

2016

**West Virginia
MODERNIZED
ELECTRONIC FILING
HANDBOOK**



**West Virginia State
Tax Department**

New for 2016

Beginning in 2016, the IT-140NRS Special Nonresident Income Tax return for residents of Ohio, Maryland, Kentucky, Virginia, and Pennsylvania with West Virginia wage and salary income has been discontinued as a separate tax type. This file type will now be processed with the IT-140 and Schedule A.

Changes relating to the filing of Special Nonresident Income Tax are the addition of:

- Checkbox for “Nonresident Special” on the face of the IT-140
- Schedule A, Part III Special Nonresident Income for Reciprocal States
- More detailed instructional guidance for determining eligibility, especially for residents of Virginia and Pennsylvania where the number of days in West Virginia can determine residency status.

The West Virginia State Tax Department continues to require submission of a valid e-mail address when submitting an electronically filed IT-140 tax return. However, the e-mail address is no longer located in the Authentication Header with the 2016 MeF Schema. When filing through a tax preparer, any valid e-mail address may be used. We understand that many taxpayers either do not have an e-mail address or are unwilling to provide one to a preparer. Therefore, a preparer may include on return filing any valid e-mail address, including:

- The e-mail address supplied by the taxpayer.
- The e-mail address of the tax preparer.
- A general e-mail address used by the preparer for the filing season (the Tax Department authorizes the use of “free” webmail applications such as Hotmail, Gmail, or Yahoo for this requirement).

Preparers have the flexibility to use any one of these three options. **Failure to provide a valid e-mail address will result in rejection of the return due to a schema validation error.**

West Virginia will now **request** that taxpayers provide a valid Driver’s License number as a way to better validate identities and prevent tax refund fraud through identity theft. This is a request only for the IT-140. Returns will not be rejected if the information is not provided. The available elements are:

- ID Number
- State Issued
- Exp. Date
- Date Issued

West Virginia has added a checkbox indicating that no Use Tax is due with the return. Failure to check the box or make a monetary entry on Line 24 of the IT-140 will result in a return rejection.

Important Information

Advise customers that the Tax Department will recover a \$15.00 fee associated with any returned bank transaction. These bank transactions include but are not limited to the following:

- Direct Debit (payment) transactions returned for insufficient funds
- Stopped payments
- Bank refusal to authorize payment for any reason
- Direct Deposit of refunds to closed accounts
- Direct Deposit of refunds to accounts containing inaccurate or illegible account information

Checks returned for insufficient funds will incur a \$28.00 fee.

The fee charged for returned or rejected payments will be to recover only the amount charged to the State Tax Department by the financial institutions.

Effective January 1, 2015, the Business Franchise Tax was phased out for the CNF-120 Corporation Net Income Tax return and the SPF-100 Income Tax for S Corporation and Partnership return.

Contact Information

Preparers, transmitters, and ERO's.....(304) 558-8712
TaxLOI@wv.gov

Tax Information and Forms

Toll Free.....(800) 982-8297
Charleston Area.....(304) 558-3333

West Virginia MeF Calendar for Tax Year 2016

ATS testing begins.....December 1, 2016
Begin transmitting business returns to IRS/West Virginia (in conjunction with IRS).....TBD

NOTE: West Virginia follows the IRS MeF calendar.

Publications

West Virginia State Tax Department

- 2016 West Virginia Business and Individual E-File (MeF) Handbook

Internal Revenue Service

- Publication 1436, *Test Package for Electronic Filers of Individual Tax Returns*
- Publication 3112, *IRS e-file Application and Participation*
- Publication 4162, *Modernized e-file Handbook for Authorized e-file Providers for Form 1120, 1120S, and 1065.*
- Publication 4164, *Modernized e-file Guide for Software Developers and Transmitters*
- Publication 4505, *Modernized e-file Test Package for Forms 1065/1065-B*

Related Internet Links

- Credit Card Payments (<http://tax.wv.gov/Individuals/ElectronicFiling/PaymentOptions/Pages/IndividualsCreditCardPayments.aspx>)
- MyTaxes (<https://mytaxes.wvtax.gov>)
- West Virginia State Tax Department (www.tax.wv.gov)
- Information for Software Vendors (<http://tax.wv.gov/TaxProfessionals/SoftwareDevelopers/Pages/SoftwareDevelopers.aspx>)
- Electronic Filing and Services (<http://tax.wv.gov/TaxProfessionals/ElectronicFiling/Pages/TaxProfessionalsElectronicFiling.aspx>)

Introduction

The West Virginia State Tax Department, in conjunction with the Internal Revenue Service (IRS), accepts refund and balance due state individual, corporation, S corporation, partnership, and fiduciary income tax returns and corresponding forms for tax year 2016 by method of the Modernized E-File system (MeF).

