



TAXPAYER ANNUAL LOCAL EARNED INCOME TAX RETURN

INSTRUCTIONS

A. General Instructions

1. **WHEN TO FILE:** This return must be completed and filed by all persons subject to the tax on or before April 15 (unless the 15th is a Saturday or Sunday then file the next business day), regardless of whether or not tax is due. If you file a Federal or State Application for Extension, check the extension box on the front of the form and send this form along with your estimated payment by April 15, unless the 15th is a Saturday or Sunday, then by the next business day. If you use a professional tax preparer, confirm that they will submit your final return for you.
2. **WHERE TO FILE:** Remit to the local earned income tax collector for every tax collection district in which you lived during the year.
3. **EFFECTIVE DATES:** January 1 through December 31, unless otherwise noted on your local earned income tax return.
4. **AMENDED RETURN:** If a taxpayer amends his federal income tax return, an amended local earned income tax return must also be filed with the local earned income tax collector.
5. **RECEIPT / COPY:** Your cancelled check is sufficient proof of payment.
6. **PENALTY AND INTEREST:** If for any reason the tax is not paid when due, penalty and interest will be charged. Any late, incorrect filing or payment may result in additional costs of collection.
7. **ROUND OFF CENTS** to the nearest whole dollar. Do not include amounts under 50 cents. Increase amounts from 50 to 99 cents to the next dollar amount.
8. **USE BLACK OR BLUE INK ONLY WHEN COMPLETING THIS FORM.**

B. Regulations/Line by Line Instructions

LINE 1: GROSS EARNINGS FOR SERVICES RENDERED

Documentation Required: W-2(S) must be enclosed (legible photocopies are accepted).

TAXABLE INCOME INCLUDES: Salaries, Wages, Commissions, Bonuses, Tips, Stipends, Fees, Incentive Payments, Employee Contributions to Retirement Accounts, Compensation Drawing Accounts (If amounts received as a drawing account exceed the salaries or commission earned, the tax is payable on the amounts received. If the employee subsequently repays to the employer any amounts not in fact earned, the tax shall be adjusted accordingly.). Benefits Accruing from Employment, such as: Annual Leave, Vacation, Holiday, Separation, Sabbatical Leave, Compensation Received in the Form of Property shall be taxed at its fair market value at the time of receipt, Jury Duty Pay, Military Pay for Services Other than Active Duty, Sick Pay (if employee received a regular salary during period of sickness or disability by virtue of his agreement of employment), and Taxes Assumed by the Employer. Taxpayer should refer to the PA Department of Revenue regulations regarding taxable compensation. This list is not exhaustive; contact your local earned income tax collector if you have any questions.

NON-TAXABLE INCOME INCLUDES: Social Security Benefits, Unemployment Compensation, Pensions, Public Assistance, Death Benefits, Gifts, Interest, Dividends, Boarding and Lodging to Employees for Convenience of Employer, Lottery Winnings, Supplementary Unemployment Benefits (sub pay), Capital Gains (Capital losses may not be used as a deduction against other taxable income.), Disability Benefits (periodical payments received by an individual under a disability insurance plan), Active Military Service and Summer Encampment, Personal Use of Company Cars, Cafeteria Plans, and Clergy Housing Allowance. Some forms of payments from Individual Retirement Programs, such as Keogh, Tax Shelter Annuity, IRA, and 401K are not taxable. Taxpayer should refer to the PA Department of Revenue regulations regarding taxable compensation. This list is not exhaustive; contact your local earned income tax collector if you have any questions.

Important: There has been a change in the way Active Duty Military pay is taxed for 2012—this is per ACT 32 guidelines:

Active Duty – 2016 and forward – Active duty military pay is exempt from taxation regardless of where it was earned.

Active Duty Pay-2012 thru 2015—Active duty military pay is taxable if earned in PA. If military pay is earned outside of PA, it is not taxable.

