also include your share of any capital gain or loss derived from West Virginia sources from a partnership of which you are a member, from an estate or trust of which you are a beneficiary or from an electing West Virginia S corporation of which you are a shareholder. Any capital gains or losses from business property (other than real property) of a business conducted both in and out of West Virginia must be allocated for West Virginia purposes. Gains or losses from the sale or disposition of real property are not subject to allocation. In all cases, use the federal basis of property for computing capital gains or losses.

57 SUPPLEMENTAL GAINS OR LOSSES.

Column A – Enter the total of any other gains or losses from the sale or exchange of non-capital assets used in a trade or business reported on your federal return.

Column B – Enter any substantial gain or loss which occurred during your period of West Virginia residency.

Column C – Compute the amount to be reported in this column by applying the federal provisions for determining gains or losses from sale or exchange of other than capital assets to your West Virginia transactions.

Non-capital transactions from West Virginia sources are those transactions from your federal return pertaining to property used in connection with a business, trade, profession, or occupation carried on in West Virginia. Also included is your share of any non-capital gains or

losses from a partnership of which you are a member, from an estate or trust of which you are a beneficiary or from an electing West Virginia S corporation of which you are a shareholder. Use the federal adjusted basis of your property in all computations.

58 PENSIONS AND ANNUITIES.

Column A – Enter the total taxable amount of pensions and annuities reported on your federal return.

Column B – Enter the taxable amount of any pensions and annuities received during your period of West Virginia residency.

Column C – Enter income from pensions and annuities derived from or connected with West Virginia sources. Pension and annuity income received by a nonresident is NOT subject to West Virginia tax unless the annuity is employed or used as an asset in a business, trade, profession, or occupation in West Virginia.

59 FARM INCOME OR LOSS.

Column A – Enter the total amount reported on your federal return.

Column B – Enter the amount that represents farm income or loss during your period of West Virginia residency.

Column C – Enter the amount that represents income or loss from farming activity in West Virginia while you were a nonresident of West Virginia.

60 UNEMPLOYMENT COMPENSATION.

Column A – Enter the total amount reported on your federal return.

Column B – Enter the amount received during your period of West Virginia residency.

Column C – Enter the amount received while a nonresident, but derived or resulting from employment in West Virginia.

61 SOCIAL SECURITY AND RAILROAD RETIREMENT BENEFITS.

Column A – Enter the total amount of taxable social security and railroad retirement benefits reported on your federal return.

Column B – Enter the amount received during your period of West Virginia residency.

Column C – Do NOT enter any amount received while you were a nonresident of West Virginia.

62 OTHER INCOME

Column A – Enter the total of other income reported on your federal return. Identify each source in the space provided. Enclose additional statements if necessary.

Column B – Enter the amount received during your period of West Virginia residency.

Column C – Enter the amount derived from or connected with West Virginia sources and received while you were a nonresident of West Virginia.

NOTE: If you have special accrual income, it should be included in Columns A and B of this line. See page 16 for more information regarding special accruals.

63 TOTAL INCOME Add lines 50 through 62 of each column and enter the result on this line.

64-70 ADJUSTMENTS INCLUDED IN FEDERAL ADJUSTED GROSS INCOME

Column A – Enter the adjustments to income reported on Federal Form 1040 or 1040A. These adjustments include penalty on early withdrawal of savings, IRA deductions, deductions for self-employment tax, and other deductions.

Column B – Enter any adjustments incurred during your period of West

Virginia residency.

Column C – Enter any adjustments connected with income from West Virginia sources while you were a nonresident of West Virginia.

The amount shown in Column A for any adjustments must be the same as reported on the federal return. The adjustments should be allocated for Column B and Column C as described above.

Include in Column B only the portion of alimony adjusted attributable to the period of West Virginia residency.

71 TOTAL ADJUSTMENTS. Enter the total of all adjustments from lines 64 through 70 for each column.

72 ADJUSTED GROSS INCOME. Subtract line 71 from line 63 in each column and enter the result on this line.

73 WEST VIRGINIA INCOME. Add Column B and Column C of line 72 and enter the total here.

74 INCOME SUBJECT TO WEST VIRGINIA STATE TAX BUT EXEMPT FROM FEDERAL TAX.

Part-Year Residents Only

Enter any income subject to West Virginia tax but not included in federal adjusted gross income. This income will be shown as an addition to federal adjusted gross income on Schedule M.

75 TOTAL WEST VIRGINIA INCOME. Add the amounts shown on lines 73 and 74 and enter the total here and on line 2 of the Nonresident/Part-Year Resident Tax Calculation worksheet on the page after the Schedule A.

Schedule E Instructions

Residents

Subject to certain limitations, a West Virginia resident may be eligible to claim a credit for income taxes paid to another state. The purpose of this credit is to prevent **dual taxation** of such income.

Note: Income from “guaranteed payments” shown on a W-2 as wages but taxed as business income on the Ohio income tax return qualifies for the Schedule E credit. See Publication TSD-422 for additional information.

Part-Year Residents

Part-year residents may only claim credit for taxes paid to another state during their

period of West Virginia residency.

Nonresidents

Nonresidents are not entitled to a Schedule E credit under any circumstances.

Limitations

The amount of a Schedule E credit is subject to the following limitations:

- The credit cannot exceed the amount of tax payable to the other state on income also subject to West Virginia tax. This is the amount of income tax computed on the nonresident return filed with the other state.
- The credit cannot exceed the percentage of the West Virginia tax

determined by dividing the portion of the taxpayer’s West Virginia income subject to taxation in another state by the total amount of the taxpayer’s West Virginia income.

- The credit cannot reduce the West Virginia tax due to an amount less than what would have been due if the income subject to taxation by the other state was excluded from the taxpayer’s West Virginia income.

A separate Schedule E must be completed and attached for each state for which you are claiming a credit.

You must maintain a copy of the other

state tax return in your files. This credit is not allowed for income tax imposed by a city, township, borough, or any political subdivision of a state or any other country. Local or municipal fees cannot be claimed. Due to existing reciprocal agreements, West Virginia residents cannot claim the Schedule E credit if the credit claimed is for state income taxes paid on wage and salary or unemployment compensation income earned in Kentucky, Maryland, Ohio, Pennsylvania, or Virginia. However, taxes paid on income derived from sources other than wage and salary or unemployment compensation income is permitted as a Schedule E credit.

You may claim credit on your West Virginia Resident Income Tax Return for state income tax paid, as a nonresident, to ONLY the following states:

- Alabama
- Arizona
- Arkansas
- California
- Colorado
- Connecticut
- Delaware
- District of Columbia
- Georgia
- Hawaii
- Idaho
- Illinois
- Indiana
- Iowa
- Kansas
- Louisiana
- Maine
- Massachusetts
- Michigan
- Minnesota
- Mississippi
- Missouri
- Montana
- Nebraska
- New Hampshire
- New Jersey
- New Mexico
- New York
- North Carolina
- North Dakota
- Oklahoma
- Oregon

- Rhode Island
- South Carolina
- Utah
- Vermont
- Wisconsin

*****NOTE: THE LIST ABOVE IS SUBJECT TO CHANGE ANY TIME*****

76 Enter the tax imposed by the state of nonresidence on income also taxed by this state. Do not use the amount of any tax which may have been withheld from your wages; this does not represent the actual tax paid to the other state. Do not include the amount of any interest, additions to tax, or other penalty which may have been paid with respect to such tax.

77 Enter the West Virginia total income tax shown on line 10 of Form IT-140.

78 Enter the net income from the state that is included in your West Virginia total income.

79 Enter total West Virginia income. **NOTE:** Residents – enter the amount shown on line 4, Form IT-140. Part-year residents – enter the amount shown on Schedule A, line 75, IT-140.

80 LIMITATION OF CREDIT. Multiply line 77 by line 78 and divide the result by line 79.

81 ALTERNATIVE WEST VIRGINIA TAXABLE INCOME

Residents – Subtract line 78 from line 7, Form IT-140.

Part-year residents – Subtract line 78 from line 79.

82 ALTERNATIVE WEST VIRGINIA INCOME TAX. Apply the Tax Rate Schedule to the amount shown on line 81.

83 LIMITATION OF CREDIT. Subtract line 82 from line 77.

84 MAXIMUM CREDIT. Line 77 minus the sum of lines 3 through 18 of the Tax Credit Recap Schedule.

85 TOTAL CREDIT (THE SMALLEST OF LINES 76, 77, 80, 83, OR 84). Enter amount here and on line 2 of the tax Credit Recap Schedule.

Special Instructions for West Virginia Residents Regarding the Following States:

- Kentucky
- Maryland
- Ohio
- Pennsylvania
- Virginia

KENTUCKY, MARYLAND, OR OHIO

If your income during 2011 was from wages and/or salaries only, you may not claim a Schedule E credit. In order to receive a refund of the erroneously withheld tax, you must file a return with the state in which taxes were withheld. If you had income from a source other than wages and/or salaries, you are allowed a credit for income taxes paid by completing Schedule E. You must maintain a copy of the other state tax return in your files.

