Utah State Tax Commission Tax and Revenue





Utah State Tax Commission

Monthly webinars of various tax topics.

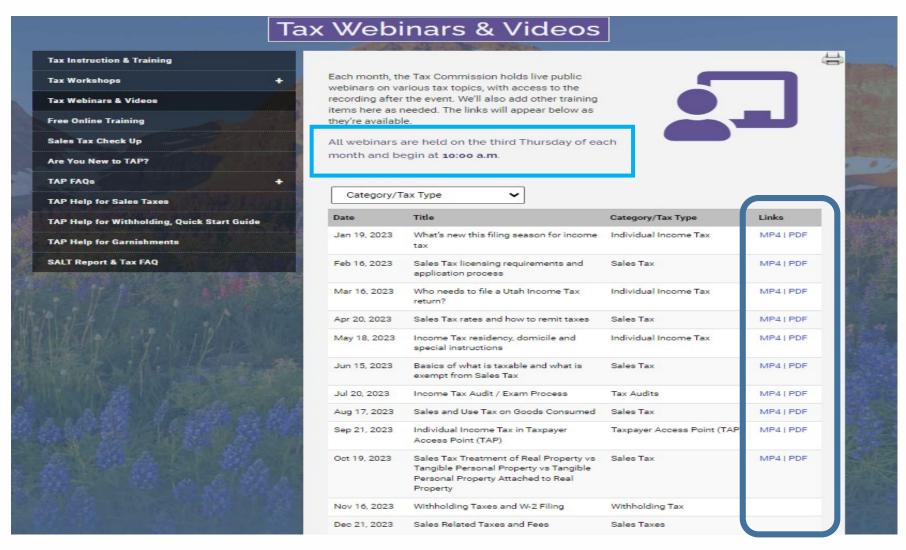
➤ Ability to access the recording and presentation after the event.

> Free to all attendees.



Utah State Tax Commission Monthly Webinars

tax.utah.gov/training/webinars





Withholding Taxes and W-2 Filings





General Withholding Information

What is withholding tax?

Why is there a withholding tax?

Who must withhold Taxes?



What is Withholding Tax?

- Your employee's money you remit to the state for them.
- A prepayment towards the employee's income tax
 - Employer withholds from wages or income paid
 - Employer sends the funds to the Tax Commission
 - We apply the funds to employee's annual income taxes



What is Withholding Tax?

Withholding is a Trust Fund Tax

- Your employee is trusting you to forward their withholding tax to the state.
- Employers may never use the withholding tax for personal use.



Why is there a Withholding Tax?

The withholding tax system:

 Helps Utah employees save enough money to cover their annual Utah income tax liability.



Who Must Withhold Taxes?

An employer who:

- Pays wages to any employee for work done in Utah
- Pays wages to a Utah resident employee for work done outside of Utah
 - May reduce Utah tax amount by taxes withheld for other state
- An exception may apply for employers of the spouses of military personnel.





Exception to Utah Withholding

Effective January 1, 2023

Excludes a non-resident individual's wages from being considered Utah source income if for the taxable year:

- The nonresident individual has no other Utah source income.
- The nonresident individual is present in Utah to perform employment duties for 20 or fewer days.
- The nonresident individual's state of residence does not impose an individual income tax or provides Utah residents a substantially similar exclusion.

This exclusion does not apply to:

- A professional athlete
- A professional entertainer or performer
- A person of prominence who performs services on a per event basis
- A real property construction service provider
- A key employee under IRC Section 416(i)



Registration and Filing



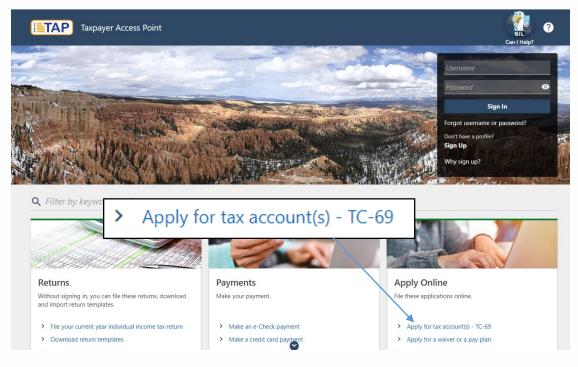
If You Haven't Registered

Register online with
Department of Commerce and
Tax Commission
corporations.utah.gov





If you have already registered your business, apply online at tap.utah.gov





TC-69 Paper Application

TC-69



Utah State Business and Tax Registration

Rev. 8/22

tax.utah.gov

Use form TC-69 to register with the Utah State Tax Commission for the taxes listed below. Read the instructions on the last page carefully before filling it out.

You can register your business online!

