

Instructions for Form FTB 3536

Estimated Fee for LLCs

General Information

For taxable years beginning on or after January 1, 2009, the limited liability company (LLC) must estimate the fee it will owe for the taxable year and must make an estimated fee payment by the 15th day of the 6th month of the taxable year. LLCs will use form FTB 3536, Estimated Fee for LLCs, to remit the estimated fee payment. A penalty will apply if the LLC's estimated fee payment is less than the fee owed for the taxable year. The penalty is equal to 10% of the amount of the LLC fee owed for the year over the amount of the timely estimated fee payment. See Penalties and Interest for more information.

The LLC fee remains due and payable by the due date, without extension, of the LLC's return. LLCs will use form FTB 3536 to pay by the due date of the LLC's return any amount of LLC fee owed that was not paid as a timely estimated fee payment. If the taxable year of the LLC ends prior to the 15th day of the 6th month of the taxable year, no estimated fee payment is due, and the LLC fee is due on the due date of the LLC's return.

If the LLC does not owe a fee, **do not** complete or mail form FTB 3536.

If the LLC owes a fee, complete the form below. Always use form FTB 3536 to pay the LLC fee. Mail the form along with the check or money order payable to the Franchise Tax Board (FTB) by the 15th day of the 6th month of the current taxable year (fiscal year) or June 15, 2010 (calendar year), to avoid late payment penalties and interest.

LLCs electing to be taxed as corporations should use form FTB 3539, Payment for Automatic Extension for Corps and Exempt Orgs.

Do not use form FTB 3536 if you are paying the \$800 annual LLC tax. Instead use the 2010 form FTB 3522, LLC Tax Voucher.

Round Cents to Dollars – Round cents to the nearest whole dollar. For example, round \$50.50 up to \$51 or round \$25.49 down to \$25.

How to Complete Form FTB 3536

Enter all the information requested using blue or black ink. To ensure the timely and proper application of the payment to the LLC's account, enter the California Secretary of State (SOS) file number (assigned upon registration with the SOS) and the federal employer identification number (FEIN).

Private Mail Box

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

Amount of Payment – This is the amount you expect to enter on the LLC's 2010 Form 568, Side 1, line 2, Limited Liability Company fee. As the fee owed for 2010 may not be known by the 15th day of the 6th month of the current taxable year, you may estimate your 2010 fee by completing the prior year LLC Income Worksheet, included in the 2009 Form 568 Tax Booklet. Use amounts of income expected for the 2010 taxable year to estimate the 2010 fee amount.

Where to File

Using blue or black ink, make check or money order payable to the "Franchise Tax Board." Write the SOS file number, FEIN, and "2010 FTB 3536" on the check or money order. Detach the form from the bottom of the page. Enclose, but **do not** staple, your payment to the form and mail to:

FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94257-0651

Make all checks or money orders payable in U.S. dollars and drawn against a U.S. financial institution.

If no payment is due, do not mail this form.

Penalties and Interest

If the LLC underpays the estimated fee, a penalty of 10% of the amount of any underpayment will be added to the fee. The underpayment amount will be equal to the difference between the total amount of the fee due for the taxable year less the amount paid by the estimated fee due date. A penalty will not be imposed if the estimated fee paid by the due date is equal to or greater than the total amount of the fee of the LLC for the preceding taxable year. To avoid late payment penalties and interest, the LLC's estimated fee must be paid by the 15th day of the 6th month of the current taxable year. The penalty and interest will be computed from the due date of the return to the date of the payment.

Internet Access

You can download, view, and print California tax forms and publications at **ftb.ca.gov**.

Access other state agencies' websites through the State Agencies Directory on the California website at **ca.gov**.