Active Duty Pay – 2011 and prior-Active duty military pay is exempt from taxation regardless of where it was earned.

A copy of your Active Duty orders are required to be submitted to the tax office.

LINE 2: ALLOWABLE EMPLOYEE BUSINESS EXPENSES

Documentation Required: Pennsylvania form PA-UE must be enclosed (legible photocopies are accepted).

LINE 3: OTHER TAXABLE EARNED INCOME: Include income, from work or services performed, which has not been included on line 1 or line 5. Do not include interest, dividends or capital gains.

LINE 4: TOTAL TAXABLE EARNED INCOME: Subtract line 2 from line 1 and add line 3.

LINES 5 & 6: NET PROFITS/NET LOSSES FROM BUSINESS: Use line 5 for profit and line 6 for loss.

Documentation Required: 1099(s), PA schedules C, E, F, or K-1 must be enclosed (legible photocopies are accepted).

Rule: A taxpayer may NOT offset a business loss against wages and other compensation (W-2 earnings -- line 1). "Passthrough" income from an S-Corporation is NOT taxable and loss is not deductible. A taxpayer may offset a loss from one business entity against a net profit from another business entity.

LINE 7: TOTAL TAXABLE NET PROFIT: Subtract line 6 from line 5; if less than zero, enter zero.

LINE 8: TOTAL TAXABLE EARNED INCOME AND NET PROFIT: Add lines 4 & 7.

LINE 9: TAX LIABILITY: Multiply line 8 by your local earned income tax rate. If you don't know your rate, contact your local earned income tax collector where you live or visit www.newPA.com to find your rate.

LINE 10: EARNED INCOME TAX WITHHELD: If you work in an area that taxes non-residents at a higher rate than the resident rate where you live, **you may not be able to claim the entire amount of tax withheld on your W-2's**. If this is the case complete the worksheet on the back of the Final Return Form to calculate the amount of income tax withheld to enter on Line 10 of the Final Return. *If this is not the case*, then combine the amount of tax withheld as reported in box 19 of your W-2's and report that amount on Line 10 of the Final Return. To determine if you work in an area that has a Non-Resident Tax Rate that exceeds the resident rate where you live, contact your employer or visit: <http://munstatspa.dced.state.pa.us/FindLocalTax.aspx>

LINE 11: QUARTERLY ESTIMATED PAYMENTS/ CREDIT FROM PREVIOUS YEAR/ PAYMENTS MADE WITH EXTENSION OR ADDITIONAL PAYMENTS: List any quarterly estimated tax payments made to date for the appropriate filing year (do not include any penalty or interest amounts that may have been paid with the quarterly payments.) Also include the tax credit from the prior year AND any additional payments made for the filing year, including any amount paid with when requesting an extension.

NOTE: Taxpayers who expect to have net profits or wages not subject to withholding must report and timely pay quarterly estimated tax payments. Form CLGS-32 is used to report the income and pay the tax each quarter and credit may be claimed on this line for any such advance payments of tax.

LINE 12: OUT-OF-STATE OR PHILADELPHIA CREDITS (include supporting documentation)

General Rules Applicable to All Line 12 Credits:

(1) Credits for income taxes paid to other states must first be used against your Pennsylvania state income tax liability; any credit remaining thereafter may be used against your local earned income tax liability.

(2) Credits for income taxes paid to political subdivisions located outside of Pennsylvania or for wage taxes paid to Philadelphia may be taken directly against your local earned income tax liability.

(3) In calculating your credit for income taxes paid to another state or to a political subdivision, note that the same items of income must be subject to both your local earned income tax and the out-of state tax.

