Ohio MNP 10 Ohio Municipal Net Profit Tax Instructions

Rev. 3/19



Municipal Net Profit Tax Return (MNP 10) Instructions

General Instructions and Information

The municipal net profit tax (MNPT) return and instructions are only to be used by taxpayers that have opted-in for state administration of the MNPT. Electronic filing and payment are required—the paper version of the MNPT return is only to be used by taxpayers that have been granted permission by the *Ohio Department of Taxation (ODT) to file by paper.*

The MNPT is a tax levied on businesses that have net profits apportioned to a municipality that levies an income tax. taxpayer must file an annual return for each taxable year they have elected to file with ODT.

Who Must File

Only businesses that have registered for state administration of the MNPT must file an MNPT return with the Department. The election to file with the Department automatically renews each year unless terminated by the taxpayer. The taxpayer must continue to file returns with the Department unless and until the taxpayer terminates the election to file with the Department.

and individuals are not eligible to opt-in for state administration of amount not timely paid. R.C. 718.89(A)(3) the MNPT.

When to File

Annual tax returns are due on the 15th day of the fourth month following the end of the taxpayer's taxable year. If the due date falls on a weekend or holiday, the report or payment is due the next business day. Click here to view the due date table.



Returns for calendar year-end filers are due April 15th

Extensions of Time to File

A federal extension extends the municipal due date to the fifteenth day of the tenth month after the last day of the taxable year to which the return relates. It is not necessary to file a copy of the federal extension with ODT by the annual filing due date. If you have not requested or received a federal extension you may receive an extension for the filing of the MNPT annual return by requesting an extension through the Ohio Business Gateway (Gateway) at business.ohio.gov prior to the annual filing due date.



An extension of time to file is not an extension of time to pay. One hundred percent of the tax due on the return must be paid by the fifteenth day of the fourth month following the end of the taxable year. Extensions of time to file have no effect on the due dates of estimated taxes.

Where to File

Electronic Filing – MNPT taxpayers are required to file each annual tax return and declaration of estimated taxes electronically either through the Gateway or Modernized e-File (MeF) through an approved software vendor. A list of approved vendors can be found here.

Electronic Payment – MNPT taxpayers are required to remit each tax payment electronically by ACH debit through the Gateway, ACH debit through MeF, or electronic funds transfer (EFT) through the Ohio Treasurer of State at www.tos.ohio.gov. R.C. 718.851(A)

Interest and Penalties

Underpayment of Estimated Taxes - Any underpayment of estimated taxes may result in an interest penalty being added to the tax due on the return. R.C. 718.88(D). Any remaining tax due must be remitted on or before the return due date, without extension. R.C. 718.85(A).

Additional Penalties

1. A late-filing penalty may be imposed at the rate of \$25 per month up to \$150. R.C. 718.89(A)(1)

Please note - Entities disregarded for federal income tax purposes 2. A late-payment penalty may be imposed equal to 15% of the

3. Additional penalties may be imposed for filing a fraudulent report and for filing a false or fraudulent refund claim. R.C. 718.89(A)(4) -(A)(6).

4. A penalty may be imposed for the failure to file electronically: For each of the first two failures, 5% of the amount required to be reported on the return and for the third and any subsequent failure, 10% of the amount required to be reported on the return. R.C. 718.89(A)(2).

Reporting Federal Changes

If amendments or adjustments to the taxpayer's federal income tax return by the taxpayer or by the Internal Revenue Service affect the taxpayer's MNPT liability, the taxpayer must report such changes to ODT in the form of an amended MNPT return. The amended return shall be filed not later than sixty days after the adjustment is finally agreed upon or finally determined for federal income tax purposes or after any federal income tax deficiency has been assessed or paid, whichever occurs first.

