



# 2006 New York State Corporate Tax Statistical Report

*Franchise Tax on Business Corporations  
Corporation and Utilities Tax  
Franchise Tax on Banking Corporations  
Franchise Tax on Insurance Corporations*

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# Overview

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This publication is the fourteenth in a series of corporate tax statistical reports to be published by the Department of Taxation and Finance's Office of Tax Policy Analysis (OTPA). The reports are intended to provide a summary of corporate tax data to aid parties in their analysis of New York's corporate tax structure. The last report in this series was for the 2005 liability year.

The tables in this report present tax statistics for Article 9-A (the franchise tax on business corporations), Article 9 (the corporation and utilities tax), Article 32 (the franchise tax on banking corporations), and Article 33 (the franchise tax on insurance companies). The report focuses on the franchise taxes imposed under these articles. This enables data users to more easily understand the corporate franchise tax population and liability. By definition, it includes the excise taxes imposed under Article 9, Sections 186-a and 186-e.

Selected statistics presented in this publication may differ from data provided in prior reports and other published statistical documents. This is due to improvements in data collection and enhancements in data verification procedures.

Terms and data used in tables and charts, as well as data sources used in this report, are explained in Appendix A: Description of Terms and Data and Data Sources; Appendix B lists tax rate changes in 2005 and 2006; Appendix C contains descriptive charts of the calculation of tax liability for Articles 9-A, 32 and 33; Appendix D contains the historical tables, starting with the 2002 tax year; and Appendix E lists sources of tax return data for 2006.

Data sources for Articles 9-A, 32, and 33 were revised starting with the 2002 report. A significant change was made to the definition of which taxpayers are included in the data files for the 2002 liability year. In addition, the manner in which data is presented by industry for Article 9-A taxpayers was revised based on changes to NAICS industry coding. For details, see Appendix A.

Recent tax law changes have had an impact on the business population and the data presented in these reports. Some examples include:

- Significant restructuring of the Franchise Tax on Insurance Corporations
- Significant reductions in tax rates for all corporate taxes
- Shifting of certain taxpayers out of the Corporation and Utilities Tax and into the Corporate Franchise Tax
- Temporary restructuring of the Article 9-A fixed dollar minimum tax
- Creation of new tax credits for banks and insurance companies.

These law changes have changed the size of tax burdens, the distribution of the burden within industries, and the share each article represents of total State tax revenues.

There have been a number of significant new tax laws. For highlights of tax actions, see OTPA's *Summary of Tax Provisions*, published each year. This report and others are available on the Department's Web site at: <http://www.nystax.gov/statistics>. *The New York State Tax Sourcebook*, also published by OTPA, contains both historical and current information on tax law changes.

## Tax Articles: Data Summary

Table 1 provides a summary of the number of taxpayers and tax liability for the selected tax articles presented in this report. The data compares the 2005 and 2006 tax years. Consistent with previous years, Article 9-A represents the greatest number of taxpayers and the largest amount of tax liability. Article 32, the franchise tax on banking corporations, represents the smallest amount of taxpayers in 2006, while Article 9 represents the smallest amount of liability. Total corporate tax liability grew by \$187 million, or about 4 percent, from 2005 to 2006.

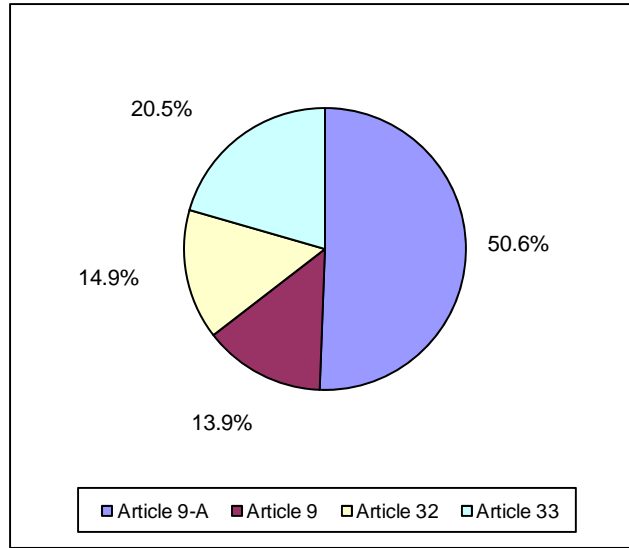
**Table 1: Selected Tax Articles – Total Number of Taxpayers and Tax Liability 2005 and 2006**

Tax Article	Number of Taxpayers 2005	Total Tax Liability 2005	Number of Taxpayers 2006	Total Tax Liability 2006
Article 9-A	611,990	\$2,358,516,401	631,204	\$2,326,889,269
Article 9	3,850	592,371,078	3,635	640,875,013
Article 32	729	579,371,474	763	686,206,079
Article 33	1,169	881,939,068	1,230	944,755,000
Total All Articles	617,738	\$4,412,198,021	636,832	\$4,598,725,361

\* Equals the total number of returns. See Appendix A for details.

Figure 1 shows the representative shares of tax liability for each article presented in this report.

**Figure 1: Selected Corporate Tax Articles – Percent of 2006 Tax Liability**



Tables 2 and 3 show detailed profiles of Articles 9-A and 9 for the 2006 tax year.

**Tables 2 and 3:  
Articles 9-A and 9  
Detailed Profiles – 2006**

	Number of Taxpayers 2006	Tax Liability 2006
Article 9-A		
C Corporations	263,781	\$2,273,258,375
S Corporations	367,423	53,630,894
<b>Total</b>	<b>631,204</b>	<b>\$2,326,889,269</b>

	Number of Taxpayers 2006	Tax Liability 2006
Article 9		
Section 183	1,415	\$14,247,351
Section 184	1,130	61,016,854
Section 185	48	31,379
Section 186	22	28,844,629
Section 186-a	36	88,462,405
Section 186-e	984	448,272,395
<b>Total</b>	<b>3,635</b>	<b>\$640,875,013</b>

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## Tax Articles: 2006 Highlights

### Article 9-A: Franchise Tax on Business Corporations

#### *Highlights*

- The number of Article 9-A taxpayers increased by 3 percent from 2005 to 2006, while total tax liability declined by 1 percent.
- The number of C corporation filers increased by more than 3 percent, but total liability for C corporations decreased by 1 percent.
- The number of S corporation filers grew by 3 percent, but total liability for S corporations declined by 7 percent.
- S corporations represented 58 percent of all Article 9-A filers, but C corporations represented 98 percent of total liability.
- As in previous years, the entire net income (ENI) base continued to contribute the most to total C corporation tax liability. ENI base filers constituted 21 percent of total C corporation returns. However, this tax base contributed 89 percent of total C corporation tax liability.
- Total liability for the fixed dollar minimum tax base declined by almost half, while liability for the AMT base grew by almost a third.
- Tax liability grew for some industrial sectors, and declined for others. There were some substantial changes for certain sectors, as well as some significant shifts in the distribution of tax liability among industries.

### Article 9: Corporation and Utilities Tax

#### *Highlights*

- The number of taxpayers declined by 215 from 2005 to 2006, while total tax liability grew by approximately \$49 million over this period.
- The greatest number of taxpayers paid under Sections 183 and 184. Section 183 is the franchise tax on transportation and

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transmission corporations and Section 184 is an additional tax on transportation and transmission corporations and associations.

- Section 186-e (excise tax on telecommunications services) taxpayers incurred the highest tax liability, while Section 186-a (gross receipts tax on the furnishing of utility services) taxpayers ranked as the second highest in 2006.
- In 2006, businesses subject to Section 186-e incurred about 70 percent of all Article 9 tax liability.
- Tax liability did not change by a large amount for any of the sections of Article 9 from 2005 to 2006.

#### Article 32: Franchise Tax on Banking Corporations

##### *Highlights*

- Total tax liability for Article 32 increased by \$107 million, from \$579.4 million in 2005 to \$686.2 million in 2006.
- The relative share of total bank tax liability represented by each type of bank was very similar from 2005 to 2006.
- The vast majority of bank tax liability continues to come from the income base. The income base accounted for 77 percent of bank tax liability in 2005 and 83 percent in 2006.
- The alternative bases (alternative ENI and assets) account for almost all of the remainder of bank tax liability. The alternative bases accounted for 23 percent of liability in 2005 and 17 percent in 2006. The minimum tax accounts for less than 1 percent of bank tax liability in both years.
- The amount of positive allocated entire net income reported for all banks increased from \$7.1 billion in 2005 to \$8.3 billion in 2006. Negative allocated entire net income decreased from \$5.1 billion to \$4.5 billion over this period.

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- Banks used \$55 million in tax credits in 2005 and \$34 million in 2006.

Article 33: Franchise Tax on Insurance Corporations *Highlights*

- Total tax liability for Article 33 increased by \$63 million, from \$882 million in 2005 to \$945 million in 2006.
- Foreign insurers accounted for the majority of Article 33 taxpayers and total tax liability in both 2005 and 2006.
- Total tax liability for life insurers grew by \$8 million from 2005 to 2006, from \$200 million to \$208 million. About 86 percent of life insurers paid income tax on the entire net income tax base in 2006.
- Total tax liability for non-life insurers rose from \$682 million in 2005 to \$737 million in 2006. Most non-life insurers paid on the premiums tax base, and accounted for nearly all the liability for non-life insurers.
- The total amount of premiums tax paid by Article 33 taxpayers grew by \$81 million, from \$873 million in 2005 to \$954 million in 2006.
- The floor limitation affected 56 life insurers in 2006, raising their tax by \$24 million. The limitation on tax affected 139 life insurers in 2006, lowering their tax by \$89 million.
- Total tax before credits for Article 33 taxpayers rose from \$1,012 million in 2005 to \$1,104 million in 2006. The total value of tax credits rose from \$130 million to \$160 million over this period.

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# Article 9-A: Franchise Tax on Business Corporations

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## Tax Structure: Tax Law as of 2006

Article 9-A imposes a tax on corporations for the privilege of exercising a corporate franchise in the State. All domestic corporations (organized in New York State), and all foreign corporations (organized in another state) or alien corporations (organized in a foreign country) doing business, or employing capital, or owning or leasing property in a corporate or organized capacity, or maintaining an office in the State, become subject to the corporate franchise tax. Article 9-A applies to any general business corporation except those specifically exempt or those subject to tax under other specified articles of the tax law.

C Corporations compute tax under four bases: entire net income (ENI); business and investment capital; alternative minimum taxable income (AMTI); and fixed dollar minimum amounts. The corporation pays the tax computed on the base that yields the highest liability. An additional tax applies, based on the value of the corporation's subsidiary capital allocated to the State, which is taxed at the rate of 0.09 percent.

- A rate of 7.5 percent applies to the ENI base. A tax rate of 6.5 percent applies to small business corporations with ENI of \$290,000 or less. Graduated rates apply to qualified small business corporations with ENI of more than \$290,000, but not more than \$390,000.
- A rate of 0.178 percent applies to the capital base. Allocated business and investment capital form the capital base. Total tax liability under the capital base is capped at \$350,000 for manufacturers, and \$1 million for all others.
- A rate of 2.5 percent applies to the AMT base. The AMT base equals ENI adjusted to reflect certain federal tax preference items and adjustments and state specific net operating loss (NOL) modifications.
- Separate fixed dollar minimum amounts apply, based on a corporation's gross annual payroll, including general executive officers, during the applicable tax period. The amounts range from \$100 to \$1,500.

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A fixed amount of \$800 applies to corporations whose gross property, receipts and payroll are each less than \$1,000.

Corporations allocate ENI, business capital and AMT income using a three-factor formula to proxy their economic presence in the State. Representative factors in the business allocation percentage include owned and rented real and tangible personal property, business receipts and payroll (exclusive of general executive officers). Corporations allocate investment capital and income to New York based on the New York presence of the issuer of the investment instrument.

Corporations that elect S corporation status for federal and New York tax purposes compute an entity level tax imposed by Article 9-A. The tax for S corporations is solely the Article 9-A fixed dollar minimum tax, imposed at the same rates as on C corporations.

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Significant Tax Law  
Changes: 2005 and  
2006

*2005*

- For tax years beginning on or after January 1, 2005, the maximum amount of the capital base tax was increased from \$350,000 to \$1 million for all taxpayers except manufacturers.
- For tax years beginning on or after January 1, 2005, the entire net income (ENI) threshold amount to determine what constitutes a small business taxpayer for purposes of applying the reduced tax rate on the ENI base was raised from \$290,000 to \$390,000. The tax rate on the ENI base for a small business taxpayer with an ENI base of \$290,000 or less was reduced to 6.5%; with an ENI base greater than \$290,000, the tax rate is between 6.5% and 7.5%.

*2006*

- For tax years beginning on or after January 1, 2006, the receipts factor used in the business allocation percentage is weighted sixty percent, with the remaining two factors each weighted twenty percent.
- For tax years beginning on or after January 1, 2006, the fixed dollar minimum tax amounts have reverted to match the lesser levels they were at before the 2004 tax year.



- For tax years beginning on or after January 1, 2006, the differential tax on ENI imposed on S corporations was permanently eliminated. The tax was temporarily eliminated from 2003 to 2005.

### Statistical Summary: Comparison of 2005 Versus 2006

The corporate franchise tax represented approximately 51 percent of total New York State corporate tax liability in 2006. There were 631,204 corporate taxpayers (both C corporations and S corporations) that filed returns in this year. These taxpayers reported a total tax liability of about \$2.3 billion.

Table 4 summarizes and compares information from taxable returns filed by Article 9-A corporations in 2005 and 2006. In 2006, total tax liability grew by \$602 million from 2005, an increase of 34.9 percent.

**Table 4: Profile of C and S Corporations, Number of Taxpayers and Tax Liability – 2005 and 2006**

Tax Year	2005	2006
Number of Taxpayers		
Number of C Corporations	255,246	263,781
Number of S Corporations	356,744	367,423
Total Number of Corporations	611,990	631,204
Millions of Dollars		
Tax Liability C Corporations	\$1,667	\$2,273
Tax Liability S Corporations	58	54
Total Tax Liability	\$1,725	\$2,327

### Distribution of Article 9-A Taxpayers and Tax Liability

Table 5 shows both 2005 and 2006 C and S corporations by basis of tax for the number of taxpayers and tax liability. There were increases in liability for C corporations paying on two bases, and decreases for the other two bases. There was a large percentage decrease in liability under the fixed dollar tax due to the reversion back to the lesser fixed dollar minimum amounts. The AMT base experienced a large percentage increase in liability. Liability under the entire net income base remained virtually the same.

Overall, total liability for C corporations declined by only one percent from 2005 to 2006. The distribution of the number of taxpayers by tax base was very similar from year to year. There was a slight increase in the number of S corporations from 2005 to 2006, but a decline in liability.

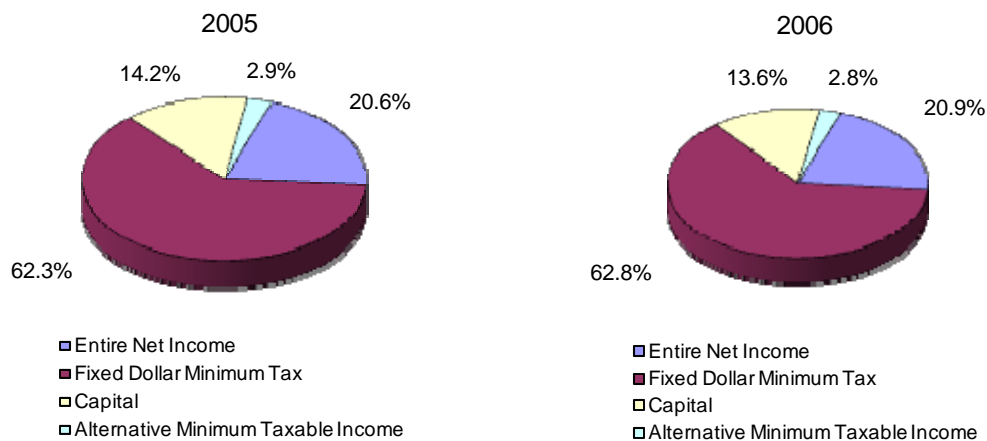
**Table 5: C and S Corporations by Bases, Number of Taxpayers and Tax Liability—2005 and 2006**

Type of Corporation	Base of Primary Tax	Number of Taxpayers			Tax Liability*		
		2005	2006	Percent Change	2005	2006	Percent Change
C Corporation	Entire Net Income	52,605	55,029	4.6%	\$1,994,061,665	\$2,012,779,738	0.9%
	Fixed Dollar Minimum Tax	159,125	165,671	4.1%	80,830,708	41,826,330	-48.3%
	Capital	36,153	35,749	-1.1%	176,635,517	153,671,735	-13.0%
	Alternative Minimum Taxable Income	7,363	7,332	-0.4%	49,196,891	64,980,572	32.1%
C Corporation Total		255,246	263,781	3.3%	\$2,300,724,781	\$2,273,258,375	-1.2%
S Corporation	Fixed Dollar Minimum Filers	356,744	367,423	3.0%	57,791,620	53,630,894	-7.2%
Article 9-A Total		611,990	631,204	3.1%	2,358,516,401	2,326,889,269	-1.3%

\*Tax liability includes the tax on subsidiary capital paid by 1,469 taxpayers valued at \$32.7 million in 2005 and 1,411 taxpayers valued at \$21.3 million in 2006. Tax liability excludes the MTA surcharge.

The data in Figure 2 illustrate that the greatest number of C corporations paid tax on the fixed dollar minimum tax base for both 2005 and 2006. This base represented 62.3 percent of taxpayers in 2005 and 62.8 percent in 2006. The entire net income base and the capital base were second and third respectively in both years.

**Figure 2: Distribution of Number of C Corporations by Basis – 2005 and 2006**



**Figure 3: C Corporation Tax Liability by Basis – 2005 and 2006**

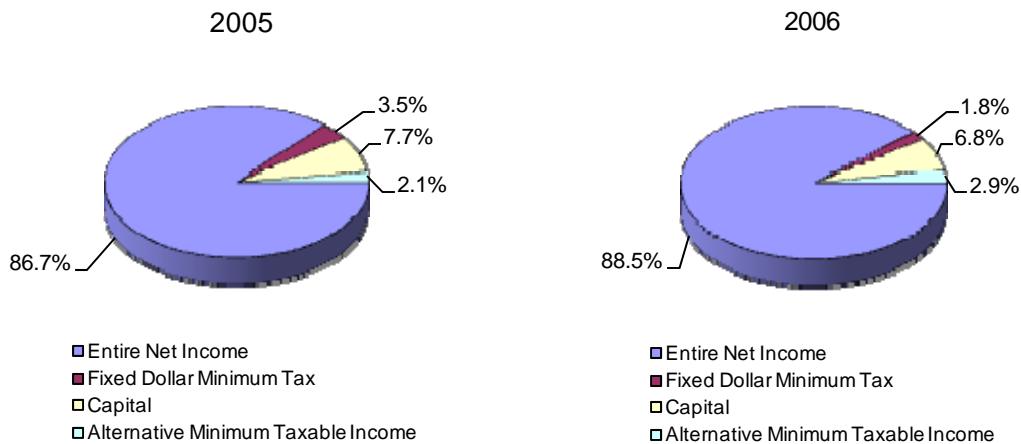


Figure 3 shows that the greatest share of tax paid was under the entire net income base for both 2005 and 2006. The fixed dollar minimum, alternative minimum taxable income, and the capital bases represented much smaller shares of tax liability in each year.

Tax liability for taxpayers subject to the fixed dollar minimum tax varies by size of gross payroll. As Figure 4 shows, the vast majority of fixed dollar minimum taxpayers paid the \$100 amount in both 2005 and 2006, even with the change in the law. The \$425 fixed dollar minimum amount represented the second largest group of taxpayers in both years. The smallest group of taxpayers was represented in both years by the highest fixed dollar minimum amount.

