



Contra Costa Community College District 500 Court Street Martinez, California 94553 925.229.1000 www.4cd.edu

# Tax Withholding Requirement Notice for Out-of-State Vendors 2024

Please be advised that unless an exemption or waiver applies, the Contra Costa Community College District (4CD) is required to withhold and remit to the California Franchise Tax Board (FTB) taxes from payments to out-of-state consultants and vendors for services performed while physically in the state of California (CA) (CA Revenue and Taxation Code Section 18662). This tax withholding amounts to seven percent (7%) of payments in excess of \$1,500 in a calendar year, and applies to:

- Individuals who are not residents of CA; or
- corporations/partnerships/LLCs that do not have a permanent place of business in CA and who have not qualified through the California Office of the Secretary to do business in CA.

# If your organization is located outside of California please return one of the following forms in order to conduct business with 4CD:

CA Form 590 Withholding Exemption Certificate certifying exemption from the withholding requirement
CA Form 587 Nonresident Income Allocation Worksheet allocating the expected income for work completed within and/or outside of California
Notice from the CA Franchise Tax Board that a withholding waiver was authorized (you must first file CA Form 588, Nonresident Withholding Waiver Request)

For your convenience, CA Form 590 and CA Form 587 are attached. These forms and additional information regarding this tax withholding requirement are available at <a href="https://www.ftb.ca.gov">www.ftb.ca.gov</a>.

Thank you for your immediate attention to this notice.

Sincerely,

District Office Purchasing & Accounting Departments dopurchasingdeptw9@4cd.edu doaccountspayable@4cd.edu

# **2024 Withholding Exemption Certificate**

**590** 

Payee Information Name    State   Senior Fini   Fenior   CA corp.no.   CA SOS file no.	The payee completes this form and submits it to the withholding agent. The withholding ager Withholding Agent Information	nt keeps this	form with their records.					
Sake or Title   Family   CA Coop no.   CA SOS No real Modernos (spt./she, room)								
Sake or Title   Family   CA Coop no.   CA SOS No real Modernos (spt./she, room)	Payee Information							
Exemption Reason Check only one box. By checking the appropriate box below, the payee certifies the reason for the exemption from the California Income tax withholding requirements on payment(s) made to the entity or individuals.    Individuals — Certification of Residency:   I am a resident of California and I reside at the address shown above. If I become a nonresident at any time, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.    Corporations:   The corporation has a permanent place of business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California or ceases to do any of the above, I will promptly notify the withholding agent. See instructions for General Information D, Definitions.    Partnerships or Limited Liability Companies (LLCs): The partnership or LLC ceases to do any of the above, I will promptly Information or ceases to do any of the above, I will promptly information to the companies of the California SOS, and is subject to the laws of California. The partnership or LLC ceases to do any of the above, I will promptly inform the withholding agent. For withholding purposes, a limited liability partnership (LLC) is treated like any other partnership.    TaxExempt Entitles:   TaxExempt Entitles:   The entity is exempt from tax under California Revenue and Taxation Code (R&TC) Section 23701 (insert letter) or Internal Revenue Code Section 501(o) (insert number), if this entity ceases to be exempt from tax, I will promptly notify the withholding agent. Individuals cannot be tax-exempt entities.   Insurance Company, IRA, or a federally qualified pension or profit-sharing plan.   Insurance Company, IRA, or a federally qualified pension or profit-sharing plan.   Insurance Company, IRA, or a federally qualified pension or profit-sharing plan.   Insurance Com	Name	SSN or ITIN FEIN CA Corp no. CA SOS file no.						
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At least one trustee and one noncontingent beneficiary of the above-named trust is a California resident. The trust will file a California fiduciary tax return. If the trustee or noncontingent beneficiary becomes a nonresident at any time, I will promptly notify the withholding agent.    Estates — Certification of Residency of Deceased Person:   I am the executor of the above-named person's estate or trust. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return.    Nonmilitary Spouse of a Military Servicemember:   I am a nonmilitary spouse of a military servicemember and I meet the Military Spouse Residency Relief Act (MSRRA) requirements. See instructions for General Information E, MSRRA.    CERTIFICATE OF PAYEE: Payee must complete and sign below.    Our privacy notice can be found in annual tax booklets or online. Go to ftb.ca.gov/privacy to learn about our privacy policy statement, or go to ftb.ca.gov/forms and search for 1131 to locate FTB 1131 EN-SP, Franchise Tax Board Privacy Notice on Collection. To request this notice by mail, call 800.338.0505 and enter form code 948 when instructed.  Under penalties of perjury, I declare that I have examined the information on this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare under penalties of perjury that if the facts upon which this form are based change, I will promptly notify the withholding agent.    Telephone			Sharing Plans:					
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	statements, and to the best of my knowledge and belief, it is true, correct, and complete. I furth	ner declare u						
Payee's signature ▶ Date	Type or print payee's name and title	Tele	ephone					
	Payee's signature ▶	Dat	_ Date					