This handbook expands on applicable IRS publications listed on page ii. All specifications, requirements, and instructions defined in these publications apply to the West Virginia Federal/State Electronic Filing (MeF) Program unless otherwise stated.

Participation

For returns that are required to be filed on or after January 1, 2016, any person required to file a return for a tax administered under the provisions of §11-10-5(z) and who had total annual remittance for any single tax equal to or greater than \$25,000 during the immediately preceding tax year shall file electronically all returns for all taxes administered under this article.

Income tax preparers who file more than 25 individual income tax returns using tax preparation software to complete one or more of the returns, must file them electronically (§11-21-54).

For West Virginia purposes, there are three basic e-file participation categories.

ERO (Electronic Return Originator): a firm, organization, or individual who deals directly with the taxpayer who prepares or collects a prepared tax return for the purposes of having an electronic return produced. An ERO must meet federal acceptance standards and be officially accepted by the IRS before being allowed to participate in the West Virginia e-file program.

Transmitter uses approved software to electronically transmit completed returns. Transmitters must complete federal testing and be accepted by the IRS prior to sending state returns and receiving acknowledgement from West Virginia.

Software Developer creates tax preparation and transmission software for the purpose of formatting returns according to West Virginia's electronic return specifications. Software Developers must complete testing procedures with the IRS and the West Virginia State Tax Department.

Federal/State Electronic Filing (MeF) Process

How Federal/State MeF Filing Works

West Virginia returns included in the Federal/State Electronic Filing (MeF) Program will be transmitted to the IRS Service Center along with the federal return. All individual West Virginia returns must include a **complete copy** of the federal return and include all PDF attachments, forms, and schedules.

Once the IRS has notified the ERO of successful submission, West Virginia can retrieve the files from the IRS. West Virginia will not receive any state data from a rejected federal return.

NOTE: The IRS acknowledges only that it received the state data. The IRS acknowledgement is not an indication that West Virginia has "received" your state return. You must receive the West Virginia acknowledgment to ensure your state return has been received.

When West Virginia receives the return from the IRS, it will generate a receipt acknowledgment record. West Virginia will also generate a processing acknowledgment to indicate if the return was accepted or rejected. This record will be available for retrieval by transmitters after one business day.

Contact West Virginia if you received a federal acknowledgment but no state acknowledgment after two business days.

Acceptance Process

Software companies that wish to e-file West Virginia tax returns must first file a Letter of Intent (LOI) with the West Virginia State Tax Department. These steps should be followed to ensure a smooth application process:

1. Submit a request to TaxLOI@wv.gov. You will be granted access to the FTA State Exchange System to obtain a Letter of Intent.
2. Return the completed LOI to TaxLOI@wv.gov for approval. Additional concerns or information requests will be communicated by e-mail with Tax Department staff.
3. You will receive notification of approval or denial and, if approved, you will be granted full access to the FTA State Exchange System for West Virginia schemas, test scenarios and other pertinent information regarding West Virginia MeF.



EFIN and ETIN

The IRS assigns the Electronic Filing Identification Number (EFIN) and Electronic Transmitter Identification Number (ETIN). The Department will use these same numbers in the Federal/State Electronic Filing Program.

The numbers are used in the acknowledgement system to identify preparers and transmitters.

West Virginia Test Data

All participants are required to follow the IRS testing procedures for acceptance into the program. Only software developers are required to test their software with West Virginia. Participants must transmit live return data using only West Virginia accepted federal/state electronic filing software. Please visit the software vendor portion of our website at <http://tax.wv.gov/TaxProfessionals/SoftwareDevelopers/Pages/SoftwareDevelopers.aspx> for test packet and further information.

State Only, Short Period, Fiscal, and Amended Filing

West Virginia supports filing of the following returns through the Federal/State Electronic (MeF) Program:

- State-only
- Amended
 - ◊ Business:
 - ◊ Individual:
- Fiscal (tax period must match Federal filing)
- Short period

A state-only, amended, fiscal, or short period return is produced through software to build a complete state packet that includes a copy of the federal return. For an amended return, the copy of the federal return must reflect the amended federal return.