PENNSYLVANIA OR VIRGINIA

If your income during 2011 was from wages and/or salaries only, you may not claim a Schedule E credit. In order to receive a refund of the erroneously withheld tax, you must file a return with these states. If you spent more than 183 days in one of these states and are considered an actual resident for tax purposes, or, if you had income from a source other than wages and/or salaries, you are allowed credit from income taxes paid to the Commonwealth of Pennsylvania or Virginia by completing Schedule E. You must maintain a copy of the other state tax return in your files.

SPECIAL NOTE: You may be relieved from having another state's income tax withheld from your wages. Contact your employer or the other state's taxing authority for additional information.

Specific Instructions for Form IT-140NRS

Important Notice: These instructions are based upon those statutes and reciprocity practices in effect at the time of printing. Amendments may occur that would cause these instructions to change.

KENTUCKY, MARYLAND OR OHIO RESIDENTS

If your West Virginia income during 2011 was from wages and/or salaries only, you may file the Special Nonresident Form IT-140NRS as a claim for refund of any West Virginia income tax withheld during

2011. If you had West Virginia income from a source other than wages and/or salaries, you must file the West Virginia Income Tax Return (Form IT-140) and indicate residency status by checking the Nonresident/Part-Year Resident box. You are not allowed a Schedule E credit against your West Virginia income tax whenever your West Virginia income is other than wages and/or salaries. You should apply for the appropriate credit on the income tax return filed with your state

of residence.

NOTE: The State of West Virginia is now required to withhold Maryland state tax from the wages of any Maryland resident who works for a West Virginia state government agency. For further information, contact the personnel office of the agency for which you are employed.

PENNSYLVANIA OR VIRGINIA RESIDENTS

If your West Virginia income during 2011 was from wages and/or salaries only AND

YOU DID NOT SPEND MORE THAN 183 DAYS WITHIN WEST VIRGINIA DURING 2011, you may file the Special Nonresident Form IT-140NRS as a claim for refund of any West Virginia income tax withheld during 2011. If you had West Virginia income from a source other than wages and/or salaries, you *must* file the West Virginia Income Tax Return (Form IT-140) and indicate residency status by checking the Nonresident/Part-Year Resident box. You are not allowed a Schedule E credit against your West Virginia income tax when your West Virginia income is other than wages

and/or salaries. You should apply for the appropriate credit on the income tax return filed with your state of residence.

A domiciliary resident of Pennsylvania or Virginia who spends more than 183 days within West Virginia during 2011 is also a resident of West Virginia for income tax purposes and is required to file a resident return (Form IT-140) with West Virginia. A Schedule E credit would not be allowed on the West Virginia return. You should apply for the appropriate credit on the income tax return filed with your state of residence.

SPECIAL NOTE: Residents of these states may be relieved from filing an annual claim for refund of West Virginia taxes withheld from their wages and/or salaries by requesting Form WV/IT-104 (West Virginia Certificate of Nonresidence) from their employer. Form WV/IT-104 may be completed and returned to the employer who would then be authorized to stop withholding West Virginia income tax on wages and /or salaries earned in this state.

Form IT-210 Instructions

Who Must Pay the Underpayment Penalty?

You may be charged a penalty if you did not have enough West Virginia state income tax withheld from your income or pay enough estimated tax by any of the due dates. This may be true even if you are due a refund when you file your return. The penalty is computed separately for each due date (quarter). You may owe a penalty for an earlier due date (quarter) even if you make large enough payments later to make up the underpayment.

You may owe the penalty if you did not pay at least the smaller of:

1. 90% of your 2011 tax liability; or
2. 100% of your 2010 tax liability (if you filed a 2010 return that covered a full 12 months).

Exceptions to the Penalty

You will not have to pay any penalty if either of these exceptions apply:

1. You had no tax liability for 2010 and meet ALL of the following conditions:
 - your 2010 tax return was (or would have been had you been required to file) for a taxable year of twelve months;
 - you were a citizen or resident of the United States throughout the preceding taxable year;
 - your tax liability for 2011 is less than \$5,000.
4. The total tax shown on your 2011 return minus the tax you paid through West Virginia withholding is less than \$600. To determine if you meet this exception, complete lines 1 through 5, PART I. If you meet this exception, you do not have to file Form IT-210.

If you file your tax return and pay any tax due on or before February 1, 2012, no fourth quarter penalty is due. Include the tax paid with your return in column (d) of line 2, PART IV; this will result in no penalty due for the January 15, 2012 installment.

Special Rules for Farmers

If at least two-thirds of your gross income for 2011 was from farming sources, the following special rules apply:

1. You are only required to make one payment for the taxable year (due January 15, 2012).
2. The amount of estimated tax required to be paid (line 6) is sixty-six and two-thirds percent (66-2/3%) instead of ninety percent (90%).
3. If you fail to pay your estimated tax by January 15, but you file your return and pay the tax due on or before the first day of March, 2012, no penalty is due.

Mark box 10 in PART I and complete PART III or only column (d) of PART IV to figure your penalty. Be sure to use .02340 instead of .06312 when calculating line 6 of PART III. When using PART IV, carry the entire figure shown on line 8 of PART I to column (d), line 1.

Waiver of Penalty

If you are subject to underpayment penalty, all or part of the penalty will be waived if the West Virginia State Tax Department determines that:

1. The penalty was caused by reason of casualty or disaster;
2. The penalty was caused by unusual circumstances which makes imposing the penalty unfair or inequitable.

To request a waiver of the penalty, check the box for line 9 in PART I and enclose a signed statement explaining the reasons you believe the penalty should be waived (see page 42 of the return). If you have documentation substantiating your statement, enclose a copy. The Department will notify you if your request for waiver is not approved.

Part I – For All Filers

- 1 Enter the amount from line 8 of Form IT-140.

- 2 Add the amounts shown on line 9, line 15 and line 16 of Form IT-140.

- 3 Subtract line 2 from line 1 and enter the result.

- 4 Enter the amount of withholding tax shown on line 13 of Form IT-140.

- 5 Subtract line 4 from line 3 and enter the result. *If line 5 is less than \$600, you are not subject to the penalty and need not file form IT-210.*

- 6 Multiply line 3 by ninety percent (90%) and enter the result.

- 7 Enter your tax after credits from your 2010 West Virginia return. Your tax after credits will be line 10 reduced by line 15 of Form IT-140.

- 8 Compare the amounts shown on lines 6 and 7. If line 7 is zero and line 3 is more than \$5,000, enter the amount shown on line 6. Otherwise, enter the smaller of line 6 or line 7.

Part II – Annualized Income Worksheet Instructions

- 1 **TOTAL INCOME.** Compute your total income through the period indicated at the top of each column, including any adjustments to income includible in your federal adjusted gross income.

- 3 **ANNUALIZED INCOME.** Multiply the amount on line 1 by the annualization factors on line 2.

- 4 **WEST VIRGINIA MODIFICATIONS TO INCOME.** Enter any modifications to federal adjusted gross income which would be allowed on your 2011 West Virginia Personal Income Tax Return. Be sure to show any negative figures.

5 WEST VIRGINIA INCOME. Combine lines 3 and 4; annualized income plus or minus modifications.

6 EXEMPTION ALLOWANCE. Multiply the number of exemptions you are allowed to claim by \$2,000; if you must claim zero exemptions, enter \$500 on this line.

7 ANNUALIZED TAXABLE INCOME. Subtract line 6 from line 5.

8 TAX. Compute the tax on the taxable income shown on line 7. Use the tax tables or rate schedules to calculate your tax. **If you are filing as a nonresident/part-year resident,** multiply the tax figure already calculated by the ratio of your West Virginia income to your federal income.

9 CREDITS AGAINST TAX. Show any credits against your West Virginia tax liability except West Virginia income tax withheld and estimated tax payments.

10 TAX AFTER CREDITS. Subtract line 9 from line 8; if line 9 is larger than line 8, enter zero.

COMPLETE LINES 12 THROUGH 19 FOR EACH COLUMN BEFORE MOVING TO THE NEXT COLUMN.

12 REQUIRED PAYMENTS. Multiply the amount on line 10 by the factor on line 11.

13 PREVIOUS REQUIRED INSTALLMENTS. Add the amounts from line 19 of all previous columns and enter the sum.

14 ANNUALIZED INSTALLMENT. Subtract line 13 from line 12. If less than zero, enter zero.

15 Enter one-fourth of line 8, Part 1, of Form IT-210 in each column.

16 Enter the amount from line 18 of the previous column of this worksheet.

17 Add lines 15 and 16 and enter the total.

18 Subtract line 14 from line 17. If less than zero, enter zero.

19 REQUIRED INSTALLMENT. Compare lines 14 and 17 and enter the smaller figure here and on line 1, PART IV of Form IT-210.

