

Instructions for Completing the BOE-401-A, State, Local, and District Sales and Use Tax Return

You Can Easily File Your Return Electronically (eFile)

Efiling a return is a more efficient method of filing your sales and use tax return. It is much easier than filing a paper return. When you efile your return with BOE-file, the system calculates tax due based on the sales and deduction information you enter. BOE-file helps reduce errors by prompting you when items are missed. By ensuring the accuracy of your efiled return you can avoid interest, overpayment, and penalties due to reporting incorrect information.

Once you have completed and transmitted your efiled return to the BOE, the return is automatically posted to your account. By efileing your return you avoid additional cost for postage or having your return lost in the mail.

You can also efile your return early and set a future date to make your payment as long as the payment you are making is prior to the due date of the return.

[Click here](#) to begin efileing your return or for additional information on efileing.

Making Your ePayment

There are three easy and convenient electronic payment options available for efiled returns.

eCheck (ACH Debit)

You can file and pay your return in one easy transaction. *This is the preferred method of making payment on an efiled return.*

- Enter your banking information (bank account number and bank routing number.)
- Select a payment date. Payments may be held for any banking day you select up to the tax due date.

Credit Card Payment

You can pay by credit card through a third-party vendor:

- American Express, Discover, MasterCard and Visa cards are accepted. *A convenience fee of 2.5% of the transaction amount will be charged by the third-party vendor. This convenience fee is not paid to or retained by the BOE.*

You must return to BOE-file after making your credit card payment to complete your return filing.

Paper Check

- Choose this option to print out a payment voucher to mail in with your check.
- Print the confirmation page and payment voucher. *This voucher is only available immediately after filing your return.*
- Mail in your check with the payment voucher.

General Information

These instructions are provided to assist you with completing your California sales and use tax return. If you need assistance, please call the Taxpayer Information Section toll-free at 800-400-7115 (TTY:711). Customer service representatives are available from 8 a.m. to 5 p.m. Pacific time, Monday-Friday, except state holidays.

You must file a return even if you do not owe taxes for the reporting period. If you are unable to file your return on time, you may qualify for an extension. To request an extension, you will need to complete [BOE-468, Request for Extension of Time to File a Tax Return](#). You may download a copy from our website at www.boe.ca.gov, under "Forms & Publications," or contact our Taxpayer Information Section to request a copy of the form. If you do not file a return, we will bill you for an estimated amount.

Payment Methods When Filing Paper Returns

- **Check or Money Order:** Make your check or money order payable to the State Board of Equalization and always write your account number on the check or money order. Be sure to enclose your payment with your return.
- **Credit Card:** You can charge your tax return payment if you have an American Express, Discover Network, MasterCard, or Visa credit card. Other cards can not be accepted.

To make credit card payments, visit our website at www.boe.ca.gov, click on the efile logo or call 800-2pay-tax (800-272-9829). The credit card processing vendor will charge a convenience fee of 2.3 percent of the amount charged. This convenience fee is not paid to or retained by the BOE.

Note: Never send cash payments through the mail. Always make cash payments in person and obtain a receipt.

If you are required by the BOE to pay taxes by Electronic Funds Transfer (EFT), you must continue to use that method. Additional information is available on our website by downloading publication 80-D, *EFT Quick Reference Guide*.

THE BOE-401-INST IS AN INTERNET-ONLY FORM

Lines 1 thru 3—Front Page

Sales • Purchases Subject to Use Tax

Line 1. Total Sales (gross receipts)

Enter your total taxable and nontaxable sales for the reporting period, including lease and rental receipts.

Report all sales (in any manner) related to California business. You will deduct nontaxable transactions in Section A through C on page 2.

Notes:

- Include all charges related to your sales, such as labor, service, and shipping and handling charges.
 - If you sold any business assets, such as fixtures and equipment, during the reporting period, you must report the sale. If you are filing your final return and reporting the sale of the business assets, see the last bullet under “Line 2. Purchases Subject to Use Tax.”
 - Your “total sales” may include amounts for California sales or use taxes. If this is the case, be sure to deduct those tax amounts on line 9. If you do not, you will overpay tax.
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Line 2. Purchases Subject to Use Tax

Enter your total purchases that are subject to use tax, as explained below.