**Figure 4: Number of Fixed Dollar Minimum Taxpayers by Fixed Dollar Minimum Tax – 2005 and 2006**

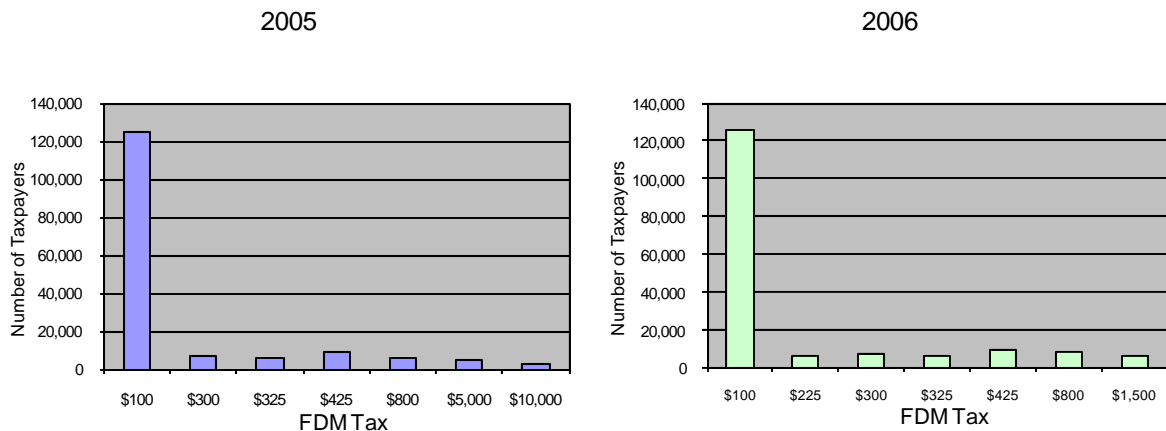
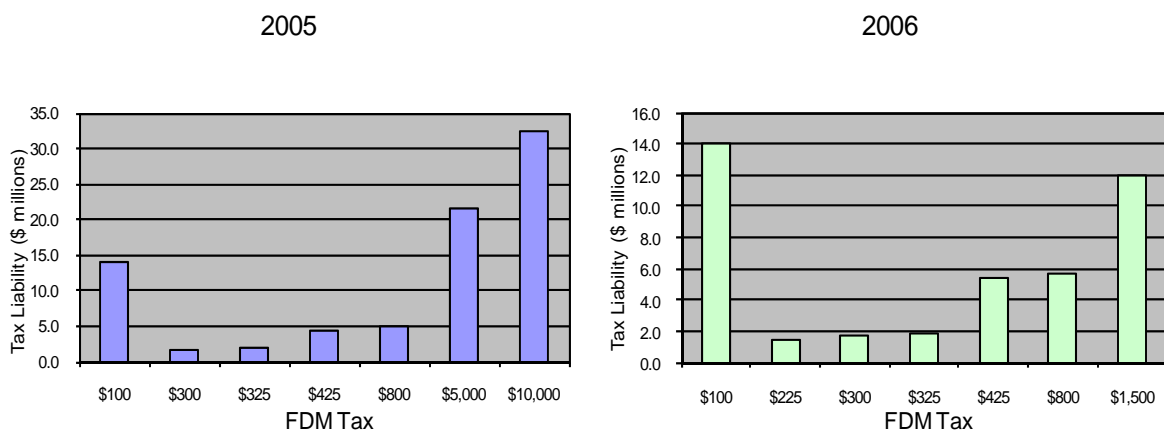


Figure 5 below shows the distribution of tax liability within the fixed dollar filing population. The \$10,000 fixed dollar minimum amount produced the greatest liability in 2005, but it was the \$100 amount that produced the greatest liability under the law of 2006. The \$5,000 fixed dollar minimum amount produced the greatest liability in 2005, while it was the \$1,500 amount that was second highest in 2006.

**Figure 5: Liability of Fixed Dollar Minimum Taxpayers by Fixed Dollar Minimum Tax – 2005 and 2006**



**Industry Profiles: 2005 Versus 2006**

Table 6 profiles the distribution of taxpayers and liability by major industries. There were some significant shifts in certain sectors. There was a large increase in tax liability for the manufacturing sector, as well as for the real estate sector. There were large decreases in liability for the utilities sector and the services sector.

The real estate sector had the biggest change (an increase) in relative share of total liability. The utilities sector experienced the largest decline in relative share of total liability. Other sectors with significant changes in their relative share include manufacturing and finance and insurance. The sector with the least change in relative share was public administration, mainly because it is such a small share of the total.

**Table 6: Percent Change in Distribution of C Corporation Taxpayers and Tax Liability by Industry - 2005 and 2006**

Industry	Number of Taxpayers		Tax Liability		Share of Total Tax Liability (%)	
	2005	2006	2005	2006	2005	2006
Agriculture, Forestry, Fishing and Hunting	1,147	1,181	\$1,666,837	\$1,809,652	0.1%	0.1%
Mining	421	441	8,675,378	7,471,859	0.4%	0.3%
Utilities	502	501	147,933,863	45,610,221	6.4%	2.0%
Construction	19,900	20,863	37,220,007	43,931,674	1.6%	1.9%
Manufacturing	14,197	14,314	299,442,234	383,892,433	13.0%	16.9%
Wholesale Trade	24,523	25,091	173,450,316	171,045,211	7.5%	7.5%
Retail Trade	29,349	30,001	198,261,325	205,232,960	8.6%	9.0%
Transportation and Warehousing	9,886	10,482	32,190,575	41,369,738	1.4%	1.8%
Information	6,695	7,036	216,545,786	199,056,935	9.4%	8.8%
Finance and Insurance	14,458	15,050	637,052,740	532,134,755	27.7%	23.4%
Real Estate and Rental and Leasing	40,313	41,008	155,575,806	269,588,576	6.8%	11.9%
Professional, Scientific, & Technical Services	27,334	28,170	165,354,696	151,371,961	7.2%	6.7%
Management of Companies & Enterprises	3,112	3,313	67,678,349	99,946,625	2.9%	4.4%
Administrative, Support, Waste Management and Remediation Services	7,799	8,103	72,994,841	30,732,563	3.2%	1.4%
Educational Services	1,051	1,241	3,509,310	4,236,373	0.2%	0.2%
Health Care and Social Assistance	9,450	9,572	20,734,096	21,800,907	0.9%	1.0%
Arts, Entertainment, & Recreation	5,462	5,665	15,967,535	14,214,405	0.7%	0.6%
Accommodation and Food Services	11,548	12,182	30,235,564	31,875,110	1.3%	1.4%
Other Services (except Public Administration)	17,489	18,401	14,432,305	15,980,932	0.6%	0.7%
Public Administration	20	23	11,993	11,417	0.0%	0.0%
Industry Code Not Given	10,590	11,143	1,791,225	1,944,068	0.1%	0.1%
<b>Total</b>	<b>255,246</b>	<b>263,781</b>	<b>\$2,300,724,781</b>	<b>\$2,273,258,375</b>	<b>100.0%</b>	<b>100.0%</b>

**C Corporations by Filing Period 2005 and 2006:  
Number of Taxpayers**

Table 7 shows that the greatest number of taxpayers filed as calendar year taxpayers with a tax year beginning January 1 for both 2005 and 2006. The next largest number filed for the fiscal year beginning July 1 in both years. The fewest number of taxpayers filed with a fiscal year beginning February 1 in 2005 and December 1 in 2006.

**Table 7: Distribution of C Corporation Taxpayers by Fiscal Period – 2005 and 2006**

Fiscal Year Beginning	Number of Taxpayers	
	2005	2006
January	136,996	142,970
February	7,617	8,038
March	9,021	9,795
April	14,208	14,460
May	9,568	9,875
June	9,787	10,167
July	16,488	16,412
August	8,818	9,092
September	9,477	9,570
October	15,515	15,490
November	9,949	9,967
December	7,802	7,945
<b>Total</b>	<b>255,246</b>	<b>263,781</b>

C Corporations by  
Filing Period 2005 and  
2006: Tax Liability

As Table 8 shows, calendar year filers overwhelmingly reflected the greatest amount of tax liability for tax years beginning in both 2005 and 2006. February was the second highest month for tax liability in 2005 while it was April for 2006. May filers had the least liability in both years.

**Table 8: Distribution of C Corporation Tax Liability by Fiscal Period 2005 and 2006**

Fiscal Year Beginning	Tax Liability	
	2005	2006
January	\$1,529,088,975	\$1,506,724,665
February	138,467,702	129,022,472
March	34,592,528	29,916,791
April	133,823,545	136,930,585
May	22,209,188	20,061,167
June	36,864,446	36,014,576
July	98,425,553	91,777,191
August	28,055,621	31,853,183
September	26,512,716	25,243,398
October	93,672,060	124,535,094
November	30,487,668	33,576,547
December	128,524,779	107,602,706
<b>Total</b>	<b>\$2,300,724,781</b>	<b>\$2,273,258,375</b>

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# Detailed Article 9-A Summary Tables

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This section contains detailed Article 9-A summary tables for the 2006 tax year. Consistent with the data presented in the main text of this report, the data includes the tax on subsidiary capital. The total tax on subsidiary capital was \$21.3 million in 2006. In addition, liability includes the fixed dollar minimum tax on subsidiaries. Tax liability excludes the MTA surcharge.

The following tables present data on C corporations only. Tables 13 through 20 do not include data for certain fixed dollar minimum tax filers because most of the items presented in these tables are not verified for these filers. Therefore, the number of taxpayers and amount of tax liability presented in these tables will differ from that presented in the other tables included in this report. In certain tables, tax law confidentiality provisions prohibit the disclosure of data. The data are included in the appropriate totals, and are designated by “d”.

**Table 9: Corporation Tax by Size of Liability**

Corporate Tax Years Beginning Between January 1, 2006 and December 31, 2006									
Alternative Bases									
Liability	Entire Net Income		Capital Base		Alternative Minimum Taxable Income Base		Total		
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	
\$0 - \$499	16,992	\$4,449,390	18,564	\$4,395,210	4,135	\$983,080	39,691		\$9,827,680
500 - 999	8,638	6,233,691	5,963	4,237,392	1,273	903,491	15,874		11,374,574
1,000 - 1,999	7,792	11,246,349	4,125	5,920,953	708	1,011,314	12,625		18,178,616
2,000 - 2,999	4,233	10,453,480	1,770	4,416,087	304	745,214	6,307		15,614,781
3,000 - 3,999	2,706	9,390,971	1,052	3,715,924	154	556,565	3,912		13,663,460
4,000 - 4,999	1,852	8,325,454	644	2,963,741	76	341,996	2,572		11,631,191
5,000 - 5,999	1,357	7,446,939	495	2,780,038	68	395,873	1,920		10,622,850
6,000 - 6,999	950	6,151,151	370	2,458,597	48	313,451	1,368		8,923,199
7,000 - 7,999	776	5,791,681	297	2,295,551	43	322,009	1,116		8,409,241
8,000 - 8,999	627	5,345,591	234	2,014,295	26	222,018	887		7,581,904
9,000 - 9,999	520	4,949,456	171	1,646,176	28	266,857	719		6,862,489
10,000 - 14,999	1,651	20,276,723	523	6,532,041	100	1,246,323	2,274		28,055,087
15,000 - 19,999	1,000	17,297,242	290	5,171,405	45	783,834	1,335		23,252,481
20,000 - 29,999	1,099	27,085,026	293	7,293,650	50	1,247,706	1,442		35,626,382
30,000 - 39,999	724	25,123,216	153	5,359,922	40	1,454,935	917		31,938,073
40,000 - 49,999	505	22,590,185	92	4,159,342	16	743,995	613		27,493,522
50,000 - 59,999	331	18,111,805	56	3,085,644	14	783,704	401		21,981,153
60,000 - 69,999	275	17,928,942	54	3,534,578	16	1,076,628	345		22,540,148
70,000 - 79,999	238	17,895,905	39	2,968,731	16	1,201,878	293		22,066,514
80,000 - 89,999	176	14,939,733	d/	d/	d/	d/	203		17,262,553
90,000 - 99,999	166	15,772,050	d/	d/	d/	d/	188		17,877,452
100,000 - 249,999	998	157,487,902	134	21,123,869	40	6,936,627	1,172		185,548,398
250,000 - 499,999	438	152,031,402	40	14,107,292	16	5,767,793	494		171,906,487
500,000 - 999,999	271	189,198,926	20	14,623,392	7	5,146,556	298		208,968,874
\$1,000,000 and over	302	1,221,068,071	22	23,568,424	8	31,647,333	332		1,276,283,828
<b>Total</b>	<b>54,617</b>	<b>\$1,996,591,281</b>	<b>35,441</b>	<b>\$152,015,537</b>	<b>7,240</b>	<b>\$64,884,119</b>	<b>97,298</b>		<b>\$2,213,490,937</b>

d/ Tax Law provisions prohibit disclosure of data.

**2006 Fixed Dollar Minimum Tax Filers\***

Fixed Dollar Minimum Amount	"True" Minimum Tax Filers		Other Minimum Tax Filers		Fixed Dollar Minimum Tax Total	
	Number	Amount	Number	Amount	Number	Amount
\$100	121,160	\$11,749,375	4,866	\$2,208,472	126,026	\$13,957,847
225	4,294	959,813	1,587	416,151	5,881	1,375,964
300**	4,390	1,167,675	2,046	546,501	6,436	1,714,176
325	2,999	966,270	2,404	825,574	5,403	1,791,844
425	3,105	1,301,715	5,903	4,040,110	9,008	5,341,825
800	7,428	5,504,200	122	183,800	7,550	5,688,000
1,500	823	1,198,875	4,544	10,757,799	5,367	11,956,674
<b>Total</b>	<b>144,199</b>	<b>\$22,847,923</b>	<b>21,472</b>	<b>\$18,978,407</b>	<b>165,671</b>	<b>\$41,826,330</b>

\*Includes partial year filers.

\*\*Maintenance fee for foreign corporations.



Table 10: Corporation Tax Liability by Industry 1/

Corporate Tax Years Beginning Between January 1, 2006 and December 31, 2006								
NAICS Code 4/ Industry	"C" Corporations		Total Tax 2/			Subsidiary Capital Tax 3/		
	Number	Share	Amount	Share	Average	Number	Amount	
<b>11</b> Agriculture, Forestry, Fishing and Hunting	<b>1,181</b>	<b>0.45%</b>	<b>\$1,809,652</b>	<b>0.08%</b>	<b>\$1,532</b>	<b>3</b>	<b>\$3,052</b>	
<b>21</b> Mining	<b>441</b>	<b>0.17%</b>	<b>\$7,471,859</b>	<b>0.33%</b>	<b>\$16,943</b>	<b>7</b>	<b>\$378</b>	
<b>22</b> Utilities	<b>501</b>	<b>0.19%</b>	<b>\$45,610,221</b>	<b>2.01%</b>	<b>\$91,038</b>	<b>11</b>	<b>\$1,627,422</b>	
<b>23</b> Construction	<b>20,863</b>	<b>7.91%</b>	<b>\$43,931,674</b>	<b>1.93%</b>	<b>\$2,106</b>	<b>28</b>	<b>\$69,613</b>	
236 Construction of Buildings	6,316	2.39%	12,004,372	0.53%	1,901	3	2,601	
237 Heavy and Civil Engineering Construction	1,011	0.38%	6,771,765	0.30%	6,698	10	29,218	
238 Specialty Trade Contractors	13,125	4.98%	24,301,298	1.07%	1,852	15	37,794	
<b>31-33</b> Manufacturing	<b>14,314</b>	<b>5.43%</b>	<b>\$383,892,433</b>	<b>16.89%</b>	<b>\$26,819</b>	<b>305</b>	<b>\$5,302,842</b>	
311 Food Manufacturing	1,045	0.40%	28,719,258	1.26%	27,483	12	231,312	
312 Beverage and Tobacco Product Manufacturing	162	0.06%	31,452,973	1.38%	194,154	d/	d/	
313 Textile Mills	80	0.03%	370,053	0.02%	4,626	4	1,787	
314 Textile Product Mills	123	0.05%	582,993	0.03%	4,740	d/	d/	
315 Apparel Manufacturing	1,490	0.56%	9,635,000	0.42%	6,466	8	47,449	
316 Leather and Allied Product Manufacturing	91	0.03%	573,277	0.03%	6,300	d/	d/	
321 Wood Product Manufacturing	490	0.19%	1,554,018	0.07%	3,171	3	2,086	
322 Paper Manufacturing	203	0.08%	5,522,547	0.24%	27,205	6	31,246	
323 Printing and Related Support Activities	1,182	0.45%	4,585,896	0.20%	3,880	14	37,987	
324 Petroleum and Coal Products Manufacturing	98	0.04%	29,739,155	1.31%	303,461	7	4,210	
325 Chemical Manufacturing	782	0.30%	122,662,588	5.40%	156,858	37	1,369,025	
326 Plastics and Rubber Products Manufacturing	423	0.16%	4,095,137	0.18%	9,681	5	18,240	
327 Nonmetallic Mineral Product Manufacturing	344	0.13%	7,816,740	0.34%	22,723	12	62,499	
331 Primary Metal Manufacturing	323	0.12%	5,536,797	0.24%	17,142	6	86,429	
332 Fabricated Metal Product Manufacturing	1,651	0.63%	14,502,213	0.64%	8,784	27	1,006,176	
333 Machinery Manufacturing	912	0.35%	15,042,065	0.66%	16,493	27	148,664	
334 Computer and Electronic Product Manufacturing	960	0.36%	34,706,973	1.53%	36,153	35	119,363	
335 Electrical Equipment, Appliance, and Component Manufacturing	708	0.27%	12,706,754	0.56%	17,947	27	153,846	
336 Transportation Equipment Manufacturing	364	0.14%	9,451,307	0.42%	25,965	19	143,871	
337 Furniture and Related Product Manufacturing	407	0.15%	1,942,783	0.09%	4,773	d/	d/	
339 Miscellaneous Manufacturing	2,469	0.94%	40,013,317	1.76%	16,206	47	701,674	
<b>42</b> Wholesale Trade	<b>25,091</b>	<b>9.51%</b>	<b>\$171,045,211</b>	<b>7.52%</b>	<b>\$6,817</b>	<b>119</b>	<b>\$1,088,511</b>	
<b>423</b> Merchant Wholesalers, Durable Goods	<b>13,187</b>	<b>5.00%</b>	<b>\$98,725,464</b>	<b>4.34%</b>	<b>\$7,487</b>	<b>61</b>	<b>\$393,889</b>	
4231 Motor Vehicle and Motor Vehicle Parts and Supplies Wholesalers	887	0.34%	24,707,838	1.09%	27,856	5	112,372	
4232 Furniture and Home Furnishing Wholesalers	735	0.28%	1,728,407	0.08%	2,352	0	0	
4233 Lumber and Other Construction Materials Wholesalers	521	0.20%	2,819,701	0.12%	5,412	3	2,387	
4234 Professional and Commercial Equipment and Supplies Wholesalers	514	0.19%	9,557,626	0.42%	18,595	3	4,036	
4235 Metal and Mineral (except Petroleum) Wholesalers	318	0.12%	3,242,345	0.14%	10,196	d/	d/	
4236 Electrical and Electronic Goods Wholesalers	1,030	0.39%	8,133,182	0.36%	7,896	9	31,421	
4237 Hardware, and Plumbing and Heating Equipment and Supplies Wholesalers	582	0.22%	4,523,233	0.20%	7,772	d/	d/	
4238 Machinery, Equipment, and Supplies Wholesalers	1,345	0.51%	7,475,653	0.33%	5,558	10	56,710	
4239 Miscellaneous Durable Goods Wholesalers	7,247	2.75%	36,536,279	1.61%	5,042	28	183,013	

1/ Tax liability excludes the MTA surcharge.

2/ Tax liability includes the tax on subsidiary capital.

3/ Values represent tax on subsidiary capital prior to the application of credits.

4/ Data for selected three and four-digit NAICS subsectors may not necessarily add to the appropriate totals for the two-digit NAICS industry sectors. This is due to the fact that data may not be presented for all subsectors in a given industry sector. However, data for all subsectors are included in the appropriate industry sector totals.

d/ Tax Law provisions prohibit disclosure of data. However, the data are included in the appropriate totals.