# 2024 Instructions for Form 590

## Withholding Exemption Certificate

References in these instructions are to the California Revenue and Taxation Code (R&TC).

#### **General Information**

California Revenue and Taxation Code (R&TC) Section 18662 requires withholding of income or franchise tax on payments of California source income made to nonresidents of California. For more information. See General Information B, Income Subject to Withholding.

Registered Domestic Partners (RDPs) - For purposes of California income tax, references to a spouse, husband, or wife also refer to a California RDP unless otherwise specified. For more information on RDPs, get FTB Pub. 737, Tax Information for Registered Domestic Partners.

## **Purpose**

Use Form 590, Withholding Exemption Certificate, to certify an exemption from nonresident withholding.

Form 590 does not apply to payments of backup withholding. For more information, go to ftb.ca.gov and search for backup withholding.

Form 590 does not apply to payments for wages to employees. Wage withholding is administered by the California Employment Development Department (EDD), For more information, go to edd.ca.gov or call **888**.745.3886.

**Do not** use Form 590 to certify an exemption from withholding if you are a seller of **California real estate**. Sellers of California real estate use Form 593, Real Estate Withholding Statement, to claim an exemption from the real estate withholding requirement.

#### The following are excluded from withholding and completing this form:

- The United States and any of its agencies or instrumentalities.
- A state, a possession of the United States, the District of Columbia, or any of its political subdivisions or instrumentalities.
- A foreign government or any of its political subdivisions, agencies, or instrumentalities.

# **Income Subject to** Withholding

Withholding is required on the following, but is not limited to:

- Payments to nonresidents for services rendered in California.
- Distributions of California source income made to domestic nonresident partners. members, and S corporation shareholders and allocations of California source income made to foreign partners and members.
- Payments to nonresidents for rents if the payments are made in the course of the withholding agent's business.
- Payments to nonresidents for royalties from activities sourced to California.

- Distributions of California source income to nonresident beneficiaries from an estate or trust.
- Endorsement payments received for services performed in California.
- Prizes and winnings received by nonresidents for contests in California.

However, withholding is optional if the total payments of California source income are \$1,500 or less during the calendar year.

For more information on withholding, get FTB Pub. 1017, Resident and Nonresident Withholding Guidelines. To get a withholding publication, see Additional Information.

#### **Who Certifies this Form**

Form 590 is certified (completed and signed) by the payee. California residents or entities exempt from the withholding requirement should complete Form 590 and submit it to the withholding agent before payment is made. The withholding agent is then relieved of the withholding requirements if the agent relies in good faith on a completed and signed Form 590 unless notified by the Franchise Tax Board (FTB) that the form should not be relied upon.

An incomplete certificate is invalid and the withholding agent should not accept it. If the withholding agent receives an incomplete certificate, the withholding agent is required to withhold tax on payments made to the payee until a valid certificate is received. In lieu of a completed exemption certificate, the withholding agent may accept a letter from the payee as a substitute explaining why they are not subject to withholding. The letter must contain all the information required on the certificate in similar language, including the under penalty of perjury statement and the payee's taxpayer identification number (TIN).

The certification does not need to be renewed annually. The certification on Form 590 remains valid until the payee's status changes. The withholding agent must retain a copy of the certification or substitute for at least five years after the last payment to which the certification applies. The agent must provide it to the FTB upon request.