Part III – Short Method

You may use the short method to figure your penalty only if:

1. You made no estimated tax payments (or your only payments were West Virginia income tax withheld); or
2. You paid estimated tax and the payments were made in four equal installments on the due dates.

NOTE: If any of your payments were made earlier than the due date, you may use the short method to calculate your penalty; however, using the short method may cause you to pay a higher penalty (if the payments were only a few days early, the difference is likely to be very small).

You may **NOT** use the short method if:

1. You made any estimated tax payments late; or
2. You checked the box on line 11 PART I, or used PART II (Annualized Income Worksheet).

If you can use the short method, complete lines 1 through 5 to compute your total underpayment for the year and lines 6 through 8 to compute your penalty due. If you checked the box for line 10 in PART I, because you are a farmer, the figure to use on line 6 is .02340 instead of .06312.

Part IV – Regular Method

Use the regular method to compute your penalty if you are not eligible to use the short method.

Section A – Compute Your Underpayment

1 Enter in columns (a) through (d) the amount of your required installment for the due date shown in each column heading. For most taxpayers, this is the amount shown on line 8 of PART I divided by four. If you used PART II, enter the amounts from line 19 of the Annualized Income Worksheet in the appropriate columns.

2 Enter the estimated tax payments you made plus any West Virginia income tax withheld from your income. In column (a), enter the tax payments you made by April 15, 2011, for the 2011 tax year; in column (b), enter payments you made after April 15 and on or before June 15, 2011; in column (c), enter payments you made after June 15, and on or before September 15, 2011; and in column (d), enter payments you made after September

15, and on or before January 15, 2012.

When calculating your payment dates and the amounts to enter on line 2 of each column, apply the following rules:

1. For West Virginia income tax withheld, you are considered to have paid one-fourth of these amounts on each payment due date, unless you check the box on line 11 in Part I and show otherwise.
2. Include in your estimated tax payments any overpayment from your 2010 West Virginia tax return that you elected to apply to your 2011 estimated tax. If you filed your return by the due date (including extensions), treat the overpayment as a payment made on April 15, 2011.
3. If you file your return and pay the tax due on or before February 1, 2012, include the tax you pay with your return in column (d) of line 2. In this case, you will not owe a penalty for the payment due January 15, 2012.

3 Enter any overpayment from the previous column on line 3.

4 Add lines 2 and 3 in each column and enter the result on line 4.

5 Add lines 7 and 8 from the previous column and enter the result in each column.

6 Subtract line 5 from line 4 in each column and enter the result on line 6. If line 6 is equal to or more than line 4 in any column, enter zero on line 6 in that column.

7 Subtract line 4 from line 5 for any column where line 5 is more than line 4; otherwise, enter zero.

8 Subtract line 6 from line 1 for any column where line 1 is more than line 6; otherwise, enter zero. If line 8 is zero for all payment periods, you do not owe a penalty. However, if you checked any box in PART I, you must file Form IT-210 with your return.

9 Subtract line 1 from line 6 for any column for which line 6 is more than line 1; otherwise, enter zero. Be sure to enter the amount from line 9 on line 3 of the next column.

Section B – Compute Your Penalty

CAUTION: Read the following instructions before completing Section B.

April 15, 2012, which ever is earlier.

Compute the penalty by applying the appropriate rate against each underpayment on line 8. The penalty is computed for the number of days that the underpayment remains unpaid.

The rates are established twice during each calendar year, on January 1 and July 1. If an underpayment remains unpaid for more than one rate period, the penalty for that underpayment may be computed using more than one rate. The annual rate is nine and one-half percent (9.5%) for 2011 and will require only one rate for all underpayments.

Use line 10 to compute the number of days the underpayment remains unpaid. Use line 12 to compute the actual penalty amount by applying the proper rate to the underpayment for the number of days it was unpaid.

Each payment must be applied to the oldest outstanding underpayment. It does not matter if you designate a payment for a later period. For example, if you have an underpayment for April 15 installment period, the payment you make June 15 will first be applied to pay off the April 15 underpayment; any remaining portion of the payment will be applied to the June 15 installment.

Also, apply the following rules:

1. Show the West Virginia withholding tax attributable to each installment due date; do not list the withholding attributable on or after January 1, 2012.
2. Any balance due paid on or before April 15, 2012 with your personal income tax return is considered a payment and should be listed on line 2, column (d). For the payment date, use the date you file your return, or

Chart of Total Days Per Rate Period

Rate Period	Line 10
(a)	365
(b)	303
(c)	212
(d)	90

For example, if you have an underpayment on line 8, column (a), you would enter 365 in column (a) of line 10.

The following line-by-line instructions apply only to column (a) of Section B. If there is an underpayment shown in any other column on line 8, complete lines 10 and 12 in a similar fashion.

10 Enter in column (a) the total number of days from April 15, 2011 to the date of the first payment. If no payments enter 365.

11 The daily penalty rate is equal to the annual interest rate applied to tax underpayments divided by 365. **The annual interest rate for underpayments is nine and one-half percent (9.5%) for 2011, resulting in a daily rate of .000260.**

12 Make the computation requested and enter the result. Note that the computation calls for the "underpayment on line 8". The amount to use as the "underpayment" depends on whether or not a payment is listed.

If there is a payment – if the payment is more than the underpayment, apply only an amount equal to the underpayment and apply the remainder to the tax due for the next quarter. If the payment is less than your underpayment, the penalty for the remaining underpayment will require a separate computation. Use a separate

sheet of paper to show any additional computations.

If there are no payments – the "underpayment" is the entire amount shown on line 8.

The following conditions determine if additional computations are needed for Column (a):

1. The first payment was enough to reduce the underpayment to zero. There are no further computations for column (a):
2. No payments. Only one computation is needed. The penalty for column (a) is line 8 multiplied by the number of days in the chart on this page multiplied by line 11.
3. The payment did not reduce the underpayment to zero. Compute the penalty on the remaining underpayment on a separate sheet of paper. If additional payments apply, reduce the underpayment for each installment and compute the penalty on the remainder of tax due until paid or April 17, 2012, whichever is earlier.

Enter the total penalty calculation on line 12 and proceed to the next column.

Columns (b) through (d)

To complete columns (b) through (d), use the same procedures as for column (a). However, apply only those payments in each column which have not been used in a previous column.

13 Add all figures from line 12. Enter the sum on line 13 and on the appropriate PENALTY DUE line of your personal income tax return.

Senior Citizens Refundable Credit Information

If you recently received a WV/SCTC-1 in the mail from the West Virginia State Tax Department for the Homestead Exemption program administered at the county level, you may be entitled to claim a refundable state income tax credit. The credit is based on the amount of ad valorem property taxes paid on the first \$20,000, or portion thereof, of the taxable assessed value over the \$20,000 Homestead Exemption. Persons who pay the federal alternative minimum tax are not eligible to claim this credit.

The refundable income tax credit eligibility is restricted to those who participate in the Homestead Exemption Program through the County Assessor's office and meet the following criteria:

1. You must owe and pay a property tax liability on the homestead exemption eligible home (i.e. the assessed value of the eligible home must be greater than \$20,000 prior to the application of the homestead exemption) and;
2. Your Federal Adjusted Gross Income must meet the low-income test. FEDERAL ADJUSTED GROSS INCOME means the income reported on your federal tax return (e.g., Form 1040, 1040A, or 1040EZ).

If you were NOT required to file a federal tax return, complete the following income worksheet to determine your income for the year. **DO NOT INCLUDE SOCIAL SECURITY BENEFITS.**

INCOME WORKSHEET

A. Wages, salaries, tips received.....	A.	
B. Interest and dividend income.....	B.	
C. Alimony received.....	C.	
D. Taxable pensions and annuities.....	D.	
E. Unemployment compensation.....	E.	
F. Other income (include capital gains, gambling winnings, farm income, etc.).....	F.	
G. Add lines A through F.....	G.	
H. Adjustments to income (i.e. alimony paid, IRA, etc.).....	H.	
I. Line G minus line H (calculated Federal Adjusted Gross Income).....	I.	

Compare the amount of your Federal Adjusted Gross Income or the calculated Federal Adjusted Gross Income (line I above) to the number of people in your household listed on the table below to determine if you meet the low-income test. If your income is equal to or less than the amounts shown below, you may be allowed to claim the credit. Enter the number of people in your household and your income amount in the spaces indicated on the WV/SCTC-1

# of People in Household	150% of Poverty Guidelines	# of People in Household	150% of Poverty Guidelines
1	\$16,335	3	\$27,795
2	\$22,065	4	\$33,525

**** For each additional Person, add \$5,730**

If you meet all of the required criteria as listed above, you may claim this refundable credit by completing the West Virginia income tax return (Form IT-140). However, **before** you claim this credit on line 15 of Form IT-140, you should complete the worksheet for another available credit called the West Virginia Homestead Excess Property Tax Credit found on page 41 to determine which credit will give you the larger refund.