In the case of an underpayment, the amended return shall be accompanied by payment of any additional tax and interest due. In the case of an overpayment, an application for refund may be filed within the sixty-day period prescribed for filing the amended return. These provisions apply even if the three-year statute of limitations under R.C. 718.90 or 718.91 has passed. See R.C. 718.92.

MNP 10 Specific Line Instructions

Enter your taxable year, ODT account number, federal employer identification number (FEIN), company name and address in the spaces provided.

Taxable Year



The taxable year is the calendar year or the taxpayer's fiscal year beginning during the calendar year, upon which the calculation of the taxpayer's adjusted federal taxable income is based (e.g. fiscal

year begins February 1, 2019 – taxable year is 2019). Taxpayers will provide the taxable year at the top of the return by entering the calendar year or the fiscal year on which the return is based.

Amended Return

If an amended return is necessary due to a change in information provided on the original return, check this box. If the amended return reflects a refund, attach an Application for Municipal Net Profit Tax Refund (Ohio form MNP REF) as well as any documents necessary to support the changes on the amended return.

Extension

Check this box if you are requesting an extension or have requested a federal extension.

New Address

Check this box if the mailing address entered above is new and the Department's records should be updated to reflect the new address.

Alternative Apportionment

Check this box if you are requesting to use an alternative apportionment method in any municipality. Please attach a written request detailing the alternative method and an explanation as to why the method more fairly represents the extent of your business activity in the municipality. If the alternative apportionment method has previously been approved by a municipality, please include documentation of any prior approval or agreement. <u>R.C. 718.82(B).</u>

Line 1 – Federal Taxable Income

Enter the federal taxable income before net operating losses and special deductions as determined under the Internal Revenue Code (I.R.C.).

Line 2 – Net of Additions and Deductions

Enter the amount from Schedule A, line 15.

Line 3 – Adjusted Federal Taxable Income

This is the federal taxable income adjusted by the items found on Schedule A (add or subtract line 2 from line 1).

Line 4 – Tax Due After Credits and Historical Credit Carryforward (from all Schedule B forms)

Enter the sum of tax due after refundable credits across all municipalities listed on the schedule B forms. See instructions for

Line 5 – Amounts Previously Paid, Including State Credit Carryforward Amounts

Enter the total payments made to ODT for the combined tax liability in <u>all</u> municipalities during the taxable year associated with this return. Include any <u>state</u> credit carryforward amount shown on the previous year's return.

Note that amounts paid directly to ODT (excluding historical credit carryforward amounts) will apply to the taxpayer's combined tax liability due across all municipalities.

Line 6 – Interest Penalty

The penalty for any underpayments of estimated taxes should be calculated per R.C. 718.88 (D) and entered on line 6.

Line 7 – Total Balance Due or Refund

Enter the total balance due or refund across all municipalities. Subtract Line 5 from Line 4 and enter the amount on Line 7. If you failed to make timely estimated payments, add any applicable interest penalty from Line 6.

Line 8 – Credit overpayment to next tax year

If an overpayment exists, check the box to have the credit carried forward to the next tax year. If an overpayment exists and the box is not checked, it will result in a refund request.

MNP 10 Schedule A (R.C. 718.81(B)) Adjustments to Federal Taxable Income

This Schedule is used to make adjustments when federal taxable income (Line 1) includes income not taxable and/or items not deductible for municipal tax purposes.



A taxpayer may only deduct amounts to the extent included in federal taxable income. *A taxpayer may not add or deduct any amount more than once.*

Line 1 – Section 1221 and 1231 Losses

Enter any losses allowed as a deduction in the computation of federal taxable income if the losses directly relate to the sale, exchange, or other disposition of an asset described in I.R.C. sections 1221 or 1231.

Line 2 – Taxes Based on Income

Enter taxes on or measured by net income allowed as a deduction in the computation of federal taxable income.