Your purchases of merchandise, equipment, and other tangible personal property are subject to use tax and must be reported if you:

- Purchased the property from an out-of-state retailer who did not collect California use tax, or
- Purchased the property with a resale certificate or other exemption certificate and
- Used the property in California for a purpose other than (1) resale or (2) demonstration, retention, or display while holding it for sale in the regular course of business

You must also report your purchase of a vessel or aircraft if you (1) purchased it from an unlicensed retailer who did not charge tax on the transaction, and (2) used the property for a purpose other than resale as described above.

Enter the amount you paid for the property.

Notes:

- If you paid another state’s sales or use tax on your purchase, do not include the tax payment as part of your purchase price. You may be eligible for a credit for the other state’s tax (see line 20).
 - If you are reporting property purchased with a resale certificate, report the purchase price on the tax return for the reporting period during which you first used the property in California.
 - If you are reporting property purchased from an out-of-state retailer who did not charge you for California tax, report the purchase price on the tax return for the reporting period during which you first used the property in California.
 - If you are closing out your seller’s permit and have sold fixtures and equipment, you should report the sales price and identify the sale as “fixtures and equipment” on line 2 of your final sales and use tax return. You must also report any inventory you intend to retain for your own use or for use as a gift, that was purchased for resale without the payment of tax or tax reimbursement, on line 2 of your final sales and use tax return and identify it as “retained inventory.” Sales of inventory to another retailer or to the purchaser of your business are not taxable, but should be reported as “Sales for Resale” on line 4 of your return. A resale certificate should be obtained from the buyer and saved in your records. For more detailed information, see [publication 74](#), *Closing Out Your Seller’s Permit*.
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Line 3.

Add lines 1 and 2. Enter the result on line 3.

Back Page

Full Deductions, Tax Recovery Adjustments/Deductions and Partial State Tax Exemptions.

The following transactions are not subject to tax and will be subtracted from the total on line 3. First you must complete the deductions on the back of your return.

You cannot claim a deduction for a transaction unless it has been reported on line 1 or 2 of this return or a previous return. If you did not report the original sale, you cannot claim a deduction related to that sale, unless you are a “lender” registered with the BOE.

You must maintain records that support all claimed deductions.

Section A. Full Deductions—Back Page

Any transaction(s) under this section must be included on line 1, Total Gross Sales, on the front page.

Line 4. Sales to Other Retailers for Purposes of Resale

Enter your total sales to other sellers who submitted resale certificates to you for their purchases.

In general, you can accept resale certificates from other sellers who are buying property to resell in the regular course of business. If you obtain a timely and valid resale certificate, taken in good faith, tax will not apply to your sale. See [BOE-230](#), *General Resale Certificate*.

To be valid, resale certificates must contain specific information. For more information, see [Regulation 1668](#), *Sales for Resale*.

You can verify the validity of seller's permits by calling the BOE's Seller's Permit Verification service at 888-225-5263 or by visiting our website at www.boe.ca.gov.

Line 5. Nontaxable Sales of Food Products

Enter your nontaxable sales of food products sold for human consumption.

Whether food product sales are taxable depends on many conditions, including who makes the sale, where the sale occurs, who the customer is, and what is sold. For example, the following sales are generally taxable and should not be deducted:

- Sales of alcoholic and carbonated beverages
- Sales of hot prepared food products
- Sales of meals or food sold for consumption at your place of business or sold for consumption in a place where admission is charged

For more information on food sales, see [Regulation 1602](#), *Food Products*, or [Regulation 1603](#), *Taxable Sales of Food Products*. Vending machine operators should order [Regulation 1574](#), *Vending Machine Operators*.

Line 6. Nontaxable Labor

Enter labor charges for installing premanufactured property or for repairing or reconditioning property to restore it to its original use.

Note: Labor charges for making or fabricating a new product (such as labor charges for making a ring or furniture), or for assembling a product, are generally taxable and should not be deducted. Tax applies even if your customer provides the property that you fabricate.

([Regulation 1546](#), *Installing, Repairing, Reconditioning in General* and [publication 108](#), *Labor Charges*.)

Line 7. Sales to the United States Government

Enter sales made to:

- The United States government or its unincorporated agencies and instrumentalities, such as the following federal departments: Treasury, Interior, Agriculture, or Defense
- Any incorporated agency or instrumentality of the United States wholly owned by either the United States, or by a corporation wholly owned by the United States
- The American Red Cross, its chapters and branches
- Federal reserve banks, federal credit unions, federal land banks, and federal home loan banks

Note: Sales made to the State of California or to cities and counties and local governments in the state are generally taxable and should not be deducted. They are treated like any other sale. ([Regulation 1614](#), *Sales to the United States and Its Instrumentalities* or [publication 102](#), *Sales to the U.S. Government*.)

