

New Jersey Sports and Entertainment Facility Tax – Millville District Quarterly Return Instructions

This return must be filed in addition to the sales and use tax return (ST-50/51 or UZ-50)

Filing Form SM-100

Filing Online

You can file Form SM-100 online at the Division of Taxation's Web site (www.state.nj.us/treasury/taxation/). Click on "Electronic Services" on the left, click on "Business Taxes and Fees," then scroll down to "Sports and Entertainment Facility Tax."

Who Must File

Every entity that operates in the Millville Sports and Entertainment District must file form SM -100. The amount of tax due for each filing period must be remitted to the State on or before the due date of the return.

When to File

Taxpayers subject to the tax must file a quarterly SET-MI Return, (Form SM-100) and remit any tax due on or before the 20th day of month following the end of the calendar quarter.

Quarter	Ending	Due Date
Jan.-Feb.-Mar.	March 31	April 20
Apr.-May-June	June 30	July 20
July-Aug.-Sept.	September 30	October 20
Oct.-Nov.-Dec.	December 31	January 20

If a due date falls on a Saturday, Sunday, or legal holiday, the return is due the next business day. Returns transmitted by 11:59 p.m. on the due date will be deemed timely.

How to File

You may file your NJ SM-100 online at the Division's website www.state.nj.us/treasury/taxation/. Proceed to the link "File, Pay Online," then select it. Scroll down to see "Sports and Entertainment Facility Tax – Millville District Return and Payment" link and select that. Follow the login instructions to gain access to the online return.

How to Pay

Payments made by 11:59 p.m. on the due date will be deemed timely even if the settlement date (date payment is debited from the account) is after the filing deadline provided the payment is made by e-check.

Electronic Check (e-check)

Taxpayers with a prior year liability of \$10,000 or more in any tax are required to make their payments for all taxes electronically. Taxpayers who are required to remit payments electronically can satisfy the electronic requirement by making e-check or credit card payments. If you choose not to pay the tax due at the same time you file your return, you can make an electronic payment by itself in a separate session. Your payment must be made by the due date to avoid penalty and interest charges.

You will be given an opportunity to pay your tax liability by e-check. If you choose to pay by e-check, be sure to enter the 9-digit routing number and the account number (up to 17 characters; numbers only). If you choose not to pay the tax due when you file your quarterly return, you can make an e-check payment by itself at a later time. However, your quarterly payment must be made by the due date to avoid penalty and interest charges.

Online Credit Card

You will be given the opportunity to pay your tax liability by credit card when filing your return through the Business Online Filing System. If you choose not to pay the tax due at the same time you file the return, you can make a credit card payment by itself in a separate session, or go to www.officialpayments.com. Your payment must be made by the due date to avoid penalty and interest charges. There is a convenience fee of 2.49% of your liability paid directly to "Official Payments Corporation."

Penalties, Interest, and Fees

Failure to file a return by the due date and/or failure to remit any taxes due by the due date will result in penalty and interest charges. Anyone required to collect SET-MI does so as a trustee on behalf of the State of New Jersey. Thus, business owners, partners, corporate officers, and some employees of such businesses may be held personally liable for failure to collect the tax when required or for failure to file returns and remit any taxes due on a timely basis.

Late Filing Penalties

A late filing penalty is assessed at 5% per month (or fraction thereof) of the balance of tax liability due at the original return due date not to exceed 25% of such tax

liability. A penalty of \$100 per month (or fraction thereof) for each month the return is late will also be imposed.

Late Payment Penalty

A late payment penalty is assessed at 5% of the balance of the taxes due and paid late.

Interest

The annual interest rate is 3% above the average predominant prime rate. Interest is imposed each month (or fraction thereof) on the unpaid balance of the tax from the due date to the date of payment. At the end of each calendar year, any tax, penalties, and interest remaining due will become part of the balance on which interest is charged.

NOTE: The average predominant prime rate is the rate as determined by the Board of Governors of the Federal Reserve System, quoted by commercial banks to large businesses on December 1st of the calendar year immediately preceding the calendar year in which the payment was due or as determined by the Director in accordance with N.J.S.A. 54:48-2.

Collection Fees

In addition to the above penalties and interest, if your tax bill is sent to a collection agency, a referral cost recovery fee of 10% of the tax due will be added to your liability. If a certificate of debt is issued for your outstanding liability, a fee for the cost of collection may also be imposed.

