

INHERITANCE TAX RETURN - FEDERAL ESTATE TAX CREDIT

For estates with a date of death on or after September 1, 1983

Do not write in space above

Note: Returns are due and tax is payable nine months after date of death.

SECTION I - ESTATE INFORMATION

Decedent's name (Last, first, middle, maiden)		Date of death
County of probate (Enter "NA" if not probated)	Probate case number	Social Security Number ■ 2- - - -

For Comptroller's use only	
T Code	■ 90100
Deposit code	■ 110
Amount	■
Postmark date	

SECTION II - RESIDENCE/DOMICILE INFORMATION (See instructions for definitions)

Check the item that applies and complete the blanks.

1. TEXAS RESIDENT - Domicile at date of death (City and county) _____

2. ALIEN: NOT A U.S. CITIZEN OR RESIDENT - Domicile at date of death (Foreign country) _____

3. NON RESIDENT OF TEXAS; NOT AN ALIEN - Domicile at death (State or country) _____

SECTION III - EXTENSIONS

Since July 21, 1987, a separate request must be made to Texas for an extension to pay Texas Inheritance Tax. Also, if a payment is made to the IRS, a payment must be made to Texas in at least the same proportion. Failure to do this will result in penalty being assessed. Send IRS Form 4768 with attachments on or before the due date. You must furnish a copy of the approved IRS extension when received.

Texas Extensions

4. An extension to file the Texas Inheritance Tax Return until _____ has been requested granted

5. An extension to pay the Texas Inheritance Tax until _____ has been requested granted

Federal Extensions

6. An extension to file the Federal Estate Tax Return until _____ has been requested granted

7. An extension to pay the Federal Estate Tax until _____ has been requested granted

SECTION IV - CALCULATION OF TAX PAYABLE TO TEXAS

8. Total state death tax credit allowable for Federal Estate Tax purposes (From IRS Form 706 page 1) \$ _____

9. Amount paid to other states which is allowable as state death tax credit (Texas residents only) _____

10. Amount of state death tax credit not paid to other states (Item 8 minus Item 9) (Texas residents only) _____

11. Gross value for Federal Estate Tax purposes of property taxable in Texas (See instructions) _____

12. Gross value of decedent's estate for Federal Estate Tax purposes (From IRS Form 706) _____

13. Percent of estate, taxable in Texas (Item 11 divided by Item 12, round to 4 places past the decimal)(see instructions) ... | . | . | . | %

14. Amount of credit for property taxable in Texas (Item 8 multiplied by Item 13) _____

15. TAX PAYABLE TO TEXAS - a. For Texas resident decedent - enter amount of Item 10 or Item 14 whichever is larger; OR
b. For non-resident or alien decedent enter amount of Item 14 \$ _____

16. Amount of tax previously paid (See instructions) _____

17. Net amount of tax due (Item 15 minus Item 16) _____

18. Late payment penalty - 5% of item 17 if 1-30 days late; 10% of Item 17 if over 30 days late _____

19. Late payment interest - (See instructions) _____

20. TOTAL TAX, PENALTIES & INTEREST DUE (Total of Items 17, 18 and 19)
NOTE - DUE DATE: Returns are due and tax is payable nine (9) months after date of death. \$ _____

SECTION V - SIGNATURES

PLEASE NOTE:

- Incomplete returns cannot be processed and will be returned.
- This return must be signed by all personal representatives of the estate and the preparer.
- A copy of any Federal Estate Tax Return (Form 706) filed with the IRS and approved extensions must be included with the return.
- The estate representative will be personally liable for transfers of estate assets before tax is paid.

I declare that this return and any accompanying statements are true, correct and complete to the best of my knowledge.

Name of preparer	Phone (Area code and no.)	Name of Executor, Administrator, Heir-at-law	Phone (Area code & no.)
Address (Street & no. city, state, ZIP code)		Address (Street & no. city, state, ZIP code)	
Preparer	Date	Executor, etc.	Date
Make amount in Item 20 payable to: STATE COMPTROLLER		Name of Co-Executor, Co-Administrator	Phone (Area code & no.)
Mail to: COMPTROLLER OF PUBLIC ACCOUNTS 111 E. 17th Street Austin, TX 78774-0100		Address (Street & no., city, state, ZIP code)	
		Co-Executor, Co-Administrator	Date

TEXAS INHERITANCE TAX RETURN – FEDERAL ESTATE TAX CREDIT

GENERAL INFORMATION

WHO MUST FILE – This return must be filed for the estate of every Texas decedent whose date of death was on or after September 1, 1983, if:

- a Federal Estate Tax return must be filed; and
- decedent was at the time of death a Texas resident, a non-resident with property taxable in Texas, or an alien with property taxable in Texas.