Line 8. Sales in Interstate or Foreign Commerce

Enter sales that are exempt from tax as interstate or foreign commerce (sales involving shipments or deliveries from California to points outside this state).

For a sale to be exempt, the sales agreement or contract must require the property to be shipped to an out-of-state point, and you must either:

- Use your company vehicle (or other conveyance operated by your business) to ship the property to that location, or
- Deliver the property to a carrier, customs broker, or forwarding agent for shipment outside this state. ([Regulation 1620](#), *Interstate and Foreign Commerce* or [publication 101](#), *Sales Delivered Outside California*.)

Line 9. Sales Tax

Enter an amount on this line only if the amount you reported on line 1 includes California sales or use taxes. Enter only the tax amounts that are included on line 1. ([Regulation 1700](#), *Reimbursement for Sales Tax*.)

Line 10. Other Deductions

Each deduction must be clearly explained.

You may be entitled to claim other deductions in addition to those allowed on lines 4 through 9. Enter the amount for those deductions here.

Examples of transactions that may be deductible include the following:

- Sales by pharmacists of prescription medicines for use by humans. ([Regulation 1591](#), *Medicines and Medical Supplies, Devices and Appliances*.)
- Transportation charges for delivering goods to a purchaser by an independent carrier (the transportation charges must be separately stated on the invoice). If you charge more for delivery than your actual costs, the added amount is subject to tax and cannot be deducted. ([Regulation 1628](#), *Transportation Charges* or [publication 100](#), *Shipping and Delivery Charges*.)
- Sales of animals, seeds, plants and fertilizer, used as, or used to produce, food for human consumption. ([Regulation 1587](#), *Animal Life and Feed*, and [Regulation 1588](#), *Seeds, Plants and Fertilizers*.)

For more information, request a copy of [publication 61](#), *Sales and Use Taxes: Exemptions and Exclusions*.

Section B. Tax Recovery Deductions/Adjustments

If you have tax recovery deductions prior to April 1, 2009, [click here](#).

Line 1. Bad Debt Losses—On Taxable Sales

Enter bad debt losses, as described below.

If you have reported a taxable sale and have been unable to collect payment for the sale, you may take a deduction for the taxable sales portion of the bad debt.

Bad debts may take the form of:

- Checks that have been returned to you unpaid by the purchaser's bank and which you have determined to be uncollectible, or
- Amounts from charge or credit sales that you have determined to be uncollectible

The bad debts must be charged off for income tax purposes, or, if you are not required to file income tax returns, the bad debts must be charged off in accordance with generally accepted accounting principles.

Enter only the amount of the sale before tax. For example, if you sold merchandise for \$15 plus sales tax and were unable to collect any amount for the sale, you would claim \$15 as a deduction.

If you claim a bad debt deduction and later recover a payment, you must report the payment on the tax return filed for the period in which the recovery payment was made.

([Regulation 1642](#), *Bad Debts*.)

Line 2. Bad Debt Losses—Incurred in Connection with Accounts Held by Lenders

If you are registered with the BOE as a Lender, you may be entitled to deduct certain bad debt losses. There are requirements to qualify for this deduction. For detailed information, please see [Regulation 1642](#), *Bad Debts*.

Line 3. Cost of Tax-Paid Purchases Resold Prior to Use

You may claim a deduction on this line if you:

- Paid California sales or use tax when purchasing goods or merchandise, and
- Sold the property without first using it (other than retaining, demonstrating, or displaying it while holding it for sale in the regular course of business)

Enter only the amount of the purchase price before tax. For example, if the property was sold to you for \$15 plus tax, you would claim only \$15 as a deduction.

([Regulation 1701](#), *Tax-Paid Purchases Resold*.)

Line 4. Returned Taxable Merchandise

Enter amounts you credited or refunded to customers for returned taxable merchandise, as described below.

You can take this deduction only if:

- You returned or credited to your customer the full sales price, including sales tax charges, and
- The customer, in order to obtain the refund or credit, is not required to purchase other property at a price greater than the amount charged for the property returned

Claim only the amount of the sale before tax. For example, if the returned merchandise had been sold for \$15 plus sales tax, you would claim only \$15 as a deduction.

