

2024 KENTUCKY INCOME TAX CHANGES

University of Kentucky Income Tax Seminar



Kentucky Department of Revenue • 501 High Street • Frankfort, KY 40601 • (502) 564-3226

Introductions

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CORPORATE INCOME TAX/LLET

2024 Updates



Kentucky Department of Revenue • 501 High Street • Frankfort, KY 40601 • (502) 564-8139

Overview of the 2024 Legislative Session

HB8

- Updated IRC conformity date
- Extension of Corporate Income Tax Exemption for Disaster Response Businesses
- Deferred tax deduction for Unitary Filings
- Broadband Tax Credit created



Updated IRC Conformity Date

- For tax years beginning on or after January 1, 2024:
 - The IRC conformity date is December 31, 2023.
 - Previous conformity date was December 31, 2022.
 - As a result, the Internal Revenue Code in effect on December 31, 2023, is applicable for Kentucky Income Tax purposes, unless Kentucky has specific statutes that state otherwise.
- Statute Reference: KRS 141.010(21)



Disaster Response Businesses

The exemption initially passed during the 2021 Legislative Session and was set to expire January 1, 2025. HB 8 extended the corporation income tax exemption for disaster response businesses to tax years beginning on or after January 1, 2021, but before January 1, 2027.

For purposes of this exemption, disaster response business is defined by KRS 141.010(10). Disaster response businesses eligible for the exemption:

- Have no presence in Kentucky and conduct no business in Kentucky except for disaster or emergencyrelated work during a response period;
- Services are requested by a registered business or state or local government to perform disaster or emergency-related work during a response period; and
- Have no registrations, tax filings, or nexus in Kentucky other than disaster or emergency-related work during the calendar year immediately preceding the declared state disaster or emergency.

For taxable years beginning on or after January 1, 2021, but before January 1, 2027, the tax imposed by this section shall not apply to a disaster response employee or to a disaster response business. The remainder of the income received by such nonresident shall be deemed nontaxable by this state.



Deferred Tax Deduction

- HB 8 delays the deferred tax deduction until tax years beginning on or after January 1, 2026.
- The deduction is allowed for companies filing a combined report that saw an increase in a net deferred tax liability, a decrease in a net deferred tax asset, or aggregate change from a net deferred tax asset to a net deferred tax liability as a result of the imposition of the combined reporting requirement.
 - Any combined group intending to claim the deferred tax deduction must have filed a statement with the Department of Revenue on or before July 1, 2019.



Broadband Expansion Tax Credit

- The broadband expansion tax credit is available for tax years beginning on or after January 1, 2025, but before January 1, 2029.
- The total amount of the credit awarded is capped at \$5 million for each taxable year.
- Companies must complete and file an application with the Department by December 31 of the calendar year in which the investment was made.
- The Department will review and approve the allowable credit amount by February 1.



Broadband Expansion Tax Credit

- This is a nonrefundable and nontransferable tax credit.
- The credit is limited to 50% of the amount of sales tax paid for purchases of eligible equipment and services, reduced by any seller reimbursement allowed under KRS 139.570.
- It requires that equipment and services are used to expand broadband.
- The credit can be used against:
 - Limited Liability Entity Tax
 - Corporation Tax
 - Individual Income Tax

Statute Reference: KRS 141.391



Broadband Expansion Tax Credit KRS 141.391

KQBI So concrusing interiors and schedule 2403310003 KENTUCKY QUALIFIED BROADBAND INVESTMENT TAX CREDIT APPLICATION AND SCHEDULE 2024							
Application n	nust be subn	nitted to the Dep	oartme	ent of Revenue prior	to Decem	nber 31, 2	025.
See instructions.Attach to Form 720,	720U, PTE, 725	, 740, 740–NP, or 74	и.		I	KRS XXX.	XXX
Name of Entity			F	ederal Identification Number		cky Corporat t Number (if a	
Mailing Address					_		
Location County		A	Amount	of Sales Tax Remitted \$	or Intend to	Remit	
Attach a statement of ho i. Expansion of broads ii. An upgrade to existi iii. An increase of acce	pand services; ng broadband i	nfrastructure; or			state by:		
STOP	DE	PARTMENT O	FRE	VENUE USE ONLY			
(b) Total requested applicants (deno	tment (numerat credit for all minator)	or)(a) (b) (Date:) × \$5,000,000 =		Approved on a schedules	
and to the best of my knowled	lge and belief, it is	true, correct, and comp	plete.				
Signa	ture			Title		Da	te
Contact Nan	ne (if different from s	signer)	-		Email Address	.	
Tel	ephone Number		_		Fax Number		
		TAXPA	YER U	SE ONLY			
Amount of Credit App	roved		00	Amount of Credit Claime	ed		0