Utah State Tax Commission

- tap.utah.gov Taxpayer Access Point. For faster processing, register online. Tax Commission only.
- . osbr.utah.gov OneStop Business Registration. Register your business with the Tax Commission, Department of Commerce, Department of Workforce Services and select cities, all in one place.
- · corporations.utah.gov Register, renew or update your business or business name with the Department of Commerce. No Tax Commission services available here.

on 1 – Type of Registration		
heck each box that applies	Attach Schedule	Click the schedule name
Employer Withholding License	TC-69WTH	download the form.

a.	Ch	eck each box that applies	Attach Schedule
		Employer Withholding License	TC-69WTH
		Mineral Production Withholding	TC-69WTH
		Sales and Use Tax License	TC-69STC
		Cable Operator or Multi-Channel Video or Audio Service Provider	TC-69STC
		Natural Gas or Electricity Purchases for Resale or Transportation	TC-69STC
		Fuel Tax License (motor fuel, special fuel, aviation fuel, hydrogen, environmental assurance fee, CNG, LNG)	TC-69FUEL
		International Fuel Tax Agreement	TC-69FUEL
		Special Fuel User	TC-69FUEL
		Cigarette, Tobacco, Nicotine, E-Cigarette License	TC-69TOB
		□ Cigarette Stamper*	TC-69TOB
		□ Tobacco Products Distributor*	TC-69TOB
		 E-cigarette Products / Nicotine Products* 	TC-69TOB
		Out of State Cigarette/Tobacco PACT Act Delivery Shipper*	TC-69TOB
		Beer Tax (distributor/manufacturer only)	TC-69MSC
		Insurance Premium	TC-69MSC
		Self-Insured Employer	TC-69MSC
		Mining Severance	TC-69MSC
		Oil & Gas Conservation and Severance	TC-69MSC
		Radioactive Waste	TC-69MSC
		Payroll Service or Third Party Preparer	N/A

USTC Use Only

 In order to register for a cigarette, tobacco, nicotine or e-cigarette license, you must have a Sales and Use Tax license. If you do not already have one, also mark the Sales and Use Tax License checkbox and attach TC-69STC

1b. Previous or existing accounts: Enter all previous or existing Utah tax account numbers for all owners, officers, members, trustees and partners:

→ If you purchase a business, have the seller provide you with a letter from the Tax Commission stating no sales and use tax is due, or withhold enough of the purchase money to pay all taxes. You will be held personally liable for the seller's unpaid sales and use tax, including all sales-related taxes, if neither of these conditions is met (Utah Code §59-12-112).

Sales, withholding and fuel tax licenses are conditional. If an applicant or a fiduciary (officer, member, owner) has a history of filing or paying late, the applicant must resolve past delinquencies and may be required to post a bond. Fuel tax bonds may be combined into one bond, and the amount will be the sum of the required amounts for each fuel tax type. There is an exception to the bond requirement for aviation fuel only; the exception exists if the monthly average tax liability is less than \$500 and retail sales of aviation fuel are made to both federally certificated air carriers and other persons.

TC-69 Schedule WTH **Employer or Mineral Production Withholding**

TC-69WTH Rev. 6/19

EIN/SSN:

Fill out the section(s) that apply. Attach this schedule to your TC-69 form to register either of the following:

- Employer Withholding license
- Mineral Production Withholding

Print Form	Clear form
------------	------------

Section 1 - Employer Withholding

1a. When will you start paying wages?

Month	Day	Year

1b. Estimate the amount of Utah wages you expect to pay in a calendar year:

- \$16.000 or less
- \$16,001 \$200,000
- \$200,001 or more

1c. Annual Filing Option

Will you file employment taxes on Schedule H of your federal income tax return (Form 1040)?

☐ Yes
☐ No

Will you file form 944, Employer's Annual Federal Tax Return?

If yes, attach a copy of the IRS notification letter authorizing annual filing.

Section 2 - Mineral Production Withholding

2a. When did you start making mineral production payments?





Filing Frequency

Se	ction 1 – Employer Withholding
1a.	When will you start paying wages?
	Month Day Year
1b.	Estimate the amount of Utah wages you expect to pay in a calendar year: \$\textstyle=\frac{16,000 \text{ or less}}{16,001 \text{ - \$200,000}}\$ \$\text{200,001 \text{ or more}}\$
1c.	Annual Filing Option Will you file employment taxes on Schedule H of your federal income tax return (Form 1040)?
	□ Yes □ No
	Will you file form 944, Employer's Annual Federal Tax Return?
	☐ Yes ☐ No If yes, attach a copy of the IRS notification letter authorizing annual filing.