Table 10: Corporation Tax Liability by Industry (Cont'd) 1/

Corporate Tax Years Beginning Between January 1, 2006 and December 31, 2006

NAICS Code 4/ Industry	"C" Corporations		Total Tax 2/			Subsidiary Capital Tax 3/	
	Number	Share	Amount	Share	Average	Number	Amount
<b>424 Merchant Wholesalers, Nondurable Goods</b>	<b>11,067</b>	<b>4.20%</b>	<b>\$70,961,112</b>	<b>3.12%</b>	<b>\$6,412</b>	<b>58</b>	<b>\$694,622</b>
4241 Paper and Paper Product Wholesalers	385	0.15%	1,471,419	0.06%	3,822	0	0
4242 Drugs and Druggists' Sundries Wholesalers	276	0.10%	8,571,381	0.38%	31,056	7	439,386
4243 Apparel, Piece Goods, and Notions Wholesalers	2,817	1.07%	16,012,116	0.70%	5,684	17	79,501
4244 Grocery and Related Product Wholesalers	1,845	0.70%	10,797,898	0.47%	5,853	7	5,586
4245 Farm Product Raw Material Wholesalers	265	0.10%	413,163	0.02%	1,559	d/	d/
4246 Chemical and Allied Products Wholesalers	386	0.15%	1,785,484	0.08%	4,626	3	969
4247 Petroleum and Petroleum Products Wholesalers	255	0.10%	7,096,901	0.31%	27,831	4	46,372
4248 Beer, Wine, and Distilled Alcoholic Beverage Wholesalers	296	0.11%	5,586,039	0.25%	18,872	3	33,092
4249 Miscellaneous Nondurable Goods Wholesalers	4,537	1.72%	19,225,861	0.85%	4,238	16	24,591
425 Wholesale Electronic Markets and Agents and Brokers	837	0.32%	\$1,358,635	0.06%	\$1,623	0	0
4251 Wholesale Electronic Markets and Agents and Brokers	832	0.32%	1,358,135	0.06%	1,632	0	0
<b>44-45 Retail Trade</b>	<b>30,000</b>	<b>11.37%</b>	<b>\$205,232,160</b>	<b>9.03%</b>	<b>\$6,841</b>	<b>66</b>	<b>\$555,330</b>
441 Motor Vehicle and Parts Dealers	2,185	0.83%	5,000,660	0.22%	2,289	9	50,780
442 Furniture and Home Furnishings Stores	1,469	0.56%	2,527,535	0.11%	1,721	3	2,344
443 Electronics and Appliance Stores	1,190	0.45%	2,439,285	0.11%	2,050	d/	d/
444 Building Material and Garden Equipment and Supplies Dealers	1,289	0.49%	31,524,380	1.39%	24,456	3	18,338
445 Food and Beverage Stores	8,165	3.10%	28,503,051	1.25%	3,491	4	1,926
446 Health and Personal Care Stores	1,895	0.72%	17,648,364	0.78%	9,313	d/	d/
447 Gasoline Stations	958	0.36%	766,968	0.03%	801	0	0
448 Clothing and Clothing Accessories Stores	4,022	1.52%	53,468,215	2.35%	13,294	18	238,805
451 Sporting Goods, Hobby, Book, and Music Stores	1,144	0.43%	4,508,424	0.20%	3,941	d/	d/
452 General Merchandise Stores	995	0.38%	31,150,895	1.37%	31,307	d/	d/
453 Miscellaneous Store Retailers	4,561	1.73%	14,892,963	0.66%	3,265	12	42,252
454 Nonstore Retailers	2,127	0.81%	12,801,420	0.56%	6,019	9	13,619
<b>48-49 Transportation and Warehousing</b>	<b>10,482</b>	<b>3.97%</b>	<b>\$41,369,738</b>	<b>1.82%</b>	<b>\$3,947</b>	<b>41</b>	<b>\$87,618</b>
481 Air Transportation	293	0.11%	5,333,367	0.23%	18,203	4	7,931
482 Rail Transportation	26	0.01%	110,708	0.00%	4,258	d/	d/
483 Water Transportation	163	0.06%	511,301	0.02%	3,137	3	2,513
484 Truck Transportation	3,930	1.49%	18,730,325	0.82%	4,766	8	7,999
485 Transit and Ground Passenger Transportation	3,447	1.31%	5,059,311	0.22%	1,468	9	10,014
486 Pipeline Transportation	19	0.01%	633,750	0.03%	33,355	0	0
493 Warehousing and Storage	313	0.12%	1,081,944	0.05%	3,457	0	0
<b>51 Information</b>	<b>7,036</b>	<b>2.67%</b>	<b>\$199,056,935</b>	<b>8.76%</b>	<b>\$28,291</b>	<b>86</b>	<b>\$1,976,801</b>
511 Publishing Industries (except internet)	1,909	0.72%	61,613,175	2.71%	32,275	33	657,800
512 Motion Picture and Sound Recording Industries	1,715	0.65%	67,958,670	2.99%	39,626	10	47,238
515 Broadcasting (except internet)	449	0.17%	15,392,769	0.68%	34,282	10	177,217
516 Internet Publishing and Broadcasting	187	0.07%	1,107,957	0.05%	5,925	0	0
517 Telecommunications	993	0.38%	11,206,736	0.49%	11,286	12	866,825
518 Internet Service Providers, Web Search Portals, and Data Processing Services	622	0.24%	17,971,712	0.79%	28,893	9	92,440
519 Other Information Services	1,083	0.41%	22,761,213	1.00%	21,017	12	135,281
<b>52 Finance and Insurance</b>	<b>15,050</b>	<b>5.71%</b>	<b>\$532,134,755</b>	<b>23.41%</b>	<b>\$35,358</b>	<b>143</b>	<b>\$3,978,399</b>
522 Credit Intermediation and Related Activities	1,425	0.54%	31,832,253	1.40%	22,338	9	196,068
523 Securities, Commodity Contracts, and Other Financial Investments and Related Activities	5,512	2.09%	409,417,827	18.01%	74,278	87	2,234,681
524 Insurance Carriers and Related Activities	4,192	1.59%	71,567,393	3.15%	17,072	34	1,357,574
525 Funds, Trusts, and Other Financial Vehicles	3,880	1.47%	11,544,186	0.51%	2,975	9	17,575

1/ Tax liability excludes the MTA surcharge.

2/ Tax liability includes the tax on subsidiary capital.

3/ Values represent tax on subsidiary capital prior to the application of credits.

4/ Data for selected three and four-digit NAICS subsectors may not necessarily add to the appropriate totals for the two-digit NAICS industry sectors. This is due to the fact that data may not be presented for all subsectors in a given industry sector. However, data for all subsectors are included in the appropriate industry sector totals.

d/ Tax Law provisions prohibit disclosure of data. However, the data are included in the appropriate totals.

**Table 10: Corporation Tax Liability by Industry (Cont'd) 1/**

Corporate Tax Years Beginning Between January 1, 2006 and December 31, 2006

NAICS Code 4/ Industry	"C" Corporations		Total Tax 2/			Subsidiary Capital Tax 3/	
	Number	Share	Amount	Share	Average	Number	Amount
53 Real Estate and Rental and Leasing	41,008	15.55%	\$269,588,576	11.86%	\$6,574	120	\$546,742
54 Professional, Scientific, and Technical Services	28,170	10.68%	\$151,371,961	6.66%	\$5,374	142	\$2,091,706
55 Management of Companies and Enterprises	3,313	1.26%	\$99,946,625	4.40%	\$30,168	244	\$3,241,107
56 Administrative and Support and Waste Management and Remediation Services	8,103	3.07%	\$30,732,563	1.35%	\$3,793	30	\$265,842
61 Educational Services	1,241	0.47%	\$4,236,373	0.19%	\$3,414	5	\$14,468
62 Health Care and Social Assistance	9,572	3.63%	\$21,800,907	0.96%	\$2,278	12	\$102,309
622 Hospitals	39	0.01%	46,903	0.00%	1203	0	0
623 Nursing and Residential Care Facilities	135	0.05%	617,947	0.03%	4,577	d/	d/
624 Social Assistance	593	0.22%	650,830	0.03%	1,098	0	0
71 Arts, Entertainment, and Recreation	5,665	2.15%	\$14,214,405	0.63%	\$2,509	13	\$81,233
711 Performing Arts, Spectator Sports, and Related Industries	3,833	1.45%	5,225,257	0.23%	1,363	4	50,317
712 Museums, Historical Sites, and Similar Institutions	42	0.02%	106,382	0.00%	2,533	0	0
713 Amusement, Gambling, and Recreation Industries	1,790	0.68%	8,882,766	0.39%	4,962	9	30,916
72 Accommodation and Food Services	12,182	4.62%	\$31,875,110	1.40%	\$2,617	23	\$180,375
721 Accommodation	811	0.31%	16,847,116	0.74%	20,773	7	106,387
722 Food Services and Drinking Places	11,365	4.31%	14,922,918	0.66%	1,313	15	44,051
81 Other Services (except Public Administration)	18,401	6.98%	\$15,980,932	0.70%	\$868	13	\$86,147
811 Repair and Maintenance	5,045	1.91%	4,165,247	0.18%	826	d/	d/
812 Personal and Laundry Services	11,969	4.54%	10,035,207	0.44%	838	11	85,454
92 Public Administration	23	0.01%	\$11,417	0.00%	\$496	0	\$0
Industry Code Not Given	11,143	4.22%	\$1,944,068	0.09%	\$174	0	\$0
<b>GRAND TOTAL, ALL INDUSTRIES</b>	<b>263,780</b>	<b>100.00%</b>	<b>\$2,273,257,575</b>	<b>100.00%</b>	<b>\$8,618</b>	<b>1,411</b>	<b>\$21,299,895</b>

1/ Tax liability excludes the MTA surcharge.

2/ Tax liability includes the tax on subsidiary capital.

3/ Values represent tax on subsidiary capital prior to the application of credits.

4/ Data for selected three and four-digit NAICS subsectors may not necessarily add to the appropriate totals for the two-digit NAICS industry sectors. This is due to the fact that data may not be presented for all subsectors in a given industry sector. However, data for all subsectors are included in the appropriate industry sector totals.

d/ Tax Law provisions prohibit disclosure of data. However, the data are included in the appropriate totals.

**Table 11: Corporation Tax Liability by Industry and Basis of Tax Paid 1/****Corporate Tax Years Beginning Between January 1, 2006 and December 31, 2006**

NAICS Code 4/ Industry	Entire Net Income 2/			Fixed Dollar Minimum	
	Number	Amount	Tax 3/	Number	Tax 3/
11 Agriculture, Forestry, Fishing and Hunting	182	\$900,381,586	\$1,228,182	718	\$133,004
21 Mining	109	\$7,891,207,167	\$6,723,671	242	\$84,158
22 Utilities	110	\$3,785,310,977	\$35,697,369	280	\$115,614
23 Construction	5,104	\$6,118,245,250	\$38,656,148	13,575	\$2,452,987
236 Construction of Buildings	1,425	2,639,802,314	10,408,348	4,201	672,254
237 Heavy and Civil Engineering Construction	265	966,219,920	5,798,433	495	172,294
238 Specialty Trade Contractors	3,413	2,425,963,828	21,656,701	8,469	1,546,866
31-33 Manufacturing	3,909	\$149,361,978,632	\$344,759,471	7,664	\$5,936,495
311 Food Manufacturing	266	9,144,810,746	27,312,120	580	235,826
312 Beverage and Tobacco Product Manufacturing	47	11,833,137,959	30,979,262	96	33,613
313 Textile Mills	11	17,422,832	224,702	49	28,005
314 Textile Product Mills	29	113,008,391	473,642	67	32,785
315 Apparel Manufacturing	326	1,732,525,907	8,621,460	977	197,187
316 Leather and Allied Product Manufacturing	26	83,224,198	540,960	51	10,850
321 Wood Product Manufacturing	104	909,292,848	1,269,540	298	86,549
322 Paper Manufacturing	50	541,204,176	1,869,350	99	68,212
323 Printing and Related Support Activities	253	628,492,330	3,117,841	718	184,259
324 Petroleum and Coal Products Manufacturing	40	28,453,275,780	29,314,546	36	17,670
325 Chemical Manufacturing	258	33,078,743,037	116,591,622	367	423,708
326 Plastics and Rubber Products Manufacturing	115	1,201,330,769	3,148,133	209	110,193
327 Nonmetallic Mineral Product Manufacturing	99	1,779,898,325	5,819,262	162	78,967
331 Primary Metal Manufacturing	118	1,739,858,834	4,790,819	149	164,271
332 Fabricated Metal Product Manufacturing	467	5,607,709,606	11,776,951	825	1,392,271
333 Machinery Manufacturing	306	9,229,304,273	13,139,946	433	265,037
334 Computer and Electronic Product Manufacturing	254	18,411,029,462	29,960,453	490	436,771
335 Electrical Equipment, Appliance, and Component Manufacturing	210	4,654,492,013	11,003,640	349	215,499
336 Transportation Equipment Manufacturing	117	6,888,317,135	7,880,411	183	226,687
337 Furniture and Related Product Manufacturing	111	842,540,118	1,626,809	237	69,154
339 Miscellaneous Manufacturing	701	12,249,862,462	34,361,722	1,287	553,745
42 Wholesale Trade	7,162	\$33,400,401,570	\$158,918,888	14,148	\$2,623,163
423 Merchant Wholesalers, Durable Goods	3,983	\$19,836,006,536	\$92,612,766	7,098	\$1,370,429
4231 Motor Vehicle and Motor Vehicle Parts and Supplies Wholesalers	271	7,249,370,104	23,764,637	498	88,540
4232 Furniture and Home Furnishing Wholesalers	175	284,515,731	1,560,813	452	75,292
4233 Lumber and Other Construction Materials Wholesalers	177	496,946,124	2,643,546	248	64,240
4234 Professional and Commercial Equipment and Supplies Wholesalers	170	1,300,206,168	9,345,316	266	64,875
4235 Metal and Mineral (except Petroleum) Wholesalers	123	490,152,050	3,093,489	134	31,375
4236 Electrical and Electronic Goods Wholesalers	351	1,975,264,073	7,582,300	519	132,540
4237 Hardware, and Plumbing and Heating Equipment and Supplies Wholesalers	214	885,014,775	4,250,570	236	52,977
4238 Machinery, Equipment, and Supplies Wholesalers	448	1,824,839,412	6,806,482	705	214,870
4239 Miscellaneous Durable Goods Wholesalers	2,054	5,329,698,099	33,565,613	4,032	644,520

1/ Tax liability excludes the MTA surcharge.

2/ Corporations computing their tax after credit on the net income base. Data represent total net income before allocation to New York State.

3/ Tax liability includes the tax on subsidiary capital.

4/ Data for selected three and four-digit NAICS subsectors may not necessarily add to the appropriate totals for the two-digit NAICS industry sectors.

This is due to the fact that data may not be presented for all subsectors in a given industry sector. However, data for all subsectors are included in the appropriate industry sector totals.

d/ Tax Law provisions prohibit disclosure of data. However, the data are included in the appropriate totals.

**Table 11: Corporation Tax Liability by Industry and Basis of Tax Paid (Cont'd) 1/****Corporate Tax Years Beginning Between January 1, 2006 and December 31, 2006**

NAICS Code 4/ Industry	Capital		Minimum Taxable Income	
	Number	Tax 3/	Number	Tax 3/
11 Agriculture, Forestry, Fishing and Hunting	188	\$236,279	93	\$212,187
21 Mining	70	\$380,925	20	\$283,105
22 Utilities	96	\$5,203,971	15	\$4,593,267
23 Construction	1,535	\$1,875,616	649	\$946,923
236 Construction of Buildings	493	644,965	197	278,805
237 Heavy and Civil Engineering Construction	204	559,810	47	241,228
238 Specialty Trade Contractors	838	670,841	405	426,890
31-33 Manufacturing	1,892	\$13,605,292	849	\$19,591,175
311 Food Manufacturing	147	874,986	52	296,326
312 Beverage and Tobacco Product Manufacturing	12	109,283	7	330,815
313 Textile Mills	17	34,404	3	82,942
314 Textile Product Mills	22	72,156	5	4,410
315 Apparel Manufacturing	130	480,358	57	335,995
316 Leather and Allied Product Manufacturing	12	21,054	d/	d/
321 Wood Product Manufacturing	64	107,329	24	90,600
322 Paper Manufacturing	33	279,875	21	3,305,110
323 Printing and Related Support Activities	135	823,828	76	459,968
324 Petroleum and Coal Products Manufacturing	15	385,747	7	21,192
325 Chemical Manufacturing	106	1,751,784	51	3,895,474
326 Plastics and Rubber Products Manufacturing	54	195,526	45	641,285
327 Nonmetallic Mineral Product Manufacturing	48	300,921	35	1,617,590
331 Primary Metal Manufacturing	30	74,098	26	507,609
332 Fabricated Metal Product Manufacturing	217	348,718	142	984,273
333 Machinery Manufacturing	115	807,500	58	829,582
334 Computer and Electronic Product Manufacturing	164	2,084,064	52	2,225,685
335 Electrical Equipment, Appliance, and Component Manufacturing	113	880,589	36	607,026
336 Transportation Equipment Manufacturing	44	394,053	20	950,156
337 Furniture and Related Product Manufacturing	41	181,535	18	65,285
339 Miscellaneous Manufacturing	370	2,843,733	111	2,254,117
42 Wholesale Trade	2,998	\$7,511,789	783	\$1,991,371
423 Merchant Wholesalers, Durable Goods	1,712	\$4,087,152	394	\$655,117
4231 Motor Vehicle and Motor Vehicle Parts and Supplies Wholesalers	102	760,858	16	93,803
4232 Furniture and Home Furnishing Wholesalers	83	85,451	25	6,851
4233 Lumber and Other Construction Materials Wholesalers	73	82,720	23	29,195
4234 Professional and Commercial Equipment and Supplies Wholesalers	59	128,760	19	18,675
4235 Metal and Mineral (except Petroleum) Wholesalers	48	90,174	13	27,307
4236 Electrical and Electronic Goods Wholesalers	132	364,567	28	53,775
4237 Hardware, and Plumbing and Heating Equipment and Supplies Wholesalers	113	194,284	19	25,402
4238 Machinery, Equipment, and Supplies Wholesalers	151	278,549	41	175,752
4239 Miscellaneous Durable Goods Wholesalers	951	2,101,789	210	224,357

1/ Tax liability excludes the MTA surcharge.

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3/ Tax liability includes the tax on subsidiary capital.

4/ Data for selected three and four-digit NAICS subsectors may not necessarily add to the appropriate totals for the two-digit NAICS industry sectors.

This is due to the fact that data may not be presented for all subsectors in a given industry sector. However, data for all subsectors are included in the appropriate industry sector totals.

d/ Tax Law provisions prohibit disclosure of data. However, the data are included in the appropriate totals.

