

IT1040X Ohio Amended Individual Income Tax Return

Rev. 12/07 For fiscal year ending _____, 20_____

Calendar Year

For Department Use Only

Please Print	Your first name	M.I.	Last name	Your Social Security number	Filing Status: (Check only one box in each column) <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Original</td> <td style="width: 50%;">Amended</td> </tr> <tr> <td><input type="checkbox"/> Single or head of household or qualifying widow(er)</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/> Married filing joint return (MFJ)</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/> Married filing separately</td> <td><input type="checkbox"/></td> </tr> </table>	Original	Amended	<input type="checkbox"/> Single or head of household or qualifying widow(er)	<input type="checkbox"/>	<input type="checkbox"/> Married filing joint return (MFJ)	<input type="checkbox"/>	<input type="checkbox"/> Married filing separately	<input type="checkbox"/>
	Original	Amended											
	<input type="checkbox"/> Single or head of household or qualifying widow(er)	<input type="checkbox"/>											
	<input type="checkbox"/> Married filing joint return (MFJ)	<input type="checkbox"/>											
<input type="checkbox"/> Married filing separately	<input type="checkbox"/>												
If a joint return, spouse's first name	M.I.	Last name	Spouse's SSN (only if MFJ)										
Home address (number and street)			Ohio county										
City, town or post office, state and ZIP code			Ohio public school district number (for current address) ▶										

Have you moved since you filed your last tax return? If yes, check the box.

Ohio Residency Status: <input type="checkbox"/> Resident <input type="checkbox"/> Part-year resident <input type="checkbox"/> Nonresident (check only one box) From _____ to _____	As Filed or as Last Amended or as Last Corrected	As Amended (Complete Explanation of Corrections on page 2.)
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Income	1. Federal adjusted gross income	1.		00	1.	00
	2. Ohio form IT 1040X Schedule A net adjustment (schedules mentioned herein can be found in Ohio IT 1040 instructions)	2.		00	2.	00
	3. Ohio adjusted gross income (line 2 added to or subtracted from line 1)	3.		00	3.	00
	4. Personal and dependency exemptions	4.		00	4.	00
	5. Ohio taxable income (line 3 minus line 4)	5.		00	5.	00
Tax and Credits	6. Tax on line 5 (see tax tables in Ohio form IT 1040 instructions)	6.		00	6.	00
	7. Schedule B credits (cannot exceed line 6)	7.		00	7.	00
	8. Ohio tax less Schedule B credits (line 6 minus line 7)	8.		00	8.	00
	9. Exemption credit (\$20 per exemption)	9.		00	9.	00
	10. Ohio tax less exemption credit (line 8 minus line 9)	10.		00	10.	00
	11. Joint filing credit (see Ohio form IT 1040 instructions)	11.		00	11.	00
	12. Ohio tax less joint filing credit (line 10 minus line 11)	12.		00	12.	00
	13. Schedule C, D and E credits and manufacturing grant	13.		00	13.	00
	14. Ohio income tax (line 12 minus line 13)	14.		00	14.	00
	15. Ohio forms IT 2210-1040EZ or IT 2210-1040 interest penalty (required)	15.		00	15.	00
	16. Ohio use tax	16.		00	16.	00
	17. Total Ohio tax (add lines 14, 15 and 16)	17.		00	17.	00
Payments	18. Ohio income tax withheld	18.		00	18.	00
	19. Ohio estimated tax, Ohio form IT 40P extension payments and credit carryover	19.		00	19.	00
	20. Refundable credits	20.		00	20.	00
	21. Amounts previously paid	21.		00	21.	00
	22. Total of lines 18 through 21	22.				00
Refund/Amount Owed	23. Overpayment shown on original return, previously filed amended returns and previously corrected returns (even if you have not yet received the refund)	23.			23.	00
	24. Line 22 minus line 23	24.			24.	00
	25. If line 24 is less than line 17 (as amended), subtract line 24 from line 17 and enter the amount owed. Make your check or money order payable to Ohio Treasurer of State AMOUNT YOU OWE ▶	25.				00
	26. If line 24 is greater than line 17 (as amended), subtract line 17 from line 24 and enter the amount of your refund YOUR REFUND ▶	26.				00

If the balance due is less than \$1.01 payment need not be made, and if the overpayment is less than \$1.01 no refund will be issued.