Your answers determine:

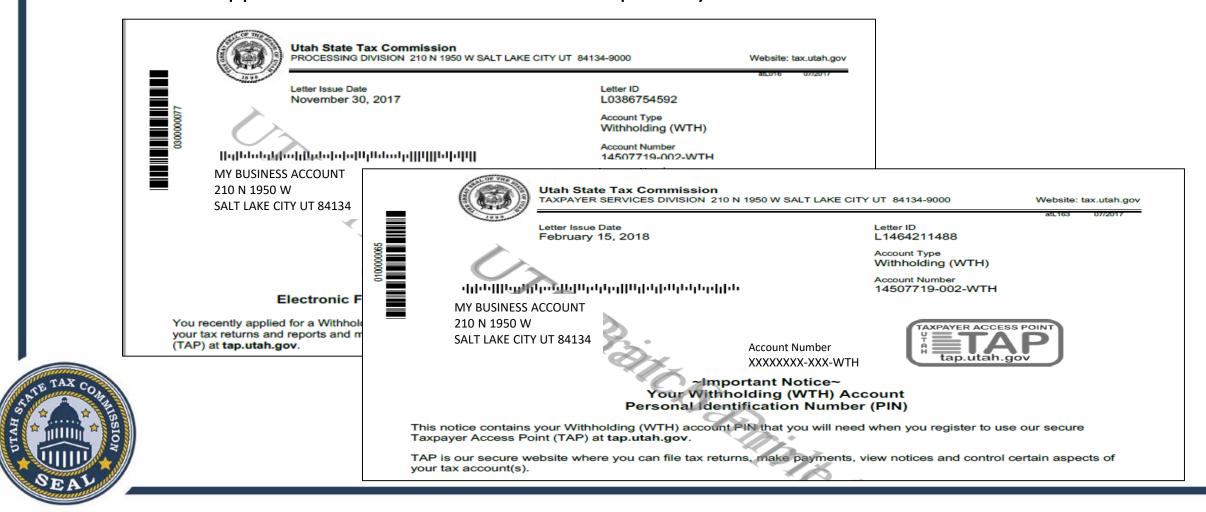
- When your first return is due
- How often you pay
- Accounts are reviewed annually



All accounts are set up as quarterly or annual filers. If you have over \$12,000 of Utah withholding per year you are required to pay monthly.

Account Info & TAP PIN Letter

Applications submitted with an email address will receive email notification when approved. PIN letter will be mailed separately.



Calculating Withholding



Calculating Withholding

Form W-4 Department of the Till Internal Revenue Se	reasur	Complete Form W-4 so that your employed Give Fo	Withholding Certificate or can withhold the correct federal income tax from your or mw-4 to your employer. The subject to review by the IRS.	pay.	OMB No. 1545-0074
Step 1:	(a)	First name and middle initial	Last name	(b) S	ocial security number
Enter					
Personal	Add	ress			your name match the on your social security
Information	Cibr	or town, state, and ZIP code			If not, to ensure you get for your earnings.
	City	or town, state, and ZIP code		conta	ct SSA at 800-772-1213
				or go	to www.ssa.gov.
	(c)	Single or Married filing separately			
		Married filing jointly or Qualifying surviving	•		
		Head of household (Check only if you're unma	rried and pay more than half the costs of keeping up a home for you	urself a	nd a qualifying individual
		om withholding, other details, and privac	se, skip to Step 5. See page 2 for more information cy. re than one job at a time, or (2) are married filing join		
Multiple Job	s	also works. The correct amount of wi	thholding depends on income earned from all of the	ese jo	bs.
or Spouse		Do only one of the following.			
Works		(a) Reserved for future use.			
		(b) Use the Multiple Jobs Worksheet	on page 3 and enter the result in Step 4(c) below; of	or	
			u may check this box. Do the same on Form W-4 for than (b) if pay at the lower paying job is more than s more accurate	half o	of the pay at the
		TIP: If you have self-employment inco	ome see page 2		

- You should obtain this form from each of your employees and maintain it in your records to determine how much to withhold.
- Do not send to IRS or Tax Commission unless requested.

Note: Utah does NOT have a separate W-4 form equivalent.



Withholding Tables – Pub 14

Withholding Tables are based off pay period frequency and marital status.

Single	WEEKLY Payroll Pe	riod (52 pay periods per year) Married	
Utah taxable wages		Utah taxable wages	
2. Multiply line 1 by .0495 (4.95%)		2. Multiply line 1 by .0495 (4.95%)	
3. Base allowance	7	3. Base allowance	14
4. Line 1 minus \$137 (not less than 0)		4. Line 1 minus \$274 (not less than 0)	
5. Multiply line 4 by .013 (1.3%)		5. Multiply line 4 by .013 (1.3%)	
6. Line 3 minus line 5 (not less than 0)		6. Line 3 minus line 5 (not less than 0)	
7. Withholding tax line 2 minus line 6 (not less than 0)		7. Withholding tax line 2 minus line 6 (not less than 0)	
Utah Schedule 2 Single 1. Utah taxable wages		Period (26 pay periods per year) Married	
		1 Litah tayahla waras	
2 Multiply line 1 by 0495 (4.95%)		Utah taxable wages Multiply line 1 by 0495 (4 95%)	
2. Multiply line 1 by .0495 (4.95%) 3. Base allowance	14	Utah taxable wages Multiply line 1 by .0495 (4.95%) Base allowance	28
	14	2. Multiply line 1 by .0495 (4.95%)	28
3. Base allowance	14	2. Multiply line 1 by .0495 (4.95%) 3. Base allowance	28
Base allowance Line 1 minus \$274 (not less than 0)	14	2. Multiply line 1 by .0495 (4.95%) 3. Base allowance 4. Line 1 minus \$548 (not less than 0)	28