From the 2023 Legislative Session

Distilled Spirits Tax Credit

For tax years beginning on or after January 1, 2024, eligible taxpayers may elect to:

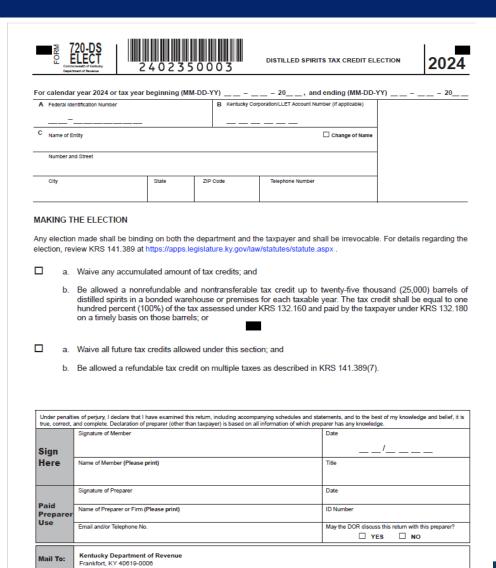
- a) Waive any accumulated credits and claim a nonrefundable and nontransferable tax credit of 100% of the property taxes timely paid on up to 25,000 barrels of distilled spirits in a bonded warehouse; or
- b) Waive all future tax credits and claim a refundable credit against sales and use tax and employee withholding taxes resulting from capital projects that meet specific investment and employment requirements.

Form 720-DS-ELECT

• HB 5 (2023)
Distilled Spirits Tax
Credit

• 720-DS-ELECT

Statute reference:KRS 141.389





PTET Estimated Payments Required for 2024

For tax years beginning on or after January 1, 2024, an electing entity is required to make estimated payments.

Form PTET-P has been created to allow an electing entity to calculate the penalty due on the underpayment of estimated taxes for PTET.

Statute Reference: KRS 141.209



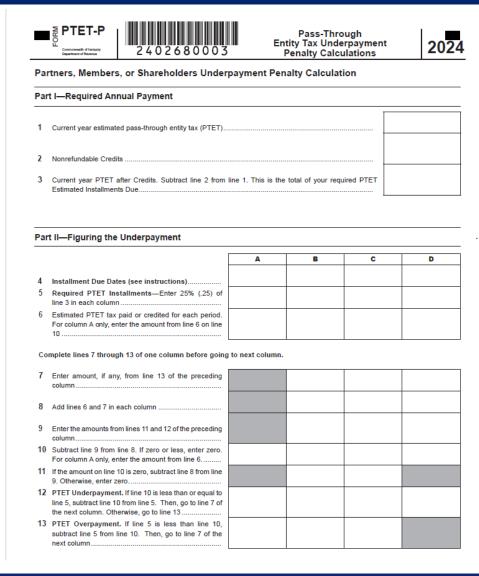
Form PTET-P Pass-Through Entity Underpayment Penalty

22 Add lines 17, 19, and 21 in each column

23 PTET Penalty. Add columns A through D of line 22.

740-PTET line as specified in the instructions

Enter the total in column D and add to or enter on Form



	PTET-P (2024)	2	402690003		Pass-Thro ntity Tax Unde Penalty Calco	erpayment	Page 2 of 3
Pa	rt III—Figuri	ng the PTET	Underpayment Pen	alty			
				Α	В	С	D
14	paid in full or to	the 15th day of	the 4th month after the er date is earlier, in each				
15	on line 4 to	the date show	e date of the installment on on line 14 in each				
16			r 04/15/2024 and before				
17	Line 12 X	Line 16 365	-) X 11%				
18	the day after th	he due date of t	r 12/31/2024 and before the return or 01/01/2026, ich column				
19	Line 12 X	Line 18 365	–)X Insert 2025 RATE				
20	03/16/2026 or	the day after th	r 12/31/2025 and before e due date of the return, ich column				
21	Line 12 X	Line 20 365	_ X 2026 Tax Due Penalty Rate				
			i				





