

ALABAMA DEPARTMENT OF REVENUE - SALES AND USE TAX RULES
Code of Alabama 1975, Sections 40-23-31 and 40-23-83

810-6-5-.30.01. Filing and Paying State Rental Tax and State-Administered County and Municipal Rental Taxes on a Quarterly or Annual Basis.

(1) The term "total state rental tax liability" as used in this rule shall mean the amount of state rental tax, including applicable penalty and interest, remitted by, or levied or assessed against, the taxpayer.

(2) Beginning with calendar year 1999, a taxpayer may elect to file and pay state rental tax and state-administered county and municipal rental taxes on a calendar quarter basis provided the taxpayer's total state rental tax liability averages less than two hundred dollars (\$200) per month during the preceding calendar year. (Sections 11-3-11.3, 11-51-207(b), 40-12-224, and 40-23-7, Code of Alabama 1975)

(3) A taxpayer's election to file and pay rental taxes quarterly shall be in writing and shall be filed with the department no later than February 20 of each year in which the taxpayer wishes to file and pay the taxes quarterly. The provisions of Rule 810-1-5-.01 shall govern whether a taxpayer's written election to file quarterly returns is timely filed.

(4) Beginning with calendar year 1999, no state rental tax return or state-administered county or municipal rental tax return is due until January 20 of the following year unless the total state rental tax liability during the preceding calendar year exceeds ten dollars (\$10). (Sections 11-3-11.3, 11-51-207(b), 40-12-224, and 40-23-7)

(a) If a taxpayer's state rental tax liability for the entire calendar year 1998 was ten dollars (\$10) or less, the taxpayer's state rental tax and state-administered county or municipal rental tax returns and payments covering calendar year 1999 shall be due January 20, 2000. If the same taxpayer's state rental tax liability for calendar year 1999, when the tax return is filed and the tax paid in January 2000, is ten dollars (\$10) or less; the taxpayer's state rental tax and state-administered county or municipal rental tax returns and payments covering calendar year 2000 shall be due January 20, 2001. However, if the same taxpayer's state rental tax liability for calendar year 1999, when the tax return is filed and the tax paid in January 2000, is in excess of ten dollars (\$10); the taxpayer shall file and pay state rental tax and state-administered county or municipal rental tax for calendar year 2000 on a monthly basis unless the taxpayer qualifies and elects in writing to file the returns and pay the taxes on a calendar quarter basis.

(5) In order to qualify for quarterly or annual filing status, the taxpayer shall have been in business for the entire preceding calendar year and shall have filed the required returns covering the entire preceding calendar year upon which the calculation of the average monthly tax liability or the annual tax liability is to be based. (Adopted through APA effective October 20, 1998)