([Regulation 1655](#), *Returns, Defects and Replacements.*)

Line 5. Cash Discounts on Taxable Sales

If you gave a cash discount to a customer on a taxable sale, enter the amount of the discount here.

You can claim a deduction on this line only if you reported the full (undiscounted) selling price on line 1. Do not use this line if you reported the discounted selling price on line 1 of this return or a previous return. In addition, you must ensure that you do not collect from your customer more tax than the amount due on the discounted price. If you collect more than the amount due on the discounted price, you cannot claim this deduction.

([Regulation 1671](#), *Trading Stamps and Related Promotional Plans*; [Regulation 1700](#), *Reimbursement for Sales Tax.*)

Section C. Lines 1 thru 5: Partial Exemptions

Due to a change in the state tax rate you must report your transaction(s) prior to April 1, 2009 separately from your transaction(s) that occurred on or after April 1, 2009. Enter your transaction(s) in the appropriate column for the period in which the transaction(s) occurred.

This will ensure your credit is taken at the appropriate rate.

The following transactions are exempt from the state portion of the total sales and use tax rate. They remain subject to 2.00 percent of the total sales and use tax rate, representing local, city, and county taxes. They are also subject to any applicable district taxes. **If the partial exemption was taken prior to April 1, 2009, [click here](#).**

Exemption Certificate Requirements

Retailers who wish to claim a partial exemption must obtain from purchasers a timely, valid exemption certificate as described in [Regulation 1667](#), *Exemption Certificates*. The BOE has designed a specific certificate for this purpose, entitled, "Certificate of Partial Exemption." The certificate is available on our website at www.boe.ca.gov or call our Taxpayer Information Section at 800-400-7115 for a copy. Retailers must retain the completed certificate for a period of not less than four years.

Line 1. Teleproduction Exemption

Complete this line to claim an exemption for sales or purchases made by qualified persons of tangible personal property used primarily in:

- Teleproduction or other postproduction services for film or video that include editing, film and video transfers, transcoding, dubbing, subtitling, credits, closed captioning, audio production, special effects (visual or sound), graphics, animation, or
- With respect to property with a useful life of at least one year, to maintain, repair, measure, or test property used primarily in teleproduction or other postproduction services

A qualified person is a business that is primarily engaged in providing the specialized motion picture or video postproduction services described above.

A qualified purchaser must provide the retailer with a Section 6378 Exemption Certificate; otherwise, the exemption will not be allowed.

This exemption does not apply to the sale or use of any tangible personal property that is used primarily in administration, general management, or marketing (used 50 percent or more of the time in one or more of those activities).

([Regulation 1532](#), *Teleproduction or Other Postproduction Service Equipment.*)

Line 2. Farm Equipment

For a description of exempt farm equipment and who is eligible to claim this exemption see [publication 66](#), *Agricultural Industry* and [Regulation 1533.1](#), *Farm Equipment and Machinery*.

Complete this line to claim a partial exemption for the sale, storage, use or other consumption of qualified farm equipment, machinery and their parts, as described below. It also applies to qualified lease payments for farm equipment and machinery rentals payable on or after September 1, 2001.

Who can claim a partial exemption?

You can claim this partial exemption if you are a person engaged in an agricultural business described in Codes 0111 to 0291 of the Standard Industrial Classification (SIC) Manual or are a person that assists such classified person by performing an agricultural service described in Codes 0711 to 0783 of the SIC manual.

What type of equipment is eligible?

- “Implements of husbandry,” as defined in Revenue and Taxation Code section 411. Such property generally includes any tool, machinery, equipment, appliance, device, or apparatus. The farm equipment, machinery, and parts must be used primarily in producing and harvesting agricultural products. “Primarily” means 50 percent or more of the time.
- Property as defined in Chapter 1, Division 16 of the Vehicle Code used exclusively in agricultural operations. Such property under certain conditions includes lift carriers, tip-bed type trailers, trailers/semi-trailers having no bed, spray or fertilizer applicator rigs, nurse rigs or equipment auxiliaries, row dusters, trap wagons, fertilizer nurse tanks or trailers, cotton trailers, truck tractors and truck tractor/semi-trailer combinations. Vehicles primarily designed for the transportation of persons or property on a highway are generally not considered implements of husbandry and, therefore, do not qualify for this partial exemption.

