

Form IL-941 Information and Instructions

Important Information

What's new for 2020?

- All withholding income tax credits are now reported on the Schedule WC, Withholding Income Tax Credits. The new Schedule WC-I, Withholding Income Tax Credits Information and Worksheets, provides detailed information about the withholding income tax credits, how to calculate them and where to report them.
- Public Act 101-0001 creates the Minimum Wage Credit effective January 1, 2020. See Schedule WC-I for information.
- You are now **required** to complete and attach the Schedule P, Illinois Withholding Schedule, to your IL-941 return to verify Illinois income and withholding records. **NOTE:** Any filers with more than 32,767 employees must use Federal/State Employment Taxes (FSET) or third-party software to file the return. For additional information regarding the FSET program, go to <https://www2.illinois.gov/rev/taxprofessionals/electronicfiling/withholding/Pages/default.aspx>.
- Public Act 101-0031 requires that Illinois income tax must be withheld from all payments made to residents **and** nonresidents after December 31, 2019, for winnings from wagering at a licensed Illinois horse racing pari-mutuel wagering facility or an Illinois casino, riverboat or organization gaming facility, provided that the entity making the payment is required to withhold federal income tax under Section 3402(q) of the Internal Revenue Code from those winnings.

Who must file Form IL-941?

You must file Form IL-941 if you paid amounts subject to Illinois withholding income tax (either required or by voluntary agreement), such as:

- Wages and other employee compensation including bonus, overtime, and commission pay, usually reported to the recipient on a Form W-2.
- Non-wage income such as pensions, annuities, unemployment income, and sick pay for which you have voluntarily agreed to withhold Illinois taxes, usually reported to a recipient on a Form 1099.
- Gambling and lottery winnings (paid by the entity issuing the winnings such as the Illinois Lottery or a casino), usually reported to a recipient on a Form W-2G.
- Amounts paid to purchase rights to Illinois lottery winnings reported on a Form 1099-MISC.

Note: Form IL-941 is the **only** form used to report Illinois income tax withholding with the exception of household employee withholding, which can be reported on **Form IL-1040**, Individual Income Tax return. If you have household employees, see **Publication 121**, Illinois Income Tax Withholding for Household Employees.

For more information, see **Publication 130**, Who is Required to Withhold Illinois Income Tax.

You **must file** Form IL-941 **even if no tax was withheld** during the reporting period (*e.g.*, employees who are seasonal workers). If you permanently discontinue having Illinois employees or payees, complete IL-941, Step 2, Line B, for your final reporting period.

When is my Form IL-941 return due?

Your Form IL-941 is due quarterly. See the box to the right. **2020 Withholding Income Tax Payment and Filing Due dates.**

Unlike the federal government, Illinois does not require an annual reconciliation return. If you submit an annual reconciliation return, it will cause processing delays and an error on your withholding account.

For more information, see the "End of the Year Instructions," after the "Step by Step Instructions" section.

***Note:** If the due date falls on a weekend or holiday, the return is due on the next business day.

When to File Form IL-941

Your Form IL-941 is due by the last day of the month that follows the end of the quarter.

The quarter includes...	Quarter ends	IL-941 is due
1. January, February, March	March 31	April 30
2. April, May, June	June 30	July 31
3. July, August, September	September 30	November 2
4. October, November, December	December 31	February 1

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How can I file or pay electronically?

We encourage you to file your Form IL-941 and make your IL-501 payments electronically.

To file — You may use

- **MyTax Illinois** at mytax.illinois.gov or
- an IDOR-approved **Tax-Prep software program** (software you develop or purchase off-the-shelf) to file electronically.

To pay — You may use

- **MyTax Illinois**,
- an IDOR-approved **Tax-Prep software program**, or
- **ACH Credit payment option**.

MyTax Illinois is our online account filing and management program that is available to you, free of charge, to file, pay, and monitor your Illinois tax accounts.

For detailed information, go to our website at tax.illinois.gov.

Electronic Requirements for Illinois Withholding Income Tax:

- You are required to electronically submit Forms W-2, W-2c, and W-2G to Illinois. If you are unable to do so, you can complete Form IL-900-EW to request a waiver. See [Publication 110](#), Forms W-2, W-2c, W-2G, and 1099 Filing and Storage Requirements for Employers and Payers, for additional information.
- You must file Forms IL-941 electronically. If you are unable to do so, you can complete Form IL-900-EW to request a waiver.
- You must make withholding tax payments **electronically** if you are assigned to the semi-weekly payment schedule.