Line 3 – 5% of Certain Intangible Income

Enter an amount equal to five per cent of intangible income deducted under R.C. 718.81(B)(1) (Schedule A, line 11) of this

section but excluding that portion of intangible income directly Line 9 - Total Additions related to the sale, exchange, or other disposition of property Sum lines 1 through 8 on schedule A. described in I.R.C. section 1221.

Line 4 – REIT and RIC

benefit of investors and allowed as a deduction in the 1245 or 1250. computation of federal taxable income.

Line 5 – Other Items not Deductible

Enter any other applicable additions and attach an explanation for any items included in this amount (e.g., the loss incurred by a pass-through entity owned directly or indirectly by a taxpayer and included in the taxpayer's federal taxable income entered as a positive amount, unless the taxpayer is an affiliated group of corporations including the loss in accordance with R.C. 718.86(E)(3)(b)).

Line 6-8 are adjustments for Non-C corporation entities.

A taxpayer that is not a C corporation must compute adjusted federal taxable income as if the taxpayer is a C corporation.

Line 6 – Certain Owner Compensation

Enter amounts paid or accrued to a gualified self-employed retirement plan with respect to a partner, former partner, shareholder, former shareholder, member, or former member of the taxpayer, amounts paid or accrued to or for health insurance for a partner, former partner, shareholder, former shareholder, member, or former member, and amounts paid or accrued to or for life insurance for a partner, former partner, shareholder, former shareholder, member, or former member.

Line 7 – Section 179 Adjustment

Enter the amount that is in excess of what would be allowed for a C Corporation with a federal section 179 deduction. Excess Section 179 expenses should be carried forward to subsequent years.

On line 13, deduct the excess section 179 depreciation carried over from prior years to the same extent allowed if the entity were a C Corporation.

Taxpayers must submit a Municipal Net Profit Tax Federal Carryforward Worksheet (MNP FCW).

Line 8 – Charitable Contribution

Enter the amount that is in excess of what would be allowed for a C Corporation with charitable contributions.

On line 13, deduct the excess charitable contributions carried over from prior years to the same extent allowed if the entity were a C Corporation.

Taxpayers must submit a Municipal Net Profit Tax Federal Carryforward Worksheet (MNP FCW).

Line 10 – Section 1221 and 1231 Income

Enter any income and gain included in federal taxable income to the In the case of a real estate investment trust or regulated extent the income and gain directly relate to the sale, exchange, or investment company, enter all amounts with respect to dividends other disposition of an asset described in I.R.C. sections 1221 or to, distributions to, or amounts set aside for or credited to the 1231. Do not include income and gain described in I.R.C. sections

Line 11 – Certain Intangible Income

Enter intangible income to the extent included in federal taxable income, regardless of whether the intangible income relates to assets used in a trade or business or assets held to produce income. See <u>R.C. 718.01(S)</u> for the definition of "intangible income."

Line 12 – Pass-Through Income

Enter any net profit of a pass-through entity owned directly or indirectly by the taxpayer and included in the taxpayer's federal taxable income unless the taxpayer is an affiliated group of corporations including the net profit in accordance with R.C. 718.86(E)(3)(b).

Line 13 – Other Items not Taxable

Enter any other applicable deductions and attach an explanation for any items included in this amount. (e.g., exempt income to the extent not otherwise deducted or excluded on Schedule A. For additional information on exempt income, see R.C. 718.01(C)).

Taxpayers must submit a Municipal Net Profit Tax Federal Carryforward Worksheet (MNP FCW).

Line 14 – Total Deductions

Sum lines 10 through 13 on schedule A.

Line 15 – Net Additions and Deductions

Subtract line 14 from line 9 (this amount can be negative). This amount is then entered on line 2 of page 1.

Schedule B

(718.82(A))

Business Apportionment Formula, Municipality-Specific Adjustments, and Tax Calculation

Complete Schedule B – Consolidated for any municipality in which the taxpayer is filing a consolidated tax return.

Complete Schedule B – Separate for any municipality in which the taxpayer is not filing a consolidated tax return.