INSTRUCTIONS

If you are entitled to claim the refundable Senior Citizen Tax Credit, you must file the West Virginia tax return to receive your refund.

1. Complete the top half portion of the West Virginia IT-140 (page 5 or 11).
2. Enter the credit amount from your SCTC-1 on lines 15, 18, 20, 24, and 28 of the IT-140 (page 6 or 12).
3. Sign and date your return and enclose Form SCTC-1.
4. Mail to the address for "Refund" shown beneath the signature lines (page 6 or 12).

2011 Family Tax Credit Tables

Filing Single, Head of Household, Widow(er) with dependent child, Married Filing Jointly

Number of Family Members in Household

1		Family Credit%	2		Family Credit%	3		Family Credit%	4		Family Credit%
<i>Modified Federal Adjusted Gross Income</i>			<i>Modified Federal Adjusted Gross Income</i>			<i>Modified Federal Adjusted Gross Income</i>			<i>Modified Federal Adjusted Gross Income</i>		
<i>Greater Than</i>	<i>Equal To or Less Than</i>		<i>Greater Than</i>	<i>Equal To or Less Than</i>		<i>Greater Than</i>	<i>Equal To or Less Than</i>		<i>Greater Than</i>	<i>Equal To or Less Than</i>	
\$ 0	\$10,890	100.0%	\$ 0	\$14,710	100.0%	\$ 0	\$18,530	100.0%	\$ 0	\$22,350	100.0%
\$10,890	\$11,190	90.0%	\$14,710	\$15,013	90.0%	\$18,530	\$18,830	90.0%	\$22,350	\$22,650	90.0%
\$11,190	\$11,490	80.0%	\$15,013	\$15,310	80.0%	\$18,830	\$19,130	80.0%	\$22,650	\$22,950	80.0%
\$11,490	\$11,790	70.0%	\$15,310	\$15,610	70.0%	\$19,130	\$19,430	70.0%	\$22,950	\$23,250	70.0%
\$11,790	\$12,090	60.0%	\$15,610	\$15,910	60.0%	\$19,430	\$19,730	60.0%	\$23,250	\$23,550	60.0%
\$12,090	\$12,390	50.0%	\$15,910	\$16,210	50.0%	\$19,730	\$20,030	50.0%	\$23,550	\$23,850	50.0%
\$12,390	\$12,690	40.0%	\$16,210	\$16,510	40.0%	\$20,030	\$20,330	40.0%	\$23,850	\$24,150	40.0%
\$12,690	\$12,990	30.0%	\$16,510	\$16,810	30.0%	\$20,330	\$20,630	30.0%	\$24,150	\$24,450	30.0%
\$12,990	\$13,290	20.0%	\$16,810	\$17,110	20.0%	\$20,630	\$20,930	20.0%	\$24,450	\$24,750	20.0%
\$13,290	\$13,590	10.0%	\$17,110	\$17,410	10.0%	\$20,930	\$21,230	10.0%	\$24,750	\$25,050	10.0%
\$13,590		0.0%	\$17,410		0.0%	\$21,230		0.0%	\$25,050		0.0%

5		Family Credit%	6		Family Credit%	7		Family Credit%	8 or More		Family Credit%
<i>Modified Federal Adjusted Gross Income</i>			<i>Modified Federal Adjusted Gross Income</i>			<i>Modified Federal Adjusted Gross Income</i>			<i>Modified Federal Adjusted Gross Income</i>		
<i>Greater Than</i>	<i>Equal To or Less Than</i>		<i>Greater Than</i>	<i>Equal To or Less Than</i>		<i>Greater Than</i>	<i>Equal To or Less Than</i>		<i>Greater Than</i>	<i>Equal To or Less Than</i>	
\$ 0	\$26,170	100.0%	\$ 0	\$29,990	100.0%	\$ 0	\$33,810	100.0%	\$ 0	\$37,630	100.0%
\$26,170	\$26,470	90.0%	\$29,990	\$30,290	90.0%	\$33,810	\$34,110	90.0%	\$37,630	\$37,930	90.0%
\$26,470	\$26,770	80.0%	\$30,290	\$30,590	80.0%	\$34,110	\$34,410	80.0%	\$37,930	\$38,230	80.0%
\$26,770	\$27,070	70.0%	\$30,590	\$30,890	70.0%	\$34,410	\$34,710	70.0%	\$38,230	\$38,530	70.0%
\$27,070	\$27,370	60.0%	\$30,890	\$31,190	60.0%	\$34,710	\$35,010	60.0%	\$38,530	\$38,830	60.0%
\$27,370	\$27,670	50.0%	\$31,190	\$31,490	50.0%	\$35,010	\$35,310	50.0%	\$38,830	\$39,130	50.0%
\$27,670	\$27,970	40.0%	\$31,490	\$31,790	40.0%	\$35,310	\$35,610	40.0%	\$39,130	\$39,430	40.0%
\$27,970	\$28,270	30.0%	\$31,790	\$32,090	30.0%	\$35,610	\$35,910	30.0%	\$39,430	\$39,730	30.0%
\$28,270	\$28,570	20.0%	\$32,090	\$32,390	20.0%	\$35,910	\$36,210	20.0%	\$39,730	\$40,030	20.0%
\$28,570	\$28,870	10.0%	\$32,390	\$32,690	10.0%	\$36,210	\$36,510	10.0%	\$40,030	\$40,330	10.0%
\$28,870		0.0%	\$32,690		0.0%	\$36,510		0.0%	\$40,330		0.0%

Married Filing Separately

Number of Family Members in Household

1		Family Credit%	2		Family Credit%	3		Family Credit%	4		Family Credit%
<i>Modified Federal Adjusted Gross Income</i>			<i>Modified Federal Adjusted Gross Income</i>			<i>Modified Federal Adjusted Gross Income</i>			<i>Modified Federal Adjusted Gross Income</i>		
<i>Greater Than</i>	<i>Equal To or Less Than</i>		<i>Greater Than</i>	<i>Equal To or Less Than</i>		<i>Greater Than</i>	<i>Equal To or Less Than</i>		<i>Greater Than</i>	<i>Equal To or Less Than</i>	
\$ 0	\$5,445	100.0%	\$ 0	\$7,355	100.0%	\$ 0	\$9,265	100.0%	\$ 0	\$11,175	100.0%
\$5,445	\$5,595	90.0%	\$7,355	\$7,505	90.0%	\$9,265	\$9,415	90.0%	\$11,175	\$11,325	90.0%
\$5,595	\$5,745	80.0%	\$7,505	\$7,655	80.0%	\$9,415	\$9,565	80.0%	\$11,325	\$11,475	80.0%
\$5,745	\$5,895	70.0%	\$7,655	\$7,805	70.0%	\$9,565	\$9,715	70.0%	\$11,475	\$11,625	70.0%
\$5,895	\$6,045	60.0%	\$7,805	\$7,955	60.0%	\$9,715	\$9,865	60.0%	\$11,625	\$11,775	60.0%
\$6,045	\$6,195	50.0%	\$7,955	\$8,105	50.0%	\$9,865	\$10,015	50.0%	\$11,775	\$11,925	50.0%
\$6,195	\$6,345	40.0%	\$8,105	\$8,255	40.0%	\$10,015	\$10,165	40.0%	\$11,925	\$12,075	40.0%
\$6,345	\$6,495	30.0%	\$8,255	\$8,405	30.0%	\$10,165	\$10,315	30.0%	\$12,075	\$12,225	30.0%
\$6,495	\$6,645	20.0%	\$8,405	\$8,555	20.0%	\$10,315	\$10,465	20.0%	\$12,225	\$12,375	20.0%
\$6,645	\$6,795	10.0%	\$8,555	\$8,705	10.0%	\$10,465	\$10,615	10.0%	\$12,375	\$12,525	10.0%
\$6,795		0.0%	\$8,705		0.0%	\$10,615		0.0%	\$12,525		0.0%

