



What's new for 2010?

- **The Research and Development Credit scheduled to expire on July 30, 2009, has been extended for tax years ending prior to January 1, 2011.** If you earned qualifying credit and filed a 2009 tax return but did not claim the credit on Schedule 1299-D, Income Tax Credits, you may file an amended tax return and complete Schedule 1299-D to claim the credit. However, no credit earned or credit carryforward is allowed on or after January 1, 2011. See the Specific Instructions for more information.
- **Fiscal-year filers only - For tax years beginning on or after January 1, 2011, and ending on or before December 31, 2016, an Angel Investment Credit** may be claimed in an amount equal to 25 percent of an investment made directly in a qualified new business. The credit may not reduce tax below zero and may be carried forward for five years. See Specific Instructions for more information.
- **The New Markets Credit is allowed for qualified investments made between 2008 and 2012** in a community development entity. Credits are allowed on the second anniversary of the investment (tax years ending on or after December 31, 2010), and the next four anniversaries. The credit may not reduce tax below zero and may be carried forward for five years. See Specific Instructions for more information.
- **For tax years ending on or after December 31, 2009, and on or before December 30, 2020,** the Student-Assistance Contribution Credit allows a credit for employers who make matching contributions to Illinois pre-paid tuition programs. The credit is limited to \$500 per qualifying employee, cannot reduce tax to less than zero, and may be carried forward five years.
- **For tax years beginning on or after January 1, 2010,** the Veterans Jobs Credit has been increased to the lesser of 10 percent of wages or \$1,200 per qualifying employee.

General Information

Who must file Form IL-990-T-X?

You should file Form IL-990-T-X if you are amending a previously filed, processable Form IL-990-T, Exempt Organization Income and Replacement Tax Return, for a tax year ending **on or after December 31, 2007**. Your change can occur from a state or federal change that affects items used to compute your Illinois net income, net loss, or credits, such as

- an amendment of your federal income tax return,
- an adjustment made by the Internal Revenue Service (IRS), or
- any other recomputation or redetermination.

A separate amended return must be filed for each tax year you need to amend.

Note Use Form IL-843, Amended Return or Notice of Change in Income, and the corresponding year's Form IL-990-T, to amend tax years ending **prior to December 31, 2007**.

What if I need to change my return before the extended due date expires?

If you filed your original Form IL-990-T and a state or federal correction or change needs to be made before the extended due date expires (see the instructions of your original return), you should file Form IL-990-T-X. Due to the automatic extension, any return filed after the original return and on or before the extended due date will be treated as the original return.

How long do I have to amend my return?

The amount of time you have to amend your return depends on whether your Form IL-990-T-X is being filed to report a state or federal change.

State change - If your change decreases the tax due to Illinois and you are entitled to a refund, you must file Form IL-990-T-X within

- three years after the due date of the return (including extensions),
- three years after the date your original return was filed, or
- one year after the date your Illinois tax was paid, whichever is latest.

If your change increases the tax due to Illinois, you should file Form IL-990-T-X and pay the tax, penalty, and interest promptly.

Federal change - You should not file this form until you receive a federal finalization notification from the IRS stating that they have accepted your change, either by paying a refund, or by final assessment, agreement, or judgment.

If your federal change decreases the tax due to Illinois and you are entitled to a refund, you must file Form IL-990-T-X within two years plus 120 days of federal finalization.

If your federal change increases the tax due to Illinois, you must file Form IL-990-T-X and pay any additional tax within 120 days of IRS partial agreement or finalization. In order to avoid late payment penalties, you must attach proof of the federal finalization date, showing the change was reported to Illinois within 120 days of IRS acceptance, or you may be assessed a late-payment penalty.

Note If you fail to notify us of your change by filing Form IL-990-T-X, we may issue a notice of deficiency at any time. Once you file your change, we may issue a notice of deficiency within two years.

Who should sign the return?

If you are a corporation, your Form IL-990-T-X must be signed by the president, vice president, treasurer, or any other officer duly authorized to sign the return. In the case of a bankruptcy, a receiver, trustee, or assignee must sign any return required to be filed on behalf of the corporation. If you are a trust, Form IL-990-T-X must be signed by a fiduciary of the trust. If there are two or more joint fiduciaries, the signature of one will comply with the requirements of the IITA. The signature verifies by written declaration (and under penalties of perjury) that the signing individual has personally examined the return and the return is true, correct, and complete. The fact that an individual's name is signed to a return is *prima facie* evidence that the individual is authorized to sign the return on behalf of the taxpayer.

