



2007 IT 2210-1140
Interest Penalty on Underpayment of Ohio
Pass-Through Entity Withholding Tax

Attach to 2007 Ohio form IT 1140.

Name of pass-through entity or trust	Federal employer I.D. number <div style="border: 1px solid black; width: 100%; height: 20px; margin-top: 5px;"></div>
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Do You Owe Interest Penalty?

Use this form to calculate interest penalty on underpayment of pass-through entity withholding tax and to show the exceptions where no interest penalty is due. Check here if you engage in farming or fishing activities, and see the note on page 3.

1. 2007 pass-through entity tax (2007 form IT 1140, line 1) 1. _____
2. Previous year's overpayment credit carryover to this year (do **not** include estimated tax payments on this line) 2. _____
3. Line 1 minus the amount on line 2 (if less than zero, enter -0-) 3. _____
Is line 3 less than or equal to \$500? Yes No
If the answer is yes, STOP; you have no interest penalty. If the answer is no, continue to line 4.
4. Multiply line 1 by 90% (.90) 4. _____
Is line 2 greater than or equal to the amount on line 4? Yes No
If the answer is yes, STOP; you have no interest penalty. If the answer is no, continue to line 5.
5. 2006 pass-through entity tax (from 2006 Ohio form IT 1140, line 1) 5. _____
Is line 2 greater than or equal to the amount on line 5? Yes No
If the answer is yes, STOP; you have no interest penalty. If the answer is no, continue to line 5a.
- 5a. Amount shown on line 1, above 5a. _____
- 5b. Statutory amount 5b. < \$500 >
- 5c. Line 5a minus line 5b 5c. _____
6. Required annual payment. Enter the smallest of line 4, line 5 or line 5c 6. _____

Short method

You may use the short method only if you paid no estimated tax payments **or** if you paid estimated tax in equal amounts on the due dates and you claim any overpayment credit carryover amount in equal amounts on the due dates. **Note:** You may use the short method even if the payments were earlier than the due date; however, the interest penalty may be lower if you use the long method.

7. Estimated pass-through entity tax payments made 7. _____
- 7a. Enter amount from line 2 7a. _____
8. Add line 7 and line 7a 8. _____
9. Subtract line 8 from line 6 9. _____
10. Multiply line 9 by .049857. Enter the result here and on 2007 Ohio form IT 1140, line 2 10. _____

Long method

11. Multiply the amount on line 6 by the percentage indicated in each column. However, if the pass-through entity chooses to annualize income, check the box and attach detailed calculations (see instructions on page 2) 11. _____
12. Cumulative estimated tax paid by the date shown at the top of each column 12. _____
13. Overpayment credit carryover from 2006 Ohio form IT 1140. Enter this amount in all four columns 13. _____
14. Add lines 12 and 13 14. _____
15. Underpayment subject to interest penalty (line 11 minus line 14). If line 14 is greater than line 11, enter -0- 15. _____
16. Ratio (if payment was made late, see instructions on page 2) 16. _____
17. Interest penalty for the period: Multiply the ratio on line 16 by the respective underpayment on line 15 (if full or partial payment was made late, see instructions on page 2) 17. _____
18. Total interest penalty due. Add line 17, columns A through D. Enter here and on 2007 Ohio form IT 1140, line 2 18. _____

Payment Due Dates			
A 4/17/07 – 25%	B 7/16/07 – 50%	C 10/15/07 – 75%	D 1/15/08 – 100%
.019507	.019945	.020155	.019891

Line Instructions for Ohio Form IT 2210-1140

Line 5 – If your 2006 return reflected a period of less than 12 months, do not complete this line; instead, enter the amount from line 4 on line 5.

Line 11 – Multiply the amount on line 6 by the percentage indicated at the top of columns A, B, C and D. However, if your income varied during the year (e.g., you operated a business of a seasonal nature), you may be able to lower the amount of your required payment for the due dates by using the annualized income installment method. If you use this method for any payment due date, you must use this method for all payment due dates. Attach detailed calculations.

Line 16 – The listed ratios are based upon the statutory interest rate (8% for 2007 and 8% for 2008) and the time during which the estimated payment was late. The **general formula** for computing the ratio is: ratio = interest rate X numbers of days the payment is late/365.* The listed ratios are computed from the payment due date at the top of each column to the following payment due date and apply **only if** the taxpayer either (i) never made the estimated payment or (ii) made full payment on or after the following payment due date.

For example, the ratio in column A is computed by multiplying the interest rate (8%) times the number of days from the 4/17/07 estimated payment due date to 7/15/07 (89 days) and dividing by 365.*

Ratio = interest rate X number of days late/365*
Ratio = .08 X 89/365 = .019507

Note: Because this date was on a Sunday, the payment date became 7/16/07. However, the interest penalty is computed only to 7/15/07.

However, if the taxpayer makes a full or partial payment after the payment due date but before the next payment due date, ignore the ratio on line 16 and see Example 2 and Example 3, at right.

Line 17 – Multiply the ratio on line 16 by the respective underpayment on line 15 (see Example 1, below). However, if the taxpayer makes a full or partial payment after the payment due date but before the next payment due date, ignore the ratio on line 16 and use the following formula to compute the interest penalty on the underpayment for the period before and the period after the date of the partial payment.

Interest penalty = underpayment X interest rate X number of days late/365* (see Example 2 and Example 3, at right).

Example 1 – Assume that the underpayment shown on line 16 for the 4/17/07 due date is \$1,000. Also assume that the taxpayer made no estimated payment during the period 4/17/07 through 7/15/07. The taxpayer will compute interest penalty for the period 4/18/07 through 7/15/07 by multiplying the underpayment shown on line 15, column A by the ratio (.019507) shown on line 16, column A:

Interest penalty = \$1,000 X .019507 = \$19.51

Note: If the taxpayer made a full or partial payment of the required estimated payment after the 4/17/07 due date but before the 7/16/07 payment due date, the taxpayer should ignore the ratio shown on line 17 and recompute the ratio based upon the general formula (see Example 2 and Example 3, at right).