Line 3. Diesel Fuel Used in Farming and Food Processing

For additional information for this exemption refer to [publication 66, Agricultural Industry](#) and [Regulation 1533.2, Diesel Fuel Used In Farming Activities or Food Processing](#).

Complete this line to claim a partial tax exemption for the sale, storage, use, or other consumption of diesel fuel used in farming or food processing activities.

The diesel fuel must be consumed during the activities of a farming business as set forth in Internal Revenue Code (IRC) 263A or food processing. A farming business is a business that grows crops, fruit- or nut-bearing trees, sod, or nursery plants. Farming activities also include transporting these crops, fruit- or nut-bearing trees, sod, or nursery plants to the marketplace.

Line 4. Timber Harvesting Equipment and Machinery

For additional information for this exemption refer to [Regulation 1534, Timber Harvesting Equipment and Machinery](#).

Complete this line to claim a partial exemption of the sales and use tax for the sale, use, or other consumption of timber harvesting equipment, machinery, and their parts. Such equipment and machinery must be designed for use 50 percent or more of the time off-road in commercial timber harvesting and be used 50 percent or more of the time in timber harvesting. A qualified person is a person who is engaged in commercial timber harvesting. Commercial timber harvesting involves the cutting or removal, or both, of timber and other solid wood forest products from timberlands for commercial purposes. The partial exemption also applies to a qualified person’s lease payments for qualified commercial timber harvesting equipment and machinery rentals payable on or after September 1, 2001.

Timber is considered to be trees of any species, excluding nursery stock, harvested for forest products. Some examples of these products include firewood, Christmas trees, biomass, poles, and pilings.

Typical off-road commercial harvesting equipment and machinery and their general use, that may be eligible for this partial exemption include:

- Tractors or rubber tired skidders—move the logs from the woods to the logging trucks
- Front end loaders—load logs onto trucks
- Feller-bunchers—cut very small trees
- Cable Yarders—harvest trees on very steep slopes by suspending the logs on a cable
- Chippers—chip small logs and brush into very small pieces
- Chainsaws—used to cut down trees

Line 5. Racehorse Breeding Stock

For additional information for this exemption refer to [Regulation 1535, Racehorse Breeding Stock](#).

Complete this line to claim a partial exemption of the sales and use tax for the sale, storage, use, or other consumption of “racehorse breeding stock.”

“Racehorse breeding stock” means racehorses capable of and purchased solely for the purpose of breeding.

Line 11, Back Page—Total Nontaxable Transactions

Line 11, back page is your total for Sections A, B, and C. Add the total from each section and enter on line 11 on the back page. Also enter the total on line 11 on the front of your return.

Lines 11 thru 26—Front Page**Line 11.**

This is your total nontaxable transaction(s) carried over from line 11 on the back of your return. This amount will be subtracted from the total of your gross sales and purchases to arrive at the amount on which tax is calculated.

Line 12. Transactions Subject to State Tax

Subtract line 11 from line 3. Enter the result on line 12.

Line 13(a). State Tax

Multiply Line 12 by .06. For a breakdown of the state tax rate see “Detailed Description of the Sales and Use Tax Rate” located on the BOE website.

Line 13(b). Tax Recovery Adjustment

Enter the amount from Section B, box 13(b) on the back page.

This adjustment is used to account for a change in the state tax rate. Only use this line if you are reporting transaction(s) that occurred at more than one tax rate in Section B on the back page.

Line 14(a). Transactions Subject to County Tax

Enter the amount from line 12.

Note: If you are claiming Partial Exemptions, you must add box 61 from Section C, back page to line 12 and enter the result on line 14(a).

Line 14(b). County Tax 1/4 Percent

Multiply line 14(a) by .0025. Enter the result on line 14(b).

Line 15. Adjustments for Local Tax (For sales or purchases for use by an aircraft common carrier)

Complete this line if you sold or purchased property for use by an aircraft common carrier, as described in Regulation 1805, *Aircraft Common Carriers*.

Adjustment for Purchases/Sales

If you are an aircraft common carrier that purchased qualifying property subject to the 3/4 percent local tax exemption as provided by Regulation 1805, have not paid any tax reimbursement to your vendor, and have reported the purchase price of the property as a purchase subject to use tax on line 2 of this return, you will use line 15 to report the adjusted purchase price of the property that is subject to the 3/4 percent local tax exemption.