5		Family Credit%	6		Family Credit%	7		Family Credit%	8 or More		Family Credit%
<i>Modified Federal Adjusted Gross Income</i>			<i>Modified Federal Adjusted Gross Income</i>			<i>Modified Federal Adjusted Gross Income</i>			<i>Modified Federal Adjusted Gross Income</i>		
<i>Greater Than</i>	<i>Equal To or Less Than</i>		<i>Greater Than</i>	<i>Equal To or Less Than</i>		<i>Greater Than</i>	<i>Equal To or Less Than</i>		<i>Greater Than</i>	<i>Equal To or Less Than</i>	
\$ 0	\$13,085	100.0%	\$ 0	\$14,995	100.0%	\$ 0	\$16,905	100.0%	\$ 0	\$18,815	100.0%
\$13,085	\$13,235	90.0%	\$14,995	\$15,145	90.0%	\$16,905	\$17,055	90.0%	\$18,815	\$18,965	90.0%
\$13,235	\$13,385	80.0%	\$15,145	\$15,295	80.0%	\$17,055	\$17,205	80.0%	\$18,965	\$19,115	80.0%
\$13,385	\$13,535	70.0%	\$15,295	\$15,445	70.0%	\$17,205	\$17,355	70.0%	\$19,115	\$19,265	70.0%
\$13,535	\$13,685	60.0%	\$15,445	\$15,595	60.0%	\$17,355	\$17,505	60.0%	\$19,265	\$19,415	60.0%
\$13,685	\$13,835	50.0%	\$15,595	\$15,745	50.0%	\$17,505	\$17,655	50.0%	\$19,415	\$19,565	50.0%
\$13,835	\$13,985	40.0%	\$15,745	\$15,895	40.0%	\$17,655	\$17,805	40.0%	\$19,565	\$19,715	40.0%
\$13,985	\$14,135	30.0%	\$15,895	\$16,045	30.0%	\$17,805	\$17,955	30.0%	\$19,715	\$19,865	30.0%
\$14,135	\$14,285	20.0%	\$16,045	\$16,195	20.0%	\$17,955	\$18,105	20.0%	\$19,865	\$20,015	20.0%
\$14,285	\$14,435	10.0%	\$16,195	\$16,345	10.0%	\$18,105	\$18,255	10.0%	\$20,015	\$20,165	10.0%
\$14,435		0.0%	\$16,345		0.0%	\$18,255		0.0%	\$20,165		0.0%

2011 Tax Rate Schedules

Rate Schedule I

Use this schedule if you checked 1 (**Single**), 2 (**Head of household**), 5 (**Widow[er] with dependent child**), or 4 (**Married filing jointly**) under "FILING STATUS".

Less than \$10,000.....		3% of the taxable income
At least –	But less than –	
\$ 10,000	\$25,000	\$300.00 plus 4% of excess over \$10,000
\$25,000	\$40,000	\$900.00 plus 4.5% of excess over \$25,000
\$40,000	\$60,000	\$1,575.00 plus 6% of excess over \$40,000
\$60,000		\$2,775.00 plus 6.5% of excess over \$60,000

EXAMPLE	
With a taxable income of \$117,635	
\$ 57,635.00	Income in excess of \$60,000
x .065	Tax Rate \$60,000 and above
\$ 3,746.28	Tax on excess of \$57,635
+	2,775.00 Tax on \$60,000
\$ 6,521.00	Total Tax on \$117,635 (Round to nearest whole dollar)

Rate Schedule II

Use this schedule if you checked box 3 (**Married filing separately**) under "FILING STATUS".

Less than \$5,000.....		3% of the taxable income
At least –	But less than –	
\$ 5,000	\$12,500	\$150.00 plus 4% of excess over \$5,000
\$12,500	\$20,000	\$450.00 plus 4.5% of excess over \$12,500
\$20,000	\$30,000	\$787.50 plus 6% of excess over \$20,000
\$30,000		\$1,387.50 plus 6.5% of excess over \$30,000

EXAMPLE	
With a taxable income of \$118,460	
\$ 88,460.00	Income in excess of \$30,000
x .065	Tax Rate \$30,000 and above
\$ 5,750.00	Tax on excess of \$88,460
+	1,387.50 Tax on \$30,000
\$ 7,138.00	Total Tax on \$118,460 (Round to nearest whole dollar)

Nonresidents/Part-Year Residents
Schedule of Income

2011

PRIMARY LAST NAME SHOWN ON FORM IT-140

SOCIAL SECURITY NUMBER

PART-YEAR RESIDENTS: ENTER PERIOD OF WEST VIRGINIA RESIDENCY FROM: MM DD YYYY

TO: MM DD YYYY

SCHEDULE A
(To Be Completed By Nonresidents and Part-Year Residents Only)

INCOME

		COLUMN A AMOUNT FROM FEDERAL RETURN	COLUMN B ALL INCOME DURING PERIOD OF WV RESIDENCY	COLUMN C WV SOURCE INCOME DURING NONRESIDENT PERIOD
50. Wages, salaries, tips (complete Form IT-140W).....	50	.00	.00	.00
51. Interest.....	51	.00	.00	.00
52. Dividends.....	52	.00	.00	.00
53. Refunds of state and local income tax (see line 42 of Schedule M).....	53	.00	.00	
54. Alimony received.....	54	.00	.00	
55. Business profit (or loss).....	55	.00	.00	.00
56. Capital gains (or losses).....	56	.00	.00	.00
57. Supplemental gains (or losses).....	57	.00	.00	.00
58. Total taxable pensions and annuities.....	58	.00	.00	.00
59. Farm income (or loss).....	59	.00	.00	.00
60. Unemployment compensation insurance.....	60	.00	.00	.00
61. Total taxable Social Security and Railroad Retirement benefits (see line 40 of Schedule M for Railroad Retirement benefits).....	61	.00	.00	
62. Other income from federal return (identify source).....	62	.00	.00	.00
63. Total income (add lines 50 through 62).....	63	.00	.00	.00

ADJUSTMENTS

64. Deductible payments to an IRA.....	64	.00	.00	.00
65. Moving expenses.....	65	.00	.00	.00
66. Self-employment tax deduction.....	66	.00	.00	.00
67. Self-employment health insurance deduction.....	67	.00	.00	.00
68. Payments to a Keogh retirement plan.....	68	.00	.00	.00
69. Penalty for early withdrawal of savings.....	69	.00	.00	.00
70. Other adjustments.....	70	.00	.00	.00
71. Total adjustments (add lines 64 through 70).....	71	.00	.00	.00
72. Adjusted gross income (subtract line 71 from line 63 in each column).....	72	.00	.00	.00
73. West Virginia income (line 72, Column B plus line 72, column C).....	73			.00
74. Income subject to West Virginia state tax but exempt from federal tax.....	74		.00	
75. Total West Virginia income (line 73 plus line 74). Enter here and on line 2 on the reverse side.....	75			.00

Continued on the Next Page...



PRIMARY LAST NAME SHOWN ON FORM IT-140
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SOCIAL SECURITY NUMBER

SCHEDULE A (CONTINUED)

PART I: NONRESIDENT/PART-YEAR RESIDENT TAX CALCULATION

1. Tentative Tax (apply the appropriate tax rate schedule on page 38 to the amount shown on line 7, Form IT-140)	1	.00
2. West Virginia Income (line 75, Schedule A).....	2	.00
3. Federal Adjusted Gross Income (line 1, Form IT-140).....	3	.00
4. Tax (divide line 2 by line 3, round to 4 decimal places and multiply the result by line 1). Enter here and on line 8, Form IT-140. <i>If you are claiming a federal net operating loss carryback, you must continue to Part II.</i>	4	.00

PART II: NONRESIDENT/PART-YEAR RESIDENT TAX CALCULATION FOR NET OPERATING LOSS CARRYBACK

5. Subtract line 2 Part I from your original Federal Adjusted Gross Income (line 1, Form IT-140).....	5	.00
6. Income Percentage (Divide line 5 by line 3 Part I and round the result to four decimal places) Note: Decimal cannot exceed 1.0000	6	●
7. Multiply line 1 Part I by line 6.....	7	.00
8. Subtract line 7 from line 1 Part I.....	8	.00
9. West Virginia Tax (Enter the smaller of line 4 Part I or line 8 Part II here and on line 8, Form IT-140).....	9	.00

DRAFT
 9/13/11



Certification for Permanent and Total Disability and Credit for Income Tax Paid to Another State

2011

SCHEDULE H
CERTIFICATION OF PERMANENT AND TOTAL DISABILITY

TAXPAYERS WHO ARE DISABLED DURING 2011 REGARDLESS OF AGE

If you were certified by a physician as being permanently and totally disabled during the taxable year 2011, OR you were the surviving spouse of an individual who had been certified disabled and DIED DURING 2011, read the instructions to determine if you qualify for the income reducing modification allowed on Schedule M.

If you qualify, you must (1) enter the name of and social security number of the disabled taxpayer in the space provided on this form, (2) have a physician complete the remainder of the certification statement and return it to you, (3) enclose the completed certification with your West Virginia personal income tax return, and (4) complete Schedule M to determine your modification.

A COPY OF YOUR FEDERAL SCHEDULE R (PART II) MAY BE SUBSTITUTED FOR THE WEST VIRGINIA SCHEDULE H.

If you have provided the West Virginia State Tax Department with an approved Certification of Permanent and Total Disability for a prior year AND YOUR DISABILITY STATUS DID NOT CHANGE FOR 2011, you do not have to submit this form with your return. However, you must have a copy of your original disability certification should the Department request verification at a later date.

I Certify under penalties of perjury that the taxpayer named below was permanently and totally disabled on or before December 31, 2011.