If an entertainer (or the entertainer's business entity) is paid for a performance, the entertainer's information must be provided. Do not submit the entertainer's agent or promoter information.

The grantor of a grantor trust shall be treated as the payee for withholding purposes. Therefore, if the payee is a grantor trust and one or more of the grantors is a nonresident, withholding is required. If all of the grantors on the trust are residents, no withholding is required. Resident grantors can check the box on Form 590 labeled "Individuals -Certification of Residency."

#### D **Definitions**

For California nonwage withholding purposes:

- Nonresident includes all of the following:
  - Individuals who are not residents of California
  - Corporations not qualified through the California Secretary of State (CA SOS) to do business in California or having no permanent place of business in California.
  - Partnerships or limited liability companies (LLCs) with no permanent place of business in California.
  - Any trust without a resident grantor, beneficiary, or trustee, or estates where the decedent was not a California resident.
- Foreign refers to non-U.S.

For more information about determining resident status, get FTB Pub. 1031, Guidelines for Determining Resident Status. Military servicemembers have special rules for residency. For more information see General Information E, Military Spouse Residency Relief Act (MSRRA), and FTB Pub. 1032, Tax Information for Military Personnel.

#### Permanent Place of Business:

A corporation has a permanent place of business in California if it is organized and existing under the laws of California or it has qualified through the CA SOS to transact intrastate business. A corporation that has not qualified to transact intrastate business (e.g., a corporation engaged exclusively in interstate commerce) will be considered as having a permanent place of business in California only if it maintains a permanent office in California that is permanently staffed by its employees.

# **Military Spouse Residency** Relief Act (MSRRA)

Generally, for tax purposes you are considered to maintain your existing residence or domicile. The MSRRA provides:

- A spouse shall not be deemed to have lost a residence or domicile in any state solely by reason of being absent to be with the servicemember serving in compliance with military orders.
- A spouse shall not be deemed to have acquired a residence or domicile in any other state solely by reason of being there to be with the servicemember serving in compliance with military orders.

**Domicile** is defined as the one place:

- Where you maintain a true, fixed, and permanent home.
- To which you intend to return whenever you are absent.

A military servicemember's nonmilitary spouse is considered a nonresident for tax purposes if the spouse is domiciled outside of California and the spouse is in California solely to be with the servicemember who is serving in compliance with Permanent Change of Station orders. (Note: California may require nonmilitary spouses of military servicemembers to provide proof that they meet the criteria for California personal income tax exemption as set forth in the MSRRA).

Income of a military servicemember's nonmilitary spouse for services performed in California is not California source income subject to state tax if the spouse is in California to be with the servicemember serving in compliance with military orders, and the spouse is domiciled outside of California.

For additional information or assistance in determining whether the applicant meets the MSRRA requirements, get FTB Pub. 1032.

# **Specific Instructions**

## **Payee Instructions**

Enter the withholding agent's name.

Enter the payee's information, including the TIN and check the appropriate TIN box.

You must provide a valid TIN as requested on this form. The following are acceptable TINs: social security number (SSN); individual taxpayer identification number (ITIN); federal employer identification number (FEIN); California corporation number (CA Corp no.); or CA SOS file number.

Foreign Address - Follow the country's practice for entering the city, county, province, state, country, and postal code, as applicable, in the appropriate boxes. Do not abbreviate the country name.

**Exemption Reason – Check the box that** reflects the reason why the payee is exempt from the California income tax withholding requirement.

#### **Withholding Agent Instructions**

Do not send this form to the FTB. The certification on Form 590 remains valid until the payee's status changes. The withholding agent must retain a copy of the certificate or substitute for at least five years after the last payment to which the certificate applies. The agent must provide it to the FTB upon request.

The payee must notify the withholding agent if any of the following situations occur:

- The individual payee becomes a nonresident.
- The corporation ceases to have a permanent place of business in California or ceases to be qualified to do business in California.
- The partnership ceases to have a permanent place of business in California.
- The LLC ceases to have a permanent place of business in California.
- The tax-exempt entity loses its tax-exempt

If any of these situations occur, then withholding may be required. For more information, get Form 592, Resident and Nonresident Withholding Statement, Form 592-B, Resident and Nonresident Withholding Tax Statement, Form 592-PTE, Pass-Through Entity Annual Withholding Return, Form 592-Q, Payment Voucher for Pass-Through Entity Withholding, and Form 592-V, Payment Voucher for Resident or Nonresident Withholding.

