

**EMPLOYER REPORTING RESPONSIBILITIES:
 2017 TAX YEAR PENALTY AMOUNTS**

Applicable Large Employers (ALEs) are required to comply with employer reporting responsibilities under the ACA. Any employer averaging 50 or more full-time (FT) plus full-time equivalent (FTE) employees for the prior calendar year must report on the coverage it offers (or does not offer) to its FT employees and their dependents for the following year. IRS common ownership (controlled/ aggregated group) rules apply when determining employer size.

Groups with less than 50 employees sponsoring self-insured coverage must also comply with the ACA's employer reporting responsibilities. Penalties for noncompliance are hefty and were increased by the Trade Preferences Extension Act of 2015, Pub. L. No. 11-27 (The Trade Act).

Time of Filing	Penalty Rate	IRS Forms Due 1/1/2018 - 12/31/2018
Not more than 30 days late	Per return	\$ 50
	Maximum – Gross receipts less than/equal to \$5M*	\$ 187,500
	Maximum – Gross receipts over \$5M*	\$ 536,000
31 days late – August 1st	Per return	\$ 100
	Maximum – Gross receipts less than/equal to \$5M*	\$ 536,000
	Maximum – Gross receipts over \$5M*	\$ 1,609,500
After August 1st	Per return	\$ 260
	Maximum – Gross receipts less than/equal to \$5M*	\$ 1,072,500
	Maximum – Gross receipts over \$5M*	\$ 3,218,500
Intentional disregard	Per return	\$ 530
	Maximum – Gross receipts less than/equal to \$5M*	No limitation
	Maximum – Gross receipts over \$5M*	No limitation

* Based on average annual gross receipts for the most recent 3 taxable years