

# WEST VIRGINIA SPECIAL DISTRICT EXCISE RETURN INFORMATION & INSTRUCTIONS

## GENERAL INSTRUCTIONS

The Special District Excise Return is used to report or amend special district excise taxes in West Virginia on tangible personal property, custom software, taxable services and exempt sales. Sales subject to the special district excise tax are exempt from the consumers sales and services tax.

Anyone who collects and remits special district excise tax must file a Special District Excise Return. This form is not used to report West Virginia Sales or Use Tax. You may have to file both a Special District Excise Return and a West Virginia Sales and Use Tax Return.

The completed form and remittance of the special district excise tax is due on or before the 20<sup>th</sup> day of each month for the prior month.

The form must be filed when due even if the taxpayer has no tax to report.

The West Virginia State Tax Department encourages all taxpayers to file and pay electronically. Taxpayers paying more than \$50,000 in the prior tax year are required to file and pay electronically. On January 1, 2014, the threshold decreases to \$25,000 and on January 1, 2015, the threshold decreases to \$10,000.

To file or pay online go to [tax.wv.gov](http://tax.wv.gov) and click on E-services or MyTaxes. You may also go directly to [www.MyTaxes.wvtax.gov](http://www.MyTaxes.wvtax.gov).

Both Automated Clearing House (ACH) credit and ACH debit payments are accepted. ACH credits are initiated by the taxpayer through their financial institution. ACH debits are initiated by the Tax Department based on information provided to the Department by the taxpayer through on-line filing applications at MyTaxes.

Paper returns and payments by check are mailed to:

West Virginia State Tax Department  
Tax Account Administration Division  
PO Box 1826  
Charleston, WV 25338-3802

All filers must keep a copy of returns, attachments and supporting documents for at least three years after the tax is paid or due, whichever is later.

For tax information or assistance call:

(304) 558-3333 or 1-800-982-8297  
Monday – Friday: 8:00 a.m. – 5:00 p.m. EST  
Or visit our website: [tax.wv.gov](http://tax.wv.gov).

## SOURCING OF SPECIAL DISTRICT EXCISE TAX

Only those sales and services made to customers within the Economic Opportunity Development District, by businesses physically located within the district are subject to the special district excise tax. Sales and services rendered to customers outside the district are subject to the consumers sales and services tax.

**Example 1** – Company A is physically located within a district. Company A sells tangible personal property within the district. This sale is subject to the special district excise tax. The sale is not subject to the consumers sales and services tax.

**Example 2** – Company A is physically located within a district. Company A sells tangible personal property but delivers the tangible personal property to a location outside the district. The sale is not subject to the special district excise tax. The sale is subject to the consumers sales and services tax.

**Example 3** – Company A is physically located outside the district. Company A sells tangible personal property to a customer located within the district. The sale is not subject to the special district excise tax. The sale is subject to the consumers sales and services tax.

## CONFORMITY WITH THE MUNICIPAL SALES AND SERVICE TAX

Sales made and services rendered partly within a district and a municipality that imposes a municipal sales and service tax authorized under WV Code §8-1-5a and §8-13C-1, et. seq., are subject to both the special district excise tax and the municipal sales and services tax.

The taxpayer should remit the special district excise tax and is also required to remit the municipal sales tax. The taxpayer should remit the municipal sales tax on the West Virginia Sales and Use Tax Return (WV/CST-200CU).

## COMPLETING THE WEST VIRGINIA SPECIAL DISTRICT EXCISE RETURN

Paper filers: Your return will be electronically scanned. Use only **BLACK** ink and send the original return only. Do not send a photocopy.

Please print your numbers like this: 0 1 2 3 4 5 6 7 8 9  
Do not use: 0 7

If you do not have a tax account number assigned by the

Tax Department, use your federal employer identification number (FEIN) or social security number. Fill in your legal and business names, address and period covered by the return.