**Table 11: Corporation Tax Liability by Industry and Basis of Tax Paid (Cont'd) 1/****Corporate Tax Years Beginning Between January 1, 2006 and December 31, 2006**

NAICS Code 4/ Industry	Entire Net Income 2/			Fixed Dollar Minimum	
	Number	Amount	Tax 3/	Number	Tax 3/
424 Merchant Wholesalers, Nondurable Goods	2,980	\$13,367,758,199	\$65,157,919	6,470	\$1,159,278
4241 Paper and Paper Product Wholesalers	132	171,201,320	1,275,680	195	41,185
4242 Drugs and Druggists' Sundries Wholesalers	83	1,954,238,250	7,592,438	149	39,635
4243 Apparel, Piece Goods, and Notions Wholesalers	729	1,653,451,577	15,096,658	1,641	291,371
4244 Grocery and Related Product Wholesalers	501	1,878,725,971	9,454,913	1,130	202,400
4245 Farm Product Raw Material Wholesalers	87	74,265,402	320,961	125	24,550
4246 Chemical and Allied Products Wholesalers	128	358,081,058	1,507,025	202	57,786
4247 Petroleum and Petroleum Products Wholesalers	89	3,747,910,288	6,827,320	107	37,925
4248 Beer, Wine, and Distilled Alcoholic Beverage Wholesalers	98	717,398,849	5,442,536	157	35,200
4249 Miscellaneous Nondurable Goods Wholesalers	1,133	2,812,485,484	17,640,388	2,759	428,376
425 Wholesale Electronic Markets and Agents and Brokers	199	\$196,636,835	\$1,148,203	580	\$93,456
4251 Wholesale Electronic Markets and Agents and Brokers	199	196,636,835	1,148,203	575	92,956
<b>44-45 Retail Trade</b>	<b>6,659</b>	<b>\$46,636,560,249</b>	<b>\$193,680,746</b>	<b>18,439</b>	<b>\$2,902,816</b>
441 Motor Vehicle and Parts Dealers	538	622,414,071	3,897,315	1,145	182,576
442 Furniture and Home Furnishings Stores	291	330,192,916	1,892,762	901	142,447
443 Electronics and Appliance Stores	269	339,719,456	1,900,020	787	126,480
444 Building Material and Garden Equipment and Supplies Dealers	379	10,294,529,653	31,090,750	590	103,218
445 Food and Beverage Stores	1,805	2,638,550,296	26,564,522	5,068	616,710
446 Health and Personal Care Stores	541	2,766,763,021	16,846,613	1,046	171,825
447 Gasoline Stations	247	176,788,610	577,999	544	76,425
448 Clothing and Clothing Accessories Stores	862	5,941,608,698	51,559,673	2,487	414,830
451 Sporting Goods, Hobby, Book, and Music Stores	211	517,136,236	3,948,265	745	193,465
452 General Merchandise Stores	192	19,060,762,442	30,239,600	681	108,117
453 Miscellaneous Store Retailers	889	1,629,426,803	13,365,354	3,004	458,526
454 Nonstore Retailers	435	2,318,668,047	11,797,873	1,441	308,197
<b>48-49 Transportation and Warehousing</b>	<b>2,566</b>	<b>\$16,311,690,970</b>	<b>\$36,256,309</b>	<b>6,896</b>	<b>\$1,691,467</b>
481 Air Transportation	22	4,260,073,213	4,215,970	232	105,572
482 Rail Transportation	3	3,186,332,191	66,587	18	23,017
483 Water Transportation	40	122,423,437	342,525	103	33,042
484 Truck Transportation	980	6,466,435,153	17,633,768	2,645	769,317
485 Transit and Ground Passenger Transportation	739	162,348,353	3,956,775	2,329	353,408
486 Pipeline Transportation	4	431,405,654	514,075	14	6,640
493 Warehousing and Storage	72	152,845,792	847,226	191	47,822
<b>51 Information</b>	<b>1,353</b>	<b>\$37,376,283,825</b>	<b>\$179,787,105</b>	<b>4,728</b>	<b>\$1,629,484</b>
511 Publishing Industries (except internet)	449	12,639,792,528	58,045,407	1,166	380,265
512 Motion Picture and Sound Recording Industries	275	10,512,958,902	65,119,918	1,239	265,246
515 Broadcasting (except internet)	90	1,538,242,888	11,480,363	279	300,754
516 Internet Publishing and Broadcasting	32	188,385,977	670,675	132	30,496
517 Telecommunications	181	4,135,872,265	6,239,726	667	258,159
518 Internet Service Providers, Web Search Portals, and Data Processing Services	112	5,057,310,822	17,121,333	435	133,330
519 Other Information Services	214	3,303,720,443	21,109,683	733	235,356
<b>52-53 Finance and Insurance</b>	<b>9,881</b>	<b>\$70,363,638,996</b>	<b>\$720,642,961</b>	<b>28,811</b>	<b>\$6,803,815</b>
522 Credit Intermediation and Related Activities	336	12,314,916,906	29,121,847	893	927,658
523 Securities, Commodity Contracts, and Other Financial Investments and Related Activities	1,484	38,226,076,609	378,782,680	2,824	926,485
524 Insurance Carriers and Related Activities	1,179	6,663,286,668	66,316,775	2,575	772,735
525 Funds, Trusts, and Other Financial Vehicles	249	1,790,419,500	9,956,891	3,452	776,833

1/ Tax liability excludes the MTA surcharge.

2/ Corporations computing their tax after credit on the net income base. Data represent total net income before allocation to New York State.

3/ Tax liability includes the tax on subsidiary capital.

4/ Data for selected three and four-digit NAICS subsectors may not necessarily add to the appropriate totals for the two-digit NAICS industry sectors.

This is due to the fact that data may not be presented for all subsectors in a given industry sector. However, data for all subsectors are included in the appropriate industry sector totals.

d/ Tax Law provisions prohibit disclosure of data. However, the data are included in the appropriate totals.

**Table 11: Corporation Tax Liability by Industry and Basis of Tax Paid (Cont'd) 1/**

Corporate Tax Years Beginning Between January 1, 2006 and December 31, 2006

NAICS Code 4/ Industry	Capital		Minimum Taxable Income	
	Number	Tax 3/	Number	Tax 3/
424 Merchant Wholesalers, Nondurable Goods	1,252	\$3,321,383	365	\$1,322,532
4241 Paper and Paper Product Wholesalers	50	151,534	8	3,020
4242 Drugs and Druggists' Sundries Wholesalers	35	918,502	9	20,806
4243 Apparel, Piece Goods, and Notions Wholesalers	355	533,005	92	91,082
4244 Grocery and Related Product Wholesalers	160	262,127	54	878,458
4245 Farm Product Raw Material Wholesalers	33	47,956	20	19,696
4246 Chemical and Allied Products Wholesalers	46	138,038	10	82,635
4247 Petroleum and Petroleum Products Wholesalers	50	181,055	9	50,601
4248 Beer, Wine, and Distilled Alcoholic Beverage Wholesalers	36	107,390	5	913
4249 Miscellaneous Nondurable Goods Wholesalers	487	981,776	158	175,321
425 Wholesale Electronic Markets and Agents and Brokers	34	\$103,254	24	\$13,722
4251 Wholesale Electronic Markets and Agents and Brokers	34	103,254	24	13,722
<b>44-45 Retail Trade</b>	<b>4,028</b>	<b>\$7,667,391</b>	<b>874</b>	<b>\$981,207</b>
441 Motor Vehicle and Parts Dealers	445	818,504	57	102,265
442 Furniture and Home Furnishings Stores	219	456,328	58	35,998
443 Electronics and Appliance Stores	109	394,446	25	18,339
444 Building Material and Garden Equipment and Supplies Dealers	277	299,066	43	31,346
445 Food and Beverage Stores	1,063	1,169,279	229	152,540
446 Health and Personal Care Stores	264	395,517	44	234,409
447 Gasoline Stations	132	97,363	35	15,181
448 Clothing and Clothing Accessories Stores	542	1,396,583	131	97,129
451 Sporting Goods, Hobby, Book, and Music Stores	157	345,945	31	20,749
452 General Merchandise Stores	103	795,631	19	7,547
453 Miscellaneous Store Retailers	519	886,712	149	182,371
454 Nonstore Retailers	198	612,017	53	83,333
<b>48-49 Transportation and Warehousing</b>	<b>750</b>	<b>\$2,864,637</b>	<b>270</b>	<b>\$557,325</b>
481 Air Transportation	36	1,000,622	3	11,203
482 Rail Transportation	4	19,535	d/	d/
483 Water Transportation	15	60,809	5	74,925
484 Truck Transportation	203	190,285	102	136,955
485 Transit and Ground Passenger Transportation	290	675,419	89	73,709
486 Pipeline Transportation	d/	d/	0	0
493 Warehousing and Storage	40	183,575	10	3,321
<b>51 Information</b>	<b>727</b>	<b>\$15,960,774</b>	<b>228</b>	<b>\$1,679,572</b>
511 Publishing Industries (except internet)	215	2,378,831	79	808,672
512 Motion Picture and Sound Recording Industries	145	2,506,078	56	67,428
515 Broadcasting (except internet)	72	3,191,437	8	420,215
516 Internet Publishing and Broadcasting	22	405,512	d/	d/
517 Telecommunications	98	4,428,955	47	279,896
518 Internet Service Providers, Web Search Portals, and Data Processing Services	63	708,574	12	8,475
519 Other Information Services	111	1,322,562	25	93,612
<b>52-53 Finance, Insurance, and Real Estate</b>	<b>16,112</b>	<b>\$62,655,809</b>	<b>1,254</b>	<b>\$11,620,746</b>
522 Credit Intermediation and Related Activities	166	1,360,657	30	422,091
523 Securities, Commodity Contracts, and Other Financial Investments and Related Activities	1,074	21,395,437	130	8,313,225
524 Insurance Carriers and Related Activities	354	3,605,365	84	872,518
525 Funds, Trusts, and Other Financial Vehicles	162	761,450	17	49,012

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4/ Data for selected three and four-digit NAICS subsectors may not necessarily add to the appropriate totals for the two-digit NAICS industry sectors. This is due to the fact that data may not be presented for all subsectors in a given industry sector. However, data for all subsectors are included in the appropriate industry sector totals.

d/ Tax Law provisions prohibit disclosure of data. However, the data are included in the appropriate totals.

**Table 11: Corporation Tax Liability by Industry and Basis of Tax Paid (Cont'd) 1/**  
**Corporate Tax Years Beginning Between January 1, 2006 and December 31, 2006**

NAICS Code 4/ Industry	Entire Net Income 2/			Fixed Dollar Minimum	
	Number	Amount	Tax 3/	Number	Tax 3/
53 Real Estate and Rental and Leasing	6,623	\$11,112,309,364	\$233,532,869	19,049	\$3,360,596
54 Professional, Scientific, and Technical Services	6,438	\$24,401,712,999	\$111,934,680	19,165	\$6,483,856
55 Management of Companies and Enterprises	733	\$15,349,722,849	\$83,852,597	1,790	\$1,804,384
56 Administrative and Support and Waste Management and Remediation Services	1,936	\$6,723,124,283	\$26,586,568	5,377	\$1,684,965
61 Educational Services	275	\$866,677,681	\$3,803,860	842	\$176,405
62 Health Care and Social Assistance	1,835	\$2,585,945,913	\$18,436,291	7,006	\$1,623,951
622 Hospitals	5	319,361	16,030	32	14,825
623 Nursing and Residential Care Facilities	15	128,917,033	225,901	97	80,176
624 Social Assistance	142	87,894,070	520,419	420	67,920
71 Arts, Entertainment, and Recreation	1,101	\$1,730,113,547	\$12,199,080	3,967	\$822,148
711 Performing Arts, Spectator Sports, and Related Industries	780	438,602,410	4,338,128	2,813	580,659
712 Museums, Historical Sites, and Similar Institutions	8	316,342	20,271	29	4,000
713 Amusement, Gambling, and Recreation Industries	313	1,291,194,795	7,840,681	1,125	237,489
72 Accommodation and Food Services	2,181	\$4,106,176,275	\$26,633,404	8,351	\$1,158,609
721 Accommodation	185	1,706,439,650	13,836,421	446	126,122
722 Food Services and Drinking Places	1,996	2,399,736,625	12,796,983	7,900	1,031,987
81 Other Services (except Public Administration)	3,487	\$1,535,174,089	\$12,974,638	12,518	\$1,752,041
811 Repair and Maintenance	1,096	477,522,752	3,378,239	3,455	504,738
812 Personal and Laundry Services	2,237	1,025,072,395	8,170,164	8,299	1,079,005
92 Public Administration	8	\$105,085	\$7,770	10	\$2,100
Industry Code Not Given	0	\$0	\$0	11,143	\$1,944,068
<b>GRAND TOTAL, ALL INDUSTRIES</b>	<b>55,029</b>	<b>\$429,444,451,943</b>	<b>\$2,012,779,738</b>	<b>165,670</b>	<b>\$41,825,530</b>

1/ Tax liability excludes the MTA surcharge.

2/ Corporations computing their tax after credit on the net income base. Data represent total net income before allocation to New York State.

3/ Tax liability includes the tax on subsidiary capital.

4/ Data for selected three and four-digit NAICS subsectors may not necessarily add to the appropriate totals for the two-digit NAICS industry sectors.

This is due to the fact that data may not be presented for all subsectors in a given industry sector. However, data for all subsectors are included in the appropriate industry sector totals.

d/ Tax Law provisions prohibit disclosure of data. However, the data are included in the appropriate totals.



**Table 11: Corporation Tax Liability by Industry and Basis of Tax Paid (Cont'd) 1/****Corporate Tax Years Beginning Between January 1, 2006 and December 31, 2006**

NAICS Code 4/ Industry	Capital		Minimum Taxable Income	
	Number	Tax 3/	Number	Tax 3/
53 Real Estate and Rental and Leasing	14,344	\$30,747,877	992	\$1,947,234
54 Professional, Scientific, and Technical Services	1,867	\$14,205,867	700	\$18,747,558
55 Management of Companies and Enterprises	715	\$12,699,099	75	\$1,590,545
56 Administrative and Support and Waste Management and Remediation Services	585	\$1,699,059	205	\$761,971
61 Educational Services	92	\$234,603	32	\$21,505
62 Health Care and Social Assistance	437	\$1,258,816	294	\$481,849
622 Hospitals	0	0	d/	d/
623 Nursing and Residential Care Facilities	21	311,055	d/	d/
624 Social Assistance	22	52,679	9	9,812
71 Arts, Entertainment, and Recreation	446	\$1,032,318	151	\$160,859
711 Performing Arts, Spectator Sports, and Related Industries	154	219,178	86	87,292
712 Museums, Historical Sites, and Similar Institutions	5	82,111	0	0
713 Amusement, Gambling, and Recreation Industries	287	731,029	65	73,567
72 Accommodation and Food Services	1,250	\$3,581,164	400	\$501,933
721 Accommodation	155	2,766,086	25	118,487
722 Food Services and Drinking Places	1,094	710,502	375	383,446
81 Other Services (except Public Administration)	1,957	\$997,127	439	\$257,126
811 Repair and Maintenance	335	210,140	159	72,130
812 Personal and Laundry Services	1,161	603,839	272	182,199
92 Public Administration	4	\$1,199	d/	d/
Industry Code Not Given	0	\$0	0	\$0
<b>GRAND TOTAL, ALL INDUSTRIES</b>	<b>35,749</b>	<b>\$153,671,735</b>	<b>7,332</b>	<b>\$64,980,572</b>

1/ Tax liability excludes the MTA surcharge.

2/ Corporations computing their tax after credit on the net income base. Data represent total net income before allocation to New York State.

3/ Tax liability includes the tax on subsidiary capital.

4/ Data for selected three and four-digit NAICS subsectors may not necessarily add to the appropriate totals for the two-digit NAICS industry sectors. This is due to the fact that data may not be presented for all subsectors in a given industry sector. However, data for all subsectors are included in the appropriate industry sector totals.

d/ Tax Law provisions prohibit disclosure of data. However, the data are included in the appropriate totals.

**Table 12: Corporation Tax Liability by Fiscal Period and Basis of Tax Paid****Corporate Tax Years Beginning Between January 1, 2006 and December 31, 2006**

Tax Year Beginning	Entire Net Income Base		Fixed Dollar Minimum		Capital Base		Alternative Minimum Taxable Income Base		Total	
	Number	Tax	Number	Tax	Number	Tax	Number	Tax	Number	Tax
01/01/06	29,980	\$1,315,194,642	88,848	\$25,959,005	20,213	\$115,084,054	3,929	\$50,486,964	142,970	\$1,506,724,665
02/01/06	1,588	123,741,331	5,239	1,209,524	1,015	3,821,086	196	250,531	8,038	129,022,472
03/01/06	1,894	25,292,522	6,594	1,045,278	1,073	2,948,474	234	630,517	9,795	29,916,791
04/01/06	3,332	126,048,810	8,726	2,499,726	1,921	6,588,927	481	1,793,122	14,460	136,930,585
05/01/06	1,981	15,513,144	6,402	1,035,242	1,230	1,748,453	262	1,764,328	9,875	20,061,167
06/01/06	2,037	31,950,367	6,605	1,019,604	1,242	2,232,005	283	812,600	10,167	36,014,576
07/01/06	3,651	80,078,069	9,851	2,183,549	2,405	7,190,060	505	2,325,513	16,412	91,777,191
08/01/06	1,758	28,766,454	6,014	889,046	1,103	1,817,431	217	380,252	9,092	31,853,183
09/01/06	1,868	22,354,895	6,297	959,669	1,116	1,384,818	289	544,016	9,570	25,243,398
10/01/06	3,456	113,364,260	9,337	3,102,958	2,201	5,197,165	496	2,870,711	15,490	124,535,094
11/01/06	1,954	27,185,019	6,546	1,100,400	1,239	2,917,894	228	2,373,234	9,967	33,576,547
12/01/06	1,530	103,290,225	5,212	822,329	991	2,741,368	212	748,784	7,945	107,602,706
<b>Total</b>	<b>55,029</b>	<b>\$2,012,779,738</b>	<b>165,671</b>	<b>\$41,826,330</b>	<b>35,749</b>	<b>\$153,671,735</b>	<b>7,332</b>	<b>\$64,980,572</b>	<b>263,781</b>	<b>\$2,273,258,375</b>

**Table 13: Selected Tax Return Items for all Article 9-A Corporations\***

Item	Total	
	Number	Amount
Federal Taxable Income Before NOL	116,848	\$560,982,601,136
Interest on Federal, State Obligations	2,863	5,234,745,534
Interest Paid to Stockholders	977	6,879,886,475
Deductions Directly Attributed to Subsidiary Capital	380	16,434,098,421
Non-Interest Directly Attributed to Subsidiary Capital	234	7,443,113,754
Deductions Indirectly Attributed to Subsidiary Capital	1,029	32,268,561,424
Non-Interest Indirectly Attributed to Subsidiary Capital	754	10,183,948,742
NYS, Other State and Local Taxes Deduction	92,898	23,260,631,688
ACRS/MACRS Deduction	19,694	117,911,258,373
Other Additions	2,658	58,272,511,183
Income from Subsidiary Capital	1,532	243,979,843,960
50% of Dividends	5,715	6,568,131,928
Foreign Dividends	801	15,201,117,605
NY Net Operating Loss Deduction	25,539	206,138,782,255
Allowable NY Depreciation	20,688	139,336,637,296
Other Subtractions	6,081	51,913,314,859
Entire Net Income	119,582	175,733,483,129
Investment Income Before Allocation	2,943	(4,102,147,362)
Business Income Before Allocation	112,784	179,835,630,472
Allocated Investment Income	2,177	(1,492,308,109)
Allocated Business Income	112,465	4,654,957,851
Optional Depreciation Adjustment	29	(941,284)
Entire Net Income Base	119,582	3,163,591,038
Tax on ENI Base	77,933	2,304,866,705
Largest of 4 Bases (Tax Before Credit)	119,579	2,480,585,632
Subsidiary Capital Base	1,467	22,956,441,738
Tax on Allocated Subsidiary Capital	1,411	21,299,895
Tax Credits: Total	3,302	260,123,450
Tax Due	119,582	2,242,018,797
Fixed Dollar Minimum Tax on Subsidiaries	3,434	8,391,655
Total Tax Liability	119,582	2,250,410,452

\* These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

**Table 14: Selected Tax Return Items for Article 9-A Entire Net Income Filers\***

Item	Total	
	Number	Amount
Federal Taxable Income Before NOL	54,854	\$495,638,891,874
Interest on Federal, State Obligations	1,547	2,316,782,994
Interest Paid to Stockholders	496	4,851,342,829
Deductions Directly Attributed to Subsidiary Capital	178	8,840,947,378
Non-Interest Directly Attributed to Subsidiary Capital	115	6,159,399,490
Deductions Indirectly Attributed to Subsidiary Capital	466	13,100,726,179
Non-Interest Indirectly Attributed to Subsidiary Capital	352	4,793,067,201
NYS, Other State and Local Taxes Deduction	44,291	19,228,491,467
ACRS/MACRS Deduction	8,817	50,264,042,464
Other Additions	1,335	37,662,224,420
Income from Subsidiary Capital	693	92,539,133,639
50% of Dividends	2,470	3,206,790,385
Foreign Dividends	412	7,134,054,152
NY Net Operating Loss Deduction	7,627	25,205,515,774
Allowable NY Depreciation	9,261	60,033,419,312
Other Subtractions	2,705	25,292,541,784
Entire Net Income	55,029	429,444,451,943
Investment Income Before Allocation	1,835	20,163,045,211
Business Income Before Allocation	54,672	409,281,406,713
Allocated Investment Income	1,425	494,648,718
Allocated Business Income	54,627	27,937,211,354
Optional Depreciation Adjustment	9	(1,929,193)
Entire Net Income Base	55,029	28,433,789,267
Tax on ENI Base	55,026	2,122,128,141
Largest of 4 Bases (Tax Before Credit)	55,026	2,122,128,791
Subsidiary Capital Base	522	9,263,633,507
Tax on Allocated Subsidiary Capital	505	8,349,879
Tax Credits: Total	1,043	121,269,269
Tax Due	55,029	2,009,209,445
Fixed Dollar Minimum Tax on Subsidiaries	1,344	3,570,293
Total Tax Liability	55,029	2,012,779,738

