

New York State Department of Taxation and Finance

# **Claim for Investment Tax Credit**

1998 calendar-yr. filers, check box Other filers enter tax period:

(Includes Employment Incentive Credit)

Tax Law — Sections 210.12 and 210.12-D

beginning

Name Employer identification number File number		ending
	Name	Employer identification number File number

# File this form with Form CT-3, CT-3-A, CT-3-S, or CT-3-S-A

# Summary of Tax Credit(s)

1	Investment tax credit (from line 20, column F)	1	•
	Investment tax credit on research and development property at the optional rate (from line 21, column G)		
3	Retail enterprise tax credit (from CT-46-ATT, line 1)		
	Rehabilitation credit for historic barns (from CT-46-ATT, line 12)		
	Subtotal (add lines 1 through 4)	_	
6	Employment incentive credit (from line 28, column C)	6	•
7	Unused investment tax credit, additional investment tax credit, or employment incentive credit from preceding period	7	•
8			
9	Recapture of excess credit taken in previous periods (from line 32)	9	•
	Net investment tax credit(s) (subtract line 9 from line 8; see instructions)		

# Computation of Investment Tax Credit Used, Refunded, Carried Forward

11	Tax (from Form CT-3, line 78, or Form CT-3-A, line 77)	11						
12	Tax credits claimed before the investment tax credit (see instructions)							
13	Subtract line 12 from line 11	13						
14	Tax on minimum taxable income or fixed dollar minimum, whichever amount is larger (from Form CT-3, line 81, or Form CT-3-A, line 80)							
15	Limitation on investment tax credit (subtract line 14 from line 13, if less than 0, enter "0")	-						
16	Investment tax credit to be used this period (enter the lesser of line 10 or lin Form CT-3, line 100, or Form CT-3-A, line 101)	16	•					
17	Unused investment tax credit (subtract line 16 from line 10)	17	•					
	Qualified new businesses only: refund of investment tax credit (enter the le							
	see instructions)	18	•					
19	Unused investment tax credit available to be carried over (subtract line 18	19	•					

## Schedule A — Investment Tax Credit

А	В	С	D	E	F	G
Description of Property	Principal Use	Date	Life	Investment	Investment Tax Credit	Investment Tax Credit or
		Acquired	(years)	Credit Base	(column E × appropriate	Research and Development
					rate; see Rate Schedule 1)	Property at the optional rate
						(R & D property in column E × appropriate
						rate; see Rate Schedule 1)
Amounts from attached list						
20 Add column F amounts (e	enter here and on line 1)					
21 Add column G amounts (					21	

# Schedule B — Eligibility for Employment Incentive Credit

	А	В	С	D	E	F	G	н
A. Use in conjunction with Schedule C, line 26, first succeeding year	Year	March 31	June 30	September 30	December 31	Total B+C+D+E	Average	Percent *
22 Number of New York State employees in employment base year								
23 Number of New York State employees in period covered by this claim								%
B. Use in conjunction with Schedule C, line 27, second succeeding year	Year	March 31	June 30	September 30	December 31	Total B+C+D+E	Average	Percent *
24 Number of New York State employees in employment base year								
25 Number of New York State employees in period covered by this claim								%

\* Divide the average number of employees covered by this claim by the average number of employees in base year (column G).

## Schedule C — Employment Incentive Credit Computation

	A Tax Year in which Investment Tax Credit was Allowed	B Amount of Investment Credit Base upon which Original Investment Tax Credit was Allowed (excluding R&D property at optional rate)	C Employment Incentive Credit (multiply column B by the appropriate rate from Rate Schedule 2 on page 3)
26 First succeeding year			
27 Second succeeding year 28 Add column C amounts (enter h	28		

# Schedule D — Recapture of Investment Tax Credit (including Rehabilitation Expenditures for Retail Enterprises and Historic Barns) and Additional Investment Tax Credit

A Description of Property	B Date of Acquisition or Rehabilitation	C Date Property Ceased to Qualify	D Life (months)	E Unused Life (months)	F Percentage (column E ÷ column D)	G Total Original Investment Tax Credit Allowe	d	I Recaptured Additional Investment Tax Credit
Amounts from attached list	t							
29 Recaptured investment tax credit (add column H amounts)								
30 Recaptured additional investment tax credit								
31 Additional recapture (see instructions)							31	
32 Add lines 29, 30, and	31 (enter her		32					

### Rate Schedule 1 — Investment Tax Credit rates to be used in Schedule A and on Form CT-46-ATT

### Rates for property acquired during tax periods beginning in 1991 and after:

Standard Rate:	5% (.05) on first \$350,000,000 of investment credit base
	4% (.04) on excess of \$350,000,000 of investment credit base
Optional Rate:*	9% (.09) on research and development property

For credit rates prior to 1991, refer to section 210.12(a) of the New York State Tax Law.

\* A New York C corporation may compute the investment tax credit on research and development property at either the standard rate or the optional rate. However, only research and development property on which the investment tax credit was computed at the standard rate may be included in the investment credit base when computing the employment incentive credit under section 210.12-D (see Schedule C).

A New York S Corporation must compute its investment tax credit at the rate of 4% (.04) on property other than research and development property and at 7% (.07) on research and development property. The pro rata share of the investment tax credit, computed at these rates, will be allowed to each individual shareholder.

### Rate Schedule 2 — Employment Incentive Credit rates to be used in Schedule C

### Investment tax credit for tax periods beginning in 1991 and after:

Rates	Employment requirement at least
1 <sup>1</sup> / <sub>2</sub> % (.015) of investment credit base	101% but less than 102%
2% (.02) of investment credit base	102% but less than 103%
21/2% (.025) of investment credit base	103%

#### **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 8, 9, 9-A, 13, 19, 27, 32, 33, and 33-A of the Tax Law; and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer corporate tax liabilities under the Tax

Law, for certain tax refund offsets, and for any other purpose authorized by law.

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 Registration and Data Services Bureau, NYS Tax Department, Building 8 Room 924, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the U.S. and outside Canada, call (518) 485-6800.

### **Need Help?**

Telephone Assistance is available from 8:30 a.m. to 4:25 p.m. (eastern time), Monday through Friday. For business tax information and forms, call the Business Tax Information Center at 1 800 972-1233. For general information, call toll free 1 800 225-5829. To order forms and publications, call toll free 1 800 462-8100. From areas outside the U.S. and outside Canada, call (518) 485-6800.

**Fax-on-Demand Forms Ordering System -** Most forms are available by fax 24 hours a day, 7 days a week. Call toll free from the U.S. and Canada 1 800 748-3676. You must use a Touch Tone phone to order by fax. A fax code is used to identify each form.

Internet Access - http://www.tax.state.ny.us

Access our website for forms, publications, and information.

Hotline for the Hearing and Speech Impaired - If you have access to a telecommunications device for the deaf (TDD), you can get answers to your New York State tax questions by calling toll free from the U.S. and Canada 1 800 634-2110. Assistance is available from 8:30 a.m. to 4:15 p.m. (eastern time), Monday through Friday. If you do not own a TDD, check with independent living centers or community action programs to find out where machines are available for public use.

Persons with Disabilities - In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call the information numbers listed above.

Mailing Address - If you need to write, address your letter to: NYS Tax Department, Taxpayer Assistance Bureau, W A Harriman Campus, Albany NY 12227.