What do I need to attach to my Form IL-941 as support?

You must attach your completed Schedule P, Illinois Withholding Schedule, to report specific withholding information, and if required, the new Schedule WC, Withholding Income Tax Credits, to calculate the credits available for use.

To complete Schedule P, enter each payee's/employee's name, Social Security number, income, and withholding amounts for the reporting period. If you have zero wages and withholding for the reporting period, complete Schedule P by entering your business name, FEIN, and zeroes in both the income and withholding columns.

If you fail to attach the Schedule P, you may receive a request for additional information.

Where do I report the amount of Illinois Income Tax I withheld from my employees' or others' pay?

You must report the amount of Illinois Income Tax you withheld, based upon the date you issued payroll, on Step 4 of your IL-941 return.

For example:

- You withheld Illinois income tax from your payroll on January 15 and January 30 of \$300 each. On the first month of the quarter, enter \$300 on the 15th and the 30th. Then enter the total of \$600.00 for your January payroll on Line 2a and Line 2b.
- You withheld Illinois income tax from your payroll on February 15 of \$225 and February 28 of \$300. On the second month of the quarter, enter \$225 on the 15th and \$300 on the 28th. Then enter the total of \$525.00 from your employees' pay for your February payroll on Line 2c.
- You withheld Illinois income tax from your payroll on March 15 and March 30 of \$300 each. On the third month of the quarter, enter \$300 on the 15th and the 30th. Then, enter the total of \$600.00 from your employees' pay for your March payroll on Line 2d.
- Add Lines 2b, 2c, and 2d.
- On your Form IL-941 submitted by April 30th for the first quarter, you would report \$1,725.00 on Line 2.

Note: In Step 4, make sure to report the amount **withheld** for Illinois, not the amount of your payees' income. Total income should be entered on Line 1.

Do I report an amount on every line in Step 4?

No. You must report withholding amounts **only** on the days you issued payroll **and** on the total Lines 2a, 2b, 2c, and 2d. The lines for the days where there was no withholding may remain blank. For example, if you have 2 payroll days per month on the 15th and the 28th, then Step 4 should look like this:

First month of quarter:	
15	<u> \$300.00 </u>
30	<u> \$300.00 </u>
2a	January withholding = <u> \$600.00 </u>
2b	cont. (amount from 2a) = <u> \$600.00 </u>
<hr/>	
Second month of quarter:	
15	<u> \$225.00 </u>
28	<u> \$300.00 </u>
2c	February withholding = <u> \$525.00 </u>
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Third month of quarter:	
15	<u> \$300.00 </u>
30	<u> \$300.00 </u>
2d	March withholding = <u> \$600.00 </u>
<hr/>	
1st quarter Form IL-941,	
Line 2 = <u> \$1,725.00</u>	

Form IL-941 Information and Instructions

Step 4: Tell us about the amount withheld

- 2 Enter the exact amount of Illinois Income Tax you actually withheld from your employees or others on the date you paid the compensation. Only enter amounts on days you made withholding - leave the remaining "Day" lines blank. If you withheld no Illinois Income Tax during the month, enter "0" on the corresponding "Total" line - Line 2a, 2c, or 2d (noted by "◆").

2a First month of quarter (i.e., January for 1st quarter; April for 2nd quarter; July for 3rd quarter; and October for 4th quarter)

Day	Amount	Day	Amount	Day	Amount	Day	Amount	
1		9		17		25		
2		10		18		26		
3		11		19		27		
4		12		20		28	425.00	
5		13		21		29		
6		14		22		30		
7		15	425.00	23		31		
8		16		24				
Total Illinois Income Tax withheld this month. (Add Section 2a, Lines 1-31.)							◆ 2a	850.00 ◆

Step 4: Continued

2b Enter the amount from Page 1, Step 4, Line 2a.