INDIVIDUAL INCOME TAX

2024 Updates



Kentucky Department of Revenue • 501 High Street • Frankfort, KY 40601 • (502) 564-4581

Overview of the 2024 Legislative Session

HB8

- Updated IRC conformity date to December 31, 2023, for tax years beginning on or after January 1, 2024
- KRS 141.020 extended the provision for taxable years beginning on or after January 1, 2021, but before January 1, 2027, for a disaster response employee and disaster response business as defined in KRS 141.010.
- Broadband Tax Credit created under KRS 141.391



Individual Income Tax: Form Changes

All forms have been updated with year changes and any legislative threshold changes.

- 2024 Standard Deduction: \$3,160
- Individual Income Tax Rate for tax year 2024 is 4%
- Schedule ITC added Worksheet INV for the inventory tax credit and updated Family Size Tax Credit Table
- Form 741 attach Schedule ITC when necessary



Schedule ITC: Worksheet INV

INVENTORY TAX CREDIT WORKSHEET— A new Kentucky Inventory Tax Credit Worksheet has been added to the Schedule ITC instructions. If an amount is claimed on Section A, line 23 of the Schedule ITC, the Kentucky Inventory Tax Credit Worksheet should be completed for each entity that has passed through an Inventory Tax Credit to the individual income tax return. The new Kentucky Inventory Tax Credit Worksheet is below.

Kentucky Inventory Tax Credit Worksheet

Worksheet INV

Complete a separate worksheet for each entity. Retain for y records.	ou
Name of Entity	
FEIN	
Percentage of Ownership	9
Distributive Share of Allowable Inventory Tax Credit	

Complete a separate Kentucky Inventory Tax Credit Worksheet (Worksheet INV) for each entity that is passing through the inventory tax credit via a Schedule K-1. A Worksheet INV is not required when a Schedule INV is attached. NOTE: A Schedule INV and Worksheet INV should not be submitted for the same entity.



Form 741 – Schedule ITC

 Nonrefundable credits claimed on the Fiduciary return should be included on Schedule ITC and attached to Form 741.

 Language on Form 741 and Schedule ITC has been updated to clarify the need to enclose Schedule ITC when necessary.



Individual Income Tax: Family Size Tax Credit

Use this **Family Size Tax Credit Table** to determine the percentage of family size credit. You will need to know your family size and your modified gross income (a worksheet is located within the instructions). You will enter the percentage for the family size tax credit on Form 740 or 740-NP, line 21.

Family Size		One Two		Two	Three		Four or More		Credit
If MGI	is over	is not over	is over	is not over	is over	is not over	is over	is not over	Percentage is
4	\$	\$ 15,060	\$	\$20,440	\$	\$25,820	\$	\$31,200	100
5	15,060	15,662	20,440	21,258	25,820	26,853	31,200	32,448	90
02	15,662	16,265	21,258	22,075	26,853	27,886	32,448	33,696	80
7	16,265	16,867	22,075	22,893	27,886	28,918	33,696	34,944	70
<u> </u>	16,867	17,470	22,893	23,710	28,918	29,951	34,944	36,192	60
Ø	17,470	18,072	23,710	24,528	29,951	30,984	36,192	37,440	50
(a)	18,072	18,674	24,528	25,346	30,984	32,017	37,440	38,688	40
—	18,674	19,126	25,346	25,959	32,017	32,791	38,688	39,624	30
×	19,126	19,578	25,959	26,572	32,791	33,566	39,624	40,560	20
a.	19,578	20,030	26,572	27,185	33,566	34,341	40,560	41,496	10
	20,030		27,185		34,341		41,496		0



Looking Ahead – Reduction of Individual Income Tax Rate

- HB 8 (2022) amended by HB 659 (2022)
 - Additional changes have been made to the rate reduction conditions.
 - The Budget Reserve Trust Fund will be reviewed each year and compared with the General Fund.
 - Individual Income Tax Rate can be reduced by 0.5% each tax year if fiscal requirements are met.
 - All future individual income tax rate reductions must be approved by the General Assembly.

The Individual Income Tax Rate for tax year 2025 is 4%. The Standard Deduction for tax year 2025 is \$3,270.