Any person paid to prepare the return (other than an authorized officer, fiduciary, or a person who is a regular employee of the taxpayer, such as a clerk, secretary, or bookkeeper) must provide a signature, date the return, and write the preparer's taxpayer identification number. If the preparer is an employee or partner of a firm or corporation, the preparer

must also provide the firm's name, address, and instead of the preparer's taxpayer identification number, the preparer must provide the firm's FEIN. Self-employed preparers must provide their own name, address, and taxpayer identification number in the appropriate spaces.

Can a reasonable facsimile be used?

In general, you must obtain and use forms prescribed by the Illinois Department of Revenue. Separate statements not on forms provided or approved by the department will not be accepted and you will be asked for appropriate documentation. **Failure to comply with this requirement may result in failure to file penalties, delay the processing of your return, or generating any refund.** Additionally, failure to submit appropriate documentation when requested may result in a referral to our Audit Bureau for compliance action.

Exempt organizations must complete Form IL-990-T-X. Do not send a computer printout with line numbers and dollar amounts attached to a blank copy of the return. Computer generated printouts are not acceptable, even if they are in the same format as the department forms. Computer generated forms from a department-approved software developer are acceptable.

What are the penalties and interest?

Penalties — You will owe

- a **late-filing penalty** if you do not file a processable return by the extended due date;
- a **late-payment penalty** if you do not pay the tax you owe by the original due date of the return;
- a **bad check penalty** if your remittance is not honored by your financial institution;
- a **cost of collection fee** if you do not pay the amount you owe within 30 days of the date printed on your bill.

Interest — The interest rate is the "short-term federal rate" for the first year that the overpayment or underpayment accrues interest. This rate is set by the IRS under IRC Section 6621. After one year, interest will accrue on any remaining balance at the underpayment rate, which is also set by the IRS under IRC Section 6621, and is three percent higher than the short-term federal rate.

What if I need additional assistance or forms?

If you need additional assistance,

- visit our web site at tax.illinois.gov;
- write to us at **P.O. Box 19044, Springfield, Illinois 62794-9044**;
- call our Taxpayer Assistance Division at **1 800 732-8866 or 217 782-3336**; or
- call our telecommunications device for the deaf at **1 800 544-5304**.

Note For more information about penalties and interest, see Publication 103, Penalties and Interest for Illinois Taxes. To receive a copy of this publication, see "What if I need additional assistance or forms?" for our phone numbers and addresses.

What must I attach to my Form IL-990-T-X?

This form must contain a complete explanation of the reasons for filing the claim or amendment. You **must** attach proof of the federal finalization date and any required schedules or forms to support your claim. If Form IL-990-T-X is submitted without the proper attachments it may be partially or totally denied.

If you are filing Form IL-990-T-X because

- you filed an amended federal return and your tax due to Illinois decreases, you must attach proof of the federal finalization date, include a copy of that form, plus any other related forms, schedules, or attachments, including a signed and dated copy of any federal report of income tax examination changes, if applicable.
- you filed an amended federal return and your tax due to Illinois increases, you must attach proof of the federal finalization date, including a signed and dated copy of any federal report of income tax examination changes, if applicable, showing the change was reported to Illinois within 120 days of IRS acceptance, or you may be assessed a late-payment penalty.
- of a change by the IRS, you must include all copies of the federal examining officer's reports, including preliminary, revised, corrected, and superseding reports, and a signed and dated copy of any federal report of income tax examination changes, if applicable.
- you copied information incorrectly from your federal Form 990-T onto your Form IL-990-T, you must include a copy of your federal Form 990-T.
- of a change in, or audit of, another state's tax return, you must include a copy of the other state's corrected return or the examining officer's reports.
- of changes, other than those described above, see Form IL-990-T Instructions and any schedules for the year you are changing to determine what attachments you must provide.

If you need additional forms or schedules,

- visit our web site at tax.illinois.gov;
 - call our 24-hour Forms Order Line at **1 800 356-6302**; or
 - write to us at **P.O. Box 19010, Springfield, Illinois 62794-9010**.
- Our office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday.

Specific Instructions

For instructions regarding completion of Steps 1, and 3 through 6, refer to the Form IL-990-T Instructions and schedules for the year being amended.

Specific instructions for most of the lines are provided on this page. Lines that are not discussed in the instructions are self-explanatory.

Write the tax year you are amending in the space provided at the top of Form IL-990-T-X.

Step 1: Identify your exempt organization

A — All taxpayers: Type or print your legal business name. If you have a name change from your original return, check the corresponding box.

B — Complete Line B and check the corresponding box **only** if you have an address change from your original return. **Do not complete Line B** if the information is the same as last year.

D — Check the appropriate box for the reason you are filing this return. If you are amending due to a federal change, you **must** check the appropriate box for partial agreed or finalized, and include the date of IRS finalization, **not** the date the federal change was filed. Please attach a dated copy of the federal examining officer's report. If you do not provide this date, you may be assessed penalties and interest.

