



# Instructions for Form CT-60

## Affiliated Entity Information Schedule

**CT-60-I**

### Who must file Form CT-60

You must file Form CT-60 if you are a corporation subject to tax under Article 9-A and you included the activities of any of the following on your return:

- a qualified subchapter S subsidiary (QSSS),
- a single member limited liability company (SMLLC), **or**
- a tax-exempt domestic international sales corporation (DISC).

File one Form CT-60 to provide general information about **all** of the above entities. This notifies us that:

- the income, deductions, credits, and other tax attributes of these entities are included on your New York State franchise tax return, and
- these entities will not be filing a separate franchise tax return for that tax period.

You must also file Form CT-60 if:

- you are a federal S corporation but are filing as a New York C corporation,
- you are a partner in a partnership,
- you are a federal QSSS where New York State does **not** follow federal QSSS treatment, **or**
- you have affiliated entities.

**Combined returns:** The designated agent for the combined group **must** file one Form CT-60 with the requested information for **all** members of the group.

### Line instructions

If you need more room, use multiple lines, or attach additional sheets in the same format. Include your name and taxpayer identification number on each sheet and attach them and Form CT-60 to your return.

### Schedule A: Federal S corporation information

Do **not** include the parent of the QSSS entities in either Part 1 or Part 2.

Do **not** include any excluded QSSS in either Part 1 or Part 2. An excluded QSSS is a QSSS that is taxable (or a nontaxpayer QSSS that would be taxable) under Article 9 (section 183, 184, or 186) or Article 33.

### QSSS parent information

The QSSS parent corporation is an S corporation for federal purposes but may be either a C corporation or an S corporation for New York State tax purposes. For the filing requirements of QSSS parents and corporations that are a QSSS, see the instructions for your franchise tax return.

Where New York State follows federal QSSS treatment:

- the parent and QSSS will file one franchise tax return (Form CT-3, CT-3-S, or CT-3-A, as applicable);
- the QSSS will be ignored as a separate taxable entity; and
- the income, deductions, credits, and other tax attributes of the QSSS will be included on the parent's franchise tax return.

### Notes:

- With regard to other taxes under the Tax Law, such as sales and excise taxes, the QSSS will continue to be recognized as a separate corporation.
- If the QSSS parent corporation is an S corporation for federal purposes and will be filing as an S corporation for New York State purposes using Form CT-3-S, the QSSS parent corporation **must** file Form CT-6, *Election by a Federal S Corporation to be Treated as a New York S Corporation*.

### Employer identification number (EIN) or temporary filing (TF) number

If the QSSS has or had a federal EIN, enter that number in the appropriate box. If the QSSS does **not** have an EIN, enter the TF identification number assigned by the New York State Tax Department. This number was assigned when the corporation first incorporated or became authorized to do business in New York State. If the QSSS does not have an EIN or TF number, enter **none**.

### Effective date of federal QSSS election

Enter the effective date of the federal QSSS election made for the subsidiary. If the effective date falls on a date other than the first day of the subsidiary's tax year, the subsidiary must file a short period return if it was subject to tax in New York State before the effective date.

### Part 1: Qualified subchapter S subsidiary (QSSS) inclusion

If you are a **New York S corporation** filing Form CT-3-S, include every QSSS that you own, whether or not the QSSS is itself subject to tax in New York State. Also include any lower tier QSSS owned by any QSSS you own. Do **not** complete Part 2.

If you are a **New York C corporation** filing Form CT-3 or CT-3-A, include every QSSS that you own that is itself taxable in New York State. Do **not** include a nontaxpayer QSSS unless you made a QSSS inclusion election for that nontaxpayer QSSS (see Part 2). Also include any lower tier QSSS owned by any QSSS you own, if the lower tier QSSS is itself taxable in New York State or if a QSSS inclusion election has been made.

**Combined returns:** The designated agent **must** file one Form CT-60 for the entire combined group and include the requested information for **every** QSSS whose activities are included with the activities of any member of the combined group.