Adjusted Federal Taxable Income

Enter the amount from page 1, line 3.

Line 1 – Total Property

Enter the sum of Line 1a and Line 1b.

Line 1a – Average Original Cost of Property

Enter the average original cost of all the real and tangible personal property owned or used by the taxpayer in the business or profession wherever situated, during the taxable period.

Line 1b – Gross Annual Rentals

Enter the value of tangible personal property and real property rented or leased by the taxpayer during the taxable period in the business or profession, wherever situated, by multiplying the annual rental thereon by eight (8).

Line 2 – Total Payroll (Wages and Salaries)

Enter the total wages, salaries, and other compensation paid during the taxable period to individuals employed in the business or profession, wherever the individual's services are performed. For what constitutes "wages, salaries, and other compensation," see R.C. 718.82(C).

Line 3 – Total Gross Receipts

Enter the total gross receipts of the business or profession from sales and rentals made and services performed during the taxable period, wherever made or performed.

Municipality Apportionment and Calculations

If you are reporting in more than three municipalities, print additional copies of Schedule B as necessary.

Muni Name

Enter the first four letters of the applicable municipality and the 4digit municipality code. A list of municipalities and applicable codes can be found <u>at tax.ohio.gov.</u>

Adjusted Federal Taxable Income Plus Pre-Apportionment Adjustments

Enter the amount from page 1, line 3 plus any municipalityspecific adjustments, if any. If the amount entered in this field differs from the amount on page 1, line 3, additional documentation should be attached to the return to describe the adjustment. This line should be used to add back intangible income in a municipality that taxes intangible income under <u>R.C.</u> <u>718.01(C)(2)(b)</u>.

NOLs for 2017 and After

Enter the amount of net operating loss (NOL) deduction being used from losses incurred in a taxable year beginning on or after January 1, 2017. Taxpayers deducting NOLs must submit a Municipal Net Profit Tax Net Operating Loss Deduction Worksheet (MNP NOL DW).



For taxable years beginning in 2018, 2019, 2020, 2021, or 2022, a person may not deduct, for purposes of an income tax levied by a municipal corporation that levies an income tax before January

1, 2016, more than 50% of the amount of the deduction otherwise

allowed by <u>R.C 718.01(D)(3)</u>, which states that the amount of such NOL shall be deducted from net profit to the extent necessary to reduce municipal taxable income to zero. For details, see <u>Information Release MNP 2018-04: Net Operating Loss</u> <u>Deductions—October 2018</u>.

Net Profit (Adjusted FTI must NOL)

Enter an amount equal to adjusted federal taxable income plus preapportionment adjustments reduced by NOLs for 2017 and after.

Step 1 – Property

Next to the dollar sign, enter the sum of (a) the average original cost of all the real and tangible personal property owned or used by the taxpayer in the business or profession in the applicable municipality, and (b) the value of real and tangible personal property rented or leased by the taxpayer in the business or profession, in the applicable municipality, by multiplying the annual rental thereon by eight (8).

Divide the amount in Step 1 by the amount on Line 1 - TotalProperty and enter the amount next to the percentage sign. All values should be rounded to the 6th decimal place.

Step 2 – Payroll

Next to the dollar sign, enter the total wages, salaries, and other compensation paid during the taxable period to individuals employed in the business or profession for services performed in the applicable municipality. Exclude compensation for which taxes are not required to be withheld under <u>R.C. 718.011</u>.

Divide the amount in Step 2 by the amount on Line 2 – Total Payroll (Wages and Salaries) and enter the amount next to the percentage sign. All values should be rounded to the 6^{th} decimal place.

Pre- Step 3 – Gross Receipts

Next to the dollar sign, enter the total gross receipts of the business or profession from sales and rentals made and services performed in the applicable municipality. See <u>R.C. 718.82(D)</u>.