Name of Disabled Taxpayer	Social Security Number	
Physician's Name	Physician's FEIN Number	
Physician's Street Address		
City	State	Zip Code
Physicians Signature	Date	
	MM DD	YYYY

INSTRUCTIONS TO PHYSICIAN COMPLETING DISABILITY STATEMENT

A PERSON IS PERMANENTLY AND TOTALLY DISABLED WHEN HE OR SHE IS UNABLE TO ENGAGE IN ANY SUBSTANTIAL GAINFUL ACTIVITY BECAUSE OF A MENTAL OR PHYSICAL CONDITION AND THAT DISABILITY HAS LASTED OR CAN BE EXPECTED TO LAST CONTINUOUSLY FOR AT LEAST A YEAR, OR CAN BE EXPECTED TO LEAD TO DEATH. IF, IN YOUR OPINION, THE INDIVIDUAL NAMED ON THIS STATEMENT IS PERMANENTLY AND TOTALLY DISABLED DURING 2011, PLEASE CERTIFY SUCH BY ENTERING YOUR NAME, ADDRESS, SIGNATURE, DATE, AND FEIN NUMBER IN THE SPACES PROVIDED ABOVE AND RETURN TO THE INDIVIDUAL.

RESIDENCY STATUS

- Resident
- Non Resident – did not maintain a residence in West Virginia during the taxable year (NO CREDIT IS ALLOWED)
- Part-Year Resident – maintained a residence in West Virginia for part of the year; check the box which describes your situation and enter the date of your move:

MM	DD	YYYY
- Moved into West Virginia
- Moved out of West Virginia, but had West Virginia source income during your nonresident period
- Moved out of West Virginia and had no West Virginia source income during your nonresident period

SCHEDULE E
CREDIT FOR INCOME TAX PAID TO ANOTHER STATE

76. INCOME TAX COMPUTED on your 2011 _____ return. Do not report Tax Withheld State Abbreviation		76		.00
77. West Virginia total income tax (line 10 of Form IT-140)		77		.00
78. Net income derived from above state included in West Virginia total income		78		.00
79. Total West Virginia Income (Residents--Form IT-140, line 4. Part-Year Residents-Schedule A, line 75).		79		.00
80. Limitation of Credit (line 77 multiplied by line 78 divided by line 79).....		80		.00
81. Alternative West Virginia taxable income Residents – subtract line 78 from line 7, Form IT-140 Part-year residents – subtract line 78 from line 79.....		81		.00
82. Alternative West Virginia total income tax (Apply the Tax Rate Schedule to the amount shown on line 81)		82		.00
83. Limitation of credit (line 77 minus line 82).....		83		.00
84. Maximum credit (line 77 minus the sum of lines 3 through 18 of the Tax Credit Recap Schedule).....		84		.00
85. Total Credit (SMALLEST of lines 76, 77, 80, 83, or 84) enter here and on line 2 of the Tax Credit Recap Schedule.....		85		.00

A SEPARATE SCHEDULE E MUST BE COMPLETED FOR EACH STATE FOR WHICH CREDIT IS CLAIMED. YOU MUST MAINTAIN A COPY OF THE OTHER STATE TAX RETURN IN YOUR FILES. IN LIEU OF A RETURN YOU MAY MAINTAIN AN INFORMATION STATEMENT AND THE WITHHOLDING STATEMENTS PROVIDED BY THE PARTNERSHIP, LIMITED LIABILITY COMPANY OR S-CORPORATIONS. THIS CREDIT IS NOT ALLOWED IN ANY CASE FOR INCOME TAX IMPOSED BY A CITY, TOWNSHIP, BOROUGH, OR ANY OTHER POLITICAL SUBDIVISION OF A STATE OR ANY OTHER COUNTRY.

PRIMARY LAST NAME
SHOWN ON
FORM IT-140

SOCIAL
SECURITY
NUMBER

AMENDED RETURN INFORMATION

If you are using this form to file an amended return, provide an explanation of the changes made in the space below. Enclose all supporting forms and schedules for items changed. If you were required to file an amended federal return (Form 1040X), you must enclose a copy of that return. Be sure to include your name and social security number on any enclosures.

REQUEST FOR WAIVER OF ESTIMATED PENALTY

If you are subject to the underpayment penalty, all or part of the penalty will be waived if the West Virginia State Tax Department determines that:

1. The penalty was caused by reason of casualty or disaster;
2. The penalty was caused by unusual circumstances which makes imposing the penalty unfair or inequitable.

To request a waiver, please write the reason(s) a waiver is being requested on the lines below. Attach a separate page if more space is needed. Please sign and date your request. If you have documentation substantiating your statement, enclose a copy. **The Department will notify you if your request for waiver was not approved.**

SCHEDULE
PBGC
(FORM IT-140)

Modification to Adjusted Gross Income West Virginia Personal Income Tax Return

2011

--	--	--

Last Name

First Name

Your Social Security Number

(if joint return, give first names and initials of both)

--	--

Present home address (number and street, including apartment number, or rural route)

Spouse's Social Security Number

--	--	--	--	--

City or Town

County

State

Zip Code

Daytime Telephone Number

1. Enter amount of retirement benefits that would have been paid from your employer-provided plan.....	1	.00
2. Enter amount of retirement benefits actually received from Pension Guaranty Corporation.....	2	.00
3. Subtract line 2 from line 1 and enter the difference here and on Schedule M, line 44.....	3	.00

To receive this modification, the Schedule PBGC must be completed and enclosed with the return.

Homestead Excess Property Tax Credit

2011

PRIMARY LAST NAME
 SHOWN ON
 FORM IT-140

SOCIAL
 SECURITY
 NUMBER

There is a personal income tax credit for real property taxes paid in excess of your income. The maximum refundable tax credit is \$1,000.00. You must complete the schedule below to determine the amount of your credit. Note: You may claim the Senior Citizen Tax Credit for Property Tax Paid OR the Homestead Excess Property Tax Credit ***but not both***.
If this schedule is not attached to Form IT-140, the credit will be disallowed.

1. Enter the total West Virginia property tax paid on your OWNER-OCCUPIED home during 2011.....	1	.00
2. Enter your Federal Adjusted Gross Income (from form 1040, 1040A or 1040EZ).....	2	.00
a. Enter the amount of increasing income modifications reported on line 34 of Schedule M.....	a	.00
b. Enter federal tax exempt income (Schedule B, Form 1040 or Schedule 1, Form 1040A).....	b	.00
c. Enter amount received in 2011 in the form of earnings replacement insurance (Workers' Compensation Benefits).....	c	.00
d. Enter the amount of Social Security benefits received that are NOT included in your Federal Adjusted Gross Income.....	d	.00
3. Add amounts on lines 2a, 2b, 2c, and 2d.....	3	.00
4. Total Gross Income: Add amount entered on line 2 and line 3.....	4	.00
5. Multiply amount on line 4 by 4% (0.04).....	5	.00
6. Is the amount on line 1 greater than the amount on line 5? <input type="checkbox"/> Yes. Continue to line 7 below <input type="checkbox"/> No. Stop — you are not eligible for this tax credit		
7. Subtract the amount on line 5 from the amount on line 1 and enter the result or \$1,000 whichever is lower.....	7	.00
8. Are you eligible for the local homestead property tax exemption? <input type="checkbox"/> Yes. Continue to line 9 below. <input type="checkbox"/> No. Carry the amount on line 7 to line 2 of the Tax Credit Recap Schedule.		
9. Is your Federal Adjusted Gross Income (amount on line 2 above) less than \$16,335 for a household of 1 person or \$22,065 for a household of 2 (add \$5,730 for each additional person in the household)? <input type="checkbox"/> Yes. Continue to line 10 below. <input type="checkbox"/> No. Carry the amount on line 7 to line 2 of the Tax Credit Recap Schedule (page 10).		
10. Enter the tax credit amount from your Form WV/SCTC-1 here.....	10	.00
11. If line 7 is greater than line 10, enter the amount on line 7 here and on line 1 of the Tax Credit Recap Schedule (Homestead Excess Property Tax Credit). If line 10 is the greater amount, enter zero (0) here and enter the amount from line 10 on line 14 of the IT-140 (Senior Citizen Tax Credit for Property Tax Paid).....	11	.00



Family Tax Credit Schedule FTC-1

2011

PRIMARY LAST NAME SHOWN ON FORM IT-140
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SOCIAL SECURITY NUMBER

A Family Tax Credit is available to certain individuals or families that may reduce or eliminate their West Virginia personal income tax. You may be entitled to this credit if you meet certain income limitations and family size. Individuals who file their income tax return with zero exemptions cannot claim the credit. Persons who pay the federal alternative minimum tax are not eligible to claim this credit. In order to determine if you are eligible for this credit, complete the schedule below and attach to Form IT-140. **If this schedule is not attached to Form IT-140, the credit will be disallowed.**