E — Check the box if you are taxed as a corporation.

F — Check the box if you are taxed as a trust.

G — If you are entitled to take income tax credits on Step 6, Line 22, you must check the box on Line G, and attach Illinois Schedule 1299-D, Income Tax Credits. If you have earned credits in this tax year, but are unable to use them, you must still complete and submit Illinois Schedule 1299-D and show the credits you have earned.

Step 2: Explain the changes on this return

The purpose of Step 2 is to allow you to explain the specific changes you are making to your Illinois tax return. You should include all relevant information, including, but not limited to, changes made to

- specific addition and subtraction modifications,
- credit or credit recapture amounts,
- the federal or other state return that caused changes to the Illinois return.

You must provide an explanation for each line item you change.

General Information for Steps 3 through 6

Column A — Write the amounts from your most recently filed return or adjusted return for the year that you are amending. This may be your original Form IL-990-T or a previously amended or audited return.

Column B — Write the correct amount for each line in Column B.

For each line item you change, you must provide an explanation for that change in Step 2.

Step 3: Figure your base income or loss

Lines 1 and 2 — List each item and the amount on the line provided. Refer to your Form IL-990-T, Step 3, Specific Instructions, for the year being amended.

Line 3 — This is your base income or loss. If your base income or loss is derived only from inside Illinois or if you are an Illinois resident trust, write this amount on Step 5, Line 12, and complete the rest of the return. If your base income or loss is derived inside and outside Illinois and you are not an Illinois resident trust, continue to Step 4 and complete the rest of the return.

Step 4: Figure your income allocable to Illinois

Complete Step 4 only if you originally completed this step, or you need to make a change that affects your base income or loss allocable to Illinois. Refer to Form IL-990-T, Step 3, Specific Instructions, for the year being amended.

Step 5: Figure your net replacement tax

Follow the instructions on the form. Be sure to attach any required schedules or forms.

Line 14 — See Illinois Schedule 4255, Recapture of Investment Credits, for more information. You must attach Illinois Schedule 4255 if you have an amount on this line.

Line 16 — See Form IL-477, Replacement Tax Investment Credits, for more information. You must attach Form IL-477 if you have an amount on this line.

Step 6: Figure your net income tax

Follow the instructions on the form. Be sure to attach any required schedules.

Line 20 — See Illinois Schedule 4255 for more information regarding the recapture of investment credits. You must attach Illinois Schedule 4255 if you have an amount on this line.

Line 22 — See Illinois Schedule 1299-D for more information regarding income tax credits. If you have an amount on this line, attach Illinois Schedule 1299-D and check the box in Step 1, Line G.

Step 7: Figure your refund or balance due

Line 30 — Write the total amount of any subsequent tax payments you made with a previously filed Form IL-990-T-X, or for any other reason (e.g., responding to a bill). Do not include any penalty and interest you previously paid.

Line 32 — Write the total amount of any overpayment, credit, or refund (whether received or not) reported on your previously filed Form IL-990-T or Form IL-990-T-X. Do not include any interest that you received.

Line 34 — Follow the instructions on the form. We will calculate any interest that may be due you and include it in your refund check. Any refund may be reduced to satisfy any outstanding liability.

Note → Overpayments from Form IL-990-T-X cannot be credited to next year's return, unless this return is filed before the extended due date of the original return.

Also, we are not required to credit your overpayment against any other liability at your request. If you have not made previous arrangements with us to credit your overpayment against another liability, and we refund your overpayment or credit it against a different liability, you may incur additional penalties and interest on your liability.

Line 35 — Follow the instructions on the form. This is your amount of tax due that must be paid in full if \$1 or more. Make your check or money order payable to **"Illinois Department of Revenue"** and **attach to the first page of this form**. We will compute any penalty or interest due and notify you.

Note → We will apply all payments against tax first, penalty second, and interest third.

Lines 36 through 38 — We will bill you for penalties and interest. If you prefer, you may calculate the penalties you owe on Form IL-2220, Computation of Penalties for Businesses, and write these amounts on the lines provided. For more information see "What are the penalties and interest?" and Publication 103, Penalties and Interest for Illinois Taxes. **If you calculate penalty and interest, be sure that your payment is equal to the amount on Line 38.**

Note → Lines 36 and 37 are applicable only if you wish to self-assess late-filing and late-payment penalties on Form IL-2220. If you do not wish to complete Form IL-2220, we will compute any penalty or interest due and notify you.

If you have a balance due on Lines 35 or 38, be sure to **write the amount you are paying on the top of Page 1 of the Form IL-990-T-X**.