Divide the amount in Step 3 by the amount on Line 3 – Total Gross Receipts and enter the amount next to the percentage sign. All values should be rounded to the 6^{th} decimal place.

Average (%) Steps 1-3 (Average Apportionment Factor)

Enter the sum of the ratios listed in steps 1-3 divided by the number of apportionment factors used to find the average apportionment ratio. Note: The denominator will be 1, 2, or 3, depending on the number of apportionment factors greater than 0.

Taxable Income

Multiply the amount in the Net Profit field by the Average Apportionment Factor to determine taxable income.

Post Apportionment Adjustments

Enter any municipality specific adjustments. This field should be used to add back the amount of tax-exempt stock options granted

to an employee, if any, under R.C. 718.82(F).

Pre-2017 NOLs

Enter the amount of available NOL carryforward incurred in a taxable year beginning before January 1, 2017, to the extent such loss was permitted by the applicable municipal corporation. See R.C. 718.01(SS) and ODT Information Release MNP 2018-04. Taxpayers deducting NOLs must submit an MNP NOL DW.

Municipal Taxable Income

Add or subtract any applicable post apportionment adjustments to/from taxable income and subtract pre-2017 NOLs. Enter the result in this field.

Tax Rate

Enter the applicable municipal tax rate effective as of the last day of the taxpayer's taxable year. Municipal tax rates can be found in the tax finder by clicking on "Download Municipal Income Tax Rate Database Table."

Tax Liability

If municipal taxable income is greater than zero (0), multiply municipal taxable income by the appropriate tax rate and enter the amount in this field. If municipal taxable income is zero (0) or less, enter zero (0) in this field.

Non-Refundable Credits

The amount of the non-refundable credit claimed is limited by the Tax Due (Refund) After Credits & Historical CCF tax liability in the applicable municipality. Taxpayers claiming a non-refundable credit must submit a Municipal Net Profit Tax Credit Schedule (MNP CS) and a copy of the credit agreement or ordinance authorizing the credit.

Historical Credit Carry Forward

Enter the amount of overpayment the taxpayer elected to carryforward on their last return filed with the applicable municipality. Only include the amount of any overpayment that remains on the taxpayer's account with the municipality and for which no refund has been requested. The historical credit carryforward may reduce the tax liability in that municipality to zero but may not be used to reduce the tax liability in other municipalities. A refund will not be issued by ODT for any remaining historical credit carryforward. Any remaining amount will be carried forward and applied against tax liability in subsequent tax years in that municipality until the historical credit carryforward amount is exhausted.

Refundable Credits

Enter the amount of the refundable credit the taxpayer is entitled to under R.C. 718.94 in the applicable municipality. Taxpayers claiming a refundable credit must submit an MNP CS and a copy of the credit agreement.

Tax Due (Refund) After Credits and Historical CCF

Subtract Non-Refundable Credits, Historical Credit Carryforwards, and Refundable Credits from Tax Liability and enter the amount in

this field. If the result is a negative number, then the applicable municipality is overpaid, and the taxpayer may be entitled to a refund.

Schedule B Totals

Tax Liability

Enter the sum of the Tax Liability fields across all municipalities on Schedule B – Consolidated and Schedule B – Separate, respectively.

Non-Refundable Credits

Enter the sum of the Non-Refundable Credits fields across all municipalities on Schedule B - Consolidated and Schedule B -Separate, respectively.

Historical Credit Carryforward

Enter the sum of the Historical Credit Carryforward fields across all municipalities on Schedule B - Consolidated and Schedule B -Separate, respectively.

Refundable Credits

Enter the sum of the Refundable Credits fields across all municipalities on Schedule B - Consolidated and Schedule B -Separate, respectively.

Enter the sum of the Tax Due (Refund) After Credits& Historical CCF fields across all municipalities on Schedule B - Consolidated and Schedule B – Separate, respectively. Enter the sum of this field from Schedule B - Consolidated and Schedule B - Separate on page 1, line 4.

