



2010 Montana Income Tax Withheld for a Nonresident Individual, Foreign C Corporation, or Second Tier Pass-Through Entity

For calendar year 2010 or tax year beginning (mm/dd) ___/___/2010 and ending (mm/dd/yy) ___/___/___

Owner Information			Pass-Through Entity Information (as shown on your most recent federal return or Schedule K-1).		
Name			Name		
Mailing address			Mailing address		
City	State	Zip code	City	State	Zip code
Social Security Number or Federal Employer Identification Number			FEIN		
<div style="border: 1px solid black; display: inline-block; width: 100px; height: 20px; margin-left: 50px;"></div>					
Owner Entity Type: <input type="checkbox"/> Individual <input type="checkbox"/> Corporation			Pass-Through Entity Type: <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Disregarded Entity		
1. Owner's Montana source income reflected on the pass-through entity's information return \$ _____					
2. Enter the amount of Montana tax withheld. If the owner is a nonresident individual or a second tier pass-through entity, multiply line 1 by 6.9%. If the owner is a foreign C corporation, multiply line 1 by 6.75%..... \$ _____					

This form is to be completed when the owner does not participate in submitting a composite return and does not submit a signed Montana Form PT-AGR or PT-STM.



Owner Instructions

What does a nonresident individual need to do with this form?

We consider the amount of Montana income tax that is withheld as a payment against your Montana individual income tax liability. When you complete your Montana Individual Income Tax Return, Form 2, you should claim the amount in box 2 above as a withholding payment on line 57 of your 2010 Montana Form 2. Form PT-WH has to be attached to your Montana Form 2 when you claim this payment.

What does a foreign C corporation need to do with this form?

We consider the amount of Montana income tax that is withheld as a payment against your Montana corporation license tax liability. When you complete your Montana Corporation License Tax Return, Form CLT-4, you should claim the amount in box 2 above as a withholding payment on line 12e of your 2010 Montana Form CLT-4. Form PT-WH has to be attached to your Montana Form CLT-4 when you claim this payment.

What does a second tier pass-through entity need to do with this form?

We consider the amount of Montana income tax that is withheld as a payment on the account of the individual, estate, trust or C corporation who is the owner of the second tier pass-through entity and who ultimately reports the Montana source income. The withholding has to be allocated to the owners based on the owners' share of income or loss from the second tier pass-through entity and may be claimed as a withholding payment on the Montana returns filed by the second tier owners.

Pass-Through Entity Instructions

What is the purpose of Form PT-WH?

As provided in Section 15-30-3313, Montana Code Annotated, a pass-through entity that has a nonresident individual, foreign C corporation, or second tier pass-through entity owner at any time during the tax year who (1) does not have a valid, currently effective tax agreement (Form PT-AGR) or statement (Form PT-STM) from the owner, or (2) does not participate in filing a composite return with the entity, is required to remit amounts to the Department of Revenue on behalf of the owner.

How much should the pass-through entity withhold?

For a nonresident individual and a second tier pass-through entity, the amount withheld is 6.9% of the Montana source income as reflected on your Montana information return. For a foreign C corporation, the amount withheld is 6.75% of the Montana source income as reflected on your Montana information return.

Where does a pass-through entity report the amount that was withheld?

Transfer the amounts on lines 1 and 2 above to Form CLT-4S or Form PR-1, Schedule III and Montana Schedule K-1, Part 5, line 2. Send Form PT-WH to your owners. We do not require you to submit Form PT-WH with your information return.

Questions? Please call us toll free at (866) 859-2254 (in Helena, 444-6900).