\* These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

**Table 15: Selected Tax Return Items for Article 9-A Fixed Dollar Minimum Filers\***

Item	Total	
	Number	Amount
Federal Taxable Income Before NOL	20,464	(\$16,063,865,584)
Interest on Federal, State Obligations	442	1,022,505,934
Interest Paid to Stockholders	289	888,861,660
Deductions Directly Attributed to Subsidiary Capital	98	5,466,938,249
Non-Interest Directly Attributed to Subsidiary Capital	54	402,416,424
Deductions Indirectly Attributed to Subsidiary Capital	241	9,660,071,951
Non-Interest Indirectly Attributed to Subsidiary Capital	155	2,418,357,024
NYS, Other State and Local Taxes Deduction	15,131	1,285,949,550
ACRS/MACRS Deduction	5,201	29,993,437,165
Other Additions	714	7,251,756,732
Income from Subsidiary Capital	344	69,898,976,498
50% of Dividends	996	1,390,204,892
Foreign Dividends	149	2,843,107,176
NY Net Operating Loss Deduction	4,133	97,524,999,567
Allowable NY Depreciation	5,466	35,918,917,141
Other Subtractions	1,833	13,717,486,206
Entire Net Income	21,472	(178,967,262,371)
Investment Income Before Allocation	341	(27,027,020,878)
Business Income Before Allocation	19,624	(151,940,241,492)
Allocated Investment Income	138	(1,690,276,611)
Allocated Business Income	19,381	(11,330,753,046)
Optional Depreciation Adjustment	11	348,606
Entire Net Income Base	21,472	(13,021,378,263)
Tax on ENI Base	7,585	28,099,956
Tax on Fixed Dollar Minimum Base	21,472	10,924,212
Largest of 4 Bases (Tax Before Credit)	21,472	50,495,690
Subsidiary Capital Base	462	7,130,154,342
Tax on Allocated Subsidiary Capital	446	6,423,829
Tax Credits: Total	1,091	39,987,589
Tax Due	21,472	17,188,565
Fixed Dollar Minimum Tax on Subsidiaries	786	1,789,842
Total Tax Liability	21,472	18,978,407

\* These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed. This table includes "true" minimum taxpayers who allocate their income. See Appendix A for details.

**Table 16: Selected Tax Return Items for Article 9-A Capital Base Filers\***

Item	Capital Base	
	Number	Amount
Federal Taxable Income Before NOL	34,254	\$33,893,415,737
Interest on Federal, State Obligations	775	598,230,369
Interest Paid to Stockholders	147	1,025,095,031
Deductions Directly Attributed to Subsidiary Capital	78	966,918,581
Non-Interest Directly Attributed to Subsidiary Capital	45	440,090,443
Deductions Indirectly Attributed to Subsidiary Capital	241	6,251,584,397
Non-Interest Indirectly Attributed to Subsidiary Capital	195	1,576,876,401
NYS, Other State and Local Taxes Deduction	27,611	976,028,821
ACRS/MACRS Deduction	4,501	27,278,512,021
Other Additions	466	4,485,795,495
Income from Subsidiary Capital	388	59,967,747,368
50% of Dividends	2,030	1,365,078,119
Foreign Dividends	172	2,290,304,685
NY Net Operating Loss Deduction	7,414	53,469,688,969
Allowable NY Depreciation	4,723	31,568,149,282
Other Subtractions	1,249	10,928,865,737
Entire Net Income	35,749	(82,097,323,249)
Investment Income Before Allocation	645	71,507,710
Business Income Before Allocation	32,693	(82,168,830,960)
Allocated Investment Income	530	(373,041,031)
Allocated Business Income	32,667	(12,175,616,590)
Optional Depreciation Adjustment	6	157,529
Entire Net Income Base	35,749	(12,548,815,141)
Tax on ENI Base	10,312	15,446,625
Total Capital	35,749	1,516,354,386,709
Subsidiary Capital	904	336,336,068,398
Investment Capital	35,708	99,454,696,447
Business Capital	965	1,018,318,026,710
Allocated Investment Capital	656	2,900,360,708
Allocated Business Capital	35,677	164,536,749,792
Capital Base	35,749	167,437,110,487
Tax on Capital Base	35,749	149,170,595
Largest of 4 Bases (Tax Before Credit)	35,749	149,180,229
Subsidiary Capital Base	399	5,854,182,659
Tax on Allocated Subsidiary Capital	383	5,885,499
Tax Credits: Total	267	3,853,800
Tax Due	35,749	151,211,962
Fixed Dollar Minimum Tax on Subsidiaries	1,100	2,459,773
Total Tax Liability	35,749	153,671,735

\* These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

**Table 17: Selected Tax Return Items for Article 9-A Alternative Minimum Tax (AMT) Filers\***

Item	Alternative Minimum Tax Base	
	Number	Amount
Federal Taxable Income Before NOL	7,276	\$47,514,159,109
Interest on Federal, State Obligations	99	1,297,226,237
Interest Paid to Stockholders	45	114,586,955
Deductions Directly Attributed to Subsidiary Capital	26	1,159,294,213
Non-Interest Directly Attributed to Subsidiary Capital	20	441,207,397
Deductions Indirectly Attributed to Subsidiary Capital	81	3,256,178,897
Non-Interest Indirectly Attributed to Subsidiary Capital	52	1,395,648,116
NYS, Other State and Local Taxes Deduction	5,865	1,770,161,850
ACRS/MACRS Deduction	1,175	10,375,266,723
Other Additions	143	8,872,734,536
Income from Subsidiary Capital	107	21,573,986,455
50% of Dividends	219	606,058,532
Foreign Dividends	68	2,933,651,592
NY Net Operating Loss Deduction	6,365	29,938,577,945
Allowable NY Depreciation	1,238	11,816,151,561
Other Subtractions	294	1,974,421,132
Entire Net Income	7,332	7,353,616,806
Investment Income Before Allocation	122	2,690,320,595
Business Income Before Allocation	5,795	4,663,296,211
Allocated Investment Income	84	76,360,815
Allocated Business Income	5,790	224,116,133
Optional Depreciation Adjustment	3	481,774
Entire Net Income Base	7,332	299,995,175
Tax on ENI Base	5,010	139,191,983
Depreciation of Tangible Property	2,578	394,593,465
Amortization of Mining Costs	9	12,959,978
Amortization Circulation Expenditures	d/	d/
Basis Adjustments	518	(1,053,515,339)
Long Term Contracts	32	7,425,643
Installment Sales	4	4,031,973,425
Merchant Marine Capital Construction	0	0
Passive Activity Loss	18	(195,520)
Depletion	19	112,092,681
Appreciated Property Charitable Deduction	281	1,510,588
Intangible Drilling Costs	d/	d/
Net Operating Loss Deduction - Alternative Minimum Tax	6,382	30,096,149,000
Alternative NOL Deduction - Alternative Minimum Tax	2,626	11,585,065,160
Minimum Taxable Income - Alternative Minimum Tax	7,332	29,371,219,319
Investment Income Before Alternative NOL (Balance)	150	10,419,128,683
Apport NYS Alternative NOL Deduction	70	52,096,959
Alternative Business Income Before Allocation	7,322	26,240,729,619
Allocated Alternative Business Income	7,321	2,483,139,227
Allocated Alternative Investment Income	360	90,256,590
Minimum Taxable Income Base	7,332	2,572,914,049
Tax on Minimum Taxable Income Base	7,332	64,322,884
Largest of 4 Bases (Tax Before Credit)	7,332	158,780,922
Subsidiary Capital Base	84	708,471,230
Tax on Allocated Subsidiary Capital	77	640,688
Tax Credits: Total	901	95,012,792
Tax Due	7,332	64,408,825
Fixed Dollar Minimum Tax on Subsidiaries	204	571,747
Total Tax Liability	7,332	64,980,572

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 18: Selected Tax Return Items for Article 9-A Filers by Major Industry Group\***

Item	Agriculture, Forestry, Fishing and Hunting					
	Agriculture, Forestry, Fishing and Hunting		Mining		Utilities	
	Number	Amount	Number	Amount	Number	Amount
Federal Taxable Income Before NOL	693	\$827,264,453	263	\$10,792,394,371	282	\$3,128,406,533
Interest on Federal, State Obligations	11	12,249,121	18	11,492,653	13	25,050,381
Interest Paid to Stockholders	12	21,091,308	3	4,625,030	6	5,719,935
Deductions Directly Attributed to Subsidiary Capital	0	0	3	11,182,667	3	41,983,628
Non-Interest Directly Attributed to Subsidiary Capital	0	0	0	0	d/	d/
Deductions Indirectly Attributed to Subsidiary Capital	d/	d/	7	328,142,102	8	755,965,283
Non-Interest Indirectly Attributed to Subsidiary Capital	d/	d/	4	324,421,455	4	26,030,904
NYS, Other State and Local Taxes Deduction	510	4,844,074	194	392,871,874	209	287,008,490
ACRS/MACRS Deduction	135	41,293,244	74	581,367,523	85	2,177,147,540
Other Additions	14	131,605	8	3,281,380	20	1,209,322,584
Income from Subsidiary Capital	4	47,663,347	13	540,568,150	9	710,113,969
50% of Dividends	83	456,303	29	21,585,632	8	19,897,189
Foreign Dividends	d/	d/	4	7,362,485	d/	d/
NY Net Operating Loss Deduction	189	183,202,409	49	3,197,830,510	55	3,492,675,753
Allowable NY Depreciation	141	50,803,205	82	771,705,040	90	2,616,997,008
Other Subtractions	42	11,877,250	16	11,872,181	23	965,715,063
Entire Net Income	719	611,630,204	275	7,898,855,058	288	(149,124,782)
Investment Income Before Allocation	24	3,287,136	11	(244,577,364)	6	4,058,356
Business Income Before Allocation	665	608,343,068	259	8,143,432,422	267	(153,183,138)
Allocated Investment Income	21	80,361	10	258,318	d/	d/
Allocated Business Income	664	(1,117,562)	255	2,233,509	264	(1,985,435,420)
Optional Depreciation Adjustment	0	0	0	0	0	0
Entire Net Income Base	719	(1,037,203)	275	2,491,827	288	(1,985,308,831)
Tax on ENI Base	374	1,777,645	173	7,946,548	158	46,043,458
Largest of 4 Bases (Tax Before Credit)	719	2,242,360	275	8,418,424	288	52,909,344
Subsidiary Capital Base	3	3,390,914	7	419,978	11	1,808,246,025
Tax on Allocated Subsidiary Capital	3	3,052	7	378	11	1,627,422
Tax Credits: Total	189	511,654	23	1,013,421	13	9,035,555
Tax Due	719	1,734,974	275	7,406,531	288	45,502,031
Fixed Dollar Minimum Tax on Subsidiaries	4	2,225	12	17,500	27	55,850
Total Tax Liability	719	1,737,199	275	7,424,031	288	45,557,881

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.



**Table 18: Selected Tax Return Items for Article 9-A Filers by Major Industry Group\* (Cont'd)**

Item	Construction		Manufacturing		Wholesale Trade	
	Number	Amount	Number	Amount	Number	Amount
Federal Taxable Income Before NOL	8,554	\$5,705,943,656	9,612	\$194,964,576,883	13,123	\$33,316,138,400
Interest on Federal, State Obligations	153	30,928,376	405	907,059,494	191	112,023,683
Interest Paid to Stockholders	53	10,125,291	197	1,504,517,583	195	509,457,543
Deductions Directly Attributed to Subsidiary Capital	5	4,883,885	146	9,839,632,880	35	246,535,893
Non-Interest Directly Attributed to Subsidiary Capital	3	13,074,165	121	1,655,559,433	20	57,256,384
Deductions Indirectly Attributed to Subsidiary Capital	17	247,685,149	437	16,558,123,827	129	1,292,089,700
Non-Interest Indirectly Attributed to Subsidiary Capital	20	121,899,072	289	5,330,755,837	77	150,098,090
NYS, Other State and Local Taxes Deduction	6,537	349,270,585	7,899	7,576,152,056	11,098	1,905,238,050
ACRS/MACRS Deduction	1,597	354,403,583	3,318	44,825,136,584	2,541	17,409,211,770
Other Additions	93	890,976,995	477	12,896,105,711	194	2,578,494,887
Income from Subsidiary Capital	22	466,334,719	588	95,904,797,816	151	4,709,211,480
50% of Dividends	313	8,512,681	692	2,987,329,788	470	115,356,247
Foreign Dividends	4	24,722,302	396	7,693,159,963	65	211,461,789
NY Net Operating Loss Deduction	1,947	539,945,191	2,262	97,060,766,609	2,725	5,955,623,111
Allowable NY Depreciation	1,658	419,929,889	3,524	52,375,837,019	2,623	20,518,270,633
Other Subtractions	281	92,732,363	884	7,468,542,001	492	602,321,178
Entire Net Income	8,719	6,177,013,571	9,776	32,567,186,731	13,254	25,464,301,417
Investment Income Before Allocation	165	36,764,577	329	(22,681,841,498)	221	593,031,140
Business Income Before Allocation	8,322	6,140,248,993	9,127	55,249,028,229	12,661	24,871,270,267
Allocated Investment Income	128	2,141,939	199	(1,649,837,611)	172	2,888,482
Allocated Business Income	8,304	339,889,150	9,099	648,821,668	12,633	1,296,757,402
Optional Depreciation Adjustment	d/	d/	5	673,121	4	385,080
Entire Net Income Base	8,719	341,998,752	9,776	(1,001,689,064)	13,254	1,299,260,802
Tax on ENI Base	6,677	40,241,442	5,978	443,980,693	9,540	166,354,639
Largest of 4 Bases (Tax Before Credit)	8,719	43,015,000	9,776	469,449,216	13,254	174,244,236
Subsidiary Capital Base	31	77,344,203	320	5,877,383,571	126	1,207,563,401
Tax on Allocated Subsidiary Capital	28	69,613	305	5,302,842	119	1,088,511
Tax Credits: Total	158	1,123,256	1,486	92,879,669	235	6,263,439
Tax Due	8,719	41,976,831	9,776	381,884,883	13,254	169,093,659
Fixed Dollar Minimum Tax on Subsidiaries	74	120,433	591	1,123,316	296	380,954
Total Tax Liability	8,719	42,097,264	9,776	383,008,199	13,254	169,474,613

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 18: Selected Tax Return Items for Article 9-A Filers by Major Industry Group\* (Cont'd)**

Item	Retail Trade		Transportation and Warehousing		Information	
	Number	Amount	Number	Amount	Number	Amount
	Federal Taxable Income Before NOL	12,629	\$42,610,410,498	4,854	\$8,927,595,113	3,284
Interest on Federal, State Obligations	160	173,553,507	79	18,622,851	102	698,807,492
Interest Paid to Stockholders	83	252,629,981	47	94,119,586	23	170,624,146
Deductions Directly Attributed to Subsidiary Capital	15	218,271,812	11	565,015,674	24	1,173,966,271
Non-Interest Directly Attributed to Subsidiary Capital	8	4,764,517,047	d/	d/	11	133,564,523
Deductions Indirectly Attributed to Subsidiary Capital	37	465,776,197	18	175,254,746	68	2,577,306,971
Non-Interest Indirectly Attributed to Subsidiary Capital	23	261,695,177	19	267,535,615	42	549,173,654
NYS, Other State and Local Taxes Deduction	10,107	2,361,700,166	3,483	518,496,997	2,576	1,439,676,420
ACRS/MACRS Deduction	1,834	10,382,409,687	970	2,886,876,313	792	9,546,270,942
Other Additions	142	10,282,883,489	74	4,960,731,549	112	6,434,896,165
Income from Subsidiary Capital	44	11,941,903,370	31	2,737,256,486	80	32,497,339,315
50% of Dividends	295	97,855,350	135	16,387,341	181	535,995,560
Foreign Dividends	25	535,314,398	13	23,973,002	45	1,175,839,379
NY Net Operating Loss Deduction	2,767	7,362,869,565	948	12,276,150,451	818	25,222,738,733
Allowable NY Depreciation	1,883	12,588,646,871	1,018	3,666,723,662	832	11,288,435,048
Other Subtractions	388	1,678,360,977	257	484,765,974	211	10,606,456,193
Entire Net Income	12,757	37,568,896,974	4,990	(790,704,299)	3,371	7,513,277,100
Investment Income Before Allocation	138	(314,005,664)	64	1,069,121,501	94	2,010,177,127
Business Income Before Allocation	12,198	37,882,902,637	4,700	(1,859,825,805)	3,146	5,503,099,973
Allocated Investment Income	115	(345,882,239)	35	4,749,957	58	59,221,760
Allocated Business Income	12,194	1,734,981,715	4,693	(359,368,833)	3,134	(543,759,205)
Optional Depreciation Adjustment	d/	d/	d/	d/	d/	d/
Entire Net Income Base	12,757	1,389,102,687	4,990	(354,734,933)	3,371	(484,539,972)
Tax on ENI Base	8,913	214,337,167	3,562	41,213,005	1,925	224,026,721
Largest of 4 Bases (Tax Before Credit)	12,757	223,485,158	4,990	44,881,897	3,371	239,294,451
Subsidiary Capital Base	66	617,032,241	45	95,868,596	88	2,196,445,496
Tax on Allocated Subsidiary Capital	66	555,330	41	87,618	86	1,976,801
Tax Credits: Total	192	21,411,836	60	4,579,703	90	44,012,619
Tax Due	12,757	202,642,688	4,990	40,402,945	3,371	197,269,404
Fixed Dollar Minimum Tax on Subsidiaries	228	491,310	87	91,685	280	1,125,797
Total Tax Liability	12,757	203,133,998	4,990	40,494,630	3,371	198,395,201

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 18: Selected Tax Return Items for Article 9-A Filers by Major Industry Group\* (Cont'd)**