## **Additional Information**

Website: For more information, go to ftb.ca.gov and search for

nonwage.

MyFTB offers secure online tax account information and services. For more information, go to ftb.ca.gov and login or register

for MyFTB.

Telephone: 888.792.4900 or 916.845.4900,

Withholding Services and Compliance phone service

Fax: 916.845.9512

WITHHOLDING SERVICES AND Mail:

> COMPLIANCE MS F182 FRANCHISE TAX BOARD PO BOX 942867

**SACRAMENTO CA 94267-0651** 

For questions unrelated to withholding, or to download, view, and print California tax forms and publications, or to access the California Relay Service, see the Internet and Telephone Assistance section.

#### **Internet and Telephone Assistance**

Website: ftb.ca.gov

Telephone: 800.852.5711 from within the

**United States** 

916.845.6500 from outside the

**United States** 

California Relay

Service: 711 or 800.735.2929 for

persons with hearing or speaking limitations.

#### Asistencia Por Internet y Teléfono

Sitio web: ftb.ca.gov

Teléfono: 800.852.5711 dentro de los

Estados Unidos

916.845.6500 fuera de los

Estados Unidos

Servicio de Retransmisión

de California: 711 o 800.735.2929 para

personas con limitaciones uditivas o del habla.

2024

# **Nonresident Withholding Allocation Worksheet**

CALIFORNIA FORM

587

			o the withholding ag	ent. The withholding	agent keeps t	this fo	rm with their records.
Withholding ag		nt Information					
	9						
Address (apt./s	ste., room, PO box, o	r PMB no.)					
City (If you have	ve a foreign address,	see instructions.)				State	ZIP code
Part II N	onresident Pa	yee Information					
Payee's name					SSN or ITIN	☐ FEIN	☐ CA Corp no. ☐ CA SOS file no.
Address (apt./	ste., room, PO box, o	r PMB no.)			<u> </u>		
City (If you have	ve a foreign address,	see instructions.)				State	ZIP code
Nonresident	payee's entity type:	(Check one)					
☐ Individual	/sole proprietor	☐ Corporation	☐ Partnership	☐ Limited liability com	pany (LLC)		Estate or trust
Part III F	Payment Type						
Nonresident payee: (Check one)  Performs services totally outside California (no withholding required, skip to Certification of Nonresident Payee)  Provides only goods or materials (no withholding required, skip to Certification of Nonresident Payee)  Provides services within and outside California (see Part IV, Income Allocation) Other (Describe)  Other (Describe)  If the nonresident payee performs all the services within California, withholding is required on the entire payment for services unless the payee is granted as							
withholding v	waiver from the Fran	ichise Tax Board (FTB).	For more information, g	get FTB Pub. 1017, Reside	nt and Nonresid	lent Wit	thholding Guidelines.
	ncome Allocat						
Gross payme	nts expected from t	he withholding agent di	uring the calendar year f (a) Within California		de California		(c) Total payments
Services 2 Rents or le 3 Royalty pa 4 Prizes and 5 Other pay	materials (no withho s (withholding requi ease payments ayments d other winnings	red)					
	•	ugh line 5					
Nonreside	ent withholding thre	eshold amount:	\$1,500.00				
Backup w	ithholding threshol	d amount:	\$0.00				
Certification	of Nonresident Pay	ee					
Sign Here	Print or type representative's name and title  Authorized representative's signature			nchise Tax Board Privacy N ation on this form, includin	otice on Collectic g accompanying f perjury that if the Telep Date	schedul schedul ne facts phone	equest this notice by mail, les and statements, and to the best
	X			- 410			

# 2024 Instructions for Form 587

# Nonresident Withholding Allocation Worksheet

References in these instructions are to the California Revenue and Taxation Code (R&TC).