### Part 2: QSSS elective inclusion

A New York C corporation filing Form CT-3 or CT-3-A may elect to include on its franchise tax return a QSSS that is not taxable in New York State. If you elect to include a particular QSSS, you must also include any lower tier QSSS owned by that QSSS.

You may make the QSSS inclusion election by completing Part 2. Once made, the election is binding for the tax year for which it is made; you may not change it later by filing an amended return.

The election is also effective for all succeeding tax years of the corporation until terminated. You are required to complete Part 2 for each succeeding tax year for which the QSSS is included in the franchise tax return of the New York C corporation. To

terminate a QSSS inclusion election made in a previous tax year, do not include that QSSS in Part 2.

**Only** enter the information for a QSSS if you are making (or continuing) a QSSS inclusion election.

**Combined returns:** The designated agent **must** include the requested information for **every** QSSS for which a QSSS inclusion election is being made or continued with the filing of the combined return.

### Part 3: 1120S shareholder information

If you are a federal S corporation filing as a New York C corporation, or a federal QSSS where New York State is not following federal QSSS treatment, provide names, addresses, and EINs or Social Security numbers of your shareholders.

## Schedule B: Other related entities

### Lines 2 through 10:

1. Read each line and mark an **X** in any boxes that apply.
2. Attach federal Form 851, if applicable.
3. If a combined return is being filed, the designated agent should read *you* or *your* as referring to **each** member of the combined group. For example, if members of the same combined group file as members of different federal consolidated groups, enter the total number of all corporations that are included in all federal consolidated groups on line 4a.

**Lines 5 and 6:** The term *same interests* includes, but is not limited to, an alien, foreign, or domestic corporation, partnership, or individual.

Example:

- *The taxpayer, Corporation A, owns 100% of the voting power of the capital stock of Corporation B.*
- *Corporation B owns 51% of the voting power of the capital stock of Corporation C.*
- *Corporation C owns 40% of the voting power of the capital stock of Corporation D.*
- *Individual X owns 100% of the voting power of the capital stock of Corporation A and also owns 20% of the voting power of the capital stock of Corporation D.*

*Corporations A, B, C, and D satisfy the capital stock requirement to be included in a combined report because they are all directly or indirectly controlled by the same interests, namely Individual X.*

### Part 3: Entities taxable as partnerships

If you are a partner in one or more partnerships:

1. Mark an **X** in the box on line 9 and complete this part, listing all partnerships.
2. If you are using the *entity method* for any partnership listed, mark an **X** in the box in the *entity method* column on that partnership's line.
3. When making the *separate accounting election* for any partnership listed, or if you previously made such election for any partnership listed, mark an **X** in the box in the *separate accounting election* column on that partnership's line.
4. If you previously made the separate accounting election for any partnership, also enter the date of that election.

**Note:** The separate accounting election is irrevocable.

5. For each partnership listed in Part 3, also include any lower tier partnerships owned by that partnership.

**Combined returns:** The designated agent of the combined group should read this instruction as applying to **each** member

of the combined group. The separate accounting election may **not** be made when a corporation is filing on a combined basis.

### Part 4: SMLLCs and tax-exempt DISCs

If you included income, gains, losses, deductions, credits, or other tax attributes from a SMLLC or a tax-exempt DISC on your New York State franchise tax return, complete this part. Also include any lower tier SMLLCs and tax-exempt DISCs owned by your SMLLC or tax-exempt DISC.

Do **not** include any entity already listed in Schedule A, Parts 1 and 2, or Schedule B, Part 3.

**Combined returns:** The designated agent should read this instruction as applying to **each** member of the combined group.

## Signature

The document must be certified by the president, vice president, treasurer, assistant treasurer, chief accounting officer, or other officer authorized by the taxpayer corporation.

The document of an association, publicly traded partnership, or business conducted by a trustee or trustees must be signed by a person authorized to act for the association, publicly traded partnership, or business.

If an outside individual or firm prepared the document, all applicable entries in the paid preparer section must be completed, including identification numbers (see *Paid preparer identification numbers* in Form CT-1).

Failure to sign the document will delay the processing of any refunds and may result in penalties.

## Need help? and Privacy notification

See Form CT-1, *Supplement to Corporation Tax Instructions*.

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