Item	Finance and Insurance		Real Estate and Rental and Leasing		Professional, Scientific & Technical Services	
	Number	Amount	Number	Amount	Number	Amount
	Federal Taxable Income Before NOL	6,509	\$122,312,414,455	22,310	\$13,653,790,067	13,164
Interest on Federal, State Obligations	491	2,658,267,367	489	53,162,994	372	289,273,526
Interest Paid to Stockholders	45	405,449,480	67	131,302,929	125	278,501,585
Deductions Directly Attributed to Subsidiary Capital	39	2,193,351,307	8	12,939,489	34	272,365,523
Non-Interest Directly Attributed to Subsidiary Capital	17	129,369,236	d/	d/	21	448,507,215
Deductions Indirectly Attributed to Subsidiary Capital	53	5,232,970,695	36	167,780,436	82	1,533,127,978
Non-Interest Indirectly Attributed to Subsidiary Capital	62	750,084,979	35	741,903,724	61	481,536,311
NYS, Other State and Local Taxes Deduction	5,166	3,319,519,296	18,140	788,609,083	10,280	1,827,428,255
ACRS/MACRS Deduction	941	5,725,543,592	1,674	11,191,886,947	2,625	4,201,873,657
Other Additions	303	10,082,341,967	384	1,194,823,242	393	4,348,529,484
Income from Subsidiary Capital	140	66,231,933,642	50	893,447,861	157	8,425,163,547
50% of Dividends	956	2,334,161,495	1,032	32,553,901	612	192,436,286
Foreign Dividends	63	4,122,556,746	8	28,260,685	96	482,276,781
NY Net Operating Loss Deduction	1,085	11,176,707,789	4,645	4,542,036,293	2,956	12,047,705,903
Allowable NY Depreciation	1,004	6,964,845,003	1,758	12,650,993,627	2,814	4,870,213,878
Other Subtractions	602	18,048,093,455	685	6,223,985,324	913	2,971,442,020
Entire Net Income	6,763	43,931,014,237	23,067	3,565,235,574	13,443	7,125,143,299
Investment Income Before Allocation	814	13,462,333,937	424	223,893,373	228	804,730,693
Business Income Before Allocation	5,983	30,468,680,302	21,753	3,341,342,199	12,786	6,320,412,606
Allocated Investment Income	625	397,722,733	341	21,742,066	148	24,563,859
Allocated Business Income	5,889	2,374,667,615	21,727	1,450,090,339	12,758	(169,785,560)
Optional Depreciation Adjustment	d/	d/	3	(213)	7	(2,204,961)
Entire Net Income Base	6,763	2,772,368,711	23,067	1,471,832,629	13,443	(143,016,733)
Tax on ENI Base	4,421	514,080,330	11,542	235,922,931	9,142	160,811,308
Largest of 4 Bases (Tax Before Credit)	6,762	547,720,828	23,065	267,604,737	13,443	177,583,653
Subsidiary Capital Base	149	4,412,047,672	122	607,498,951	151	2,323,809,759
Tax on Allocated Subsidiary Capital	143	3,978,399	120	546,742	142	2,091,706
Tax Credits: Total	98	23,310,321	219	1,621,932	195	31,671,693
Tax Due	6,763	528,430,348	23,067	266,558,724	13,443	148,049,417
Fixed Dollar Minimum Tax on Subsidiaries	379	1,899,373	163	183,749	402	736,662
Total Tax Liability	6,763	530,329,721	23,067	266,742,473	13,443	148,786,079

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 18: Selected Tax Return Items for Article 9-A Filers by Major Industry Group\* (Cont'd)**

Item	Management of Companies & Enterprises		Administrative & Support, Waste Management & Remediation		Educational Services	
	Number	Amount	Number	Amount	Number	Amount
Federal Taxable Income Before NOL	1,982	\$22,484,216,982	3,557	\$4,504,282,547	485	\$641,177,496
Interest on Federal, State Obligations	130	168,675,561	57	35,621,477	6	2,731,448
Interest Paid to Stockholders	27	3,359,016,029	24	34,912,853	5	6,166,637
Deductions Directly Attributed to Subsidiary Capital	37	1,314,137,183	6	456,961,049	d/	d/
Non-Interest Directly Attributed to Subsidiary Capital	17	197,961,179	d/	d/	0	0
Deductions Indirectly Attributed to Subsidiary Capital	87	2,513,880,608	11	18,312,958	d/	d/
Non-Interest Indirectly Attributed to Subsidiary Capital	79	900,885,157	10	23,878,228	0	0
NYS, Other State and Local Taxes Deduction	1,548	1,321,572,138	2,634	296,897,429	377	38,646,415
ACRS/MACRS Deduction	376	3,383,698,744	613	883,763,360	92	169,537,487
Other Additions	183	697,331,795	60	604,195,524	8	156,582,403
Income from Subsidiary Capital	174	16,983,758,448	17	334,724,537	5	15,723,817
50% of Dividends	322	172,662,247	122	7,844,228	13	110,787
Foreign Dividends	47	750,622,138	13	58,031,370	d/	d/
NY Net Operating Loss Deduction	381	13,560,368,260	762	1,416,885,320	103	161,777,320
Allowable NY Depreciation	420	4,431,345,071	647	1,013,611,700	94	211,309,421
Other Subtractions	268	974,039,623	209	225,518,362	25	95,119,818
Entire Net Income	2,061	(531,420,390)	3,670	3,804,473,541	494	581,651,980
Investment Income Before Allocation	200	999,718,799	56	12,242,275	5	9,101,095
Business Income Before Allocation	1,811	(1,531,139,189)	3,457	3,792,231,266	472	572,550,885
Allocated Investment Income	143	5,636,154	40	760,347	4	42,681
Allocated Business Income	1,771	(592,324,871)	3,454	94,630,194	470	11,353,176
Optional Depreciation Adjustment	d/	d/	d/	d/	d/	d/
Entire Net Income Base	2,061	(586,689,171)	3,670	95,365,249	494	11,387,333
Tax on ENI Base	1,071	93,880,776	2,598	29,880,868	351	3,797,301
Largest of 4 Bases (Tax Before Credit)	2,061	104,791,199	3,670	32,128,384	494	4,082,271
Subsidiary Capital Base	248	2,917,866,303	32	295,379,586	5	16,075,827
Tax on Allocated Subsidiary Capital	244	3,241,107	30	265,842	5	14,468
Tax Credits: Total	82	9,773,987	52	2,698,656	6	5,347
Tax Due	2,061	98,265,456	3,670	29,704,695	494	4,093,368
Fixed Dollar Minimum Tax on Subsidiaries	548	1,320,888	92	223,883	24	31,025
Total Tax Liability	2,061	99,586,344	3,670	29,928,578	494	4,124,393

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 18: Selected Tax Return Items for Article 9-A Filers by Major Industry Group\* (Cont'd)**

Item	Health Care and Social Assistance		Arts, Entertainment, and Recreation		Accommodation and Food Services	
	Number	Amount	Number	Amount	Number	Amount
Federal Taxable Income Before NOL	2,909	\$569,192,638	2,273	\$3,766,335,419	4,052	\$3,388,976,790
Interest on Federal, State Obligations	47	13,459,529	55	6,147,706	25	8,715,146
Interest Paid to Stockholders	16	2,253,641	10	(1,767,350)	20	19,578,377
Deductions Directly Attributed to Subsidiary Capital	d/	d/	d/	d/	8	51,818,620
Non-Interest Directly Attributed to Subsidiary Capital	d/	d/	3	20,207,499	3	14,281,220
Deductions Indirectly Attributed to Subsidiary Capital	9	63,639,657	4	9,609,782	20	211,559,708
Non-Interest Indirectly Attributed to Subsidiary Capital	3	84,918,545	4	21,663,326	16	134,388,854
NYS, Other State and Local Taxes Deduction	2,274	161,194,463	1,925	248,785,689	3,095	350,134,597
ACRS/MACRS Deduction	487	500,471,966	365	2,678,512,956	474	835,092,244
Other Additions	35	476,475,263	68	139,806,494	61	928,662,087
Income from Subsidiary Capital	9	306,864,601	7	133,541,053	26	1,044,785,387
50% of Dividends	75	2,424,823	180	10,033,583	69	11,776,588
Foreign Dividends	3	7,349,092	d/	d/	7	32,417,212
NY Net Operating Loss Deduction	854	1,178,652,992	545	5,568,998,550	1,073	873,696,783
Allowable NY Depreciation	505	602,695,382	376	3,002,470,956	502	1,119,199,044
Other Subtractions	150	19,550,899	282	869,189,784	225	379,951,020
Entire Net Income	2,991	(244,386,487)	2,366	(2,695,321,338)	4,101	2,481,371,563
Investment Income Before Allocation	23	1,389,005	35	17,246,395	43	(110,677,435)
Business Income Before Allocation	2,840	(245,775,492)	2,266	(2,712,567,733)	3,886	2,592,048,998
Allocated Investment Income	18	627,342	31	1,284,160	32	(19,294,346)
Allocated Business Income	2,836	25,290,103	2,260	121,575,717	3,884	154,535,261
Optional Depreciation Adjustment	0	0	0	0	0	0
Entire Net Income Base	2,991	25,917,445	2,366	122,859,877	4,101	135,240,915
Tax on ENI Base	2,329	18,753,177	1,637	21,160,192	2,861	26,882,763
Largest of 4 Bases (Tax Before Credit)	2,991	20,520,483	2,366	22,412,196	4,101	30,789,194
Subsidiary Capital Base	12	113,674,686	14	90,260,127	24	200,417,517
Tax on Allocated Subsidiary Capital	12	102,309	13	81,233	23	180,375
Tax Credits: Total	66	310,114	26	9,010,655	48	227,806
Tax Due	2,991	20,316,495	2,366	13,494,952	4,101	30,746,311
Fixed Dollar Minimum Tax on Subsidiaries	53	149,867	60	240,394	69	142,611
Total Tax Liability	2,991	20,466,362	2,366	13,735,346	4,101	30,888,922

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

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**Table 18: Selected Tax Return Items for Article 9-A Filers by Major Industry Group\* (Cont'd)**

Item	Other Services (except Public Administration)		Public Administration	
	Number	Amount	Number	Amount
Federal Taxable Income Before NOL	6,300	\$840,254,433	13	\$161,386
Interest on Federal, State Obligations	59	8,903,222	0	0
Interest Paid to Stockholders	19	71,561,891	0	0
Deductions Directly Attributed to Subsidiary Capital	d/	d/	0	0
Non-Interest Directly Attributed to Subsidiary Capital	d/	d/	0	0
Deductions Indirectly Attributed to Subsidiary Capital	d/	d/	0	0
Non-Interest Indirectly Attributed to Subsidiary Capital	5	12,334,828	0	0
NYS, Other State and Local Taxes Deduction	4,841	72,584,347	5	1,264
ACRS/MACRS Deduction	700	136,759,965	d/	d/
Other Additions	29	386,938,559	0	0
Income from Subsidiary Capital	5	54,712,415	0	0
50% of Dividends	128	751,899	0	0
Foreign Dividends	5	32,109,595	0	0
NY Net Operating Loss Deduction	1,372	320,009,243	3	141,470
Allowable NY Depreciation	717	172,604,839	0	0
Other Subtractions	128	183,781,374	0	0
Entire Net Income	6,464	854,367,727	13	21,449
Investment Income Before Allocation	63	1,859,190	0	0
Business Income Before Allocation	6,174	852,508,535	11	21,449
Allocated Investment Income	56	859,339	0	0
Allocated Business Income	6,165	51,902,004	11	21,449
Optional Depreciation Adjustment	d/	d/	0	0
Entire Net Income Base	6,464	52,759,269	13	21,449
Tax on ENI Base	4,673	13,767,971	8	7,770
Largest of 4 Bases (Tax Before Credit)	6,464	15,003,284	13	9,317
Subsidiary Capital Base	13	95,716,885	0	0
Tax on Allocated Subsidiary Capital	13	86,147	0	0
Tax Credits: Total	64	661,787	0	0
Tax Due	6,464	14,435,768	13	9,317
Fixed Dollar Minimum Tax on Subsidiaries	45	54,133	0	0
Total Tax Liability	6,464	14,489,901	13	9,317

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 19: Selected Tax Return Items for Article 9-A Filers by Type of Return\***

Item	Type of Return					
	CT-3		CT-3-A		CT-4	
	Number	Amount	Number	Amount	Number	Amount
Federal Taxable Income Before NOL	75,698	\$289,426,682,336	2,794	\$271,185,713,059	38,356	\$370,205,741
Interest on Federal, State Obligations	2,330	2,238,111,287	323	2,994,760,482	210	1,873,765
Interest Paid to Stockholders	808	6,066,774,080	59	811,951,431	110	1,160,964
Deductions Directly Attributed to Subsidiary Capital	298	8,647,240,519	82	7,786,857,902	0	0
Non-Interest Directly Attributed to Subsidiary Capital	163	6,313,258,131	71	1,129,855,623	0	0
Deductions Indirectly Attributed to Subsidiary Capital	747	17,043,783,996	282	15,224,777,428	0	0
Non-Interest Indirectly Attributed to Subsidiary Capital	558	5,718,911,995	196	4,465,036,747	0	0
NYS, Other State and Local Taxes Deduction	60,368	12,934,176,547	2,419	10,266,388,857	30,111	60,066,284
ACRS/MACRS Deduction	16,084	47,806,775,511	1,345	70,089,683,287	2,265	14,799,575
Other Additions	2,432	40,195,322,692	226	18,077,188,491	0	0
Income from Subsidiary Capital	1,120	115,864,934,454	412	128,114,909,506	0	0
50% of Dividends	5,294	3,043,276,899	421	3,524,855,029	0	0
Foreign Dividends	556	5,749,817,786	245	9,451,299,819	0	0
NY Net Operating Loss Deduction	16,858	77,049,188,738	773	128,806,149,745	7,908	283,443,772
Allowable NY Depreciation	16,962	58,177,599,160	1,411	81,138,039,003	2,315	20,999,133
Other Subtractions	5,177	31,271,494,408	469	20,640,766,478	435	1,053,973
Entire Net Income	77,537	145,234,678,480	2,847	30,356,193,745	39,198	142,610,904
Investment Income Before Allocation	2,651	10,445,080,935	292	(14,547,228,297)	0	0
Business Income Before Allocation	72,587	134,789,597,526	2,552	44,903,422,042	37,645	142,610,904
Allocated Investment Income	2,019	259,234,786	158	(1,751,542,895)	0	0
Allocated Business Income	72,323	2,909,701,650	2,497	1,602,645,297	37,645	142,610,904
Optional Depreciation Adjustment	26	(1,372,127)	3	430,843	0	0
Entire Net Income Base	77,537	3,170,308,574	2,847	(149,328,440)	39,198	142,610,904
Tax on ENI Base	48,823	1,342,113,817	1,436	922,660,755	27,674	40,092,133
Largest of 4 Bases (Tax Before Credit)	77,537	1,444,238,060	2,847	986,803,921	39,195	49,543,651
Subsidiary Capital Base	1,204	17,011,681,778	263	5,944,759,960	0	0
Tax on Allocated Subsidiary Capital	1,161	15,930,995	250	5,368,900	0	0
Tax Credits: Total	3,003	113,887,910	299	146,235,540	0	0
Tax Due	77,537	1,346,474,499	2,847	845,940,135	39,198	49,604,163
Fixed Dollar Minimum Tax on Subsidiaries	0	0	3,434	8,391,655	0	0
Total Tax Liability	77,537	1,346,474,499	2,847	854,331,790	39,198	49,604,163

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

**Table 20: Selected Tax Return Items for Article 9-A Filers by Fiscal Year Beginning\***

Item	Fiscal Year Beginning					
	January 2006		February		March	
	Number	Amount	Number	Amount	Number	Amount
Federal Taxable Income Before NOL	66,915	\$405,238,052,865	3,188	\$33,872,145,593	3,523	\$2,120,167,238
Interest on Federal, State Obligations	1,852	3,613,168,655	107	124,077,471	64	338,824,807
Interest Paid to Stockholders	638	5,351,252,749	22	385,829,149	18	14,308,735
Deductions Directly Attributed to Subsidiary Capital	256	14,061,609,185	13	511,645,537	7	7,299,400
Non-Interest Directly Attributed to Subsidiary Capital	167	2,357,135,176	12	4,802,444,423	d/	d/
Deductions Indirectly Attributed to Subsidiary Capital	709	25,628,832,022	33	768,856,823	16	140,167,418
Non-Interest Indirectly Attributed to Subsidiary Capital	516	8,120,917,143	25	279,012,290	18	34,650,573
NYS, Other State and Local Taxes Deduction	52,251	16,319,971,409	2,524	1,695,465,770	2,825	196,704,140
ACRS/MACRS Deduction	12,258	77,331,017,244	553	6,553,241,851	432	914,456,320
Other Additions	1,774	24,620,604,000	76	8,898,143,159	39	639,410,946
Income from Subsidiary Capital	1,025	200,024,202,384	43	11,063,536,588	26	417,185,838
50% of Dividends	3,578	5,412,710,571	150	24,222,011	127	88,797,712
Foreign Dividends	508	11,092,270,784	20	109,779,606	14	69,901,812
NY Net Operating Loss Deduction	14,426	177,678,308,755	692	3,713,105,250	721	861,026,294
Allowable NY Depreciation	12,937	92,247,890,987	555	8,167,630,326	446	1,139,569,919
Other Subtractions	3,992	33,636,145,033	194	2,414,976,815	116	303,617,334
Entire Net Income	68,554	62,550,997,111	3,255	32,397,611,459	3,601	1,526,040,097
Investment Income Before Allocation	1,786	(11,995,741,208)	67	165,957,001	64	24,482,542
Business Income Before Allocation	64,495	74,546,738,302	3,098	32,231,654,458	3,438	1,501,557,555
Allocated Investment Income	1,302	(1,623,663,935)	46	2,723,557	50	2,028,474
Allocated Business Income	64,260	(1,051,777,789)	3,094	1,391,272,699	3,433	135,573,773
Optional Depreciation Adjustment	23	1,269,894	0	0	0	0
Entire Net Income Base	68,554	(2,676,711,607)	3,255	1,393,996,256	3,601	137,602,247
Tax on ENI Base	42,981	1,515,128,716	2,172	142,511,040	2,543	26,964,245
Largest of 4 Bases (Tax Before Credit)	68,552	1,645,895,954	3,255	146,781,750	3,601	30,423,960
Subsidiary Capital Base	932	16,608,182,359	45	483,239,373	28	71,325,125
Tax on Allocated Subsidiary Capital	899	15,568,277	43	444,635	25	64,190
Tax Credits: Total	1,784	173,894,756	89	19,217,697	86	1,491,651
Tax Due	68,554	1,487,757,572	3,255	128,012,601	3,601	29,000,282
Fixed Dollar Minimum Tax on Subsidiaries	2,212	5,801,827	152	332,489	38	58,075
Total Tax Liability	68,554	1,493,559,399	3,255	128,345,090	3,601	29,058,357

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.