Gross Receipts

The accrual method of accounting must be used when reporting gross receipts. Under this method, all receipts are reported in the period in which the sale took place, no matter when or if payment is actually received from the customer. Report gross receipts from all transactions, *including exempt transactions*, which occurred during the three-month reporting period covered by the quarterly return (Form SM-100). This includes:

- Sales of tangible personal property, including the rental, storage, and use of tangible personal property.
- Receipts from lease transactions.
- Sales of prepared foods and beverages (including alcohol).
- Room occupancy charges.
- Admission and amusement charges.
- Receipts from sales of less than \$0.11.

• Installment sales or other sales on credit made during the quarter.

Do not include in gross receipts:

- Installment *payments* from installment sales or other sales on credit.
- Sales tax collected.
- Trade-in allowances.

Adequate records should be maintained showing separately all exclusions from gross receipts.

Deductions

You may deduct the amount of all sales included in gross receipts which are not taxable under New Jersey law. No deduction may be taken for any amount which was not included in gross receipts on your return. Deductions may be taken only *once*. For example, if a deduction has been taken for an exempt clothing sale, you may not deduct the amount again as a sale of property which was delivered out of State.

Exempt Sales of Tangible Personal Property (Line 2a). Deduct the sales of any tangible personal property which is specifically exempt from sales tax (e.g., sales of clothing, etc.).

Exempt Admissions (Line 2b). Deduct any admission charges to sporting activities where a patron was a participant.

Exempt Occupancies (Line 2c). Deduct receipts from occupancies exceeding 90 consecutive days or less than \$2.00 dollars per day.

Sales Covered by Certificates (Line 2d). Deduct receipts from sales of property or services for which a valid New Jersey exemption certificate or Streamlined Sales Tax Agreement Certificate of Exemption was accepted in good faith in lieu of tax.

Returned Goods (Line 2e). Deduct the total sales price of taxable purchases returned by the customer. Include only the amounts refunded or credited to the customer. Do not include:

- Sales tax collected on returned purchases.
 - Returns that were not subject to sales tax.
 - Amounts not included in gross receipts on any return.
- No deduction may be taken for returned goods which have been or will be deducted as an exempt sale on the SET-MI return.

Rounding Off to Whole Dollars

Eliminate any amount under 50 cents and increase any amount 50 cents or over to the next higher dollar. Round the amounts for the quarterly gross receipts and deductions lines only. No other lines are to be rounded.

Instructions for Online Filing

Identification

New Jersey Taxpayer Identification Number. Enter your 12-digit New Jersey Taxpayer Identification Number. (NOTE: If you do not enter your ID number correctly, you will not be able to file.)

PIN/Taxpayer Name. Enter your 4-digit PIN (Personal Identification Number) or your registered taxpayer name. (NOTE: If you do not enter your PIN or your taxpayer name correctly, you will not be able to file.) If you are registered to withhold New Jersey gross income tax from wages or other payments, your PIN is the same PIN that you use to file employer withholding tax returns (Forms NJ-927/NJ-500 or Form NJ-927-W) online or by phone. The employer PIN is printed in the upper right-hand corner of Form REG-C contained in your quarterly NJ-927 forms packet. If your business does not file employer withholding tax returns, your PIN is the same PIN you use to file sales and use tax returns (Forms ST-50/51) online. If you cannot access the Business Online Filing System using your assigned PIN, call the Division of Taxation's Customer Service Center at 609-943-5000 during normal business hours for assistance.

Contact Information. Enter the name and phone number of a contact person for the taxpayer.

Return Period

Quarter: Enter the number that reflects the calendar quarter covered by the return:

1 – January, February, March

2 – April, May, June

3 – July, August, September

4 – October, November, December

Year: Enter the year in which the quarter you are reporting fell. Example: If you are filing a return for the second quarter of 2011, enter "2" for the quarter and "2011" for the year.

Return Information

Tax Preparer's Identification Number. If the return is being filed by a tax preparer, enter the preparer's 9-digit Federal identification number or social security number.

Line 1 Gross Receipts Enter on lines a through d the corresponding gross sales receipts (to the nearest dollar)

from all transactions, including exempt transactions that occurred during the three-month reporting period covered by the return. Enter on Line 1e the Total Gross Receipts (to the nearest dollar) of the sum of lines a through d. (See "Gross Receipts" on page 2 for more information). If you had no gross receipts for the quarter, enter "0."