1. Federal Adjusted Gross Income (enter the amount from line 1 of Form IT-140).....	1	.00
2. Increasing West Virginia modifications (enter the amount from line 2 of Form IT-140).....	2	.00
3. Tax exempt interest reported on federal tax return (enter the amount shown on Federal Form 1040).....	3	.00
4. Add lines 1 through 3. <i>This is your Modified Federal Adjusted Gross Income for the Family Tax Credit.</i>	4	.00
5. Enter the number of exemptions claimed on your federal return (<i>This is your Family Size for the Family Tax Credit</i>).....	5	.00
6. Enter the Family Tax Credit Percentage for your family size AND Modified Federal Adjusted Gross Income level from the tables on page 32. <i>If the exemptions on line 5 are greater than 8, use the table for a family size of 8.</i>	6	.00
7. Enter your income tax due from line 8 of Form IT-140.....	7	.00
8. Multiply the amount on line 7 by the percentage shown on line 6 <i>This is your Family Tax Credit. Enter this amount on line 9 of Form IT-140.</i>	8	.00



IT-140NRS

REV 08-11

B

West Virginia Special Nonresident Income Tax Return

2011

Last Name		Your Social Security Number	
		If you meet the described conditions, file this return with the West Virginia State Tax Department on or before April 17, 2012 for a refund of West Virginia income taxes withheld from wages and salaries.	
First Name	MI		
		Amended Return (check box) <input type="checkbox"/>	
Address			
		City	State Zip Code

NOTE: Use this form **ONLY** if you were a resident of Kentucky, Virginia, Pennsylvania, Maryland, or Ohio during the tax year of 2011, West Virginia source income was from wages and salaries and West Virginia income tax was withheld from such wages and salaries by your employer(s). **You must complete IT-140W to verify West Virginia income tax withheld in order to receive credit.** If you were a resident of a state other than Kentucky, Virginia, Pennsylvania, Maryland, or Ohio, you must check the box Filing as a Nonresident/Part-Year Resident on Form IT-140 to report any income from West Virginia sources.

If you were a domiciliary resident of Pennsylvania or Virginia and spent more than 183 days within West Virginia during 2011, you are also considered a resident of West Virginia for income tax purposes. Therefore, you are not eligible to file this return and must file Form IT-140 as a resident of West Virginia.

SPECIFIC INSTRUCTIONS ARE ON THE BACK AND PAGE 27

I declare that I was not a resident of West Virginia any time during 2011, I was a resident of the state shown, my only income from sources within West Virginia was from wages and salaries, and such wages and salaries were subject to income taxation by my state of residence.

YOUR STATE OF RESIDENCE (Check one):

- 1. Commonwealth of Kentucky
- 2. State of Maryland
- 3. State of Ohio
- 4. Commonwealth of Virginia Number of days spent in West Virginia _____
- 5. Commonwealth of Pennsylvania Number of days spent in West Virginia _____

1. Enter your total West Virginia income from wages and salaries.....	1	.00
2. Enter total amount of West Virginia Income Tax Withheld from your wages and salaries paid by your employer in 2011 (Must complete Withholding tax schedule, page 7).....	2	.00
3. Overpayment previously refunded or credited (Amended Return Only).....	3	.00
4. West Virginia Children's Trust Fund to help prevent child abuse and neglect Enter the amount of your contribution <input type="checkbox"/> \$5 <input type="checkbox"/> \$25 <input type="checkbox"/> \$100 <input type="checkbox"/> Other \$ _____	4	.00
5. Refund Due You (subtract lines 3 and 4 from line 2) Refund of \$2 or less will be issued only if a written request is attached to this form.....	5	.00

Direct Deposit of Refund CHECKING SAVINGS

	ROUTING NUMBER	ACCOUNT NUMBER
--	----------------	----------------

Under penalties of perjury, I declare that I have examined this return, accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct and complete. I authorize the State Tax Department to discuss my return with my preparer. YES NO

Your Signature _____ Date _____ Telephone Number _____

Signature of preparer other than above _____ Date _____ Address _____ Daytime Phone Number _____

MAIL TO:

<p>REFUND WV State Tax Department P.O. Box 1071 Charleston, WV 25324-1071</p>	<p>BALANCE DUE WV State Tax Department P.O. Box 3694 Charleston, WV 25336-3694</p>
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Preparer: Check here if client is requesting that form NOT be e-filed. Preparer's EIN _____



SPECIFIC INSTRUCTIONS FOR IT-140NRS

Important Notice: These instructions are based upon those statutes and reciprocity practices in effect at the time of printing. Amendments may occur that would cause these instructions to change.

KENTUCKY, MARYLAND OR OHIO RESIDENTS

If your West Virginia income during 2011 was from wages and/or salaries only, you may file the Special Nonresident Form IT-140NRS as a claim for refund of any West Virginia income tax withheld during 2011. If you had West Virginia income from a source other than wages and/or salaries, you must file the West Virginia Income Tax Return (Form IT-140) and indicate residency status by checking the Nonresident/Part-Year Resident box. You are not allowed a Schedule E credit against your West Virginia income tax whenever your West Virginia income is other than wages and/or salaries. You should apply for the appropriate credit on the income tax return filed with your state of residence.

PENNSYLVANIA OR VIRGINIA RESIDENTS

If your West Virginia income during 2011 was from wages and/or salaries only AND YOU DID NOT SPEND MORE THAN 183 DAYS WITHIN WEST VIRGINIA DURING 2011, you may file the Special Nonresident Form IT-140NRS as a claim for refund of any West Virginia income tax withheld during 2011. If you had West Virginia income from a source other than wages and/or salaries, you **must** file the West Virginia Income Tax Return (Form IT-140) and indicate residency status by checking the Nonresident/Part-Year Resident box. You are not allowed a Schedule E credit against you West Virginia income tax when your West Virginia income is other than wages and/or salaries. You should apply for the appropriate credit on the income tax return filed with your state of residence.

A domiciliary resident of Pennsylvania or Virginia who spends more than 183 days within West Virginia during 2011 is also a resident of West Virginia for income tax purposes and is required to file a resident return (Form IT-140) with West Virginia. A Schedule E credit would not be allowed on the West Virginia return. You should apply for the appropriate credit on the income tax return filed with your state of residence.

SPECIAL NOTE: Residents of these states may be relieved from filing an annual claim for refund of West Virginia taxes withheld from their wages and/or salaries by requesting Form WV/IT-104 (West Virginia Certificate of Nonresidence) from their employer. Form WV/IT-104 may be completed and returned to the employer who would then be authorized to stop withholding West Virginia income tax on wages and/or salaries earned in this state.

Application for Extension of Time to File

2011

Extended Due Date
 MM DD YYYY

Your Social Security Number

Last Name Suffix Your First Name MI

Spouse's Social Security Number

Spouse's Last Name – Only if different from Last Name above Suffix Spouse's First Name MI

First Line of Address Second Line of Address

City State Zip Code

a. Total income tax liability.....	a.	.00
b. Total payments (West Virginia withholding and/or credit for estimated payments).....	b.	.00
c. Amount of West Virginia personal income tax due (subtract line b from line a).....	c.	.00

This form is NOT an extension of time to pay personal income taxes due. File this form to request a six month extension of time to file your 2011 West Virginia Personal Income Tax Return (October 15, 2012). **NOTE:** This form and payment must be filed on or before the due date of the return (April 17, 2012). A penalty is imposed for late filing/late payment of tax unless reasonable cause can be shown. If you receive an extension of time for federal income purposes and expect to owe no West Virginia income tax, you are not required to file this form. To receive the same extension for state tax purposes, you need only note on your West Virginia Personal Income Tax Return that a federal extension was granted.

Mail this return to:
 West Virginia State Tax Department
 Tax Account Administration Division
 P.O. Box 2585
 Charleston, WV 25329-2585



DRAFT
9/13/11

PRIMARY LAST NAME SHOWN ON FORM IT-140	SOCIAL SECURITY NUMBER
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PART I: All filers must complete this part

1. Enter your 2011 tax as shown on line 10 of Form IT-140.....	1	.00
2. Enter the credits against your tax from your return.....	2	.00
3. Tax after credits (subtract line 2 from line 1).....	3	.00
4. Tax withheld.....	4	.00
5. Subtract line 4 from line 3.....	5	.00

IF LINE 5 IS LESS THAN \$600, DO NOT COMPLETE THIS FORM! YOU ARE NOT SUBJECT TO THE PENALTY.

6. Multiply line 3 by ninety percent (.90).....	6	.00
7. Enter the tax after credits from your 2010 return (see instructions).....	7	.00
8. Enter the smaller of line 6 or line 7 (if line 7 is zero and line 3 is more than \$5,000, enter the amount shown on line 6)..	8	.00

REFER TO THE INSTRUCTIONS TO DETERMINE YOUR OPTIONS FOR CALCULATING THE AMOUNT OF UNDERPAYMENT PENALTY.