Administrative Code **Tax Commissioner Rules**

5703-41-01 Filing of returns and payments by electronic means.

5703-41-02 Joint economic development zones and joint economic development districts.

5703-41-03 Change in taxable year and declaration of estimated taxes for short taxable years.



Municipal Net Profit Tax Return

| For calendar yearor | fiscal year beginning date | and ending date |
|---|--|---|
| ODT account number | FEIN | |
| Company name | | |
| Address (number and street) | | |
| City | State | ZIP code |
| If applicable, check the appropriate b Amended return Exten New address Altern 1. Federal taxable income (federal for 1120S, Schedule K, line 18; 990-7 Schedule K, page 5 line 1; 1041, 1 Place a negative sign ("-") in the b amount is less than -0 | sion ative apportionment orm 1120, line 28; T, line 30; 1065, line 17 or equivalent). oox on the right if the | Whole numbers only solidated Separate |
| Net of additions and deductions (Section Place a negative sign ("-") in the barrow amount is less than -0 Adjusted federal taxable income (and taxable income) | Schedule A, line 15). box on the right if the add or subtract line 2 | |
| from line 1). Place a negative sign right if the amount is less than -0 | | |
| 4. Tax due after credits and historical amount (from all Schedule B forms | | 00 |
| 5. Amount previously paid including carryforward amounts | | 00 |
| 6. Interest penalty | 6 | 00 |
| 7.Total balance due or refund | 7. 🗆 | 00 |
| Mail to: Ohio Dept. of Tax | | ☐ 16158, Columbus, OH 43216-6158 ury, I declare that, to the best of my knowledge |
| Taxpayer's Signature | Printed Name | Date (MM/DD/YY) |
| Do you authorize a preparer to contac | ct us regarding this return? | □ No |
| Preparer's Printed Name | Email | |
| Preparer's Signature | Phone Number | Date (MM/DD/YY) |

Municipal Net Profit Tax Return

MNP 10 Rev. 3/19 Page 2

Schedule A

Adjustments to Federal Income Tax Return

FEIN of primary filer___

| | Whole numbers only | |
|--|--------------------|----------|
| Items not deductible | Consolidated | Separate |
| Losses that directly relate to the sale, exchange, or other disposition of 1221 or 1231 assets1. | 00 | 00 |
| 2. Taxes based on income2 | 00 | 00 |
| Five percent (5%) of the amount deducted as intangible income excluding the portion directly related to the sale, exchange, or other disposition of 1221 property3. | 00 | |
| REITs and RICs - All amounts with respect to dividends, distributions, or amounts set aside for or credited to the benefit of investors and allowed as a deduction4. | | 00 |
| 5. Other (attach explanation) | 00 | 00 |
| The following adjustments are for Non-C corporation entities. | | |
| Amounts paid or accrued to qualified self-employed retirement and health and life insurance plans for owners or owner-employees | | 00 |
| 7. Excess 179 deduction/carryover | | 00 |
| 8. Charitable contribution - in excess of the 10% limitation8 | 00 | 00 |
| 9. Total additions (sum of lines 1 through 8) | 00 | 00 |
| Items not taxable | | |
| 10. Income and gains - federally reported income and gains from 1221 or 1231 property dispositions except to the extent the income and gains apply to those | | |
| described in 1245 or 1250 of the IRC10 11. Intangible income includes interest, dividend, patent, | 00 | 00_ |
| and copyright income, and also includes royalty income, except royalties derived from interest in land (e.g., oil and gas rights) | 00 | 00 |
| 12.Pass-through income12 | 00 | 00 |
| 13. Other: (attach explanation)13 | 00 | 00 |
| 14. Total deductions (sum of lines 10 through 13)14. | 00 | 00 |
| 15. Net of additions and deductions (line 9 minus line 14; enter here and on page 1, line 2)15 | 00 | 00 |