**Table 20: Selected Tax Return Items for Article 9-A Filers by Fiscal Year Beginning\* (Cont'd)**

Item	Fiscal Year Beginning					
	April		May		June	
	Number	Amount	Number	Amount	Number	Amount
Federal Taxable Income Before NOL	6,761	\$18,922,305,869	3,862	\$1,382,021,986	3,940	\$8,964,054,823
Interest on Federal, State Obligations	149	139,765,312	67	28,731,142	53	82,862,656
Interest Paid to Stockholders	91	571,929,228	20	84,711,930	18	39,185,196
Deductions Directly Attributed to Subsidiary Capital	21	235,802,022	3	2,790,963	8	573,973,087
Non-Interest Directly Attributed to Subsidiary Capital	11	13,452,071	4	2,157,239	6	8,012,930
Deductions Indirectly Attributed to Subsidiary Capital	61	261,319,338	7	175,680,927	23	864,604,594
Non-Interest Indirectly Attributed to Subsidiary Capital	55	496,076,370	d/	d/	12	224,961,463
NYS, Other State and Local Taxes Deduction	5,566	1,241,870,759	3,086	103,525,233	3,198	489,545,209
ACRS/MACRS Deduction	1,270	16,036,638,947	497	511,826,183	484	1,505,341,722
Other Additions	193	9,767,128,023	43	160,537,988	72	3,351,457,894
Income from Subsidiary Capital	106	4,499,899,606	22	471,370,341	32	3,695,937,834
50% of Dividends	328	459,791,367	133	11,547,390	157	12,389,693
Foreign Dividends	61	312,317,432	13	25,458,426	17	422,718,726
NY Net Operating Loss Deduction	1,585	6,576,266,475	878	1,170,531,515	827	1,841,353,753
Allowable NY Depreciation	1,339	18,765,576,346	511	591,661,458	507	1,901,270,185
Other Subtractions	264	1,013,584,571	107	68,805,574	137	189,175,930
Entire Net Income	6,913	16,058,852,124	3,949	113,827,436	4,007	8,041,153,339
Investment Income Before Allocation	177	1,347,444,829	84	78,591,262	83	105,127,950
Business Income Before Allocation	6,508	14,711,407,294	3,735	35,236,174	3,814	7,936,025,389
Allocated Investment Income	128	7,075,599	67	6,081,425	68	7,236,739
Allocated Business Income	6,491	495,361,432	3,729	70,137,847	3,809	216,810,274
Optional Depreciation Adjustment	d/	d/	0	0	d/	d/
Entire Net Income Base	6,913	502,428,506	3,949	76,219,272	4,007	224,053,107
Tax on ENI Base	4,668	130,428,323	2,734	19,739,208	2,789	35,325,085
Largest of 4 Bases (Tax Before Credit)	6,913	138,093,940	3,949	21,911,901	4,007	38,068,825
Subsidiary Capital Base	109	1,453,379,610	18	112,517,983	36	249,387,925
Tax on Allocated Subsidiary Capital	105	1,308,042	16	101,267	35	224,451
Tax Credits: Total	230	4,063,894	97	2,840,856	88	3,230,818
Tax Due	6,913	135,351,126	3,949	19,177,738	4,007	35,068,239
Fixed Dollar Minimum Tax on Subsidiaries	228	488,000	62	93,514	56	146,222
Total Tax Liability	6,913	135,839,126	3,949	19,271,252	4,007	35,214,461

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 20: Selected Tax Return Items for Article 9-A Filers by Fiscal Year Beginning\* (Cont'd)**

Item	Fiscal Year Beginning					
	July		August		September	
	Number	Amount	Number	Amount	Number	Amount
Federal Taxable Income Before NOL	7,671	\$29,909,413,354	3,431	\$7,514,658,883	3,599	\$5,494,528,106
Interest on Federal, State Obligations	172	180,893,549	50	100,002,725	53	12,480,202
Interest Paid to Stockholders	53	121,664,618	9	3,456,589	16	75,919,192
Deductions Directly Attributed to Subsidiary Capital	30	245,956,072	3	73,521,228	4	16,360,756
Non-Interest Directly Attributed to Subsidiary Capital	12	21,679,505	d/	d/	d/	d/
Deductions Indirectly Attributed to Subsidiary Capital	54	557,413,184	16	72,683,971	14	192,375,413
Non-Interest Indirectly Attributed to Subsidiary Capital	42	283,956,540	11	107,652,570	7	13,288,606
NYS, Other State and Local Taxes Deduction	6,343	890,068,036	2,721	362,316,142	2,903	239,321,926
ACRS/MACRS Deduction	1,332	4,387,755,417	423	3,761,040,019	398	1,852,762,951
Other Additions	145	1,050,855,349	37	370,931,057	50	441,834,972
Income from Subsidiary Capital	81	3,396,003,523	23	1,666,838,065	19	1,328,879,985
50% of Dividends	389	170,003,015	117	10,795,270	133	13,045,760
Foreign Dividends	45	460,696,341	14	199,235,116	15	96,806,125
NY Net Operating Loss Deduction	1,741	3,564,572,567	721	1,067,445,380	807	1,377,314,044
Allowable NY Depreciation	1,374	4,794,897,523	434	3,991,074,705	423	2,020,169,497
Other Subtractions	403	9,470,730,369	100	218,797,596	131	1,122,001,083
Entire Net Income	7,846	15,792,752,242	3,494	5,223,201,842	3,676	2,430,514,128
Investment Income Before Allocation	207	1,136,097,611	65	533,128,015	85	79,304,208
Business Income Before Allocation	7,381	14,656,654,630	3,336	4,690,073,827	3,497	2,351,209,920
Allocated Investment Income	153	27,927,243	52	5,849,201	66	2,907,309
Allocated Business Income	7,366	549,913,281	3,331	251,339,234	3,493	154,980,843
Optional Depreciation Adjustment	d/	d/	0	0	0	0
Entire Net Income Base	7,846	580,075,214	3,494	257,188,435	3,676	157,888,152
Tax on ENI Base	5,270	97,280,209	2,410	29,752,474	2,593	24,277,292
Largest of 4 Bases (Tax Before Credit)	7,846	103,661,445	3,494	31,711,382	3,676	25,789,781
Subsidiary Capital Base	102	1,511,032,342	19	47,199,452	28	185,918,739
Tax on Allocated Subsidiary Capital	96	1,366,026	19	42,478	28	167,328
Tax Credits: Total	305	14,976,181	81	759,670	97	1,561,883
Tax Due	7,846	90,061,940	3,494	30,997,884	3,676	24,398,901
Fixed Dollar Minimum Tax on Subsidiaries	257	461,138	78	144,019	55	67,483
Total Tax Liability	7,846	90,523,078	3,494	31,141,903	3,676	24,466,384

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 20: Selected Tax Return Items for Article 9-A Filers by Fiscal Year Beginning\* (Cont'd)**

Item	Fiscal Year Beginning					
	October		November		December	
	Number	Amount	Number	Amount	Number	Amount
Federal Taxable Income Before NOL	7,137	\$26,316,694,722	3,840	\$9,249,692,159	2,981	\$11,998,865,538
Interest on Federal, State Obligations	168	83,713,876	74	130,655,530	54	399,569,609
Interest Paid to Stockholders	64	162,463,946	20	3,254,238	8	65,910,905
Deductions Directly Attributed to Subsidiary Capital	23	194,492,483	3	50,176,428	9	460,471,260
Non-Interest Directly Attributed to Subsidiary Capital	10	158,447,306	d/	d/	5	4,281,134
Deductions Indirectly Attributed to Subsidiary Capital	74	1,538,789,074	11	570,595,118	11	1,497,243,542
Non-Interest Indirectly Attributed to Subsidiary Capital	48	191,261,261	9	409,618,630	9	21,334,768
NYS, Other State and Local Taxes Deduction	5,942	1,091,868,362	3,120	257,616,181	2,419	372,358,521
ACRS/MACRS Deduction	1,244	3,264,179,617	497	1,602,375,427	306	190,622,675
Other Additions	151	1,731,545,601	39	83,394,306	39	7,156,667,888
Income from Subsidiary Capital	108	6,236,694,286	21	906,169,631	26	10,273,125,879
50% of Dividends	340	100,927,848	158	23,630,908	105	240,270,383
Foreign Dividends	58	316,594,625	21	670,022,326	15	1,425,316,286
NY Net Operating Loss Deduction	1,641	3,112,251,516	835	3,283,489,362	665	1,893,117,344
Allowable NY Depreciation	1,331	3,765,022,452	507	1,703,874,448	324	247,999,450
Other Subtractions	361	1,163,263,129	156	2,259,096,946	120	53,120,479
Entire Net Income	7,286	20,038,690,685	3,945	3,525,466,653	3,056	8,034,376,013
Investment Income Before Allocation	180	328,876,330	91	(188,427,677)	54	4,283,011,775
Business Income Before Allocation	6,877	19,709,814,355	3,737	3,713,894,330	2,868	3,751,364,238
Allocated Investment Income	135	18,570,428	71	3,961,582	39	46,994,269
Allocated Business Income	6,861	1,522,807,166	3,733	(115,600,788)	2,865	1,034,139,879
Optional Depreciation Adjustment	3	21,081	0	0	0	0
Entire Net Income Base	7,286	1,541,356,516	3,945	(111,639,208)	3,056	1,081,134,148
Tax on ENI Base	4,962	151,236,933	2,720	28,139,928	2,091	104,083,252
Largest of 4 Bases (Tax Before Credit)	7,286	157,089,960	3,944	33,390,816	3,056	107,765,918
Subsidiary Capital Base	105	1,705,029,083	20	316,732,783	25	212,496,964
Tax on Allocated Subsidiary Capital	100	1,536,895	20	285,059	25	191,247
Tax Credits: Total	265	35,758,258	121	1,091,589	59	1,236,197
Tax Due	7,286	122,879,027	3,945	32,589,765	3,056	106,723,722
Fixed Dollar Minimum Tax on Subsidiaries	176	464,999	82	130,423	38	203,466
Total Tax Liability	7,286	123,344,026	3,945	32,720,188	3,056	106,927,188

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.



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# Article 9: Corporation and Utilities Tax

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## Tax Structure: Tax Law as of 2006

Article 9 contains several separate taxes that apply to various general and specialized businesses operating in New York State. These taxes appear in separate sections of Article 9 as follows:

- *Section 180* organization tax on domestic (New York State) corporations;
- *Section 181* license and maintenance fees on foreign (out-of -state) corporations;
- *Section 183* franchise tax on transportation and transmission companies and associations;
- *Section 184* additional franchise tax on transportation and transmission companies and associations;
- *Section 185* franchise tax on cooperative agricultural corporations;
- *Section 186* franchise tax on waterworks companies, gas companies, electric or steam heating, lighting and power companies;
- *Section 186-a* gross receipts tax on the furnishing of utility services;
- *Section 186-e* excise tax on telecommunications services; and
- *Section 189* tax on businesses importing natural gas for their own consumption.

This report presents data for six sections of Article 9. Section 180, Section 181, and Section 189 are not included as these taxes are not reported on an annual basis and insufficient data is available for these taxpayers.

**Significant Tax Law Changes: 2005 and 2006**

2005

- The rate of tax under Section 186-a is reduced for tax years beginning on or after January 1, 2005 as follows:
  - Gross income-receipts from transportation and distribution: rate is reduced from 2.125 percent to 2 percent;
  - Gross income-receipts from commodities charges: rate is reduced from 0.4 percent to 0 percent; and
  - Gross operating income: rate is reduced from 0.4 percent to 0 percent.

2006

There were no significant Tax Law changes in Article 9 in 2006.

**Statistical Summary: Comparison of 2005 Versus 2006**

The corporation and utilities tax still represents a significant share of total New York State corporate tax liability. The number of Article 9 taxpayers totaled 3,635 in 2006, representing a total tax liability of \$640.9 million.

Table 21 summarizes information from taxable returns filed by Article 9 corporations in 2005 and 2006. The number of taxpayers declined by 215 from 2005 to 2006, while total tax liability grew by approximately \$49 million over this period.

**Table 21: Article 9 Number of Taxpayers and Tax Liability – 2005 and 2006**

Article 9	Tax Year	Tax Year
	2005	2006
Total Number of Taxpayers*	3,850	3,635
Total Tax Liability	\$592,371,078	\$640,875,013

\*Equals the total number of returns. See Appendix A for details.

Distribution of Article 9 Taxpayers and Tax Liability

Table 22 and Figure 6 compare the number and share of taxpayers for tax years 2005 and 2006. The number of taxpayers declined overall from year to year. The largest declines were in Sections 183 and 184, while other sections grew or declined by lesser amounts. Six years after its repeal, the number taxpayers under Section 186 remains relatively steady. These remaining taxpayers will be taxable until their existing contracts expire. The relative share of the number of taxpayers represented by each section remained similar in both years.

**Table 22: Total Article 9 Taxpayers by Section – 2005 and 2006**

Article 9 Tax Law Sections	Total Number of Taxpayers 2005*	Total Number of Taxpayers 2006*
Section 183	1,522	1,415
Section 184	1,250	1,130
Section 185	46	48
Section 186	19	22
Section 186-a	60	36
Section 186-e	953	984
<b>Total</b>	<b>3,850</b>	<b>3,635</b>

\* Equals the total number of returns. See Appendix A for details.

**Figure 6: Share of Number of Article 9 Taxpayers by Section**

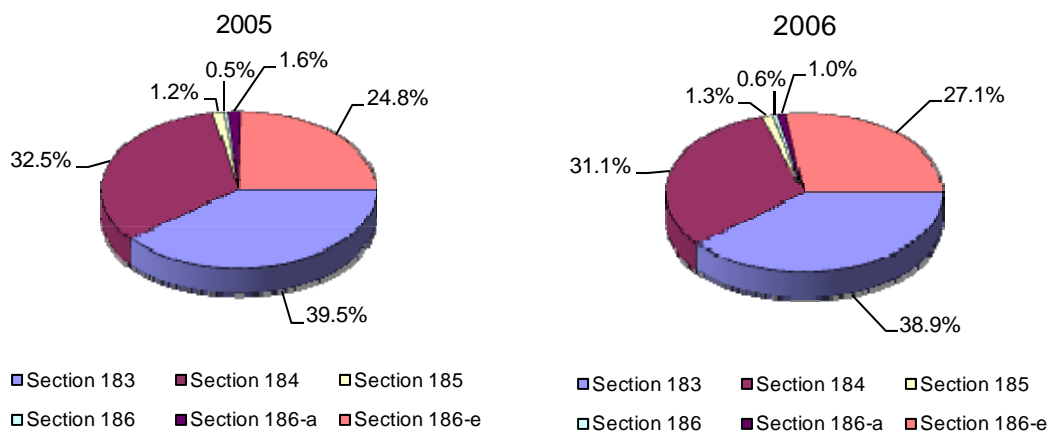
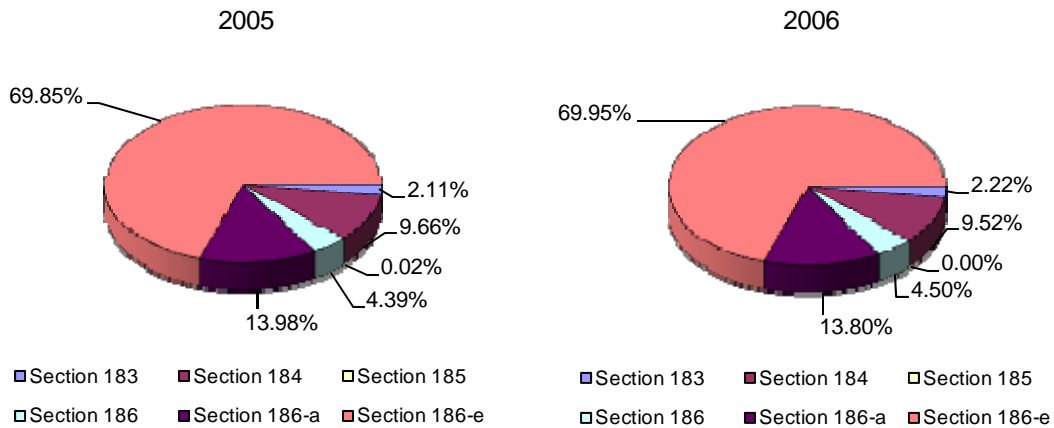


Table 23 and Figure 7 compare total tax liability and share of liability for 2005 and 2006. Tax liability grew all sections except Section 185, although it did not change by a large amount for any section. The largest change was for Section 186-e, which was primarily responsible for the growth in total Article 9 liability. The relative share of tax liability represented by each section remained similar in both years.

**Table 23: Total Article 9 Tax Liability by Section – 2005 and 2006**

Article 9 Tax Law Sections	Total Tax Liability 2005	Total Tax Liability 2006
Section 183	\$12,506,936	\$14,247,351
Section 184	57,202,225	61,016,854
Section 185	91,104	31,379
Section 186	26,032,577	28,844,629
Section 186-a	82,790,202	88,462,405
Section 186-e	413,748,034	448,272,395
<b>Total</b>	<b>\$592,371,078</b>	<b>\$640,875,013</b>

**Figure 7: Share of Article 9 Tax Liability by Section**





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# Article 32: Franchise Tax on Banking Corporations

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## Tax Structure: Tax Law as of 2006

Article 32 levies a franchise tax on banking corporations doing business in the State. The bank tax is computed on the highest of four alternative bases:

- 7.5 percent of allocated entire net income (ENI); or
- 3 percent of alternative income (ENI without regard to specified exclusions); or
- one-tenth, one twenty-fifth or one-fiftieth of a mill of taxable assets allocated to New York (depending on net-worth-to-asset ratio and percentage of assets secured by mortgages); or
- a minimum tax of \$250.

Calculation of the tax based on allocated ENI begins with federal taxable income, to which certain exclusions and deductions are applied. Taxpayers then make several other modifications, and allocate their income to arrive at New York taxable income. These modifications include, for example, a bad debt deduction for large commercial banks, a deduction for the eligible net income of international banking facilities (IBFs), deductions for a portion of interest income from government obligations, and interest and dividend income from subsidiary capital.<sup>1</sup>

Banks conducting business both inside and outside New York allocate their income and assets by applying a three-factor allocation formula consisting of payroll, deposits, and receipts. The receipts and deposits factors are double-weighted and the payroll factor is single-weighted.

Alternative entire net income differs from ENI in that it does not include deductions for portions of subsidiary interest and interest on government obligations. In addition, the factors of the alternative income allocation formula are single weighted.

The tax on allocated taxable assets starts with the taxpayer's total assets. Taxable assets equal total assets less assets attributable to the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation. Taxpayers then apply an allocation percentage, equivalent to the percentage used for allocating ENI. The tax rate imposed on allocated taxable assets equals:

Net Worth Ratio:*	Mortgage as a Share of Total Assets:	Tax Rate:
Less than 4%	33% or more	0.00002
At least 4% but less than 5%	33% or more	0.00004
5% or more	Any percentage	0.0001

\* The net worth ratio equals the taxpayer's net worth on the last day of the tax year divided by total assets on the last day of the tax year.

Taxpayers may take credits against the highest tax liability, with the exception of the \$250 minimum tax, to determine their after-credit liability. These credits include, for example, the mortgage servicing credit and the special additional mortgage recording tax credit.

Banks are also allowed to form as S corporations under Article 32. They are subject only to the fixed dollar minimum tax. In 2006, there were only 9 bank S corporations, and their total tax liability was \$2,000. They are not included in these tables or in any other place in the report.

## Significant Tax Law *2005*

### Changes: 2005 and 2006

There were no significant Tax Law changes in Article 32 in 2005.

### *2006*

- For taxable years beginning on or after January 1, 2006, and before January 1, 2007, certain taxpayers will use a 17 percent weighted payroll factor, a 50 percent weighted receipts factor, and a 33 percent weighted deposits factor. This provision is limited to taxpayers that are 65 percent or more owned subsidiaries of banks and bank holding companies subject to tax under Article 32 by reason of Tax Law section 1452(a)(9) and that substantially provide management, administrative, and/or distribution services to an investment company.

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## Statistical Summary: Comparison of 2005 Versus 2006

This section summarizes tax liability data for tax years 2005 and 2006. Tables 24 through 26 reflect summary data for four separate categories of banks and total amounts for all banks. The four categories are foreign banks, clearinghouse banks, commercial banks, and savings institutions. However, to protect taxpayer confidentiality, the clearinghouse and commercial bank categories were grouped together. Thus, each table provides statistics profiling three groups of taxpayers for the tax years 2005 and 2006.

### Number of Taxpayers and Total Tax Liability

#### *Number of Taxpayers*

Table 24 reports data on the number of taxpayers in each category, the amount of their total tax liability and the percent of the bank tax paid by each category. This table shows that between 2005 and 2006, the total number of banks increased from 729 to 763. The clearinghouse/commercial bank category was the largest group of Article 32 taxpayers during this period. The number of clearinghouse/commercial banks increased from 472 in 2005 to 514 in 2006. The number of banks classified as foreign banks decreased from 171 in 2005 to 170 in 2006. The number of savings institutions also decreased, from 86 in 2005 to 79 in 2006.

#### *Total Tax Liability*

Total tax liability for Article 32 increased by approximately \$107 million, from \$579.4 million in 2005 to \$686.2 million. Only clearinghouse/commercial banks saw an increase in liability over this period. The relative share of total tax liability represented by each category was similar from 2005 to 2006.