Line 2 Deductions Enter on lines a through d the specific deductions to the corresponding line (to the nearest dollar) from all transactions that occurred during the three-month reporting period covered by the return. Enter on Line 2f the Total Deductions (to the nearest dollar) of the sum of lines a through e. (See "Deductions" on page 2 for more information). If you had no deductions for the quarter, enter "0."

Line 3 Taxable Receipts Taxable receipts are the amount of income that is subject to tax after the deductions are removed from the Total Gross Receipts. (Subtract line 2f from line 1e.)

Line 4 Tax Rate The tax rate is the rate (2%) at which tax should be collected on the Taxable Receipts (Line 3) as defined in P.L. 2007 Chapter 30.

Line 5 Calculated Tax The calculated tax due is the amount of Taxable Receipts (Line 3) multiplied by the 2% Tax Rate (Line 4) .

Line 6 Tax Collected The tax collected is the amount of tax you have actually collected during the return period.

Line 7 Total Tax Due Enter the greater of Line 5 and Line 6.

Line 8 Total Payments and Credits For

Amended Quarter Enter the sum of all payment(s) or credit(s) from previous overpayment(s) in line 8.

Line 9 Quarterly Tax Due Subtract the Total Payments and Credits from the Total Tax Due. (Line 7 minus Line 8).

Line 10 Penalty and Interest. Compute any penalty and interest charges incurred for late payment and/or late filing for the quarter and enter the amount on Line 10. If you are unable to determine this amount, enter "0." You will be billed for any penalty or interest due.

Line 11 Total Amount Due. Add the Penalty and Interest (Line 10) to the Quarterly Tax Due (Line 9). If you have a balance due, you must pay by e-check or credit card. See “How to Pay” on page 2. You are not required to submit a payment on the date you file the return, however, your payment must be made by the due date to avoid penalty and interest charges.

Payment Information

If you wish to pay by e-check, enter on the worksheet the 9-digit bank routing number, the account number (omit hyphens, spaces, symbols, and letters), the type of account, and the date you want the payment to be debited from your account. The earliest date you may select is the next business day. However, payment transactions initiated by 11:59 p.m. on the due date will be deemed timely even if the settlement date (date payment is debited from the account) is after the filing deadline. You can also pay by credit card or EFT (debit or credit) after you have completed your online filing and received a Confirmation Number. See “How to Pay” on page 1. **Confirmation Number.** After you file your return, the system assigns you a Confirmation Number. This number serves as proof that your return was successfully filed. Enter the number and the date you filed your return in the boxes on the worksheet along with the name of the person who “filed” the return.

Your return is not filed until you receive a Confirmation Number.

Your Confirmation Number is your only proof that your return was successfully filed. Enter it on your worksheet and keep the worksheet for your business files for four years in case of audit. **Do not mail it to the Division of Taxation.** If you file your quarterly return in one session, but make your payment by e-check or EFT debit in a separate session of the Online Filing System, you will receive a separate Confirmation Number for the payment transaction.

Amended Returns

If you discover an error after you file your return, file an amended return online. If the correction results in an overpayment of tax for the quarter, file a Claim for Refund (Form A-3730). To obtain Form A-3730, visit the Division of Taxation website or call the Forms Request System. See “Where to Get Information” below.

Where to Get Information

By Phone Call the Division of Taxation’s Customer Service Center at **609-292-6400**. Representatives are available from 8:30 a.m. to 4:30 p.m., Monday through Friday (except holidays).

Online Division of Taxation Website:

www.state.nj.us/treasury/taxation/

E-mail: nj.taxation@treas.state.nj.us

Order Forms and Publications

To obtain copies of the EZ Telefile Worksheet and Instructions, as well as other tax forms and publications: Call the Forms Request System from a Touch-tone phone at **1-800-323-4400** (within NJ, NY, PA, DE, and MD) or **609-826-4400** (anywhere). Call NJ TaxFax at **609-826-4500** from your fax machine’s phone. Visit the Division of Taxation’s Web site: www.state.nj.us/treasury/taxation/.

In Person

Visit a New Jersey Division of Taxation Regional Office. For the address of the office nearest you, call the Automated Tax Information System from a Touch-tone phone at **1-800-323-4400** (within NJ, NY, PA, DE, and MD) or **609-826-4400** (anywhere) or visit our Web site.