



Name as shown on return

Federal employer I.D.

Underpayment of estimated North Dakota income tax by corporations

For the tax year beginning _____, _____ and ending _____, _____.

If a corporation's estimated income tax payment for any quarter (including overpayment credits from prior quarters) is less than 90% of the quarterly income tax liability or is less than the prior year's North Dakota income tax liability divided by four, it will be required to complete Form 40-UT and attach it to the North Dakota Corporation Income Tax Form 40 when filing.

1 Net income tax liability - From 2010, Form 40, line 20 (If \$5,000 or less, do not complete form) _____

2 90% of line 1 _____

3 Prior year's net income tax liability - From 2009 Form 40, line 20 (If \$5,000 or less, do not complete form) _____

Enter in columns A through D the installment dates that correspond to the 15th day of the 4th, 6th and 9th months of the taxable year, and the first month of the following year _____

A

B

C

D

4 Enter 25% of line 2 or line 3, whichever is less, in column A through D. (Or, if the circle in line 10 was filled in, see the instructions on the next page before completing.) _____

5 (a) 2009 overpayment credited to 2010 tax _____

(b) Amount paid for each quarter _____

Remaining lines for Column A must be completed before proceeding to Columns B, C and D.

(c) Overpayments. See line 7(b) _____

6 Add lines 5(a), 5(b), and 5(c) _____

7 (a) Underpayment. (line 4 less line 6) _____

(b) Overpayment. (line 6 less line 4) Enter here and on line 5(c) above, in the following quarter _____

8 Interest (See Form 40-ES instructions on following page) _____

9 Total interest (Add line 8, columns A-D. Enter on 2010 Form 40, line 22b) _____ (UE)
 (No interest is due if either the prior year or the current year tax due is less than \$5,000.)

► 10 Fill in the circle if estimated payments for the federal return were made using the adjusted seasonal installment method or annualized income installment method, and attach a complete copy of Federal Form 2220.

North Dakota estimated income tax for corporations for the 2011 taxable year

General instructions

Who must pay estimated tax

If a corporation's estimated state income tax liability exceeds five thousand dollars (\$5,000) and previous year's state income tax liability exceeded five thousand dollars (\$5,000), the corporation is required to make an estimated tax payment of at least one-fourth of the amount due on each of four prescribed dates.

Where to file

Estimated income tax payments should be mailed to the State Tax Commissioner, 600 E. Boulevard Ave., Dept. 127, Bismarck, ND 58505-0599.

Which form to use

If payment for estimated income tax is to be made by check or money order, the Form 40-UT voucher must be used to ensure that proper credit for the payment is applied to the correct account.

If payment is to be made using the Automated Clearing House (ACH) credit procedures, do not use the Form 40-UT voucher.

Time for filing

The first estimated income tax payment is due no later than April 15 following the close of the calendar year.

Corporations reporting on a fiscal year basis must pay the first estimated tax installment no later than the 15th day of the fourth month following the close of their fiscal year.

No less than one-fourth of the estimated income tax must be paid with the first installment and with each of the three remaining installments on the 15th day of the sixth and ninth months of the taxable year and the first month of the following year.

Estimated payments for short period returns

Estimated payments for short period returns of less than 120 days are not required. For short period returns in excess of 120 days, if the short period ends prior to any remaining due dates for payment of estimated tax, the final estimated tax payment is due on the 15th day of the last month of the short period.

No installment payment date is required on your estimated payment form. The payment will be applied to the quarter in which the payment is postmarked.

Extension of time to pay estimated tax cannot be granted.

How to pay

Do not commingle estimated income tax payments with any other payment to the North Dakota Office of State Tax Commissioner.

If payment for estimated income tax is to be made by check or money order, make it payable to North Dakota State Tax Commissioner.

Payment for estimated income tax may be made by electronic funds transfer. Information regarding electronic payments can be found on the department's web site at www.nd.gov/tax, under Corporate Income, Electronic Payment, EFT.

Amendments to estimated income tax

If it is found that the total estimated income tax is more or less than originally determined, adjust the next installment accordingly.

Overpayment of estimated tax

An overpayment of estimated income tax from the prior taxable year may be credited to the current year's estimated payments. The amount of the 2010 overpayment will be applied to the first installment for 2011.

Application of estimated income tax payments

All payments submitted as 2010 estimated income tax and any overpayment credited from the 2009 taxable year must be reported on the 2010 North Dakota Corporation Income Tax Return Form 40.

Understatement of estimated income tax

Interest charges will apply if the estimated income tax payment for any quarter (*including overpayments from prior quarters*) is less than 90% of the quarterly income tax liability or is less than the prior year's North Dakota net tax liability divided by four.

If estimated payments for the federal return were made using the adjusted seasonal installment method or annualized income installment method as provided for in IRC of 1986, as amended, Section 6655(e), the amount of each quarterly payment due (for Line 4) is calculated in the same manner as for Federal Form 2220, which must be attached in that situation.

The Underpayment of Estimated North Dakota Income Tax by Corporations Form 40-UT must be attached to the North Dakota Corporation Income Tax Return, Form 40 when filing. The Form 40-UT is located within the Form 40 booklet.

Interest

The State Tax Commissioner will notify the taxpayer of any interest owed on any underpayment of estimated income tax. If desired, interest owed may be computed by the taxpayer on Form 40-UT and added to the 2010 corporation income tax liability on Form 40, Page 1. Interest is calculated at the rate of 12% per annum from the installment due date to the earlier of the date the estimated tax is paid or the due date (without extension) of the return.