DETERMINE YOUR PENALTY BY COMPLETING PART II, PART III, OR PART IV.

- 9. If you are requesting a waiver of the penalty calculated, check here and attach your written request (see form on page 42).....
- 10. If you are a qualified farmer, check here.....
- 11. If you used Part IV on the reverse side to apply the tax withheld to the period when the corresponding income was actually received rather than in equal amounts on the payment due dates, check here.....

PART II: If you are using the ANNUALIZED INCOME WORKSHEET to compute your underpayment and penalty, complete the worksheet below.

ANNUALIZED INCOME WORKSHEET	1/1/11 – 3/31/11	1/1/11 – 5/31/11	1/1/11 – 8/31/11	1/1/11 – 12/31/11
1. Federal adjusted gross income year-to-date.....	.00	.00	.00	.00
2. Annualized amounts.....	4	2.4	1.5	1
3. Annualized income (line 1 X line 2).....	.00	.00	.00	.00
4. Modifications to income (see instructions).....	.00	.00	.00	.00
5. West Virginia adjusted gross income (combine lines 3 and 4).....	.00	.00	.00	.00
6. Exemption allowance.....	.00	.00	.00	.00
7. West Virginia taxable income (see instructions)	.00	.00	.00	.00
8. Annualized tax.....	.00	.00	.00	.00
9. Credits against tax.....	.00	.00	.00	.00
DO NOT INCLUDE TAX WITHHELD OR ESTIMATED PAYMENTS!				
10. Subtract line 9 from line 8 (if less than zero, enter zero).....	.00	.00	.00	.00
11. Applicable percentage.....	22.5%	45%	67.5%	90%
12. Multiply line 10 by line 11.....	.00	.00	.00	.00
13. Add the amounts in all previous columns of line 19.....		.00	.00	.00
14. Subtract line 13 from line 12 (if less than zero, enter zero).....	.00	.00	.00	.00
15. Enter ¼ of line 8, Part 1, of Form IT-210 in each column.....	.00	.00	.00	.00
16. Enter the amount from line 18 of the previous column of this worksheet.....		.00	.00	.00
17. Add lines 15 and 16 and enter total.....	.00	.00	.00	.00
18. Subtract line 14 from line 17 (if less than zero, enter zero).....	.00	.00	.00	
19. Enter the smaller of line 14 or line 17 here and on Form IT-210, Part IV, line 1.....	.00	.00	.00	.00

NOTE: The sum of all columns for line 19 should equal line 8, Part I, of IT-210.



PRIMARY LAST NAME
SHOWN ON
FORM IT-140

SOCIAL
SECURITY
NUMBER

PART III SHORT METHOD

Read the instructions on page 28 & 29 to see if you can use the short method. If you checked BOX 11 of PART I or annualized in PART II skip this part and go to PART IV.

1. Enter the amount from line 8 of Part I of IT-210.....	1	.00
2. Enter the amount from line 4, Part I.....	2	.00
3. Enter the total, if any, of the estimated payments made.....	3	.00
4. Add lines 2 and 3.....	4	.00
5. Total underpayment for the year (subtract line 4 from line 1). If zero or less, stop here. No penalty due.....	5	.00
6. Multiply line 5 by .06312.....	6	.00
7. If the amount on line 5 was paid on or after April 15, 2012, enter zero. If paid prior to April 15, 2012 line 5 X number of days paid before April 15, 2012 X .000260.....	7	.00
8. Penalty due (subtract line 7 from line 6). Enter here and on the PENALTY DUE line of your personal income tax return.....	8	.00

PART IV REGULAR METHOD

SECTION A - FIGURE THE UNDERPAYMENT		(a) 4/15/11	(b) 6/15/11	(c) 9/15/11	(d) 1/15/12
1. If you are using the annualized method, enter the amounts from line 19 of the Annualized Income Worksheet; otherwise, enter 1/4 of line 10 of PART I in each column.....	1	.00	.00	.00	.00
2. Estimated tax paid and tax withheld (see instructions). For column (a) only, enter the amount from line 2 on line 6. If line 2 is equal to or more than line 1 for all payment periods, stop here; you do not owe any penalty.....	2	.00	.00	.00	.00
NOTE: Complete Lines 3 through 9 before going to the next column.					
3. Enter the amount, if any, from line 9 of the previous column.....	3		.00	.00	.00
4. Add lines 2 and 3.....	4		.00	.00	.00
5. Add lines 7 and 8 of the previous column.....	5		.00	.00	.00
6. Subtract line 5 from line 4. If zero or less, enter zero. For column (a) only, enter the amount from line 2.....	6	.00	.00	.00	.00
7. If line 6 is zero, subtract line 4 from line 5. Otherwise, enter zero.....	7	.00	.00	.00	.00
8. UNDERPAYMENT. If line 1 is equal to or more than line 6, subtract line 6 from line 1, enter the result here and go to line 3 of the next column. Otherwise, go to line 9.....	8	.00	.00	.00	.00
9. OVERPAYMENT. If line 6 is more than line 1, subtract line 1 from line 6, enter the result here and go to line 3 of the next column.....	9	.00	.00	.00	.00

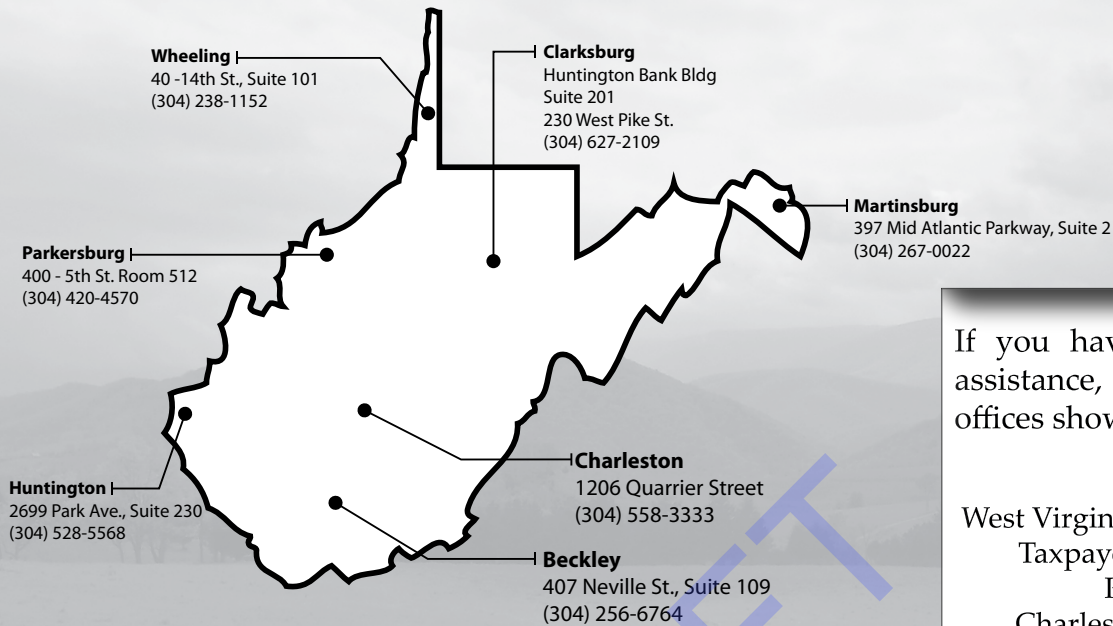
SECTION B - FIGURE THE PENALTY

NOTE: Complete Lines 10 through 12 for each column before going to the next column

	(a) 4/15/11	(b) 6/15/11	(c) 9/15/11	(d) 1/15/12
10. Number of days FROM the date shown at the top of the column TO the date the amount on line 8 was paid, or 4/15/2012, whichever is earlier.....	10	.00	.00	.00
11. Daily penalty rate for each quarter.....	11	0.000260	0.000260	0.000260
12. Penalty due for each quarter (line 8 x 10 x 11).....	12	.00	.00	.00
13. Penalty due (add all amounts on line 12). Enter here and on the PENALTY DUE line of your personal income tax return (line 21).....	13			.00

DRAFT
9/13/11

Free Taxpayer Services



If you have questions or need assistance, call or visit any of our offices shown here.

West Virginia State Tax Department
Taxpayer Services Division
P.O. Box 3784
Charleston, WV 25337-3784

For Toll Free Information 1-800-982-8297	Toll Free to Order Forms 1-800-422-2075	TDD for the Hearing Impaired 1-800-282-9833	Website www.wvtax.gov
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Returns due a REFUND mail to: West Virginia State Tax Department PO Box 1071 Charleston, WV 25324-1071	BALANCE DUE returns mail to: West Virginia State Tax Department PO Box 3694 Charleston, WV 25336-3694
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West Virginia State Tax Department
P.O. Box 1071
Charleston, WV 25324-1071

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