#### **General Information**

# **Purpose**

Use Form 587, Nonresident Withholding Allocation Worksheet, to determine if withholding is required and the amount of California source income subject to withholding.

Withholding is not required if payees are residents or have a permanent place of business in California, Get FTB Pub. 1017. Resident and Nonresident Withholding Guidelines, for more information.

Do not use Form 587 if any of the following apply:

- · You sold California real estate. Use Form 593, Real Estate Withholding Statement.
- The payee is a resident of California or is a nongrantor trust that has at least one California resident trustee. Use Form 590, Withholding Exemption Certificate.
- The payee is a corporation, partnership, or limited liability company (LLC) that has a permanent place of business in California or is qualified to do business in California. Foreign (non-U.S.) corporations must be qualified to transact intrastate business. Use Form 590.
- The payment is to an estate and the decedent was a California resident. Use Form 590.
- The payments are subject to backup withholding. For more information, go to ftb.ca.gov and search for backup withholding.
- The payments are for wages to employees. Wage withholding is administered by the California Employment Developement Department (EDD). For more information, go to edd.ca.gov or call 888.745.3886.

# When to Complete

The withholding agent requests that the nonresident pavee completes, signs, and returns Form 587 to the withholding agent when a contract is entered into and before a payment is made to the payee. The withholding agent relies on the certification made by the payee to determine the amount of withholding required if the completed and signed Form 587 is accepted in good faith.

Form 587 remains valid for the duration of the contract (or term of payments), if there is no material change in the facts. By signing Form 587, the payee agrees to promptly notify the withholding agent of any changes in the facts.

The withholding agent retains a copy of Form 587 for a minimum of five years and must provide it to the Franchise Tax Board (FTB) upon request.

## Requirements

California Revenue and Taxation Code (R&TC) Section 18662 and the related regulations requires withholding 7% of income or franchise tax on certain payments made to nonresidents (including individuals, corporations, partnerships, LLCs, estates, and trusts) for income received from California sources unless an approved waiver or reduction is granted by the FTB.

#### **Income Subject to** D Withholding

The items of income subject to withholding include, but are not limited to:

- Compensation for services performed in California by nonresidents.
- Rent paid to nonresidents on real or personal property located in California if the rent is paid in the course of the withholding agent's business.
- Royalties from natural resources paid to nonresidents from business activities in California.
- Prizes and winnings received by nonresidents for contests in California.
- Endorsement payments received for services performed in California.
- Other California source income paid to nonresidents.

For more information on income subject to withholding, get FTB Pub. 1017.

#### **Exceptions to Withholding** Ε

Withholding is not required when:

- The payment is for goods.
- The payee is a resident of California, or is an S corporation, a partnership, or an LLC that has a permanent place of business in California. Get Form 590.
- The payee is a corporation that is qualified to do business in California.
- The withholding agent's California source payments to the payee do not exceed \$1,500 for the calendar year.
- The payments are for income from intangible personal property, such as interest and dividends, unless derived in a trade or business or the property has acquired a business situs in California.
- The payments are for services performed outside of California or for rents, royalties. and leases on property located outside of California.
- The payment is to a nonresident corporate director for director services, including attendance at board meetings.
- The payee is a tax-exempt organization under either California or federal law.

- The payee has a completed and signed Form 590-P, Nonresident Withholding **Exemption Certificate for Previously** Reported Income.
- The income is derived from qualified investment securities of an investment partnership.

#### **Waivers/Reductions**

A nonresident payee may request a waiver from withholding by submitting Form 588, Nonresident Withholding Waiver Request. A nonresident payee may request a reduction in the amount to be withheld by submitting Form 589, Nonresident Reduced Withholding Request. The FTB does not grant reductions or waivers for backup withholding.

## Requirement to File a California Tax Return

A payee's exemption certification on Form 587 does not eliminate the requirement to file a California tax return and pay the tax due.

You may be assessed a penalty if:

- You do not file a California tax return.
- You file your tax return late.
- The amount of withholding does not satisfy vour tax liability.

For information on California filing requirements, go to ftb.ca.gov/file.