2b 850.00

2c Second month of quarter (i.e., February for 1st quarter; May for 2nd quarter; August for 3rd quarter; and November for 4th quarter)

Day	Amount	Day	Amount	Day	Amount	Day	Amount	
1		9		17		25		
2		10		18		26		
3		11		19		27		
4		12		20		28	425.00	
5		13		21		29		
6		14		22		30		
7		15	425.00	23		31		
8		16		24				
Total Illinois Income Tax withheld this month. (Add Section 2c, Lines 1-31.)							◆ 2c	850.00 ◆

2d Third month of quarter (i.e., March for 1st quarter; June for 2nd quarter; September for 3rd quarter; and December for 4th quarter)

Day	Amount	Day	Amount	Day	Amount	Day	Amount	
1		9		17		25		
2		10		18		26		
3		11		19		27		
4		12		20		28	425.00	
5		13		21		29		
6		14		22		30		
7		15	425.00	23		31		
8		16		24				
Total Illinois Income Tax withheld this month. (Add Section 2d, Lines 1-31.)							◆ 2d	850.00 ◆

Add Lines 2b, 2c, and 2d and enter the total amount here. This is the total dollar amount of Illinois Income Tax actually withheld from your employees or others for this quarter.

2 2,550.00

Form IL-941 Information and Instructions

There are two different payment schedules — **monthly** and **semi-weekly**. *The due dates are as follows:*

- **Monthly** payments are due by the 15th day of the month following the month in which the tax was withheld.
- **Semi-weekly** payments are due
 - by **Wednesday** for amounts withheld on the preceding Wednesday, Thursday, or Friday; and
 - by **Friday** for amounts withheld on the preceding Saturday, Sunday, Monday, or Tuesday.

Note: If the due date falls on a weekend or holiday, the payment is due on the next business day.

The 2020 due dates can be found at [2020 Withholding Income Tax Payment and Filing Due dates](#).

How is my payment frequency determined?

Payment due dates are determined by the payment schedule we assign to you based on your liability during the “look-back” period, and the day you pay your payees from whom tax is withheld, **or** if you reach the \$12,000 threshold during a quarter. Annually, we review the total amount, as reported on returns filed, that was withheld during the “look-back” period. The “look-back” period is the one-year period ending on June 30 of the immediately preceding calendar year. For calendar year 2020, the “look-back” period is July 1, 2018, through June 30, 2019. At the end of the annual review, we notify you if your payment frequency changes.

- **Monthly**
 - First-time taxpayers and taxpayers who have reported \$12,000 or less in withholding during the “look-back” period, are assigned to the monthly payment schedule.
- **Semi-weekly**
 - If you reported more than \$12,000 in withholding during the “look-back” period, you are assigned to the semi-weekly payment schedule.
 - If you exceed \$12,000 in withholding during a quarter, it is **your responsibility** to begin to pay your Illinois withholding income tax semi-weekly in the following quarter, the remainder of the year, and the subsequent year.

Electronic requirements for Illinois withholding income tax: You **must** make withholding tax payments electronically if you are assigned to the semi-weekly payment schedule.

For more information, see [Publication 131](#), Withholding Income Tax Payment and Filing Requirements.

Note: You will owe a **late-payment penalty** if you do not pay the tax you owe by each payment due date. For more information, see [Publication 103](#), Penalties and Interest for Illinois Taxes.

How do I calculate how much my IL-501 payments should be?

The IL-501 payments you make should be the **exact amount you withheld from your payee minus any credits** you may have available. For example:

Example 1 (no credits)

Your January 1- January 15 payroll totaled \$15,000.00; you actually withheld Illinois income tax totaling \$600.00 from your employees’ pay; and you have no available credits on your account. Your IL-501 payment should be \$600.00.

Example 2 (with credits)

Your January 1- January 15 payroll totaled \$15,000.00; you actually withheld Illinois income tax totaling \$600.00 from your employees’ pay; and you received a DCEO credit of \$250.00 that was available for use. Your IL-501 payment should be \$350.00. See the boxes to the right.

Payroll total =	\$15,000.00
IL withholding total =	\$600.00
Credits =	\$ 0.00
IL-501 payment =	\$600.00

Payroll total =	\$15,000.00
IL withholding total =	\$600.00
DCEO credits =	- \$250.00
IL-501 payment =	\$350.00

Do I figure my own penalties or interest?

You are not expected to figure your own penalties and interest. We will bill you for penalties and interest, if applicable. For more information about penalties and interest, see [Publication 103](#), Penalties and Interest for Illinois Taxes.