DUE DATE – Returns are due and any tax liability is payable within nine (9) months from the date of death. Extensions of time to pay and file must be requested from the State of Texas prior to the due date.

ATTACHMENTS REQUIRED –

- Federal Estate Tax Return (Federal Form 706)
- Copy of the federal extension request, along with IRS Form 4768. Furnish a copy of the approved extension when received.
- Copy of the death certificate.

NOTE: Appraisals are not required, but may be requested at a later date to process the Texas Inheritance Tax Return.

DEFINITION – "Domicile" for the purpose of this report means "that place where a person has a true, fixed and permanent home and principal establishment and to which, whenever absent, one has the intention of returning."

Disclosure of your social security number is required and authorized under law, for the purpose of tax administration and identification of any individual affected by applicable law. 42 U.S.C. sec. 405(c)(2)(C)(i); Tex. Gov't Code secs 403.011 and 403.078. Release of information on this form in response to a public information request will be governed by the Public Information Act, Chapter 552, Government Code, and applicable federal law.

Under Ch. 559, Government Code, you are entitled to review, request, and correct information we have on file about you, with limited exceptions in accordance with Ch. 552, Government Code. To request information for review or to request error correction, contact us at the address or toll-free number listed on this form.

SPECIFIC INSTRUCTIONS

Item 1 - A person does not have to be a United States citizen to be domiciled in Texas.

Item 8 - *NOTE: Be sure that you have taken credit for the \$60,000 exclusion allowed in calculating the credit for state death taxes on your Federal Estate Tax Return.*

Item 9 - Attach tax returns and substantiate all payments to other states.

Item 11 - "PROPERTY TAXABLE IN TEXAS" of a Texas resident includes real property and oil and gas interests located in this state whether or not held in trust; tangible personal property having an actual situs in this state and all intangible personal property, wherever the notes, bonds, stock certificates or other evidence, if any, of the intangible personal property may be physically located or wherever the banks or other debtors of the decedent may be located or domiciled. A partnership interest is also an intangible asset regardless of where the physical assets of the partnership are located. Real property in a personal trust is not taxed if the real property is located outside of this state. Texas residents should circle the item number to identify any out-of-state property on the Federal Form 706.

"PROPERTY TAXABLE IN TEXAS" of a non-resident includes real property and oil and gas interests located in this state, whether or not held in trust, and tangible personal property having an actual situs in this state. Intangibles of a non-resident are not taxable in this state. Circle the item number to identify the Texas property on the Federal Form 706.

"PROPERTY TAXABLE IN TEXAS" of an alien includes real property and oil and gas interests located in this state whether or not held in trust, tangible personal property having an actual situs in this state, and intangible personal property if the physical evidence of the property is located within this state or if the property is directly or indirectly subject to the protection, preservation, or regulation under the laws of this state, to the extent that the property is included in the decedent's gross estate. Circle the item number to identify Texas property on the Federal Form 706.

Item 13 - If Item 11 and Item 12 are the same enter 100.0000%. Otherwise, divide Item 11 by Item 12 and round to 4 places past the decimal (example 99.9999%).

Item 16 - If any payments were made BEFORE the due date of the return, enter the total amount paid. If any payments were made AFTER the due date, deduct any applicable penalties and late payment interest from the amount paid and enter the difference. (Calculate interest on the amount of tax due from the due date until date of the payment.) Penalties will apply if payments are not made timely.

- If a payment is insufficient to cover the total amount due, then the payment will be applied first against penalties due, then interest and then to the payment of tax.

Item 19 - Late payment interest is due on the "Net amount of tax due" (Item 17). An extension of time to pay does not relieve the payment of interest.

Interest rates: 10% per annum simple interest for due dates prior to September 1, 1991; 12% compounded monthly for due dates on or after September 1, 1991 through December 31, 1993; 12% per annum simple interest from January 1, 1994 through December 31, 1999 on all outstanding tax balances.

Due dates on or after January 1, 2000, interest is calculated at the rate available on-line at <http://www.window.state.tx.us>, or toll free at 1-877-44RATE4.

SECTION V - SIGNATURES

- Returns must have the name, address and signature of all personal representatives of the estate AND the person preparing the return if other than a personal representative.
- The executor or administrator of an estate is legally responsible for filing returns and paying all taxes.