Employer Payroll Withholding

- All filing types are now mandated by e-file requirements.
- For tax year 2025, the tax rate will remain at 4%.

Note: If a taxpayer receives more than one W-2 annually, they may need to withhold an additional \$130 for each additional W-2 received. The standard deduction is factored into the calculation for Kentucky withholding, and withholding for each W-2 will account for the standard deduction. The employee, however, will only receive this deduction once their return is filed.



Withholding on Gambling Winnings

- Regulation 103 KAR 18:070 establishes the withholding rate on gambling winnings at the maximum income tax rate: 4% for tax year 2025.
- Payments of gambling winnings subject to federal tax withholding must also deduct and withhold Kentucky income tax.
- Tax withheld from gambling winnings must be reported and paid on the payer's withholding account on Form K-1 or K-3.
- Gambling winnings subject to withholding are those of more than \$5,000 from the following sources:
 - Any sweepstakes, wagering pool, or lottery; or
 - Any other wager, if the proceeds are at least 300 times the amount of the bet.





OTHER INFORMATION AND REMINDERS



Kentucky Department of Revenue • 501 High Street • Frankfort, KY 40601 • (502) 564-4581

Electronic Payments

Actual withdrawal of electronic payments may be later than the requested date. Please allow up to two weeks for processing.

Please do not submit duplicate payments.



Electronic Payments

We have noticed an increase in misapplied payments. Please caution taxpayers to choose the correct tax type when making an electronic payment.

Tax Type:

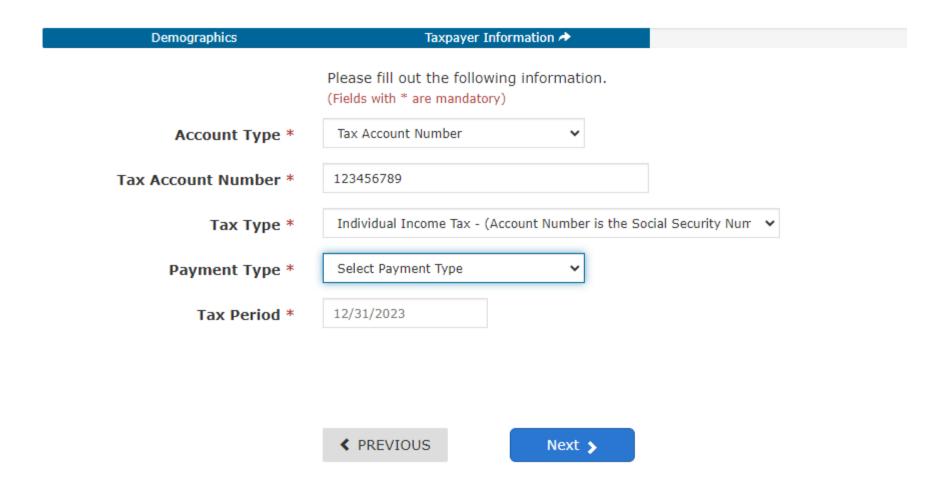
"Individual Income Tax – (Tax Account number is the Social Security Number)"

 This would be used to make a payment when the return is filed to pay the balance of tax due.

"Individual Income Tax – Estimated Payment (Tax Account number is the Social Security Number)"

This would be used to make an estimated tax payment for the following tax year.
 The year will automatically default to the year for which we are accepting estimated tax payments.

Payments for Tax Due on a Return





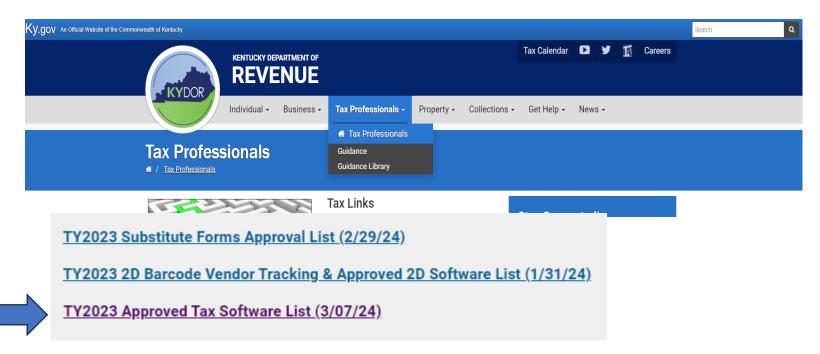
Estimated Tax Payments

Electronic Payment Demographics Taxpayer Information A Please fill out the following information. (Fields with * are mandatory) Tax Account Number Account Type * Tax Account Number * 123456789 Individual Income Tax - Estimated Payment (Account Number is the Tax Type * Payment Type * Select Payment Type Estimated Installment Period * 9/16/2024 × Tax Period * 12/31/2024 Payment Amount * 999999999.99



