

2007 Michigan Estimated Income Tax for Fiduciaries MI-1041ES General Instructions

Who Must File Estimated Tax Payments

Fiduciaries of an estate or trust (resident or nonresident), generally must pay estimated tax if the estate or trust is expected to owe more than \$500 after subtracting withholding and credits.

If the estate or trust owes more than \$500, estimated payments may not have to be made if the estate or trust expects the 2007 withholding to be at least:

- 90 percent of the total tax for 2007,
OR
- 100 percent of the total tax shown on the 2006 return
OR
- 110 percent of the total 2006 tax if the estate or trust's taxable income for 2006 is more than \$150,000. To figure the estate or trust's Federal taxable income, see the instructions for line 22 of the U.S. 1041.

Financial institutions that act as fiduciary for 200 or more trusts shall submit Michigan estimated payments on magnetic tape. Institutions acting as fiduciary for more than 49 and fewer than 200 trusts may make an irrevocable agreement to file magnetically.

Exceptions:

- Generally, no estimated tax is due if the estate or trust is due a refund or has a balance due of \$500 or less.
- There is no estimated tax due on an estate or a trust that had no tax liability for the full 12 months preceding the tax year.
- Estates do not have to pay estimated tax for the first two years.

Payment Due Dates

Fiduciaries may pay in full with the first voucher, due April 17, 2007. Fiduciaries may also pay in equal installments due on or before April 17, 2007, June 15, 2007, September 17, 2007, and January 15, 2008.

Generally, all fiduciaries of trusts must report on a calendar year. Report the same year that you report for federal estimated payments.

Fiscal-year returns must be adjusted so all dates correspond with the fiscal year. The first estimate payment is due on the 15th day of the fourth month after the fiscal year ends.

You will not receive reminder notices; save this set of forms for all 2007 payments.

Where to Mail Payments

Make the check payable to "State of Michigan." Write the **federal employer identification number of the estate or trust** and "2007 MI-1041ES" on the front of the check. To ensure accurate processing of your return, send one check for each return type. Mail your check with the MI-1041ES form for that installment. Do not staple the check to the form.

Send your check and voucher to:

Michigan Department of Treasury
P.O. Box 30774
Lansing, MI 48909-8274

Late Payments or Underpayments

If, as a fiduciary, you fail to make required estimated payments, pay late or underpay, Treasury will add a penalty of 5 percent of the tax due. After the second month, penalty will increase by an additional 5 percent per month, or fraction thereof, up to a maximum of 25 percent of the tax due. If you pay late, you must add penalty and interest to the amount due. The interest rate is 1 percent above the prime rate and is computed daily. The rate is adjusted on July 1 and January 1.

When Income Changes During the Year

If you are already making estimated payments for the estate or trust, amend the estimate on the next installment voucher. Apply the increase or decrease equally over the remaining installments. If you do not want to amend the fourth installment voucher, you may file the 2007 income tax return before January 31, 2008, instead. If you decide to do this, you do not have to file the fourth installment voucher (due January 15, 2008).

If you are not already paying estimates for the estate or trust, use the chart below to see which period the tax is due. If a change occurs between September 1 and December 31 that requires estimated payments, you may file the 2007 annual return by January 31, 2008, instead of filing an MI-1041ES.

<u>If the change occurs on</u>	<u>Pay on or before</u>
April 1 through May 31	June 15, 2007
June 1 through Aug. 31	Sept. 17, 2007
Sept. 1 through Dec. 31	Jan. 15, 2008

Worksheet Instructions

You will need the 2006 Michigan and U.S. fiduciary income tax returns for the estate or trust for reference (even if you haven't completed them yet).

Estimate the estate's or trust's 2007 income. Michigan uses federal taxable income of the fiduciary to figure tax. See form MI-1041 for allowable additions and subtractions. Enter the estimated taxable income on line 1.

Once you have completed lines 1 and 2, finish the worksheet by following the instructions on each line. If you have questions, refer to the corresponding sections in the tax instruction booklets.

If you need assistance in calculating your estimated payments, call Taxpayer Assistance toll-free at 1-800-827-4000. Persons who have hearing or speech impairments may call 517-636-4999 (TTY).

Increase in Income Rate Effective October 1, 2007 Calculating the 4th Quarter Payment

Public Act 94 of 2007 raised the income tax rate to 4.35 percent effective October 1, 2007. As a result, income tax estimate filers should use one of the following methods to calculate the fourth quarter estimate payment due January 15, 2008:

- If income was equally earned throughout 2007, use the worksheet below to determine the fourth quarter estimate.
- If income was not earned equally throughout the year, multiply the 2007 fourth quarter income by 4.35 percent (.0435) to determine the fourth quarter estimate.

You may choose to file the 2007 income tax return before January 31, 2008, instead of filing your fourth installment voucher.

ESTIMATED TAX COMPUTATION WORKSHEET Keep for Your Records

1. Estimated 2007 income subject to tax (from U.S. 1041)	1. _____
2. Estimated tax. Multiply line 1 by 4.01% (.0401) *	2. _____
3. All estimated credits (refundable and nonrefundable)	3. _____
4. Estimated tax due. Subtract line 3 from line 2	4. _____
5. Estimated payments already made in previous three quarters	5. _____
6. Estimated payment due. Subtract line 5 from line 4. Enter here and on the 4th quarter voucher	6. _____

* Effective October 1, 2007, the Michigan income tax rate was increased from 3.9% to 4.35%. The annualized tax rate for 2007 is 4.01%.