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

TAXPAYER SIGN HERE	Your signature _____ Date _____	Date Received	Code	Interest
	Spouse's signature (see instructions) _____ Phone number _____	Mail to: Ohio Department of Taxation P.O. Box 1460 Columbus, OH 43216-1460		
	Preparer's name (please print) _____ Phone number _____			
	Do you authorize your preparer to contact us regarding this return? <input type="checkbox"/> Yes <input type="checkbox"/> No			

Explanation of Corrections

(Please attach additional sheet(s) if necessary.)

Taxpayer name _____ Social Security number _____

Year _____

Explanation:

E-mail address (optional) _____

Telephone number (optional) _____

Federal Privacy Act Notice

Because we require you to provide us with a Social Security number, the *Federal Privacy Act of 1974* requires us to inform you that providing us with your Social Security number is mandatory. Ohio Revised Code sections 5703.05, 5703.057 and 5747.08 authorize us to request this information. We need your Social Security number in order to administer this tax. Your failure to supply any information requested on a tax form prescribed by the tax commissioner may result in (i) the imposition of penalties for failing to file a complete tax return or (ii) the denial of a license, if applicable.

IT 1040X Instructions

Time Period in Which To File (Statute of Limitations)

1. Generally, you can claim a refund within four years from the date of the overpayment of the tax, interest or penalty. For most taxpayers, the four-year period **begins** on the date that the Ohio income tax return was due without extensions. For example, 2001 Ohio forms IT 1040 and IT 1040EZ were due April 15, 2002; for 2001 Ohio forms IT 1040 and IT 1040EZ the four-year period begins on April 15, 2002.
2. If your Ohio amended return shows a refund due to a decrease in your federal adjusted gross income and if the IRS issues you a refund check due to that decrease, you always have at least 60 days from the date that the IRS agreed to the decrease to file your Ohio amended return.
3. If your Ohio amended return shows a refund due to an increase in your Ohio resident credit, you always have at least 60 days from the date that the other state increased the tax owed to that state to file your Ohio amended return.

Change in Filing Status

1. You can change your filing status from married filing separately to married filing jointly at any time within the statute of limitations, but without taking into consideration any extension of time to file.
2. You cannot change your filing status from married filing jointly to married filing separately after the time (including extensions, if any) has expired for the filing of either your return or your spouse's return.

General Information

1. Use Ohio form IT 1040X to do the following:
 - correct your Ohio income tax return AND/OR
 - to request a refund of tax, interest and/or penalty previously paid AND/OR
 - report IRS changes that affected your federal adjusted gross income AND/OR
 - change your filing status (see **Change in Filing Status**, above).
2. You can file Ohio form IT 1040X only after you have filed an Ohio income tax return (Ohio forms IT 1040 or IT 1040EZ, or any of the department's paperless or electronic tax return filing options).
3. You must complete all of the information requested on the form. Otherwise, we cannot process your amended return and we may have to contact you for additional information.

Please note that if your filing status for your federal income tax return is married filing jointly, then you must place on line 1 of the Ohio income tax return the amount you show as adjusted gross income on your federal income tax return. You must show this amount even if only one spouse earned or received any income in Ohio. See Ohio Administrative Code Rule 5703-7-18 available through our Web site at tax.ohio.gov.
4. If your amended return shows a refund due to **any** of the following:
 - a decrease in your federal adjusted gross income

- a change in your filing status from married filing jointly to married filing separately, or

- an increase in the number of exemptions claimed,

then you must include the following to avoid delays:

- (a) A copy of the federal account transcript **or**
- (b) A copy of your amended federal income tax return (federal form 1040X) **and** either a copy of the IRS acceptance letter or a copy of the refund check. (Under federal law the copy of your check must either be larger than or smaller than the size of the original check. If you make a reduced-size copy, please make sure that the copy is legible.)

5. To speed up our processing of this amended return:

- Include a copy of your original return AND
- Include a copy of any cancelled check(s) that you used as payment on your original return.

Your amended return may not be processed until after Oct. 15th.

6. **Net Operating Losses (NOL)** – Your NOL carryback deduction on the Ohio amended income tax return is limited by the following:

- the amount of your federal itemized deductions and personal exemption amounts allowed in the carryback year AND
- any depreciation adjustment noted below.