# **How to Claim Nonwage** Withholding Credit

Claim your nonwage withholding credit on one of the following:

- Form 540, California Resident Income Tax Return
- Form 540NR, California Nonresident or Part-Year Resident Income Tax Return
- Form 541, California Fiduciary Income Tax Return
- Form 100, California Corporation Franchise or Income Tax Return Form 100S, California S Corporation
- Franchise or Income Tax Return
- Form 100W, California Corporation Franchise or Income Tax Return -Water's-Edge Filers
- Form 109, California Exempt Organization Business Income Tax Return
- Form 565, Partnership Return of Income
- Form 568, Limited Liability Company Return of Income

# **Specific Instructions**

**Definitions** – For withholding terms and definitions, go to ftb.ca.gov and search for nonwage withholding.

Private Mail Box (PMB) - Include the PMB in the address field. Write "PMB" first, then the box number. Example: 111 Main Street PMB 123.

Foreign Address - Follow the country's practice for entering the city, county, province, state, country, and postal code, as applicable, in the appropriate boxes. **Do not** abbreviate the country name.

#### Part I – Withholding Agent Information

Enter the withholding agent's business or individual information, not both.

#### Part II – Nonresident Pavee Information

Enter the payee's business or individual information, not both. Check the appropriate box and enter the Taxpayer Identification Number (TIN).

You must provide a valid TIN as requested on this form. The following are acceptable TINs: social security number (SSN); individual taxpayer identification number (ITIN); federal employer identification number (FEIN): California corporation number (CA Corp no.); or California Secretary of State (CA SOS) file number.

## Part III – Payment Type

The nonresident pavee must check the box that identifies the type of payment that will be received. If the nonresident payee performs services totally outside of California or provides goods or materials, no withholding is required. Check the appropriate box and skip to Certification of Nonresident Payee.

#### Part IV – Income Allocation

Use Part IV to identify payments that are subject to withholding. Enter payments from both within and outside of California. Only payments sourced within California are subject to withholding. Services performed in California are sourced in California. In the case of payments for services performed when part of the services are performed outside California, enter the amount paid for performing services within California in column (a). Enter the amount paid for performing services while outside California in column (b). Enter the total amount paid for services in column (c).

If the payee's trade, business, or profession conducted in California is an integral part of a unitary business conducted within and outside California compute the payment amounts on line 1 through line 5 by applying the payee's California apportionment percentage (determined in accordance with the provisions of the Uniform Division of Income for Tax Purposes Act) to the payment amounts. For more information on apportionment, get Schedule R, Apportionment and Allocation of Income.

#### Withholding Agent

Keep Form 587 for five years for your records. Do not send this form to the FTB unless it has been specifically requested.

Withholding, excluding backup withholding, is optional at the discretion of the withholding agent on the first \$1,500 in payments made during the calendar year. Withholding must begin as soon as the total payments of California source income for the calendar year exceed \$1,500. If backup withholding is required, there is no set minimum threshold and it supersedes all types of withholding.

If circumstances change during the year, such as the total payment amounts which would change the amount on line 6, the payee must submit a new Form 587 to the withholding agent reflecting those changes. The withholding agent should evaluate the need for a new Form 587 when a change in facts occurs.

#### **Certification of Nonresident Payee**

The payee and/or the authorized representative must complete, sign, date, and return this form to the withholding agent.

Authorized representatives include those persons the payee authorized to act on their behalf through a power of attorney, a third party designee, or other individual taxpayers authorized to view their confidential tax data by a waiver or release.

Electronic signatures shall be considered as valid as the originals.

#### **Additional Information**

Website: For more information, go to

ftb.ca.gov and search for

nonwage.

MvFTB offers secure online tax account information and services. For more information, go to ftb.ca.gov and login or register

for MyFTB.

888.792.4900 or 916.845.4900, Telephone:

Withholding Services and Compliance phone service

Fax: 916.845.9512

Mail: WITHHOLDING SERVICES AND

COMPLIANCE MS F182 FRANCHISE TAX BOARD

PO BOX 942867

SACRAMENTO CA 94267-0651

For questions unrelated to withholding, or to download, view, and print California tax forms and publications, or to access the California Relay Service, see the information below.

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California Relav

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