

ROBERTS, McKENZIE, MANGAN & CUMMINGS, PC
NEWS NOTES

Missouri Institutes 2015 Tax Amnesty Program

The Missouri Department of Revenue (DOR) has instituted a Tax Amnesty Program to be conducted from September 1, 2015, to November 30, 2015. The amnesty will apply only to tax liabilities due on or before December 31, 2014, but will not extend to any taxpayer who at the time of payment is a party to any pending civil, criminal, or bankruptcy proceeding; a criminal investigation by the DOR; or the delinquencies consist solely of lien fees and returned check charges.

Amnesty. The amnesty allows individuals and businesses to pay unpaid taxes that were due on or before December 31, 2014, without paying any interest or penalties. The amnesty applies to the consumer's use tax, corporation franchise tax, corporation income tax, employer withholding tax, fiduciary tax, individual income tax, sales tax, and the vendor's use tax. Additions to tax, penalties, and interest paid before the beginning of the tax amnesty are not part of tax amnesty and will not be waived. Returned check charges, lien fees, and any delinquency due after December 31, 2014, are not eligible for tax amnesty.

Compliance. All delinquencies, whether eligible or ineligible, must be paid by the end of the amnesty period in order to be in compliance with the amnesty requirements. Failure to remain in tax compliance for eight years from the end of the Tax Amnesty Program will void the agreement. Any penalties, additions to tax, or interest previously waived under amnesty will be due immediately. Participation in the 2015 Tax Amnesty Program excludes participation in future amnesty programs.

Participation. The DOR will mail an Amnesty Eligibility Notice beginning the last week of August 2015 to known individuals and businesses that qualify for tax amnesty. The notice with full payment can be returned after September 1, 2015. If a notice is not received or the form is unavailable for submission, a Missouri Tax Amnesty Application should be filed with payment for each delinquent tax type. The applications will be available via the DOR website at <http://dor.mo.gov/> the last week of August. The application or eligibility notice must be postmarked by November 30, 2015.

Payments. Payment can be made by personal check, money order, credit or debit card, electronic check or cashier's check made payable to the "Missouri Department of Revenue." Any check that does not clear and is not "made good" by November 30, 2015, will make a taxpayer ineligible for tax amnesty. An electronic check, or credit or debit card payment using American Express, MasterCard, Visa, or Discover, can be submitted online, or by calling (888) 929-0513. A convenience fee will be charged by the credit card processor if payment is made by electronic check, or credit or debit card. If payments are made for more than one tax type, separate payments must be made for each tax type.

Please keep in mind that this is only a summary of this program. If you would like to discuss this matter further, please do not hesitate to call.