Refund & Balance Due Options

The West Virginia State Tax Department offers Direct Deposit of refunds. Direct Deposit offers taxpayers a quicker and more convenient way to receive their refunds, reduces the risk of loss, and allows immediate use of the funds upon deposit. ERO's must stress to

taxpayers the importance of supplying correct information because neither the Direct Deposit option nor the routing or Account Number may be changed once a return has been transmitted to the Department.

Balance due returns should be filed as any other state electronic return. No payments are due until the applicable tax due deadline. Taxpayers who wish to pay at the time of filing may do so by Electronic Funds Withdrawal (direct debit), credit card, MyTaxes, or with the applicable tax payment voucher.

Rejected payment transactions including Direct Deposits or Electronic Funds Withdrawal (Direct Debit) transactions with incorrect bank information will be subject to a \$15.00 Returned Payment Charge. See the "Important Information" section for complete details.

Electronic Funds Withdrawal is essentially the reverse of a direct deposit. There is no paper involved in this transaction and taxpayers can elect the date for withdrawal. This date can be any time from the date the return is filed up to the applicable tax due deadline.

ERO's must provide the balance due taxpayer with the applicable voucher. All payments by check or money order must be included with the voucher and mailed on or before the tax due date to be considered timely paid.

Taxpayers must not send payment attached to paper copies of the electronic tax return. This creates a duplicate return situation that will result in billing/credit errors.

All balanced due filers should be strongly advised of this!

Filers should use the Electronic Payment Voucher for the appropriate tax type:

- **IT-140V** – Personal Income Tax
- **IT-141V** – Fiduciary Income Tax
- **WV 120V** – Corporation Net Income Tax
- **WV 100V** – Income Taxes for S Corps and Partnerships

West Virginia Forms Supported for E-Filing

Supporting federal returns, schedules, and PDF attachments **are required for all electronic returns.**

1. The Tax Department will support E-Filing (MeF) of the following forms:



- **Personal Income Tax**
 - ◇ Form IT-140
 - ◇ Schedule M
 - ◇ Tax Credit Recap Schedule
 - ◇ Schedule UT
 - ◇ Schedule A
 - ◇ Schedules H & E
 - ◇ Schedule DP
 - ◇ Schedule FTC-1
 - ◇ Form IT-210
 - ◇ HEPTC-1
 - ◇ SCTC-1
- **Corporation Net Income Tax**
 - ◇ Form CNF-120
 - ◇ Schedules A, A-1 & A-2
 - ◇ Schedule B
 - ◇ Schedules B-1 & C
 - ◇ Schedules NOL
 - ◇ Form CNF-120APT
 - ◇ Form CNF-120U
 - ◇ Schedules UB-1, UB-2, UB-3, UB-4CR
- **Pass-Through Entity Tax**
 - ◇ Form SPF-100
 - ◇ Schedules A, A-1, A-2, & A-3
 - ◇ Schedule B
 - ◇ Form SPF-100TC
 - ◇ Form SPF-100APT
- **Fiduciary Income Tax**
 - ◇ Form IT-141
 - ◇ Schedule A
 - ◇ Schedule B
 - ◇ Schedule NR

2. The Tax Department will support PDF attachments of the following forms:

- Other state's tax return for Schedule E credit.
- Any schedule not supported within the schema.

3. The Tax Department will accept the following return types:

- Federal/State (linked): An original federal return submitted with one original state return.
- State only (unlinked): A state return submitted with a copy of the federal return.
- Amended return.
- Fiscal return (tax period must match Federal filing)
- Short period return (tax period must match Federal filing)

Attachments and File Size Guidelines

Processing errors can occur due to the excessive size of certain tax returns; particularly, Partnership returns with a large volume of WV Schedule SP information. It is necessary to limit the maximum file size to 100MB or less in order to limit the chance of production and acknowledgement backlog. Some suggested best practices are as follows:

- PDF attachments of the federal tax return should be limited to the required first five (5) pages of the return ONLY. For Corporation Net Income Tax returns where federal M-3 is required, attach the M-3 information as well.
- West Virginia does not require PDF attachments of Federal K-1 information. This information is to be maintained and made available upon request.
- Schedule SP is a required submission **or** attachment if a positive value exists on line 4 of the SPF-100. However, if the number of Schedule SP's either submitted or attached, cause the file size to exceed 100MB, please contact the Helpdesk at 304-558-8655 for alternate instructions.