How do I correct a misapplied payment I made to IDOR?

A payment may be eligible to be moved from one period to another period only if it has not been used to satisfy a liability. If you made the payment through MyTax Illinois, you can withdraw the payment request while it is in “pending” status and schedule a new payment. Once the payment posts, you must send a written request to us to have the payment moved. In your written request, please include your account number; the amount and date of the payment; to what period you are requesting it be applied; and the reason for your request to move the payment. Also include a complete list of payment amounts and dates for the period to which you are moving it. Send the request to the address listed in the “*Where do I get help?*” box on Page 6.

Form IL-941 Information and Instructions

How do I correct an error if I over-withheld or under-withheld from a payee?

The method for correcting an error on withholding is determined by the time of year that the error is made. If you over-withheld or under-withheld prior to the end of the calendar year, you may simply correct it in future payroll cycles within the same calendar year by adjusting the amount you withhold by the amount of the over-withholding or under-withholding. Amounts reported on Form IL-941 always must be the exact amounts withheld from payees. **If you do not make the correction before the end of the calendar year, you must report the amount actually withheld on the W-2 or 1099 forms for the payee to claim on his/her income tax return.** Do not try to correct this issue by issuing a W-2c to change the withholding amount. Your employee or other individual from whom you withheld will either receive a refund of the over-withheld amount or have to pay the under-withheld amount on their Individual Income Tax Return.

Examples

- If you withheld too much from an employee during the 1st quarter, you may withhold less during the 2nd quarter to make up for the overage. On your Form IL-941, report the exact amount you withheld during the quarter.
- If you withheld too little from your employee during the January 15th payroll, you may withhold more during the February 15th payroll. On your Form IL-941, report the exact amount you withheld during the quarter.
- **Important:** You realize, after you issued the employee's W-2 for the calendar year, you withheld too much from the employee in the 3rd quarter, however you reported the exact amount you withheld on your 3rd quarter Form IL-941 and Form W-2 for that employee for that year. Even though the amount you withheld was not correct, **do not** refund the over-withheld amount to the employee, **do not** file an amended return, and **do not** file an amended W-2 changing the withholding amount. The amount you reported on your Form IL-941 and your employee's Form W-2 is correct in that the amount was exactly what you withheld. The over-withheld amount will be credited to the taxpayer when he or she files his or her individual income tax return. Note: If the **wages** reported were incorrect, you will need to issue a corrected W-2 to report the correct amount of Illinois wages, but the Illinois withholding should not change.

How do I correct withholding that I have over-reported or under-reported?

You must always report the exact amount of tax that you actually withheld during the reporting period on your Form IL-941. If the amount you reported was more or less than the amount you actually withheld, then you must file an amended return (IL-941-X).

What form do I use to report my employees' or payees' income and withholding at the end of the year?

You must report income and withholding on the correct withholding form type listed in the chart below. Refer to the Internal Revenue Service website at irs.gov, for more information.

Type of Income	Withholding Form Type
Payroll	W-2
Compensation	W-2 or 1099 series
Gambling winnings	W-2G
Illinois Lottery Winnings	W-2G
Amount paid to purchase rights to Illinois Lottery Winnings	1099-MISC
Voluntary Withholding Agreement — Unemployment, Retirement, Interest or Dividend Income	1099 series
Other	1099 series

Form IL-941 Information and Instructions

Form IL-941 Step-by-Step Instructions

Follow the instructions on the form. Do not file more than one Form IL-941 per quarter.

Step 1: Provide your information

Enter your information and check any box that is applicable.

Note: Your sequence number should be "000" unless you have been assigned a different sequence number when you registered.

Reporting Period — Complete this section.

Check the correct quarter you are reporting (even if you have no withholding to report). File one return for each quarter. Do **not** file an annual return.

Step 2: Tell us about your business

Complete Items A and B only if this is your 4th quarter return or you have permanently stopped withholding and this is your final return.

Item A1 — Enter the **total number of W-2 forms** reporting Illinois withholding you were required to issue for the entire year. Only complete this line when you file your 4th quarter or final return.

Item A2 — Enter the **total number of 1099 forms** reporting Illinois withholding you were required to issue for the entire year. Only complete this line when you file your 4th quarter or final return.

Item B — Check this box and enter the date you stopped withholding, if applicable.

