

# INSTRUCTIONS

## 2004 FORM 740

### Who Must File a Kentucky Income Tax Return

If you were a Kentucky resident for the entire year, your filing requirement depends upon the amount of Kentucky adjusted gross income, age and whether you or your spouse are legally blind. You must file a return if:

YOUR FILING STATUS IS	AND	ADJUSTED GROSS INCOME EXCEEDS
Single Person—Under age 65		\$5,000
Single Person— Age 65 or over or blind		\$5,000
Single Person— Age 65 or over and blind		\$5,000
Husband and Wife—Both under age 65		\$5,000
Husband and Wife—One 65 or over		\$5,500
Husband and Wife—Both age 65 or over		\$6,800

Any person with gross receipts of \$5,000 or more from self-employment must file a Form 740 regardless of the amount of adjusted gross income or the number of tax credits claimed.

In some cases part-time or part-year workers have income taxes withheld from their paychecks. Even though the filing requirements are not met, an income tax return must be filed to claim a refund of the Kentucky taxes withheld.

A child meeting the filing requirements must file a return even though being claimed as a dependent by the parent. Kentucky income tax law contains no special provisions for taxing the income of a minor child at the parent's tax rates nor the reporting of income of a child on the parent's return.

Generally, all income of Kentucky residents, regardless of where it was earned, is subject to Kentucky income tax.

**Nonresidents and part-year residents must report income on Form 740-NP.**

**Military Personnel**—Members of the Armed Forces are required to file state income tax returns with their state of legal domicile, which usually is the state of residence prior to entering military service. Persons serving outside of the United States are considered residents and are not exempt from taxes because of foreign assignments.

Kentucky residents who are in the military are often granted extensions for military service when serving outside the United States. Any extension granted for federal income tax purposes will be honored for Kentucky income tax purposes. Any income earned in a **combat zone** that is exempt for federal tax purposes is also exempt for Kentucky tax purposes.

**Military Personnel Eligible for Combat Zone Extension**—Members of the Army, Navy, Marines, Air Force, or Public Health Service of the United States government who serve in an area designated as a combat zone by presidential proclamation and who are required by law to file an income tax return and pay income taxes to the State of Kentucky shall not be required to file the return and pay the taxes, which would otherwise become due during the period of service, until 12 months after the service. Members of the National Guard or any branch of the Reserves called to active duty to serve in a combat zone are granted the same extension.

*Complete your federal tax return first. If you are not required to file a federal tax return, see instructions for Line 9.*

**For Fiscal Year Filers Only**—Most people pay taxes for a calendar year. However, if you file for a taxable year other than a calendar year or for part of a year, enter the beginning and ending dates of that year on the line at the top of the form.

### When and Where to File

The income tax return for calendar year 2004 must be postmarked no later than April 15, 2005, to avoid penalties and interest. Mail to:

APRIL 2005						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

**Refund/Other Returns**

Kentucky Department of Revenue  
Frankfort, KY 40618-0006

**Pay Returns**

Kentucky Department of Revenue  
Frankfort, KY 40619-0008

Taxpayers who expect refunds should file as early as possible to receive refunds promptly. If you have your tax return prepared by another person, you may wish to mail the return yourself in order to insure prompt filing.

### Envelopes

Use the blue envelope for refund returns. Use the yellow envelope for pay returns. Affix the label in the return address area of the envelope you use. The size of the envelope has been increased which means your return only needs to be **folded in half**. This reduces the thickness of the envelope and increases the efficiency of our mail opening equipment.