

# FORM EST-191 Instructions

## Estate Tax Return

### General Information

Please print in BLUE or BLACK ink only.

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#### Who Must File

The executor or other fiduciary is required to file a Vermont return when property with situs in Vermont is included in the decedent's federal gross estate and one or more of the following apply:

1. A Federal Estate Tax Return, Form 706, is required to be filed under section 6018 of the Internal Revenue Code.
2. The sum of the federal gross estate and federal adjusted taxable gifts (as defined in section 2001(b) of the Internal Revenue Code) made within two years of the date of the decedent's death exceeds \$2,750,000.

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#### Filing Due Date

The Vermont Estate Tax Return, Form EST-191 (formerly E-1), is required to be filed within nine months of the death of the decedent. To receive a six-month extension, file the Vermont Extension form, Form EST-195 (formerly ES-164).

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#### Payment Due Date

Any amount owed is due and payable by the executor or other fiduciary at the time the return is required to be filed. An extension of time to file the return does not extend the time to pay. The tax estimated to be due must be paid with the extension of time request.

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#### Required Information to be Included with the Vermont Return

##### If no return is due at the federal level

- Complete a pro forma Federal Form 706, Lines 1-4
- Include all related exhibits and appraisals

##### If no tax is due at the federal level

- Complete a pro forma Federal Form 706, Lines 1-4
- Include all related exhibits and appraisals

##### If federal tax is due and all assets are located in Vermont

- Include the Federal Form 706, excluding exhibits and appraisals

##### If federal tax is due and some assets are located outside of Vermont

- Include the Federal Form 706, excluding exhibits and appraisals

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#### Completing a Pro Forma Federal Form 706

The Vermont Estate Tax is computed using certain values located on the federal estate tax form. These values are defined in federal statute, which Vermont statute adopts (except when stated otherwise). Follow the instructions for Federal Form 706 as you complete Lines 1-4.

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**Definitions****Vermont gross estate (Line 8)**

From the Federal Estate Tax Return (Form 706), add the gross value of each item of the decedent's real and tangible personal property located in Vermont. If the decedent is a resident of Vermont, include all intangible personal property.

**Gifts of property with Vermont situs (Line 9)**

From those federal taxable gifts included on Line 2b, add the gross value of each real or tangible item of personal property located in Vermont at the time the gift was executed. If the decedent was a resident of Vermont at the time of the gift, include the gifts of intangible personal property.

**Intangible personal property**

Bank accounts, stocks, bonds, and mortgages are intangible assets and are taxable by the state in which the decedent was a resident at the time of death regardless of where the asset was located at the date of death.

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**Where to File**

Mail the return and any amount due, with check made payable to **Vermont Department of Taxes**, to:

Vermont Department of Taxes  
133 State Street  
Montpelier, VT 05633-1401

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**Contacting the Department - Estate Tax Division****Mailing address:**

Vermont Department of Taxes  
133 State Street  
Montpelier, VT 05633-1401

**Telephone:**

(802) 828-6820

**Email Address:**

tax.estate@vermont.gov

**Web site Address:**

www.tax.vermont.gov

**Fax:**

(802) 828-2720

**Forms:**

(802) 828-2515