

# Frequently Asked Questions

## Pre-Kindergarten Tax Incentive

### 1. How do I make a qualifying donation to a pre-K collaborative?

Contact the lead partner for the collaborative to which you wish to donate. A list of all the approved early learning collaboratives is found below, along with contact information for the person responsible for collecting donations. You may donate to the collaborative as a whole or to a specific provider within the collaborative. Collaboratives always welcome cash donations. However, you can also donate in-kind resources such as goods or services. However, you must contact the collaborative first to see if the goods or services will be accepted. Once you have made a donation, make sure you receive a tax receipt letter that states your name, the amount of your donation, who you donated to, and when the donation was made.

### 2. If I want to donate to a specific provider instead of the whole collaborative, how do I do that?

Follow the same steps that you would to donate to the collaborative, except tell the lead partner that you want your donation to be earmarked for a specific provider.

### 3. Is there a limit on how much of a tax credit I can claim?

You can donate an unlimited amount to a collaborative or specific provider. However, any individual or organization can only receive a credit of up to \$1,000,000.00 in a single year.

### 4. How do I claim the pre-K tax credit?

When you file your taxes, you must fill out form 80-401, which can be found on the Department of Revenue's website each year. The 2014 version of the form (available in January 2015) will contain the appropriate code to claim the credit. Attach your documentation from the collaborative confirming your donation; this documentation must be the tax-receipt letter that the collaborative should send you confirming your donation.

### 5. What is the total amount of credits available for 2016?

The Mississippi Department of Revenue can approve 1:1 tax credits up to the amount the legislature appropriates to the Early Learning Act each year. For fiscal year 2016, the legislature appropriated \$4,000,000; therefore, the sum of the donations in calendar year 2016 eligible for the tax credit may not exceed \$4,000,000.

### 6. When do I need to make my donation in order to claim the tax credit?

Donations must be made during the calendar year for which a tax return is filed. For tax returns filed in 2017, the donation must be made in 2016.

### 7. How will the Department of Revenue determine who receives the tax credit if the cap is reached?

The Department of Revenue will award the tax credit on a first-come, first-served basis in the order in which a tax return is filed, not in the order in which a donation is made. Therefore, regardless of when a contribution is made in a previous year, receiving the tax credit is based on the date of the filing.

### 8. As an individual, if I have too much money withheld from my income and I make a qualifying donation in order to claim the tax credit, how much money will I get in a refund?

A tax credit reduces the amount of taxes that a person owes. The Department of Revenue (DOR) will first calculate the amount of taxes you owe based on your income. This is called your tax liability. DOR will subtract from your tax liability any tax credits you can claim. Then, your withholdings (money that you had withheld for taxes from your paycheck each pay period), if any, will be applied to the amount of remaining tax liability after subtracting your tax credits. If you have had more taxes withheld from your paycheck than your remaining tax liability after subtracting your tax credits, you will qualify for a refund for the amount of withholdings that you overpaid.



For example, let's assume that you earned \$50,000 in taxable income in a year, and you are required to pay 20% in taxes, or \$10,000. (In other words, your tax liability is \$10,000.) During the tax year, you also made a qualifying donation of \$2,000 to your local collaborative. This donation means you can claim a \$2,000 tax credit, which will reduce your tax liability to \$8,000.

**Tax liability of \$10,000- Tax credit of \$2,000= Remaining tax liability of \$8,000.**

Let's also assume that you had \$8,500 withheld from your paycheck over the course of the year. Because your withholdings were greater than your remaining tax liability, you would qualify for a refund in the amount of the overpayment:

for.

**Remaining tax liability of \$8,000 – Withholdings of \$8,500 = Overpayment of \$500 = Refund of \$500**

It is very important to note that while your withholdings are refundable, the tax credit itself is not refundable. This means that if you make a qualifying donation that is greater than your tax liability, you will not get a “refund” for the amount of the donation greater than your liability.

For example, let’s assume again that your tax liability is \$10,000, but this time, you make a qualifying donation of \$15,000. Since the tax credit is not “refundable,” you will not receive the \$5,000 as a refund; instead, your current year tax liability has been reduced to \$0. Since your tax liability is \$0 in this example, any withholdings from your earnings will be returned to you as a refund.