Electronic Filing

- Electronic filing is available through third-party vendors that support Kentucky.
- Visit the Department of Revenue website at Revenue.ky.gov for updates of approved Tax Software Vendors under the Tax Professionals Tab and click on Software Developers.



YTD 2024:

- 94% of tax year 2023 individual income tax returns were e-filed
- 58% of tax year 2023 corporate and pass-through entity tax returns were e-filed



Tax Rates

Kentucky Department of Revenue Office of Income Taxation Tax Rates

			2023	2024	2025
Individual Income Tax	KRS 141.020		4.50%	4.00%	4.00%
Payroll Withholding Tax	KRS 141.310		4.50%	4.00%	4.00%
Nonresident Withholding Tax	KRS 141.206		4.50%	4.00%	4.00%
Pass Through Entity Tax	KRS 141.209		4.50%	4.00%	4.00%
Corporation Income Tax	KRS 141.040		5.00%	5.00%	5.00%
Limited Liability Entity Tax	KRS 141.0401	*Gross Receipts	0.0950%	0.0950%	0.0950%
		*Gross Profits	0.75%	0.75%	0.75%



^{*}NOTE: LLET is the lesser of the Gross Receipts or Gross Profit calculation. If the calculation is less than \$175, the minimum tax is \$175.00

Stay in Touch

- Department of Revenue Website
 - https://revenue.ky.gov



- Kentucky Business One Stop Portal
 - https://onestop.ky.gov



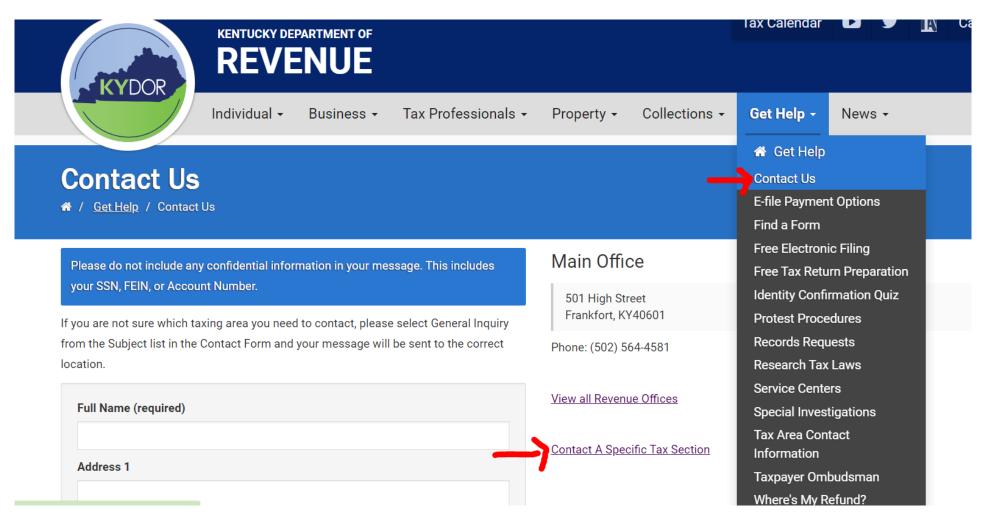


Press Releases and Important Updates

- The Kentucky Department of Revenue (DOR) provides important updates to tax information on Revenue.ky.gov.
- Check the DOR website regularly for timely information on disaster relief provisions.
- DOR will implement a new Integrated Tax System in March 2025.
- Stay Connected: sign up for Revenue news and updates directly to your inbox.



