

Mississippi Estate Tax Return Instructions

Mississippi Estate Tax Return must be filed by the Executor or Administrator of the estate of any resident, or for any nonresident decedent where any real or tangible personal property of his gross estate is situated in Mississippi, where the gross value of the estate on the date of death, wherever located, exceeds the available exemption. The exemption amounts are: 1998 - \$625,000; 1999 - \$650,000; 2000 and 2001 \$675,000; 2002 and 2003 - \$700,000; 2004 - \$850,000; 2005 - \$950,000; 2006 - \$1,000,000.

If the executor or administrator is unable to make a complete return, he shall include with the return a description of any property not included and the name of every person holding a legal or beneficial interest in such property. The address of every person holding such interest and the value of such property should be included if known. If an executor or administrator was not appointed for the estate, then any person who has possession of any property of the estate must file a return.

A copy of the Federal Form 706 pages 1 through 3 including all accompanying schedules, a copy of the death certificate, certified copy of the will, a copy of all gift tax returns filed, a copy of trust agreements in existence at date of death, forms 712 Life Insurance Statements, and copies of appraisals of Mississippi property must be attached.

Extensions may be granted for a period of six (6) months for filing the return and paying the tax, provided the person responsible for filing makes an application to the Commission by the due date and can show undue hardship in completing the return. However, a lien will be in effect on the estate from the original due date until the return is filed and the tax is paid. Once the tax liability has been paid and upon completion of our review, a closing letter will be issued that will release all property from the imposed estate tax lien.

Estate Tax Table

This table is to be used for the calculation of the Tax from the Mississippi Tax Tables required on Line 10 of page 1. If the decedent died prior to October 1990, please contact the Miscellaneous Tax Division for the appropriate tax table.

OVER	BUT NOT OVER	TAX	OF EXCESS OF
\$	\$		\$
-0-	60,000	1%	-0-
60,000	100,000	600 plus 1.6%	60,000
100,000	200,000	1,240 plus 2.4%	100,000
200,000	400,000	3,640 plus 3.2%	200,000
400,000	600,000	10,040 plus 4.0%	400,000
600,000	800,000	18,040 plus 4.8%	600,000
800,000	1,000,000	27,640 plus 5.6%	800,000
1,000,000	1,500,000	38,840 plus 6.4%	1,000,000
1,500,000	2,000,000	70,840 plus 7.2%	1,500,000
2,000,000	2,500,000	106,840 plus 8.0%	2,000,000
2,500,000	3,000,000	146,840 plus 8.8%	2,500,000
3,000,000	3,500,000	190,840 plus 9.6%	3,000,000
3,500,000	4,000,000	238,840 plus 10.4%	3,500,000
4,000,000	5,000,000	290,840 plus 11.2%	4,000,000
5,000,000	6,000,000	402,840 plus 12.0%	5,000,000
6,000,000	7,000,000	522,840 plus 12.8%	6,000,000
7,000,000	8,000,000	650,840 plus 13.6%	7,000,000
8,000,000	9,000,000	786,840 plus 14.4%	8,000,000
9,000,000	10,000,000	930,840 plus 15.2%	9,000,000
10,000,000	and over	1,082,840 plus 16.0%	10,000,000

- Line 1** Enter the total gross estate wherever located. This includes all real, personal and intangible properties of the estate of residents and non-residents.
This should equal the amount on Line 1 of the Federal Form 706.
- Line 2** Enter the amount of the estate located within the State of Mississippi.
Residents - All property everywhere, less and except real property and tangible personal property located outside Mississippi.
Nonresidents - Only real property and tangible personal property located inside Mississippi.
- Line 3** Divide Line 2 by Line 1. Enter the result for Line 3.
- Line 4** *Residents* - Enter the amount of gifts made within three years prior to date of death.
Nonresidents - Enter the amount of gifts of Mississippi real property or Mississippi tangible personal property made within three years of date of death.
This should be separated by the year and the value of the gifts for that particular year. Enter the total on Line 4. Enter zero if there were no gifts within three years prior to the date of death.
- Line 5** Enter the total of Line 2 and Line 4.
- Line 6** Enter the amount of the available deductions. For residents, this should equal the amount on Line 2 of the Federal Form 706. For nonresidents, the calculation will be the Percentage of Estate in Mississippi on Line 3 of the Mississippi Estate Tax Return multiplied by the amount of deductions on Line 2 of the Federal Form 706.
- Line 7** Enter the amount of the available exemption determined by the date of the death. If the decedent died on or after October 1, 1990, the amount is \$600,000.00.
Residents - The amount of the available exemption will be the full amount.
Nonresidents - The amount of the available exemption will be the exemption determined by the date of death multiplied by the Percentage of Estate in Mississippi on Line 3 of the Mississippi Estate Tax Return.
- Line 8** Enter the amount of any adjustments to the deductions indicated on Line 2 of the Federal Form 706.
- Line 9** Enter the amount of the Taxable Estate. This calculation is Line 5 less Lines 6, 7, and 8.
- Line 10** Enter the Tax Due from the Mississippi Tables. This table is provided in the middle of this page.
- Line 11** Enter the amount computed for the State Death Tax Credit allowable as a deduction on the Federal Estate Tax Return multiplied by the percentage on Line 3 of the Mississippi Estate Tax Return.
- Line 12** Enter the greater amount of the Tax Due from the Mississippi Tax Tables (Line 10) or the State Death Tax Credit (Line 11).
- Line 13** Enter the amount of estate tax which has previously been paid. Do not include penalty and interest previously paid.
- Line 14** Enter the Tax Due with this Return. This will be Line 12 less Line 13.
- Line 15** Enter the interest due if the return is submitted beyond the original due date of the return. Interest is calculated at one-half of one percent per month.
Interest is charged against the amount of tax shown on the return.