



TAX BULLETIN 15-3
Virginia Department of Taxation
June 2, 2015

**IMPORTANT INFORMATION REGARDING AN
EXCEPTION TO VIRGINIA'S FILING
FREQUENCY REQUIREMENTS FOR
EMPLOYER WITHHOLDING**

Effective July 1, 2015, an employer that is otherwise subject to the Virginia semi-weekly income tax withholding requirements may request a waiver from such requirements, if the employer has no more than five employees subject to Virginia income tax withholding. If the Tax Commissioner grants a waiver, the employer will be allowed to file withholding returns and pay the withholding tax on a monthly basis. This change is pursuant to legislation enacted by the 2015 Virginia General Assembly, House Bill 2307 (Chapter 156, 2015 Acts of Assembly).

Virginia Filing Requirements for Employer Withholding

The filing frequency for Virginia income tax withholding payments and returns is based on the following criteria:

- If the employer's average withholding liability is less than \$100 per month, its withholding returns and tax payments are due quarterly.
- If the employer's average withholding liability is more than \$100 but less than \$1,000, its withholding returns and tax payments are due monthly.
- If the employer's average monthly withholding liability is \$1,000 or more, its withholding returns and tax payments will be assigned a semi-weekly filing status. If the Virginia income tax withheld as of the close of any federal period is more than \$500, a payment must be made within three banking days.

Instructions for Employers

Pursuant to 2015 House Bill 2307, certain employers may request a waiver from the Virginia semi-weekly filing requirement. To request such a waiver, an employer must have no more than five employees who are subject to Virginia income tax withholding and must submit a request in writing to the Department no later than December 15 of the year prior to the year for which a waiver is being requested. To meet the employment requirement, an employer must certify that it employed an average number of no more than five employees during the current year, and that it does not foresee a change in the average number of employees during the upcoming year. The request must also set forth in detail the reasons for the waiver. Waiver requests should be submitted to:

Virginia Department of Taxation
Employer Withholding Waiver Request
P.O. Box 1114
Richmond, Virginia 23218-1114

Or fax the completed form to (804) 367-2603.

The Department will notify the employer in writing whether such request has been granted. If a waiver is granted, the employer will be allowed to file withholding returns and pay the withholding tax on a monthly basis for the following calendar year. Waiver requests must be resubmitted each year by December 15 of the year prior to the year for which a waiver is being requested.

Further Instructions

For more information, please contact the Department at (804) 367-8037, or visit the Department's website <http://www.tax.virginia.gov>.