Reach out to DOR via Web Response

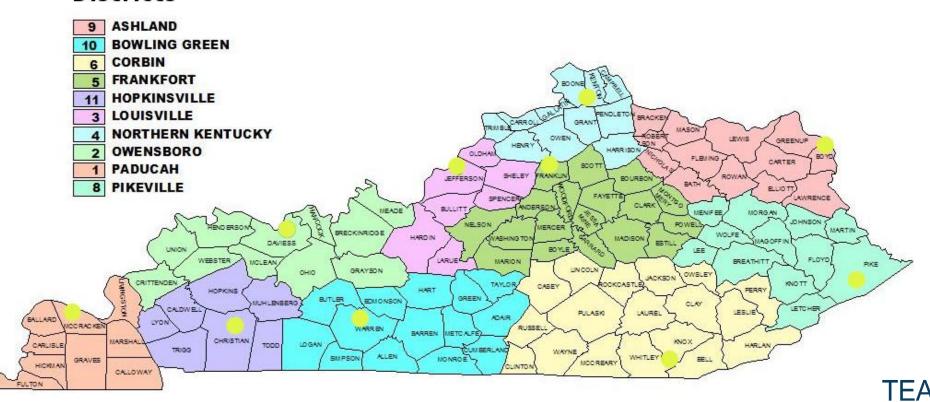




Taxpayer Service Center Map

TAXPAYER SERVICE CENTERS

Districts



Taxpayer Service Centers

Ashland Taxpayer Service Center

1539 Greenup Avenue, Suite 501 41101-7695 (606) 920-2037

Bowling Green Taxpayer Service Center

201 West Professional Park Court, 42104-3278 (270) 746-7470

Corbin Taxpayer Service Center

15100 North US25E, Suite 2, 40701-6188 (606) 528-3322

Frankfort Taxpayer Service Center

501 High Street, 40601-2103 (502) 564-4581 (*Taxpayer Assistance*)

Hopkinsville Taxpayer Service Center

181 Hammond Drive, 42240-7926 (270) 889-6521

Louisville Taxpayer Service Center

600 West Cedar Street, 2nd Floor West, 40202-2310 (502) 595-4512

Northern Kentucky Taxpayer Service Center

Turfway Ridge Office Park 7310 Turfway Road, Suite 190, Florence, 41042-4871 (859) 371-9049

Owensboro Taxpayer Service Center

401 Frederica Street, Building C, Suite 201, 42301-6295 (270) 687-7301

Paducah Taxpayer Service Center

Clark Business Complex, Suite G 2928 Park Avenue, 42001-4024 (270) 575-7148

Pikeville Taxpayer Service Center

Uniplex Center, 126 Trivette Drive, Suite 203, 41501-1275 (606) 433-7675



Revenue Contact Phone Numbers

Collections	(502) 564-4921
Corporation Tax	(502) 564-8139
DOR One Stop Help Line	(502) 564-5053
E-Filing Assistance (Business Forms)	(502) 564-7926
E-Filing Assistance (Individual Forms)	(502) 564-7862
Field Operations	(502) 564-2113
Forms and Envelopes	(502) 564-3658
Individual Income Tax	(502) 564-4581
Inheritance Tax	(502) 564-4810
Local Government & County Fees	(502) 564-8785
Miscellaneous Tax	(502) 564-2935

Motor Fuels	(502) 564-3853
Motor Vehicle Usage	(502) 564-4455
Ombudsman	(502) 564-7822
Property Tax	(502) 564-8338
Protest Resolution	(502) 564-6734
Registration	(502) 564-3306
Sales & Use Tax	(502) 564-5170
Special Investigations	(502) 564-4470
State Operator	(502) 564-3130
Withholding (also use for WRAPS)	(502) 564-7287



2024 Kentucky Income Tax Changes

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Disclaimer

The Department has developed this presentation to enhance taxpayer understanding of and compliance with the new tax legislation enacted by the Kentucky General Assembly during the 2024 regular legislative session. The information in this presentation is for educational and informational purposes only and does not constitute legal advice. Information is presented as an overall review that is subject to law changes. To review the amendments to Kentucky tax laws enacted during the 2024 regular session in more detail, please refer to House Bill 8 and the relevant statutory provisions of the Kentucky Revised Statutes. You may refer to KRS 141.209 and KRS 141.389 for relevant information from the 2023 regular session.

Information in this presentation is believed to be accurate as of the date of publication. However, any statement in error that may occur during presentations made by the Department of Revenue as part of its tax education program shall not expressly or implied supersede the Department of Revenue's official interpretation of the law or its policies utilized in administering state revenue and tax laws.