(4) **No credit for income taxes paid to another state or political subdivision may exceed your total local earned income tax liability.**

Credit for Taxes Paid to Other States: You may take a credit based upon the gross earnings taxed both in another state and in Pennsylvania that is in excess of the Pennsylvania state personal income tax rate. **THIS CREDIT WILL BE DISALLOWED IF THE NON-RESIDENT STATE RETURN AND THE DOCUMENT SHOWING STATE INCOME TAX WITHHELD ARE NOT PROVIDED (W-2, K-1, Etc.).**

No credits are given for state income tax withheld from an employee who works in a state that has a reciprocal agreement with the Commonwealth of Pennsylvania (Maryland, New Jersey, Ohio, Virginia, West Virginia, and Indiana).

Example: Taxpayer earned wages of \$10,000.00 in Delaware and paid an income tax liability to that state of \$317.00. Assuming the current Pennsylvania state tax rate is 3.07% for the tax year in question, since the \$317.00 exceeds 3.07% (PA Tax) amount of \$307.00 by \$10.00, the \$10.00 may be credited against your local income tax.

Gross Income	(1)	\$10,000.00
Local Tax 1% x .01		<u>.x.01</u>
	(2)	100.00
Tax paid to Delaware	(3)	317.00
PA Income Tax (3.07% x \$10,000.00)	(4)	307.00
Credit to be used against Local Tax (Line 3 minus Line 4)		
On Line 12 of the tax return, enter this amount . . .	(5)	10.00
or the amount on Line 2 of worksheet, whichever is less		

If all your wages or gross earnings are subject to Delaware State Income Tax (not PA), use the above example to calculate your tax obligation. If you had earned income NOT taxed by Delaware, this income would be subject to the earned income tax effective where you live and must be shown separately on the Local Earned Income Tax Return.

Credit for Taxes Paid to Political Subdivisions Outside of Pennsylvania: You may take a credit based upon the gross earnings taxed in both another political subdivision and where you live in Pennsylvania. THIS CREDIT WILL BE DISALLOWED IF THE FOREIGN CITY RETURN AND OR YOUR W-2 FORM SHOWING CITY INCOME TAX WITHHELD IS NOT PROVIDED.

Credit for Taxes to Philadelphia: You may use any wage tax paid to Philadelphia as a credit toward your local earned income tax liability. You must complete the Local Earned Income Tax Return. A COPY OF YOUR W-2 AND/OR VERIFICATION OF TAXES PAID MUST BE ENCLOSED WITH THE FORM OR CREDIT WILL BE DISALLOWED. No refunds or credits will be allowed for any overpayment made to Philadelphia. On line 12 of the tax return, enter the amount of Philadelphia wage tax paid.

LINE 13: TOTAL PAYMENTS AND CREDITS: Enter the sum of lines 10, 11 & 12.

LINE 14: REFUND: If tax (line 9) is less than your credits (line 13), enter amount of refund. If you have an overpayment of taxes in excess of \$10.00, you may elect to receive a refund or take same as credit against the next year's tax liability. If you have an overpayment of taxes less than \$10.00 and greater than \$1.00, your overpayment will be credited against the next year's tax liability. An overpayment of taxes less than \$1.00 will not be refunded or credited. A 1099 will be issued to the Federal Government for any credit or refund in excess of \$10.00.

LINE 15: CREDIT: If tax (line 9) is less than your credits (line 13) enter amount of credit and check the applicable box for credit to spouse or credit to next year. A 1099 will be issued to the Federal Government for any credit or refund in excess of \$10.00.

LINE 16: AMOUNT OF TAX DUE: If tax (line 9) is larger than your credits (line 13), enter amount of tax due, if less than \$1.00, ENTER ZERO.

LINE 17 & 18: INTEREST AND PENALTIES: If for any reason the tax is not paid when due, interest and penalty of the unpaid tax for each month shall be added and collected. Returns received after the due date may be charged additional costs of collection.

LINE 19: TOTAL AMOUNT DUE: The sum of lines 16, 17 & 18. OMIT IF LESS THAN \$1.00.

Note: All accounts are subject to audit and review. Local or city copy of W-2 and/or supporting schedules must be enclosed with tax return.

(Legible photocopies of W-2s and schedules are accepted).