Example 1 - Use Schedule 1, Weekly/Single Ex

Payroll period	Weekly		
Marital status	Single		
Utah Taxable Wages	\$400		
Utah taxable wages			400
2. Multiply line 1 by .0495 (4.		20	
3. Base allowance	7		
4. Line 1 minus \$137 (not les	263		
5. Multiply line 4 by .013 (1.3	3		
6. Line 3 minus line 5 (not less than 0)			
7. Withholding tax - line 2 mi	nus line 6		16

Example 4 - Use Schedule 4, Monthly/Married

	1, 111011111		
Payroll period	Monthly		
Marital status	Married		
Utah Taxable Wages	\$2,500		
 Utah taxable wages 			2,500
2. Multiply line 1 by .0495 (4.95%)			124
3. Base allowance		60	
4. Line 1 minus \$1,188 (not less than 0)			
5. Multiply line 4 by .013 (1.3%)			
6. Line 3 minus line 5 (not les	43		
7. Withholding tax - line 2 mir	nus line 6		81

Withholding Tables – Pub 14

Utah Withholding Tables
Note: Use the Single column for taxpayers who file as head-of-household on their federal return.

Weekly and Biweekly Payroll Periods

T.T. 4 TT 7	TABLE 1	**************************************	_
UIAHI	TABLE 1	WEEKLY Payroll Period (52 pay periods per year)	
		E. 1	
If UT taxable wages are -		Find wages in "If UT taxable wages are" columns.	
		This is amount to withhold. Weekly	-
at	but		
least	less than	Single Married \$0	\$0
\$0 96	\$96	\$0 0	
129		ŏ	0
162		1	0
194		4	0
227		6	0
260		8	0
292		10	0
325		12	2
358		14	4
390		16	6
423		18	8
456		20	10
488		22	12
521	554	24	14
554		26	16
587	619	28	18
619	652	30	20
652	685	32	22
685	717	34	24
717	750	36	26
750		37	28
783		39	30
815		40	32
848		42	34
881	913	44	36
913		45	38
946		47	40
979	-3	48	42
1,012		50	44
1,044		51	46
1,077	1,110	53	48

UTAH TA	ABLE 2	BIWEEKLY Payroll Period (26 pay periods per year)		
70 777		Find wages in "If UT taxable wages are" columns.		
If UT taxable wages are-		This is amount to withhold.		
at	but	Biweekly		
least	less than	Single Married		
\$0	\$192	\$0	\$0	
192	258	0	0	
258	323	0	0	
323	388	3	0	
388	454	7	0	
454	519	11	0	
519	585	15	0	
585	650	19	0	
650	715	23	4	
715	781	27	8	
781	846	31	12	
846	912	35	16	
912	977	39	20	
977	1,042	43	24	
1,042	1,108	47	28	
1,108	1,173	51	32	
1,173	1,238	55	36	
1,238	1,304	59	40	
1,304	1,369	63	44	
1,369	1,435	67	48	
1,435	1,500	71	52	
1,500	1,565	74	56	
1,565	1,631	78	61	
1,631	1,696	81	65	
1,696	1,762	84	69	
1,762	1,827	87	73	
1,827	1,892	90	77	
1,892	1,958	93	81	
1,958	2,023	97	85	
2,023	2,088	100	89	
2,088	2,154	103	93	
2,154	2,219	106	97	

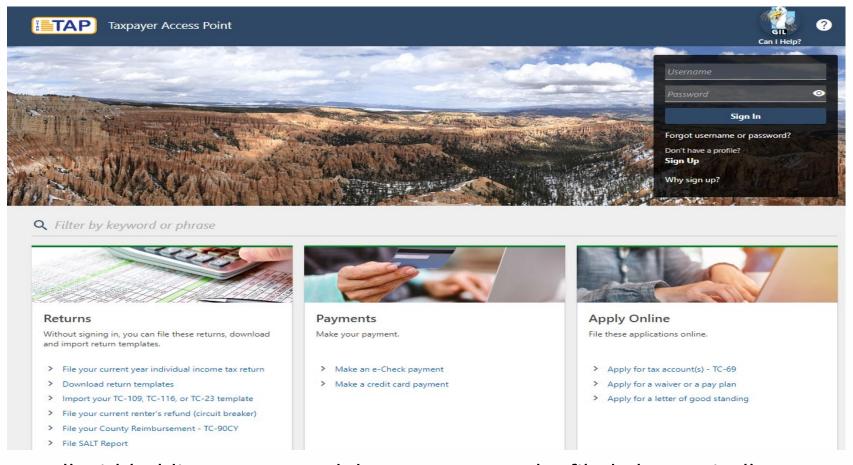


Filing Returns



Taxpayer Access Point (TAP)