Where do I get help?

- Visit our website at tax.illinois.gov
- Call us at **1 800 732-8866** or **217 782-3336**
- Call our TDD (telecommunications device for the deaf) at **1 800 544-5304**
- Write to
ILLINOIS DEPARTMENT OF REVENUE
PO BOX 19001
SPRINGFIELD IL 62794-9001

Step 3: Tell us about the amount subject to withholding

Line 1 — Enter the total of all amounts subject to Illinois withholding income tax (either required or by voluntary agreement) including payroll, compensation, gambling winnings (such as Illinois Lottery winnings), amounts paid to purchase the rights to Illinois Lottery winnings, or any other non-wage income. **Do not leave blank** - if you had no amount subject to Illinois withholding, enter zero.

Step 4: Tell us about the amount withheld

Line 2 — Enter the exact amount of Illinois income tax you withheld from your employees or others on the date you paid the compensation. This step is separated by month and lists every day in each month. Enter the amount of Illinois income tax you withheld from your employees or payees on the exact day you paid the amount from which you withheld tax.

1. Enter the amount of Illinois income tax you withheld from your employees' or payees' income on the exact day you withheld it. Do not write this amount on the day you made your deposit — it must be the day you made your payroll or compensation payments. For example, if your payroll is paid on January 15 and January 30 and you withheld a total of \$300 each payroll, you will enter \$300 on the 15th and \$300 on the 30th in the "First month of quarter" section.

15	\$300.00
30	\$300.00

2. For each month add the daily amounts to determine the total tax withheld for the month and enter the total in the space provided. **Do not leave the total lines (Lines 2a, 2b, 2c, and 2d) for Line 2 blank**- if you did not withhold during this period, enter zero. For this example, you would enter \$600 on Line 2a.

Total Illinois Income Tax withheld this month. (Add Section 2a, Lines 1-31.) ◆ 2a \$600.00 ◆

3. For each quarter, add the amounts from Lines 2b, 2c, and 2d, and enter the total on the line provided and on Form IL-941, Line 2. **Do not leave Line 2 blank**- if you did not withhold during this period, enter zero.

Add Lines 2b, 2c, and 2d and enter the total amount here. This is the total dollar amount of Illinois Income Tax actually withheld from your employees or others for this quarter. 2 \$1,800.00

Form IL-941 Information and Instructions

IMPORTANT: Enter the total of all amounts of Illinois Income Tax actually withheld (either required or by voluntary agreement) this reporting period, even if you are able to use a credit to pay your withholding liability. This includes employee withholding and any withholding that was made on other Illinois income. **Do not estimate this amount.**

Step 5: Tell us about your payments and credits

Note: The Department applies credits and payments in a specific order. The withholding credits (Line 3) are applied first, and then the payments (Line 4).

Line 3 — Enter the amount from Schedule WC, Line 7. If you are claiming a credit, you must attach Illinois Schedule WC and any other required support listed on Schedule WC. For more information, see Illinois Schedule WC Instructions, and Schedule WC-I, Withholding Income Tax Credits Information and Worksheets.

Line 4 — Enter the total amount of withholding payments you have made during this period. This includes all IL-501 payments (electronic and paper coupons). **Do not leave blank.**

Line 5 — Follow the instructions on the form. This is your total credits and payments.

Step 6: Figure your balance

Line 6 — Follow the instructions on the form. This is your balance due.

If the total of your payments and credits on Line 5 is greater than your withholding amount on Line 2, review your amounts. You may have made an error on the amount you paid or credit claimed on Line 5 or the tax you reported on Line 2. If your information is correct and you overpaid the withholding amount, enter **zero** on Line 6. **Do not** enter a negative number on Line 6. **Any overpaid amount will not be issued as a refund until it has been verified.**

Step 7: Sign here

You, or a person authorized by you through a Power of Attorney form, must sign and date the first signature line of your return. If you do not sign your return, it will be considered **not** filed and you may be subject to a **nonfiler penalty**.

The paid preparer information must be completed by an “income tax return preparer” whom you paid to complete the return and who is not your employee. The paid preparer’s IRS Preparer Tax Identification Number (PTIN) must be entered in the space provided.

