



# Instructions for Form IT-215 Claim for Earned Income Tax Credit

## General Information

### Who Qualifies

To qualify for the New York State earned income credit you must:

- have claimed the federal earned income credit for tax year 1995; and
- file (or have filed) a New York State return for 1995.

### How to Claim the Credit

In order to claim the New York State earned income credit you must:

- complete Form IT-215 using the information from your federal return, worksheets, and, if applicable, federal Schedule EIC; or
- complete the *Claim for Earned Income Credit for IT-100 Filers* if you file the IT-100 return.

### Changes for 1995

- The amount of the New York earned income credit has been increased to 10% of your federal credit.
- The instructions have been expanded and separated from the form.

### Filing in Your Claim Form

Form IT-215 for 1995 has been designed to let us use the latest scanning and image-processing equipment. Rectangular boxes and white entry areas have been printed on the form to guide you in making your handwritten entries. This will enable our scanning equipment to read your return more accurately and let us process it more efficiently. Please spend a moment reviewing the method below for making your entries:

- Please print (using a blue or black ballpoint pen; no pencils, please) or type all "X" marks and money amounts in the boxes or spaces provided.
- Do not use dollar signs, commas, decimal points, dashes or any other punctuation marks or symbols.
- Write your numerals like this:

1	2	3	4	5	6	7	8	9	0	X
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- Carefully enter your money amounts so that the whole dollar amount ends in the box immediately to the left of the cents decimal and the cents amount starts in the box immediately to the right of the cents decimal.
- Make your money amount entries in the boxes allowing one numeral for each area.

**Example:** If your entry for line 4 is \$13,525.50, your money field entry should look like:

4	1	3	5	2	5	.	5	0
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- Leave blank any spaces and boxes that do not apply to you.

## Line Instructions for Residents and Nonresidents (part-year residents see back page)

**All resident and nonresident filers** complete lines 1 through 11 as applicable. (**Form IT-100 filers** - Do not file Form IT-215 unless you have already filed your Form IT-100 for 1995.)

**Line 1** — File Form IT-215 with your original 1995 New York State income tax return. If you have already filed your original return, you may file Form IT-215 by itself. If you haven't previously filed your income tax return for this year, you **must** file one with this claim.

**Line 2** — If you filed federal schedule EIC, be sure to list the name, relationship, number of months the child lived with you, social security number and year of birth for the **same** children you claimed on the federal schedule.

**Line 3** — If you answered Yes, complete lines 4 through 7; the Tax Department will compute the credit for you. If you answered No, complete lines 4 through 11.

**Line 4** — This amount can be found on the appropriate line of the **federal** return you filed.

**Lines 5, 6 and 7** — If you received a taxable scholarship or fellowship that was not reported on a federal Form W-2, or had nontaxable earned income or business income or loss, you must enter the amount from your **Earned Income Credit Worksheet** found in the **instructions** for your **federal** return. Line 7, *Business income or loss*, applies only to federal Form 1040 filers.

**Line 7** — Be sure to check the appropriate box indicating if the line 7 amount is a profit or a loss. Do not use a minus sign or brackets to show a loss. If you have income or loss from more than one business, enter the Employer Identification Number (EIN) representing your **primary** business activity. If your primary business activity doesn't have an EIN, use your social security number.

**Line 8** — This amount can be found on the appropriate line of your **federal** return. If you owe the federal alternative minimum tax, disregard the preceding instruction and enter the amount of the federal earned income credit, **before** any reduction for the alternative minimum tax, from the *EIC Worksheet* in your federal instructions.

**Line 9** — For 1995, the New York State earned income credit is 10% (.10) of the federal earned income credit. The rate has already been filled in for you.

**Line 10** — If you are attaching this claim to your original 1995 New York State

income tax return and you answered *No* at line 1:

**For filing status ①, ②, ④ or ⑤**

- **Residents** - Transfer the line 10 amount to Form IT-200, line 33, or Form IT-201, line 56.
- **Nonresidents** - Transfer the line 10 amount to Form IT-203, line 42.

**For filing status ③, Married filing separate return**

- The line 10 amount represents both spouses' combined (total) earned income credit. You must complete line 11 and indicate the amount of line 10 that you are claiming.

If you have previously filed your 1995 New York State income tax return and you answered *Yes* at line 1:

**For filing status ①, ②, ④ or ⑤**

- **Residents and nonresidents** - mail your completed form to:

STATE PROCESSING CENTER  
ONE WATERVLIT AVE EXT  
ALBANY NY 12261-0001.

**For filing status ③ Married filing separate return**

- The line 10 amount represents both spouses' combined (total) earned income credit. You must complete line 11 and indicate the amount of line 10 that you are claiming.

**Line 11** — You need to complete this line **only** if your filing status is ③ Married filing separate return.

If you are attaching this claim to your original return and answered *No* at line 1, show the portion of line 10 that you are claiming as your share of the earned income credit and follow the appropriate instructions below. Remember, while the credit can be split in any manner you and your spouse agree to, the combined amount of both spouses' credits cannot be more than the amount on line 10.