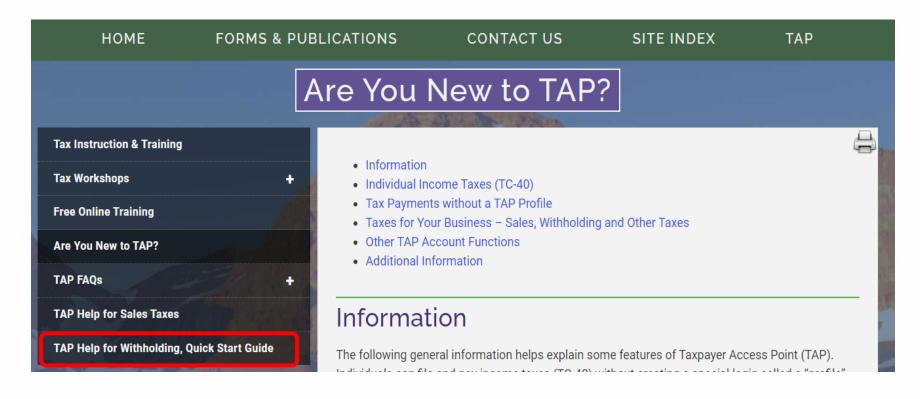
tap.utah.gov





- All withholding returns and documents must be filed electronically on TAP.
- Paper returns are not allowed.
- Must have a valid WTH account before filing.

Step-By-Step Filing Guide





https://tax.utah.gov/training/tap-new#business

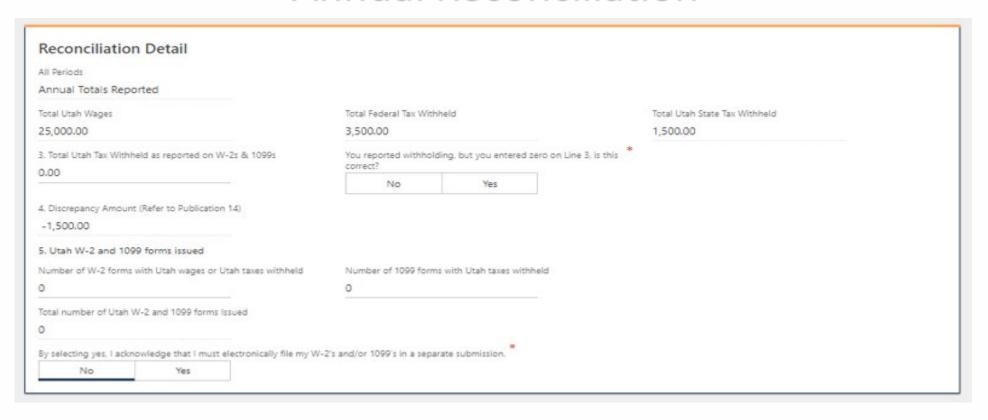
Quarterly Return



- 1. Utah wages, compensation, and distributions.
- 2. Federal tax withheld.
- 3. Utah tax withheld.



Annual Reconciliation



- Annual Reconciliation detail is combined with 4th quarter return.
- Year end wage and withholding detail is required.
- Number of W-2s issued is required.
- Can file 4th quarter with year end totals anytime during the year if business closes.



Zero Returns

- Required to file a return even if you don't have any wages or withholding to report.
- File return with zero's.
- Tax Commission will estimate your tax and assess penalties and interest if you don't file a zero return.



Submitting W-2's on TAP

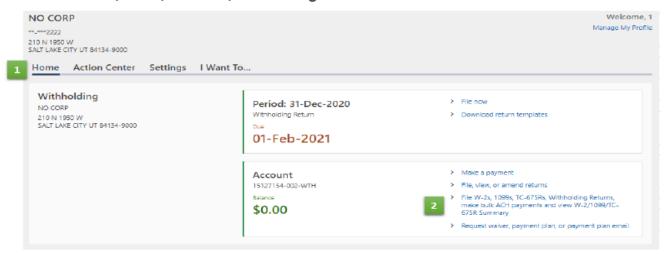
QUICK START GUIDE

Taxpayer Access Point (TAP)

File W-2s, 1099s, TC-675Rs, Withholding Returns

Employers and Mineral Producers are required to submit copies of their withholding forms electronically by January 31. All W-2s, 1099s (with Utah tax withheld), TC-675Rs, TC-941E/M, TC-941/941Rs must be filed electronically on TAP.