*For leap years use 366 days instead of 365 days.

Example 2 – Full payment made after the due date but before the next due date. Assume that the underpayment shown on line 16 for the 4/17/07 due date is \$1,000. Also assume that the taxpayer paid this full amount on 5/15/07 (which is after the 4/17/07 payment due date but before the next payment due date, 7/16/07). Compute the ratio as follows:

Step 1. Determine the number of days from the date the payment was due (4/17/07) to the date the payment was paid (5/15/07) = 28 days.

Step 2. Calculate the ratio using the following formula:

Ratio = interest rate X number of days late/365*
Ratio = .08 X 28/365 = .006137

The taxpayer would enter the recomputed ratio (.019527) on line 16, column A and then compute interest penalty (line 17, column A) for the period 4/18/07 through 5/15/07 by multiplying the underpayment by the recomputed ratio (include detailed calculations with Ohio form IT 1140).

This method applies **only** if the taxpayer actually made **full** payment of the required estimated payment after the due date but before the next payment due date. If the taxpayer made a **partial** payment after the due date but before the next payment due date, see Example 3, below.

Example 3 – Partial payment made after the due date but before the next due date. Assume that the underpayment shown on line 16 for 4/17/07 is \$1,000 and that the taxpayer paid \$600 of this amount on 5/15/07 (which is after the 4/17/07 payment due date but before the next payment due date of 7/16/07). Compute the interest penalty for line 17, column A as follows:

Step 1. Determine the number of days from the 4/17/07 payment due date to the 5/15/07 date of the partial payment: 4/17/07 to 5/15/07 = 28 days.

Step 2. Calculate the interest penalty on the \$1,000 underpayment for the 28-day period from 4/17/07 to the 5/15/07 partial payment date using the following formula:

$$\text{Interest penalty} = \text{underpayment} \times \frac{\text{interest rate}}{\text{rate}} \times \frac{\text{number of days late}}{365^*}$$

Interest penalty = \$1,000 X .08 X 28/365 = \$6.14

Step 3. Determine the number of days from the 5/15/07 payment date to the next required due date of 7/15/07: 5/15/07 to 7/15/07 = 61 days.

Step 4. Calculate the interest penalty on the \$400 underpayment (\$1,000 minus \$600) for the 61-day period from 5/15/07 to 7/15/07 using the following formula:

Interest penalty = \$400 X .08 X 61/365 = \$5.35

Step 5. Add the amounts determined in Steps 2 and 4: \$6.14 + \$5.35 = \$11.49. This is the total interest penalty for the period 4/17/07 to 7/15/07. The taxpayer would (i) cross out the ratio on line 17, column A, (ii) enter \$11.49 on line 18, column A and (iii) include detailed calculations with Ohio form IT 1140.

Note

Note: Special rule for farmers and fishermen

Ohio Administrative Code Rule 5703-7-04 provides two options for each taxpayer whose total gross income is at least two-thirds from farming and fishing, as those terms are defined under U.S. Treasury regulation sections 1.6073-1(b)(2) and (3). Such taxpayers may choose either of the following two options instead of making the four estimated income tax payments:

- **Option 1** – Make no payments of estimated tax but file the yearly income tax return and pay all tax due by the first day of the third month following the close of the taxpayer's taxable year (for calendar year taxpayers, this would be March 1 of the year immediately following the taxable year). If this date falls on a Saturday, Sunday or holiday, then the payment of tax and the filing of the income tax return are due on the first business day immediately following the first day of the third month following the close of the taxable year. **Note:** The Ohio Department of Taxation will follow the lead of the IRS and extend the time for exemption of underpayment penalty (2210) for Farmers and Fishers from March 3, 2008 until March 10, 2008. This extended exemption time is for all paperless (electronic) filing methods and paper filing methods.
- **Option 2** – Pay all estimated tax (90% of the current taxable year's tax or 100% of the immediately preceding taxable year's tax) by the 15th day of the first month following the close of the taxpayer's taxable year (for calendar year taxpayers, this would be Jan. 15 of the calendar year immediately following the taxable year) and file the annual individual income tax return

on or before the 15th day of the fourth month following the close of the taxpayer's taxable year (for calendar year taxpayers, this would be April 15 of the year immediately following the taxable year). If any such date falls on a Saturday, Sunday or holiday, then the due date becomes the first business day immediately following such due date.

Under this second option the taxpayer has the election to extend the filing of the Ohio income tax return **if** the taxpayer has received from the IRS an extension of time to file the federal income tax return. Note that there is no extension of time to pay the tax due. See Ohio Administrative Code Rule 5703-7-05, which addresses the imposition of penalties and interest (and safe harbors to avoid penalties) for taxpayers who fail to pay in all tax due by the unextended due date.

If the taxpayer qualifies for and chooses Option 1, enter -0- on Ohio form IT 2210-1140, line 18. Also enter -0- on Ohio form IT 1140, line 2. When mailing Ohio form IT 1140, attach page 1 of Ohio form IT 2210-1140.

If the taxpayer qualifies for and chooses Option 2, do not complete lines 11-17 for columns A, B and C. However, complete lines 11-17 for column D to determine if there is any interest penalty due. Enter on Ohio form IT 2210-1140, line 18 and on Ohio form IT 1140, line 2 the amount computed and shown on Ohio form IT 2210-1140, line 17, column D. When mailing Ohio form IT 1140, attach page 1 of Ohio form IT 2210-1140.