Your federal adjusted gross income, after application of the allowed net operating loss carryback amount, will **not** be zero dollars if you claimed any itemized deductions or exemptions. For more information please see our Aug. 12, 2002, information release entitled "Personal Income Tax Information Release: Net Operating Loss Carryback Five-Year Rule" at tax.ohio.gov.

Depreciation adjustment: If the federal NOL carryback/carryforward reflects either Internal Revenue Code (I.R.C.) 168(k) bonus depreciation or I.R.C. section 179 expensing, then you must reduce the federal net operating loss carryback/carryforward amount by both of the following:

- 5/6 of the I.R.C. section 168(k) bonus depreciation and
- 5/6 of the excess of the I.R.C. section 179 amount over the amount that would have been allowed based upon I.R.C. section 179 in effect on Dec. 31, 2002.

For more information please see our July 31, 2002, information release, as revised in October 2003, entitled "Recently Enacted Ohio Legislation Affects Depreciation Deductions for Taxable Years Ending in 2001 and Thereafter" at tax.ohio.gov.

Example: In 2005 Maria reported \$800,000 in federal adjusted gross income. Maria's 2005 federal return as filed reflected \$350,000 in itemized deductions and personal exemption amounts. Maria's 2005 federal taxable income was \$450,000.

In 2007 Maria incurred a federal NOL of \$1 million including an I.R.C. section 168(k) bonus depreciation amount of \$300,000. Maria must first reduce the federal NOL carryback/carryforward by \$250,000 (5/6 of the \$300,000 bonus depreciation). The NOL carryback/carryforward is \$750,000. The deduction on the year 2005 Ohio amended income tax return for the NOL carryback from taxable year 2007 is limited to \$450,000 (the amount of the year 2005 federal taxable income). Maria can use the remaining \$300,000 of the year 2007 NOL carryback/carryforward for taxable years 2006 and later.

Explanation of Corrections

Be sure to complete page 2 of the return.

Nonresident Married Filing Jointly Taxpayers

As a general rule, if your filing status on your federal income tax return is "married filing jointly," then **both** spouses must sign the Ohio income tax return. There is only one exception, discussed below, to the general rule requiring both spouses to sign the "married filing jointly" Ohio income tax return.

Exception to the general rule. Your spouse does not have to sign an amended "married filing jointly" return **only if** all three of the following apply:

- Your spouse resided outside Ohio for the entire year;
- Your spouse did not earn any income in Ohio; AND
- Your spouse did not receive any income in Ohio.

See Ohio Administrative Code Rule 5703-7-18 available through our Web site at tax.ohio.gov.

You may need to enclose additional forms and documentation. Please see chart below.

Certain Line Instructions

Ohio public school district number – See the listing in the instructions for Ohio form IT 1040.

Line 6 – To calculate the amounts you will show on this amended return, use the Ohio income tax instruction booklet for the year you show on the front of this form.

Line 23 – Enter on this line all of the following:

- Refunds you claimed on previously filed returns for the year shown on this form – even if you have not yet received the refund.
- Donations to wildlife fund, nature preserves fund and the military injury relief fund.
- Amounts you claimed as an overpayment credit to the following year (see "Special Rule for Overpayments," below).

Special Rule for Overpayments (Line 23 on Ohio Form IT 1040X)

If you want to reduce the amount of your overpayment credit to be applied to the following year, as shown on the originally filed return for the year you are amending, you must do both of the following:

- Include on line 23 only the amount of the overpayment credit you now want applied to the following year, and
- Amend the following year's return (if already filed) to show the reduction in the amount of the overpayment credit being applied on that return.

Additional Forms and Documentation	
If you are changing the amount on this line:	Then include the following forms or document:
Line 2	Revised Ohio Schedule A
Line 7	Revised Ohio Schedule B
Line 13	Revised Ohio Schedule C, D and/or E – see Ohio form IT 1040 instructions for information concerning required enclosures. If you are changing the amount of the resident credit , you must include a copy of the other state's or states' income tax return. If you are changing the amount of the nonresident credit , you must complete and include a revised Ohio form IT 2023.
Line 15	Revised Ohio form IT 2210-1040.
Line 18	W-2 forms or 1099 forms showing current Ohio withholding.
Line 20	See Ohio form IT 1040 instructions for information concerning required enclosures.

Mail to:

Ohio Department of Taxation
P.O. Box 1460
Columbus, OH 43216-1460
1-800-282-1782