- Click the Home link to see your TAP dashboard.
- Click File W-2s, 1099s, TC-675Rs, Withholding Returns link.





W-2 step-by-step filing guide at tax.utah.gov/training for all methods (manual entry, excel upload, fixed length file upload).

Submitting W-2's on TAP

Withholding Actions

W-2 / W-2C

1099

TC-675R

TC-941E / 941M (Filing periods 2018 and after)

TC-941 / 941R (Filing periods 2017 and prior)

Make Payments

W-2

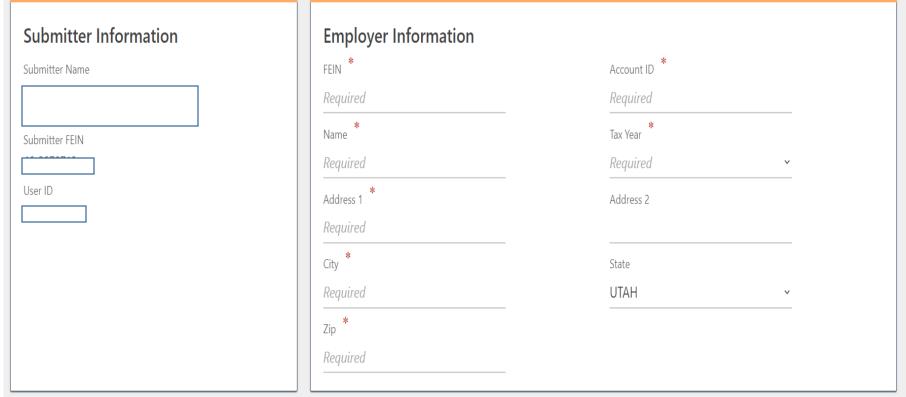
Manual Entry

Excel Import

Fixed Length File Upload (.txt file)



Manual W-2 Entry





Manual W-2 Entry

Instructions

Enter your W-2s in the table below.

If you would like to save the information you have entered and submit later, click the 'Save Draft' button.

Note: Save Draft will not update your account(s).