If you are a vendor that sold property to an aircraft common carrier that provided you with an exemption certificate as provided by Regulation 1805, you will use line 15 to report the adjusted sales price of the property that is subject to 3/4 percent local tax exemption.

To calculate your line 15 amount, take all your exempt purchases/sales and multiply them by 0.75. Enter the result on line 15.
Example: If your exempt sales were \$1,000, multiply \$1,000 by 0.75. The amount you enter on line 15 would be \$750.

Please attach a schedule showing the purchase/sale (reported on line 15 on the return) price by county of use. You can attach your own listing, or you can request a copy of BOE-531-X, Schedule X, *Detailed Allocation by County of Sales Exempt from Combined State and Local Tax*, by calling 800-400-7115.

Please note: If you are also completing a BOE-531-A1, *Computation Schedule for District Tax*, you will need to adjust the amount on line A1 by subtracting the .25% that was not exempt from line 15. Regulation 1825, *Aircraft Common Carriers*, states that district taxes do not apply to sales of property to air common carriers that are consumed primarily outside the state. That means the entire amount is exempt. Since line 15 already exempted 75% of your sales/purchase, you will need to adjust the amount on line A2/A3 by an additional .25%.

Example: **Line A1:** Enter the amount from line 16.

Line A2/A3: Multiple your exempt transactions to air common carriers by .25 and enter the amount here.

Line A4: Subtract line A2/A3 from line A1. This will now provide for a full 1% exemption as provided in Regulation 1825.

Line 16. Transactions Subject to Local Tax

The amount on line 16 will be the same as line 14(a) of the return, unless you sold or purchased property for use by an aircraft common carrier and entered an amount on line 15.

Note: If you entered an amount on line 15, add or subtract the line 15 amount from line 14(a). Enter the result on line 16.

Line 17. Combined State and Local Tax 1 Percent

Multiply line 16 by .01. Enter the result on line 17. As of July 1, 2004, the 1 percent tax rate represents 1/4 percent for State Tax and 3/4 percent for Local Tax.

Line 18. District Sales and Use Tax

If your transaction(s) occurred in more than one taxing jurisdiction (higher than the current state tax rate), you must complete BOE-531-A1, *Schedule A1, Computation Schedule for District Tax—Short Form*, or the BOE-531-A2, *Computation Schedule for District Tax—Long Form*. Instructions for the schedules are included with each form.

Line 19. Total State, County, Local, and District Tax

Line 19 represents the total tax liability for this reporting period.

Add lines 13(a), 14(b), 17, and 18, then subtract 13(b). Enter the result on line 19.

Line 20. Property Purchased Out of State for Use in California (*credit for another state's tax charges*)

Enter the amount of tax paid on this line if:

- The property was purchased out of state and brought into California for use, consumption, or storage in this state, and not for resale in the regular course of business, and
- You paid another state's sales or use tax on your purchase of the property, and
- You are not entitled to a tax refund from the other state, and
- Your liability for tax in the other state occurred prior to your use, storage, or consumption of the property in California, and
- You have reported the purchase price on line 2, "Purchases Subject to Use Tax"

Notes:

- The amount of your tax credit cannot exceed the total of the applicable California state, county, local and district taxes in effect at the time of the use. For example, if you paid 9 percent sales tax charged by another state and used the property in California in an area where the total state, county, local, and district tax rate was 8.50 percent, you could not claim more than a 8.50 percent credit.
- If you are required to complete either Schedule B or C, attach a separate document fully explaining the credit taken on line 20, the location where the property was used, its purchase price, and the amount of tax paid in other states.
- You may be required to present documentation to substantiate the credit taken against California tax (such as a purchase invoice or similar document showing the name and address of the seller, date of purchase, purchase price, and amount of sales or use tax paid).

Please contact the Taxpayer Information Section at 800-400-7115 if you are uncertain as to the correct amount of credit to claim.

Line 21. Net Tax

Subtract line 20 from line 19. Enter the result on line 21.

Line 22. Tax Prepayments

Complete this line if you made any tax prepayments. (Businesses with average monthly taxable transactions of \$17,000 or more must make prepayments, once notified by the BOE.)

Enter the prepayment amounts in the proper spaces. This credit is limited to the amounts of tax prepaid and should not include penalties or interest charges reported with your prepayments.

Note: FUEL SELLERS—If you sell fuel and pay sales tax to your fuel supplier, do not use this line to claim a credit for those tax payments. Credit can be claimed on BOE-531-G, *Schedule G—Fuel Seller's Supplement to Sales and Use Tax Return*.