The term “income tax return preparer” is defined as “any person who prepares for compensation, or who employs one or more persons to prepare for compensation, any return of tax imposed by this Act or any claim for refund of tax imposed by this Act. The preparation of a substantial portion of a return or claim for refund shall be treated as the preparation of that return or claim for refund.” However, a person is not an income tax return preparer if all that the person does is furnish typing, reproducing, or other mechanical assistance. (IITA Section 1501(a)(26)). The Illinois definition of income tax return preparer is substantially the same as the IRS definition. Therefore, if the IRS does not consider you to be an income tax return preparer with respect to the corresponding U.S. Form 941, you will generally not be considered an income tax return preparer with respect to the IL-941. For example, if you are a reporting agent filing U.S. Form 8655 and you are not considered an income tax return preparer by the IRS because you fall within the mechanical assistance exception, then, provided you do not render any specific Illinois income tax advice, you will not be considered an income tax return preparer by the Department.

If you want to allow the paid preparer to discuss this return with us, check the box and print the paid preparer’s name, the firm’s name, FEIN, address, and phone number. This authorization will allow your designee to answer any questions that arise during the processing of your return, call us with questions about your return, and receive or respond to notices we send. The authorization will automatically end no later than one year from the due date of this return. You may revoke the authorization at any time by calling or writing us.

NOTE: Form IL-941 has a scanline for automated processing that contains your FEIN, the reporting period, and a check digit. Do not photocopy the form and use for any other FEIN or reporting period.

Form IL-941 Information and Instructions

End of the Year Instructions

At the end of the year, you (as the withholding agent) are required to report to your payee the total amount you withheld from that payee on the appropriate form (i.e. W-2, W-2G, or 1099).

To verify your records, compare

1. the total Illinois withholding you reported to your payees on Forms W-2, W-2G, W-2c, and 1099, 1. _____
2. the total Illinois withholding amount you reported on your quarterly Forms IL-941, Line 2, added together for the year. 2. _____
 - Quarter 1 IL-941, Line 2 _____
 - + Quarter 2 IL-941, Line 2 _____
 - + Quarter 3 IL-941, Line 2 _____
 - + Quarter 4 IL-941, Line 2 _____
3. your payments made to IDOR plus credits claimed for the year (Form IL-941, Line 5). 3. _____
 - Quarter 1 IL-941, Line 5 _____
 - + Quarter 2 IL-941, Line 5 _____
 - + Quarter 3 IL-941, Line 5 _____
 - + Quarter 4 IL-941, Line 5 _____

***The amounts on Lines 1, 2, and 3 should match. If they do not, then you need to review your account. See the "possible errors" box.

Possible Errors for End of the Year Instructions	
<i>If the total for line</i>	<i>then you may have...</i>
#2 is greater than #1,	underreported to your payees or overreported to IDOR.
#2 is greater than #3,	underpaid or overreported to IDOR.
#1 is greater than #2,	overreported to your payees or underreported to IDOR.
#1 is greater than #3,	underpaid to IDOR or overreported to your payees.
#3 is greater than #2,	overpaid to IDOR or underreported to IDOR.
#3 is greater than #1,	overpaid to IDOR or underreported to your payees.

To correct an error, see sections "How do I correct an error if I over-withheld or under-withheld from a payee?" and "How do I correct withholding that I have over-reported or under-reported?"

Note: If you made an error in the amount you reported to your employee or payee on the W-2, W-2G, or 1099 forms, you must provide them with the correct amount on a W-2c or a corrected Form W-2G or Form 1099 as required by the Internal Revenue Service. You must also file Form IL-941-X, Amended Illinois Withholding Income Tax Return, to report the corrected amounts. The amount you withheld should always agree with the amount you report to us.

Important: According to Illinois regulations, an over-collection of withholding should not be corrected after the end of the calendar year in which the over-collection occurred. If you over-collected Illinois withholding income tax and did not realize your error until after the end of the calendar year, do not correct the withholding amount on your Form IL-941-X or Form W-2c (as long as you reported the exact amount that was actually withheld). The actual amount withheld, including the over-collection, will be credited to the employee when he or she reports the withholding amount shown on the W-2 when filing his or her IL-1040.

This form is authorized as outlined under the tax or fee Act imposing the tax or fee for which this form is filed. Disclosure of this information is required. Failure to provide information may result in this form not being processed and may result in a penalty.