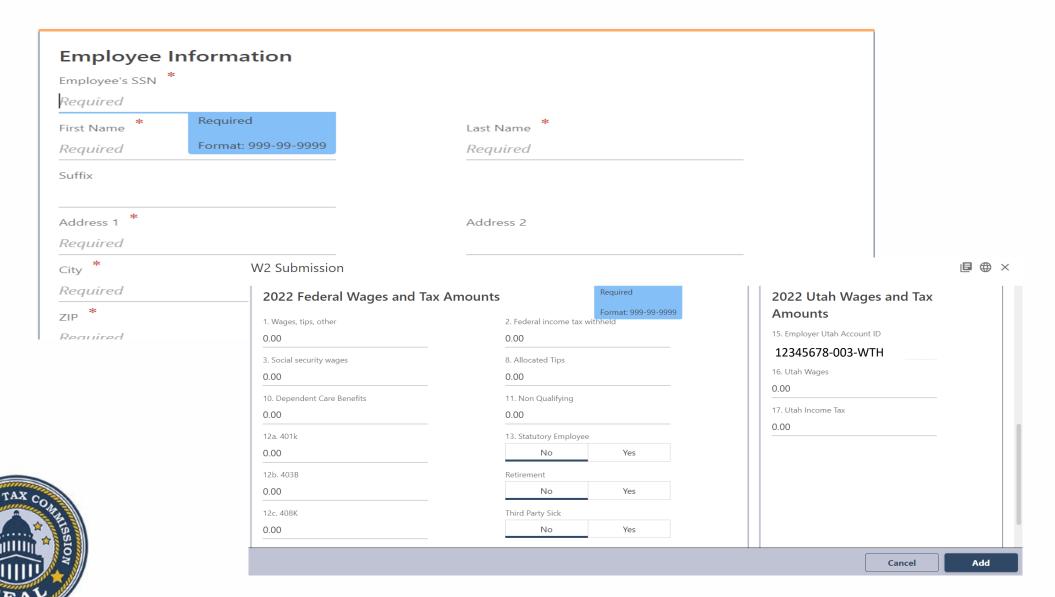
W-2 List

Tax Year Employee's SSN Employee First Name Employee Last Name

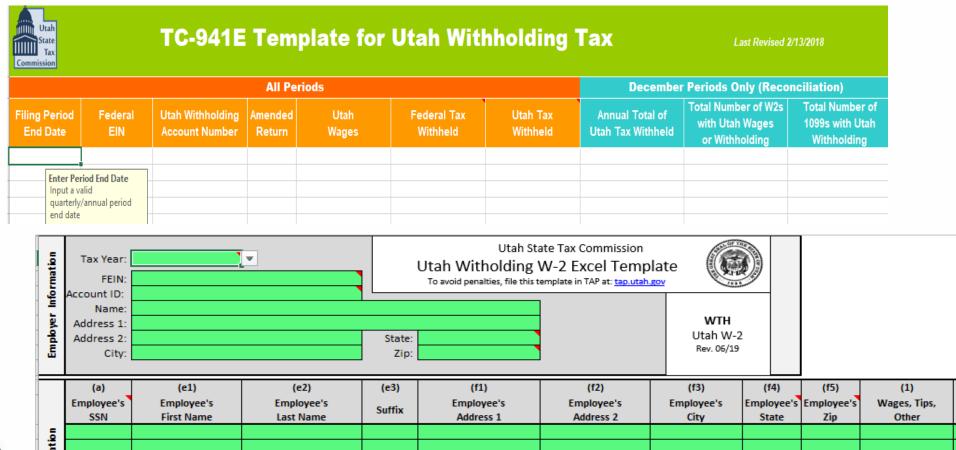
+ Add W-2



Manual W-2 Entry



Excel Template for Quarterly Returns & W-2s





Must use the Tax Commission templates. Up to 200 entries Download from TAP homepage.

W-2s via Fixed length file upload

Online Filing and Paying of Withholding and Mineral Production Taxes:

W-2, W-2c, 1099, TC-675R, TC-941 and TC-941R

General Information

This publication explains how to file and pay Utah withholding and mineral production withholding taxes electronically. Please note:

- You must have a Taxpayer Access Point (TAP) account to file electronically. Register online at taxexpress.utah.gov.
- You must have the File Withholding Returns, W-2s, TC-675Rs & 1099s link (located under I Want To) to submit data for the annual reconciliation process.
- Each withholding form must include your FEIN and Utah withholding account number. We will reject submissions without the correct identification.
- You are required to submit W-2s and required 1099 forms in a fixed length (.txt) file if you have 250 or more to file.
- Your upload files must be text files with a lowercase .txt extension. We will reject all other file types.

Business owner who wants to manage a business's withholding account

To file new and view past returns, forms, correspondence, payment activity, etc., for your **own** withholding tax account, you need your withholding tax account number (ending in WTH) and **either** your Withholding Tax PIN or the tax amount from the last return posted to your account. Choose one of the following options:

- My business account(s) if you are registered with Utah under a Federal EIN; or
- My sole proprietor business account(s) if you are registered with Utah under your Social Security number.

Tax preparer managing a client's tax account

To file returns for your client and to view your client's past returns, correspondence and payment activity, you need

- If using a tax software, typically allows you to save as a .txt file.
- Typically requires a programmer to create file.
- Must follow layout as shown in TI-03 instructions.
- Instructions at tax.utah.gov/withholding.



Filing & Payment Due Dates



Filing Due Dates

What to File

Employers use TC-941E and mineral producers use TC-941M to file all quarterly returns electronically as follows:

Form	Due
1 st Quarter	April 30 th
2nd Quarter	July 31 st
3rd Quarter	October 31st
4th Quarter & Annual Recon (combined with 4th qtr)	January 31st



Note: Employers must also file all required W-2s and 1099's (with Utah tax withheld) electronically by January 31st of each following tax year.

Payment Due Dates

Monthly

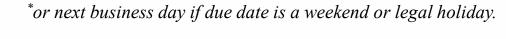
Monthly Filing Period	<u>Due Date</u>
January	February 28 (or 29)
February	March 31
March	April 30
April	May 31
May	June 30
June	July 31
July	August 31
August	September 30
September	October 31
October	November 30
November	December 31
December	January 31

Quarterly

Quarterly Filing Period	<u>Due Date</u>
January-March	April 30
April-June	July 31
July-September	October 31
October-December	January 31

Annually

Annual Filing Period	<u>Due Date</u>
January-December	January 31





See all due dates at: <u>tax.utah.gov/tax-calendar</u>

Payment Options

- Cash (in person only)
- Check or money order
- Online with Taxpayer Access Point (TAP)
 - Debit from a checking or savings account (no fee)
 - Credit Card (a 3% transaction fee applies)