For returning filers, verify that the tax account number, name, address and reporting period entered are correct. To change or update your information use form BUS-RBL, "Reissuance of Business Registration Certificate" found at [tax.wv.gov](http://tax.wv.gov).

Check "Amended" if filing an amended return.

If you have no entry for a line, leave the line blank except on the first page. If you have no tax to report on this return, enter a "0" on lines 6, 9 and 17 like this:

6	0 ■
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## **PART I. SPECIAL DISTRICT EXCISE TAX**

**Line 1. Total sales.** Enter the total amount of all sales. Do not include the tax collected; do not reduce the amount on this line for sales returns and allowances; and do not include sales of wine and liquor to private clubs. Sales of wine and liquor to private clubs is to be reported on the West Virginia Sales and Use Tax Return (WV/CST-200CU).

**Line 2. Sales for which you received an exemption certificate or direct pay permit number.** Enter sales where an exemption certificate or direct pay permit number was accepted.

**Line 3. Sales of food and food ingredients.** Enter sales of food and food ingredients that are exempt from state sales tax. Do not include sales of soft drinks, prepared foods or sales from vending machines. Such sales are reported on line 1. Do not include sales of food purchased with an EBT card.

**Line 4. Other deductions/exemptions.** Enter the total of all other exemptions for which an exemption certificate or direct pay permit was received.

- Trade-in allowances and cash discounts on taxable sales if the total sale amount is reported on line 1.
- Refunds or credits for returned merchandise, if the sale of such merchandise was reported as a taxable sale on a prior return or on this return and the tax was refunded to the purchaser.
- Bad debts on taxable sales, charged off for income tax or franchise tax
- All other exemptions.

**Line 5. Total deductions and exemptions.** Add lines 2 through 4 and enter total on line 5. If line 1 is greater than line 5, go to line 6. If line 5 is greater than line 1, go to line 7.

**Line 6. Sales subject to tax.** Multiply line 6 by the sales tax rate of 0.06 found on line 8 and enter the amount on line 9, **Tax due.** The total on line 9 will also be entered on line 13 of the return. Go to Part II.

**Line 7. Sales subject to tax credit.** Multiply line 7 by the sales tax rate of 0.06 found on line 8. Enter the amount on line 10. This is the amount you may designate to receive as a refund on line 11, Total refund or as a credit on line 12, Credit due.

**Line 9. Total amount of Tax Due.** Enter the amount of this line on line 13 of Part II.

**Line 10. Total amount of Credit of Tax.** This is the amount you may designate to receive as a refund or a credit to be taken on the next monthly return.

**Line 11. Total Refund.** To obtain a refund, enter the total from line 10.

**Line 12. Total Credit.** To take a credit on the next monthly return, enter the total from line 10.

## **PART II. TOTAL AMOUNT DUE**

**Line 13. Total tax.** Enter amount from line 9 (If line 10 is greater than line 9, enter 0.00).

**Line 14. Excess tax collected.** Enter any tax collected in excess of line 13.

**Line 15. Interest** must be added to any tax due that is not paid by the due date of the return even if an extension of time for filing has been granted. Interest is due from the due date until the date the tax is paid. The interest rate is set by the Tax Commissioner every six months. You may find the rate in Administrative Notices on the web site: [tax.wv.gov](http://tax.wv.gov). The annual rate will not be less than 9.5%.

**Line 16. Additions to tax** may be imposed for the late filing of a return and for the late payment of tax unless reasonable cause is shown for the delay. The addition for late filing is 5% of the tax due for each month, or part of a month, up to a maximum of 25%. The addition for late payment is 0.005 (1/2 of 1%) of the unpaid balance for each month or part of a month that the tax remains unpaid, up to a maximum of 25%.

**Line 17. Total amount due.** Add lines 13 through 16 and enter the total amount due with the return.

## **PART III. SIGN YOUR RETURN**

It is important to include all information, including contact name and phone number, requested in Part III. Your return is not complete until it is signed.