Line 23. Remaining Tax

Subtract line 22 from line 21. Enter the result on line 23.

Line 24. Penalty

If your tax payment is made, or your tax return is filed after the due date shown at the top of the return, you must pay a 10 percent penalty. Multiply line 23 by .10 and enter the result on line 24.

Returns and payments must be postmarked or received by the due date of the return to be considered timely. If the due date falls on a Saturday, Sunday, or state holiday, returns postmarked or received by the next business day will be considered timely.

Businesses required to pay sales and use taxes by electronic funds transfer (EFT) may also be subject to a 10 percent penalty for failure to pay by EFT (payment made by check, for example). However, a 10 percent maximum penalty applies to returns and return payments after January 1, 1997.

Line 25. Interest

If your payment is late (see line 24 instructions for an explanation of due dates), you must pay interest charges in addition to penalty charges.

You owe one month's interest for each month or portion of a month the payment is overdue. For example, if your payment is one month and two weeks overdue, you owe two months' interest.

Using the interest rate printed on line 25 of your return, multiply the rate times the total tax owed. Enter the result on line 25.

Reminder: If you owe two or more months' interest, as described above, you must multiply the amount due by the number of months overdue.

Line 26. Total Amount Due and Payable

Add lines 23, 24, and 25. Enter the result on line 26. See page 1 for acceptable payment methods.

Special Instructions for Tax Recovery Deductions in Section B**Tax Recovery Deductions for Sales Originally Reported Prior to April 1, 2009 (Section B)**

Due to the 1% increase in the state tax rate, you must report your tax recovery transaction(s) where the original transactions occurred between July 1, 2004 and March 31, 2009, separately from those where your original transaction(s) occurred on or after April 1, 2009. Transactions that occurred prior to April 1, 2009, should be entered in Column A, and transactions on or after April 1, 2009, should be entered in Column B. Add the amounts in Column A and Column B and enter the result in Column C. Be sure to enter your transaction(s) in the appropriate columns for the period in which the transaction(s) occurred. This will ensure your credit is taken at the appropriate rate.

Tax Recovery Deductions for Sales Originally Reported as Eligible for a Partial State Tax Exemption (Sections B and C)

In addition to adjusting for sales reported prior to April 1, 2009, if any tax recovery transactions are related to sales that were eligible for a partial state tax exemption, an additional adjustment may be required as explained below in the instructions for Section C.

Tax Recovery Deductions for Partially Exempt Sales prior to July 1, 2004

If you have tax recovery transactions (such as bad debts) to report, where the original sales were partially exempt and occurred prior to July 1, 2004, you cannot use Section B or Section C on the back of your return to report those tax recoveries. To report bad debts where the original transactions occurred prior to July 1, 2004, call the Taxpayer Information Section at 800-400-7115 for assistance in preparing your return.

Special Instructions for Partial Exemptions in Section C**Tax Recoveries on Sales Claimed as Eligible for a Partial State Tax Exemption in Section C**

In order to recover only the partial state tax rate originally paid, you must make an adjustment in the appropriate column of Section C, if any tax recovery deductions were claimed in Section B where the original transaction was eligible for one of the partial state tax exemptions listed in Section C. If no adjustment is made, tax will be recovered at the full state tax rate and your return will be underpaid. To make an adjustment for tax recoveries on partially exempt sales where the original transaction occurred between July 1, 2004 and March 31, 2009, enter a contra deduction (negative entry) in Column A for the appropriate exemption. Any previously unreported sales that occurred prior to April 1, 2009 should be reported on a corrected return covering the period in which the sale occurred. Column A of Section C should only be used to report adjustments to tax recoveries on sales originally claimed as eligible for partial state tax exemption. For tax recoveries where your original partially exempt transaction(s) occurred on or after April 1, 2009, make your adjustment in Column B. If you do not have any current period partial exemptions, you will need to make a contra deduction for the amount of tax recoveries related to sales originally reported as partially exempt. If you have current partial exemptions to report, subtract those tax recoveries from your current partial exemptions and enter the net amount.

Claiming a tax recovery deduction in Section B provides a full state tax exemption while making any necessary adjustments in Section C. This will reverse the original partial exemption, reducing your recovery to the partial state rate originally paid and ensure your credit is taken at the appropriate rate.