TC-941PC Payment Coupon

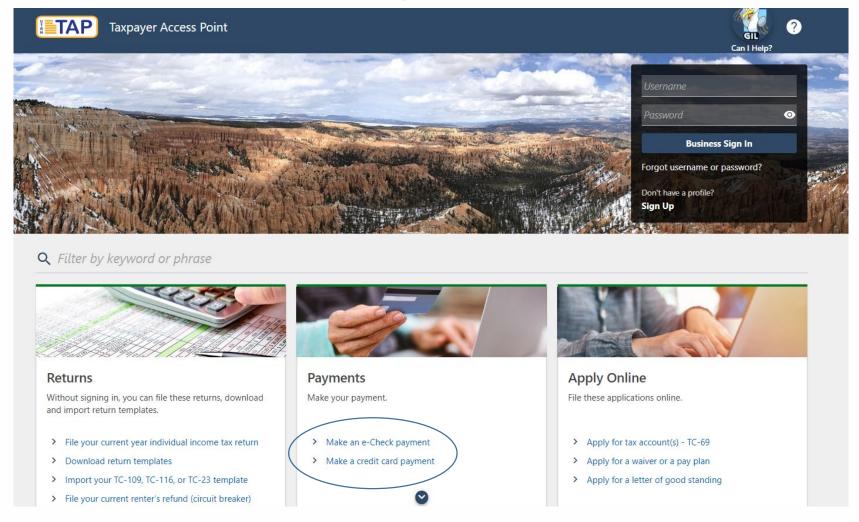
- Be sure you use the correct coupon for the period.
- A Payment Coupon is not required if paying on TAP.
- Can be downloaded at: tax.utah.gov/forms/current/tc-941pc.pdf

TC-941PC Rev. 12/09	Payme	ent Coupon for Utah Withholding Tax, TC-941PC	
Tax Type Withholding	Utah Account ID	Payment Period Ending (mmddyyyy)	Payment Due Date (mmddyyyy) T
Account name:		Amount Paid	Do not send cash. Do not staple check to this coupon. Detach any check stub.

UTAH STATE TAX COMMISSION 210 N 1950 W SLC UT 84134-0100



Payments



- TAX COMMISSION

 SEAL
- Payments can be made without login or with a login.
- E-check payments are free Credit card payments 3% fee

Interest

- Interest is 7% for 2024
- *Rate determined by adding two percentage points to Federal rate
 In Accordance with Utah Code 59-1-402
- Calculated from the date payment was due until payment is received.
- Applies to overpayments, refunds, underpayments and delinquencies.
- Liens may be issued against real and personal property.





Late Payment Penalties

Days Late	Greater of:
1 through 5	\$20 or 2%
6 through 15	\$20 or 5%
16 or more	\$20 or 10%

 Failure to pay full tax amount due on time is subject to penalties.



Late Filing Penalties

Failure to file TC-941E Annual Employer Withholding Reconciliation

• \$50 for a TC-941E if filed more than 14 days late

Failure to file W-2s or required 1099s

- \$30 per W-2/1099 if filed between 15 and 30 days late
 Up to \$75,000
- \$60 per W-2/1099 if filed between 31 days late and June 1
 Up to \$200,000
- \$100 per W-2/1099 if filed after June 1
 Up to \$500,000

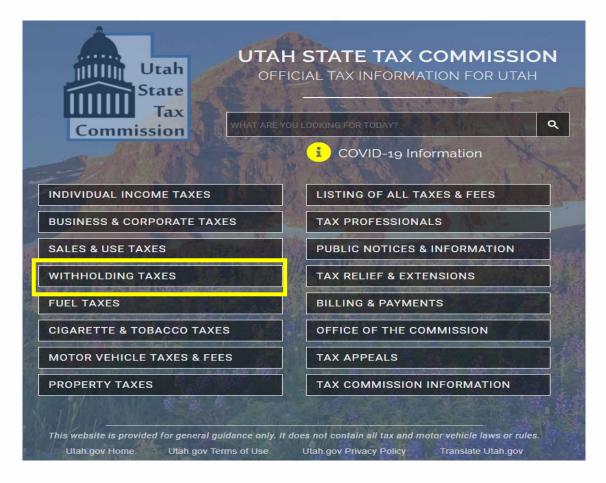


See Publication 58, Interest and Penalties, for details

Penalties NOT retroactive to past tax years

There is no penalty for amending a return even if after the due date.

Additional withholding info is available on the Tax Commission website *tax.utah.gov*





Utah State Tax Commission Resources

Contact Us		
Practitioner Hotline	801-297-7790 or 1-800-662-4335 ext. 7790	
Customer Service – payment processing & liens	801-297-2200 or 1-800-662-4335	
Taxpayer Resources Unit – basic tax questions	801-297-7705 or 1-800-662-4335 ext. 7705	
TAP Support	801-297-3996 or 1-800-662-4335 ext. 3996 Email: tapsupport@utah.gov	
Taxpayer Advocate Service	801-297-7562 or 1-800-662-4335 ext. 7562	
Email	taxmaster@utah.gov	
Online Resources		
Tax Commission Website	tax.utah.gov	
Forms and Publications	tax.utah.gov/forms	
Online Services (TAP)	tap.utah.gov	
Tax Practitioner Information	tax.utah.gov/taxpros	
Individual Income Tax	incometax.utah.gov	
Tax Training	tax.utah.gov/training	



THANK YOU