- **Residents** - Transfer the line 11 amount to Form IT-200, line 33, or Form IT-201, line 56.
- **Nonresidents** - Transfer the line 11 amount to Form IT-203, line 42.

If you have already filed your 1995 New York State income tax return and answered *Yes* at line 1:

- **Residents and nonresidents** - Mail your completed form to:

STATE PROCESSING CENTER  
ONE WATERVLIT AVE EXT  
ALBANY NY 12261-0001.

## Line Instructions for Part-year Residents (residents and nonresidents see front page)

**All part-year resident filers complete lines 1 through 20 as applicable.**

**Line 1** — File Form IT-215 with your original 1995 New York State income tax return. If you have already filed your original return, you may file Form IT-215 by itself. If you haven't previously filed your income tax return for this year, you **must** file one with this claim.

**Line 2** — If you filed federal schedule EIC, be sure to list the name, relationship, number of months the child lived with you, social security number and year of birth for the **same** children you claimed on the federal schedule.

**Line 3** — If you answered *Yes*, complete lines 4 through 7, and lines 15, 17 and 18. The Tax Department will compute the credit for you. If you answered *No*, complete lines 4 through 20.

**Line 4** — This amount can be found on the appropriate line of the **federal** return you filed.

**Lines 5, 6 and 7** — If you received a taxable scholarship or fellowship that was not reported on a federal Form W-2, or had nontaxable earned income or business income or loss, you must enter the amount from your **Earned Income Credit Worksheet** found in the **instructions** for your **federal** return. Line 7, *Business income or loss*, applies only to **federal** Form 1040 filers.

**Line 7** — Be sure to check the appropriate box indicating if the line 7 amount is a profit or a loss. Do not use a minus sign or brackets to show a loss. If you have income or loss from more than one business, enter the Employer Identification Number (EIN) representing your **primary** business activity. If your primary business activity doesn't have an EIN, use your social security number.

**Line 8** — This amount can be found on the appropriate line of your **federal** return. If you owe the federal alternative minimum tax, disregard the preceding instruction and enter the amount of the federal earned income credit, **before** any reduction for the alternative minimum tax, from the *EIC Worksheet* in your federal instructions.

**Line 9** — For 1995, the New York State earned income credit is 10% (.10) of the federal earned income credit. The rate has already been filled in for you.

**Line 10** — If you are attaching this claim to your original 1995 New York State income tax return and you answered *No* at line 1:

**For filing status ①, ②, ④ or ⑤**

— Transfer the line 10 amount to Form IT-203, line 42 and **complete** lines 12 through 20.

**For filing status ③, Married filing separate return**

— The line 10 amount represents both spouses' combined (total) earned income credit. You must complete line 11 and indicate the amount of line 10 that you are claiming.

**Line 11** — You need to complete this line **only** if your filing status is ③ Married filing separate return.

If you and your spouse both agree, **one** of you may claim the entire amount or you may split the credit in any manner you both agree to.

If you are attaching this claim to your original return and answered *No* at line 1, show the portion of line 10 that you are claiming as your share of the earned income credit. Transfer the amount to Form IT-203, line 42 and complete lines 12 through 20. The combined amount of both spouses' credits cannot be more than the amount on line 10.

**Lines 12 through 20** need to be completed **only** by part-year residents claiming the earned income credit who are filing, or have previously filed, an IT-203, *Nonresident and Part-Year Resident Income Tax Return*, for this year. The amounts not on this form can be found on the appropriate lines of the IT-203 or IT-203-ATT, *Itemized Deduction and Other Credits and Taxes*, or their instructions.

The earned income credit must first reduce your tax liability to zero before the remaining excess earned income credit is eligible to be refunded. The amount to be refunded will be based on the ratio of resident period income to the combined income from both the resident and nonresident periods.

**Line 19** — Divide line 17 by line 18 and carry the result to four decimal places. (Do not enter more than 100% (1.0000) even if your actual result is more than 100%.) If the result is zero percent (0%), you have no remaining excess earned income credit available to be refunded. Do not complete line 20.

**Line 20** — If line 19 is greater than 0%, multiply line 16 by line 19. If you answered *No* at line 1, transfer the line 20 amount to Form IT-203, line 57 and attach Form IT-215 to your Form IT-203. This amount represents the refundable portion of your part-year resident earned income credit.

If you have previously filed your 1995 New York State income tax return and you answered *Yes* at line 1, mail your completed form to:

STATE PROCESSING CENTER  
ONE WATERVLLET AVE EXT  
ALBANY NY 12261-0001

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### Privacy Notification

The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions and forms, is found in Articles 22, 23, 26, 26-A, 26-B, 30, 30-A and 30-B of the Tax Law, Article 2-E of the General City Law and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs.

Failure to provide the required information may result in civil or criminal penalties, or both, under the Tax Law.

This information will be maintained by the Director of the Data Management Services Bureau, NYS Tax Department, Building 8 Room 905, W A Harriman Campus, Albany NY 12227; telephone (from New York State only) 1 800 CALL TAX (1 800 225-5829); from areas outside New York State call (518) 438-8581.