

AN ALERT FROM THE BDO STATE AND LOCAL TAX PRACTICE

BDO KNOWS:

SALT

SUBJECT

MISSOURI INTRODUCED A NEW THREE-MONTH TAX AMNESTY PROGRAM IN 2015

SUMMARY

On April 27, 2015, Missouri Governor Jay Nixon (D) approved House Bill 384, which requires the Department of Revenue to implement an amnesty program under which it is required to waive all penalties, additions to tax, and interest of a qualifying taxpayer related to income tax (including, corporate, individual, and withholding tax), sales and use tax, and corporation franchise tax due as of December 31, 2014.

DETAILS

A qualifying taxpayer, for purposes of the amnesty program, is one that is not a party to a criminal investigation or criminal or civil litigation at the time of payment, submits a written application on forms prescribed by the Director of Revenue during the period September 1, 2015, through November 30, 2015, pays its entire tax liability by November 30, 2015, and complies in “good faith” with the state’s tax laws for the eight-year period following the date of the amnesty agreement. A grant of amnesty for a particular tax type under this program makes a taxpayer ineligible to participate in a future amnesty program for the same tax type.



CONTACT:

WEST:

ROCKY CUMMINGS, Tax Partner
415-490-3130 / rcummings@bdo.com

PAUL MCGOVERN, Tax Senior Director
714-913-2592 / pmcgovern@bdo.com

NORTHEAST:

JANET BERNIER, Tax Partner
212-515-5405 / jbernier@bdo.com

MATTHEW DYMENT, Tax Senior Director
617-239-4130 / mdyment@bdo.com

SOUTHEAST:

ASHLEY MORRIS, Tax Senior Director
919-278-1963 / amorris@bdo.com

SCOTT SMITH, Tax Senior Director
615-493-5629 / ssmith@bdo.com

ATLANTIC:

JEREMY MIGLIARA, Tax Senior Director
703-770-0596 / jmigliara@bdo.com

JONATHAN LISS, Tax Senior Director
215-636-5502 / jliss@bdo.com

CENTRAL:

ANGELA ACOSTA, Tax Senior Director
248-688-3313 / aacosta@bdo.com

NICK BOEGEL, Tax Senior Director
414-615-6773 / nboegel@bdo.com

JOE CARR, Principal
312-616-3946 / jcarr@bdo.com

MARIANO SORI, Tax Partner
312-616-4654 / msori@bdo.com

RICHARD SPENGLER, Tax Senior Director
616-776-3687 / rspengler@bdo.com

SOUTHWEST:

GENE HEATLY, Tax Senior Director
214-665-0716 / gheatly@bdo.com

TOM SMITH, Tax Partner
918-281-4080 / tasmith@bdo.com

BDO INSIGHTS

- This amnesty program is significant in that it is the first such program in Missouri since 2002 and, thus, offers an opportunity to settle up to 12 years of Missouri income, franchise, and sales and use taxes free from penalties, additions to tax, and interest.
- This amnesty program offers broader relief than the relief offered under Missouri's traditional voluntary disclosure program, inasmuch as this amnesty program offers relief from penalties, additions to tax, and interest, whereas Missouri's voluntary disclosure program limits relief to penalties.
- This amnesty program is also wider in scope than Missouri's voluntary disclosure program. For example, Missouri's voluntary disclosure program is limited to a taxpayer that has not been contacted by the Department of Revenue for the tax in question, is not under audit for any tax, or has not previously filed a tax return with underreported tax, whereas this amnesty program applies to all applicable taxes of a qualifying taxpayer due as of December 31, 2014.

The Tax Practice at BDO is among the largest tax advisory practices in the United States. With 58 offices and more than 400 independent alliance firm locations in the United States, BDO has the bench strength and coverage to serve you.

BDO is the brand name for BDO USA, LLP, a U.S. professional services firm providing assurance, tax, financial advisory and consulting services to a wide range of publicly traded and privately held companies. For more than 100 years, BDO has provided quality service through the active involvement of experienced and committed professionals. The firm serves clients through 58 offices and over 400 independent alliance firm locations nationwide. As an independent Member Firm of BDO International Limited, BDO serves multinational clients through a global network of 1,328 offices in 152 countries.

BDO USA, LLP, a Delaware limited liability partnership, is the U.S. member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms. BDO is the brand name for the BDO network and for each of the BDO Member Firms. For more information, please visit www.bdo.com.

Material discussed in this tax alert is meant to provide general information and should not be acted on without professional advice tailored to your firm's individual needs.