Important: When attaching a document, it is vital that the correct naming convention be followed. The correct naming convention may be found in the "attachments" column of the business rules on pages 6 and 7 of this handbook.

Exclusions from Electronic Filing

In addition to the returns listed in IRS publications as excluded from federal electronic filing for 2016 tax filing period, the following documents will not be accepted for electronic filing in West Virginia in 2016:

- Business: tax years prior to 2012
- Individual: tax years prior to 2012
- **IAT transactions will not be processed. Paper checks will be sent to taxpayers that indicate the ultimate destination of a direct deposit refund is a foreign bank.**

Transmitting the West Virginia Electronic Return

Since the West Virginia electronic return is transmitted with the federal return, the transmitter must follow all electronic transmitting procedures, communication requirements, and technical specifications required by the IRS.

Participants in the Federal/State Electronic Filing (MeF) Program must confirm with their software developer or direct transmitter that the software is capable of processing and transmitting the state data along with the federal data to the appropriate IRS service center.

West Virginia Acknowledgement Receipt Acknowledgement

West Virginia provides a receipt acknowledgement for successfully retrieving returns through the IRS MeF system. West Virginia will reject any return submitted in the wrong format or that cannot be properly identified. If this occurs, the state will inform you of the rejection through an acknowledgement. Once the preparer corrects the return, the preparer may transmit the return as a state-only return. Be sure to confirm that your software package supports state-only transmissions. If the electronically filed West Virginia return can't be re-transmitted, the ERO must submit a paper tax return to the Tax Department.

Processing Acknowledgment

West Virginia provides one of the following two processing acknowledgements for successfully reading returns retrieved through the IRS MeF system.

Accepted – This acknowledgment indicates the electronic return was received and successfully completed the business rule validation process.

Rejected – This acknowledgement indicates the electronic return was received but failed to complete the business rule validation process. The acknowledgement will contain a reason indicating the error causing the rejection (See Appendix A – 2016 West Virginia Business and Individual E-File [MeF] Reject Codes).

Nonreceipt of West Virginia Acknowledgment Record

Before contacting the Tax Department, ensure that:

- You have received an IRS acknowledgement record;
- The IRS accepted the federal return;
- The transmission included a West Virginia state return, and
- You have the submission ID.

Contact the West Virginia State Tax Department if you receive IRS acknowledgment records more than two working days ago and you have not received West Virginia acknowledgment records for the same tax returns.

Whom to contact:

To check on the status of a West Virginia acknowledgement record, send e-mail to TaxLOI@wv.gov the following information:

- Electronic Filer ID Number (EFIN)
- Federal EIN
- Transmission date
- Submission ID
- Contact name and phone number

Responsibilities

Electronic Filers, Transmitters, ERO's

Electronic Filers, Transmitters, and Electronic Return Originators (ERO) must abide by the terms set forth in this Handbook and must maintain a high degree of integrity, compliance, and accuracy in order to continue to participate in the Federal/State Electronic Filing Program. They must also abide by the following requirements:

Compliance: All electronic filers must comply with the requirements and specifications in the IRS publications, this handbook, and the 2016 West Virginia Business and Individual E-File (MeF) Specifications.

Timeliness of Filing: Transmitters must ensure that electronic returns are filed in a timely manner. The date of the IRS acknowledgment will be considered the filing date for an electronically filed West Virginia return. Transmitters must confirm acknowledgement of the state return by the Tax Department.



Responsibility to Your Clients: Preparers have been entrusted with the task of filing a client's tax return and must assume the responsibility for the return's timely arrival at the Tax Department.

Changes on the Return

If the transmitter or taxpayer wishes to make any changes after the return has been accepted and acknowledged, the transmitter or taxpayer can file an amended return with corrected changed if the software offers this option.

If the software does not offer this feature, the transmitter or taxpayer must file a corrected return on paper. Mail the return to the address given on the form.

Special Assistance and Refund Inquiry

If customers find it necessary to contact the West Virginia State Tax Department for assistance or to check on the status of a refund, they should be prepared to provide their Social Security Number and refund amount. Contact the Taxpayer Services Division at (304) 558-3333 or toll free at 1-800-982-8297 from anywhere in West Virginia. To check the status of a refund, visit www.tax.wv.gov and click on the "where's my refund?" link.

Answers to a number of frequently asked questions can also be found on our website. If you're unable to find your answer, you may e-mail us at TAXWVtaxaid@wv.gov.