What happens to the \$5,000 from our example above? The pre-K law allows donors to “carry forward” unused portions of the tax credit. In other words, if you can claim a tax credit that is greater than your tax liability in the year you donated, you can “carry forward” the unused portion for the next three years to apply to future taxes. As in our example, if you donated \$15,000 but only owed \$10,000, you can apply the \$5,000 extra that you donated in this tax year to your taxes for next year. Tax credits that are “carried forward” do not count against the cap, so if you donate extra this year and the cap is reached next year, you can still use your remaining tax credit next year.

**9. As a company, if my company pays too much in its quarterly estimated tax payments and makes a qualifying donation in order to claim the tax credit, how much money will the company receive in a refund?**

See the answer to #8. The process to calculate a refund would be the same, except instead of withholdings, a company should substitute its estimated tax payments.

**10. Is the tax credit refundable?**

No. See the answer to #8 to understand what refunds you might qualify

**11. How will I know when the tax credit cap is reached if I want to donate or if I have donated?**

Your local collaborative can tell you what the current estimation of qualifying donations is. Remember, regardless of when or if the cap is reached, the Department of Revenue will award tax credits on a first-come, first-served basis from the date of when an individual or company files its taxes, *not* the date of the donation.

**12. How soon can I file my taxes in order to have the best chance of receiving the credit?**

The Department of Revenue publishes the forms and instructions for state taxes in January of each year. As soon as the new form is out for claiming a tax credit, you can file your tax return.

**13. Can I claim the state tax credit and a federal tax deduction for the same qualifying donation?**

The state tax credit is available to any person or organization that makes a qualifying donation, regardless of whether that donation has been used to claim a federal tax deduction. To learn more about federal tax deductions for charitable contributions, go to <http://www.irs.gov/uac/Eight-Tips-for-Deducting-Charitable-Contributions>.

**14. How will I know what the cap is every year?**

The Legislature must annually appropriate money to fund the pre-K program. The tax credit cap is dependent upon this annual donation. Your local collaborative can tell you what money was appropriated and, therefore, what the cap is.

**15. What if I am eligible for a state tax credit larger than what I owe in state taxes?**

You can “carry forward” unused portions of the tax credit for up to three years. See the answer to #8 for more explanation.

2016-2017 MDE-Approved Collaboratives			
Collaborative	Lead Partner	Contact Person	Contact Info.
Clarke County Early Learning Partnership	Quitman School District	Lacia Donald	601-775-6156
Coahoma County Pre-K Collaborative	Clarksdale Municipal School District	Toya Matthews	662-627-8500
Corinth-Alcorn-Prentiss Early Learning Collaborative	Corinth School District	Tanya Nelson	662-287-2425
Lamar County Early Learning Collaborative	Lamar County School District	Teresa Jenny	601-794-1030
McComb Community Collaborative for Early Learning Success	McComb School District	Betty Wilson-McSwain	601-684-4661
Monroe Early Learning Collaborative	Calvert’s ABC Preschool and Nursery	Heather Walker	662-257-6474
Petal Early Learning Collaborative	Petal School District	DeDe Smith	601-584-4704
Picayune School District Early Head Start	Picayune School District	Pam Thomas	601-798-3230
Sunflower County Early Learning Collaborative	Sunflower Consolidated School District	Leigh Ann Reynolds	662-884-1285
Tallahatchie Early Learning Alliance	Rock River Foundation	Meghan Tooke	770-364-6390
Canton, Mississippi Early Learning Collaborative*	Agape Community Development Center	Margaret Chapman	601-859-8868
Starkville Oktibbeha Early Learning Collaborative*	Starkville Oktibbeha Consolidated School District	Dr. Joan Butler	662-615-0033
Greenwood – Leflore County Early Learning Collaborative*	Greenwood Public Schools	Dr. Jennifer Wilson	662-644-0667
Grenada Early Learning Collaborative*	Grenada School District	Kim Ezelle	662-226-1606

\*On Nov. 10, 2016, the Mississippi State Board of Education voted to add four new early learning collaboratives (ELC) to the current list of 10 to provide high-quality early childhood education programs to 4 year-old students. Their contracts will start January 2017.