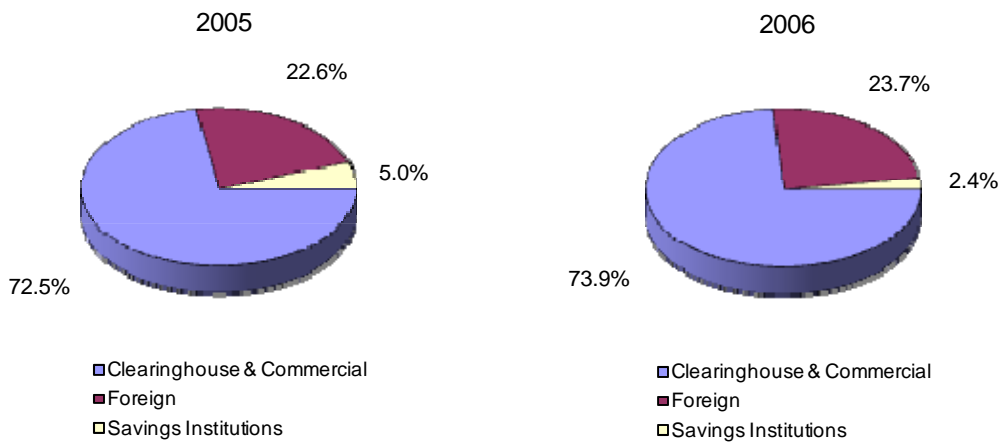
**Table 24: Number and Total Tax Liability of Article 32 Taxpayers - 2005 and 2006**

Tax Year	Type of Bank	Number of Taxpayers	Total Tax Liability	Share of Bank Tax (%)
2005	Clearinghouse & Commercial	472	\$419,770,181	72.5%
	Foreign	171	130,691,426	22.6%
	Savings Institutions	86	28,909,867	5.0%
	Total	729	\$579,371,474	100.0%
2006	Clearinghouse & Commercial	514	\$507,431,827	74.0%
	Foreign	170	162,317,204	23.7%
	Savings Institutions	79	16,457,048	2.4%
	Total	763	\$686,206,079	100.0%

*Shares of Total Tax*

Figure 8 shows the distribution of bank tax liability by type of bank in 2005 and 2006. In both of these years, clearinghouse/commercial banks represented over seventy percent of total Article 32 liability. Foreign banks represented just over twenty percent of total liability in 2005 and 2006. Savings institutions represented only a small part of the tax base in these years.

**Figure 8: Distribution of Article 32 Tax Liability by Bank Type – 2005 and 2006**



**Distribution of Tax Liability  
by Basis of Tax**

Table 25 includes statistics regarding the distribution of tax liability by basis of tax. The table lists the number of taxpayers paying on the income base, alternative bases (asset or alternative entire net income bases), and the minimum tax base, and the amount of tax liability paid under each base.

*Basis of Tax*

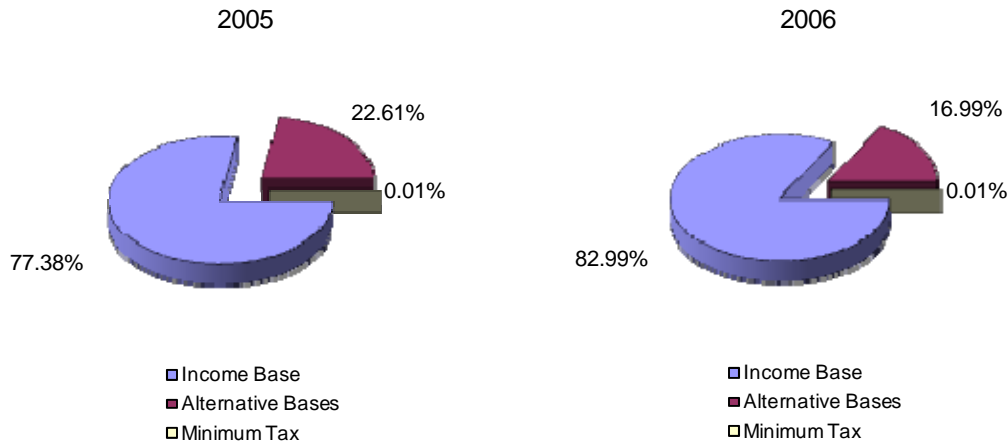
Table 25 and Figure 9 show the distribution of Article 32 tax liability by type of bank and basis of tax in 2005 and 2006. A majority of taxpayers paid on a base other than income in these years, although more taxpayers paid on the income base than any other base. The income base was the most common tax base for clearinghouse/commercial banks and savings institutions, but not for foreign banks. A large number of taxpayers pay on the alternative bases as well as the fixed dollar minimum tax.

During these two years, the portion of total tax liability attributable to the income base remained rose. Taxpayers on the income base represented more than three-quarters of total liability in 2005 and more than eighty percent of total liability in 2006. The income base represented the majority of total liability for each bank type as well. However, the alternative bases represented a significant amount of tax liability, totaling over \$100 million in liability in both of these years. The fixed dollar minimum tax continues to represent a tiny fraction of total liability.

**Table 25: Distribution of Article 32 Tax Liability by Basis of Tax - 2005 and 2006**

Tax Year	Type of Bank	Income Base		Alternative Bases		Minimum Tax	
		Number of Taxpayers	Liability	Number of Taxpayers	Liability	Number of Taxpayers	Liability
2005	Clearinghouse & Commercial	239	\$339,912,498	102	\$79,794,433	131	\$63,250
	Foreign	61	88,615,606	77	42,067,570	33	8,250
	Savings Institutions	49	19,774,125	20	9,125,992	17	9,750
	Total	349	\$448,302,229	199	\$130,987,995	181	\$81,250
2006	Clearinghouse & Commercial	245	\$443,213,607	118	\$64,135,549	151	\$82,671
	Foreign	68	115,504,022	69	46,804,932	33	8,250
	Savings Institutions	38	10,777,501	27	5,675,297	14	4,250
	Total	351	\$569,495,130	214	\$116,615,778	198	\$95,171

**Figure 9: Distribution of Article 32 Tax Liability by Basis of Tax – 2005 and 2006**



**Allocated Entire Net Income**

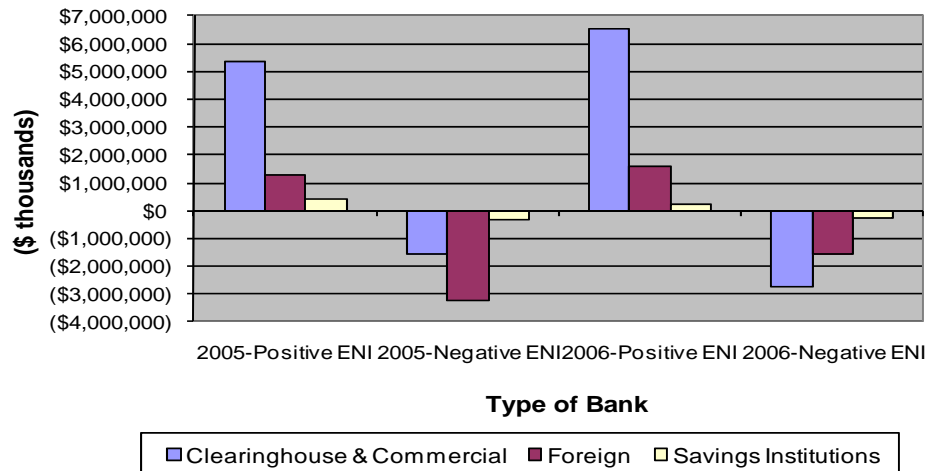
Table 26 provides data regarding the number of taxpayers with positive and negative allocated entire net income and the amount of total positive and negative allocated entire net income. These statistics indicate the number and types of banks that reported income or losses and the amount of the income and losses during the 2005 and 2006 tax years. The number of banks reporting positive allocated entire net income increased from 548 to 570. The number of banks reporting negative allocated entire net income increased from 181 to 195.

**Table 26: Allocated Entire Net Income Under Article 32 - 2005 and 2006**

Tax Year	Type of Bank	Positive Allocated ENI			Negative Allocated ENI		
		Number of Taxpayers	Total (Thousands)	Average (Thousands)	Number of Taxpayers	Total (Thousands)	Average (Thousands)
2005	Clearinghouse & Commercial	368	\$5,372,344	\$14,599	104	(\$1,557,508)	(\$14,976)
	Foreign	108	1,280,113	11,853	63	(3,243,653)	(51,487)
	Savings Institutions	72	410,103	5,696	14	(296,993)	(21,214)
	<b>Total</b>	<b>548</b>	<b>\$7,062,560</b>	<b>\$12,888</b>	<b>181</b>	<b>(\$5,098,153)</b>	<b>(\$28,167)</b>
2006	Clearinghouse & Commercial	403	\$6,519,982	\$16,179	112	(\$2,753,213)	(\$24,582)
	Foreign	110	1,598,562	14,532	60	(1,529,152)	(25,486)
	Savings Institutions	57	227,754	3,996	23	(248,988)	(10,826)
	<b>Total</b>	<b>570</b>	<b>\$8,346,298</b>	<b>\$14,643</b>	<b>195</b>	<b>(\$4,531,352)</b>	<b>(\$23,238)</b>

Figure 10 shows the amount of positive and negative allocated entire net income reported for 2005 to 2006 for all three categories of banks. There was a significant decrease in the amount of negative income reported by foreign banks and a significant increase in the amount of negative income reported by clearinghouse/commercial banks.

**Figure 10: Allocated Entire Net Income by Bank Type – 2005 and 2006**



**Tax Credits Used**

Table 27 provides statistics on the total number of banks that used tax credits in 2005 and 2006 and the value of the credits used during this time period. Banks used \$55.4 million in tax credits in 2005 and \$33.9 million in 2006, although the overall number of credit users decreased from 195 to 172.

The table displays individual data for the following credits for 2005 and 2006:

- Special Additional Mortgage Recording Tax Credit;
- Mortgage Servicing Credit;
- Investment Tax Credit for Financial Services;
- Empire Zone and Zone Equivalent Area (EZ/ZEA) Tax Credits;
- Qualified Empire Zone Enterprise (QEZE) Tax Credits;

Bank taxpayers also used the Long Term Care Insurance Credit, the Low Income Housing Credit, the Defibrillator Credit, and the Brownfield Redevelopment Credit in 2005 or 2006. These credits are displayed under the category of “Other Credits”.

Due to disclosure requirements, the credits included in this category have too few credit users to be individually listed.

As displayed in Table 27, during 2005 and 2006, the Special Additional Mortgage Recording Tax Credit was used by the greatest number of taxpayers. The number of credit users and the total value of the credit decreased over this period. The Mortgage Servicing Credit was also used by a large number of taxpayers in these years. The number of credit users decreased from 2005 to 2006, although the total value of the credit increased.

The number of credit users and the total value of the Investment Tax Credit for Financial Services decreased from 2005 to 2006.

The value of the EZ/ZEA Tax Credits<sup>2</sup> declined significantly from 2005 to 2006, as did the number of taxpayers using these credits. The number of credit users of the QEZE Tax Credits<sup>2</sup> was virtually the same, but the value of the credits decreased over this period.

The category of Other Credits did not represent a large number of credit users or credit used in 2005, although it was higher in 2006.

**Table 27: Credits Used by Article 32 Taxpayers in 2005 and 2006**

Credit	Number of Credit Users		Amount of Credit Used	
	2005	2006	2005	2006
Mortgage Recording Tax Credit	91	86	\$19,914,583	\$14,332,384
Mortgage Servicing Credit	28	25	7,138,107	8,658,361
Investment Tax Credit for Financial Services	12	8	3,919,251	1,592,677
EZ/ZEA Tax Credits	35	22	14,857,251	1,253,096
QEZE Tax Credits	24	22	9,208,268	6,444,694
Other Credits	5	9	381,737	1,588,909
<b>Total</b>	<b>195</b>	<b>172</b>	<b>\$55,419,197</b>	<b>\$33,870,121</b>



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# Endnotes

1. For an analysis of how these deductions impact tax liability, please see *2009-10 New York State Tax Expenditure Report*, prepared jointly by the New York State Department of Taxation and the New York State Division of the Budget.
2. EZ/ZEA Tax Credits include the Empire Zone Wage Tax Credit, the Empire Zone Capital Tax Credit, and the Zone Equivalent Area Wage Tax Credit. QEZE Tax Credits include the QEZE Real Property Tax Credit and the QEZE Tax Reduction Credit.



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# Detailed Article 32 Summary Tables

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This section contains detailed Article 32 summary tables for the 2006 tax year. Tax liability excludes the MTA surcharge.

In certain tables tax law confidentiality provisions prohibit the disclosure of data. The data are included in the appropriate totals, and are designated by “d/.”

**Table 28: Selected Tax Return Items for all Article 32 Corporations\***

Item	Total	
	Number	Amount
Federal Taxable Income Before NOL	698	\$42,422,227,091
Dividends & Interest Effectively Connected	58	688,997,405
Income Effectively Connected	7	194,131,561
Dividends & Interest Not Included	159	4,915,055,947
Income Taxes Paid	147	304,738,187
NYS Franchise Taxes	558	964,510,137
NYS Gains (loss)	d/	d/
Federal Depreciation	311	11,220,573,116
Federal Safe Harbor Lease Deduction	0	0
Amount Required Except for Safe Harbor Lease	0	0
Additional Mortgage Recording Tax Deducted	96	21,513,057
Other Federal Deduction - Article 9-B/9-C	4	513,277,860
Bad Debt Deduction - IRC 166/585(c)	136	5,909,872,767
20% Excess Bad Debt Deduction	3	2,273,660
Other Additions to Federal Taxable Income	58	2,030,579,383
Interest and Other Expenses Not Deducted	167	553,304,559
Allowable New York Depreciation	327	13,217,540,660
Federal Gains (loss)	3	(1,244,274)
Other Federal Gain (loss)	4	1,425,250
Federal Income or Gain from Installment Method	d/	d/
IRC Section 78 Dividends Included	7	69,786,353
Amount Deducted as a Result of Safe Harbor Lease	0	0
Amount Deducted Except for a Safe Harbor Lease	0	0
Wages Not Deducted Due to Jobs Credit	18	8,241,331
Money Received from FDIC/FSLIC/RTC	0	0
Interest Income from Subsidiary Capital	24	1,791,062,474
Dividend Income from Subsidiary Capital	83	7,350,583,204
Net Gain from Subsidiary Capital	0	0
Interest Income on Obligations of New York State	275	1,151,147,393
Adjusted Eligible Net Income of IBF	5	(261,301,761)
Recaptured Reserves on Losses - IRC 585(c)	16	767,462,430
Recoveries of Charged Off Loans - IRC 585	56	411,605,629
Bad Debt Deduction - 1453(h)	48	1,483,925,895
Bad Debt Deduction - 1453(i)	65	4,534,557,096
NYS Net Operating Loss Deduction	80	10,550,167,268
Other Subtractions	76	1,086,108,418
Entire Net Income	681	26,470,042,149
NY Depreciation - CT-399	d/	d/
NY Optional Depreciation Gain/Loss	3	1,765,618
Allocated Taxable Entire Net Income	765	3,814,945,705
Largest of 4 Bases (Tax Before Credit)	765	719,666,943
Tax Credits: Total	111	33,870,121
Tax Due	765	685,796,824
Fixed Dollar Minimum Tax on Subsidiaries	208	409,250
Total Tax Liability	763	686,206,079

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 29: Selected Tax Return Items for Article 32 Entire Net Income Filers\***

Item	Entire Net Income Base	
	Number	Amount
Federal Taxable Income Before NOL	351	\$46,465,735,256
Dividends & Interest Effectively Connected	30	121,263,450
Income Effectively Connected	4	117,228,528
Dividends & Interest Not Included	94	3,689,406,479
Income Taxes Paid	73	427,820,313
NYS Franchise Taxes	307	768,309,020
NYS Gains (loss)	d/	d/
Federal Depreciation	176	6,450,270,251
Federal Safe Harbor Lease Deduction	0	0
Amount Required Except for Safe Harbor Lease	0	0
Additional Mortgage Recording Tax Deducted	47	6,735,085
Other Federal Deduction - Article 9-B/9-C	3	344,660,118
Bad Debt Deduction - IRC 166/585(c)	65	4,435,258,586
20% Excess Bad Debt Deduction	d/	d/
Other Additions to Federal Taxable Income	34	1,686,055,264
Interest and Other Expenses Not Deducted	96	382,488,215
Allowable New York Depreciation	184	7,651,962,439
Federal Gains (loss)	d/	d/
Other Federal Gain (loss)	d/	d/
Federal Income or Gain from Installment Method	0	0
IRC Section 78 Dividends Included	3	20,842,982
Amount Deducted as a Result of Safe Harbor Lease	0	0
Amount Deducted Except for a Safe Harbor Lease	0	0
Wages Not Deducted Due to Jobs Credit	8	3,982,389
Money Received from FDIC/FSLIC/RTC	0	0
Interest Income from Subsidiary Capital	10	1,326,397,452
Dividend Income from Subsidiary Capital	39	4,962,685,879
Net Gain from Subsidiary Capital	0	0
Interest Income on Obligations of New York State	148	517,969,970
Adjusted Eligible Net Income of IBF	d/	d/
Recaptured Reserves on Losses - IRC 585(c)	9	35,943,972
Recoveries of Charged Off Loans - IRC 585	25	214,391,382
Bad Debt Deduction - 1453(h)	25	1,174,538,562
Bad Debt Deduction - 1453(i)	31	3,958,963,332
NYS Net Operating Loss Deduction	21	4,675,443,099
Other Subtractions	39	728,972,052
Entire Net Income	351	38,781,873,563
NY Depreciation - CT-399	d/	d/
NY Optional Depreciation Gain/Loss	d/	d/
Allocated Taxable Entire Net Income	351	7,845,444,572
Largest of 4 Bases (Tax Before Credit)	351	588,408,347
Tax Credits: Total	53	19,141,847
Tax Due	351	569,266,501
Fixed Dollar Minimum Tax on Subsidiaries	120	228,625
Total Tax Liability	351	569,495,130

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.  
d/ Tax Law provisions prohibit disclosure of data.

**Table 30: Selected Tax Return Items for Article 32 Alternative Bases Filers\***

Item	Alternative Bases	
	Number	Amount
Federal Taxable Income Before NOL	212	(\$4,388,596,940)
Dividends & Interest Effectively Connected	18	561,075,622
Income Effectively Connected	d/	d/
Dividends & Interest Not Included	42	1,022,799,680
Income Taxes Paid	49	20,252,273
NYS Franchise Taxes	175	194,032,424
NYS Gains (loss)	d/	d/
Federal Depreciation	92	4,358,265,869
Federal Safe Harbor Lease Deduction	0	0
Amount Required Except for Safe Harbor Lease	0	0
Additional Mortgage Recording Tax Deducted	24	6,688,652
Other Federal Deduction - Article 9-B/9-C	d/	d/
Bad Debt Deduction - IRC 166/585(c)	59	1,463,789,916
20% Excess Bad Debt Deduction	d/	d/
Other Additions to Federal Taxable Income	14	11,376,268
Interest and Other Expenses Not Deducted	44	144,089,503
Allowable New York Depreciation	98	5,057,010,160
Federal Gains (loss)	d/	d/
Other Federal Gain (loss)	d/	d/
Federal Income or Gain from Installment Method	d/	d/
IRC Section 78 Dividends Included	d/	d/
Amount Deducted as a Result of Safe Harbor Lease	0	0
Amount Deducted Except for a Safe Harbor Lease	0	0
Wages Not Deducted Due to Jobs Credit	7	2,636,523
Money Received from FDIC/FSLIC/RTC	0	0
Interest Income from Subsidiary Capital	13	409,704,341
Dividend Income from Subsidiary Capital	36	2,133,913,245
Net Gain from Subsidiary Capital	0	0
Interest Income on Obligations of New York State	97	604,163,881
Adjusted Eligible Net Income of IBF	3	(338,050,712)
Recaptured Reserves on Losses - IRC 585(c)	4	729,161,026
Recoveries of Charged Off Loans - IRC 585	30	197,169,142
Bad Debt Deduction - 1453(h)	12	296,913,962
Bad Debt Deduction - 1453(i)	33	575,574,832
NYS Net Operating Loss Deduction	41	5,128,267,213
Other Subtractions	26	350,654,689
Entire Net Income	198	(11,819,746,083)
NY Depreciation - CT-399	d/	d/
NY Optional Depreciation Gain/Loss	d/	d/
Allocated Taxable Entire Net Income	216	(3,973,424,260)
Allocated Taxable Alternative Entire Net Income	203	(3,096,639,690)
Tax on Alternative ENI Base	67	34,236,011
Total Assets - Average Value	216	3,643,900,940,292
Money or Other Property Received from FDIC	0	0
Allocated Taxable Assets	216	1,183,415,058,675
Tax on Allocated Taxable Assets	216	118,334,301
Largest of 4 Bases (Tax Before Credit)	216	127,359,083
Tax Credits: Total	30	10,890,431
Tax Due	216	116,468,652
Fixed Dollar Minimum Tax on Subsidiaries	62	147,125
Total Tax Liability	214	116,615,778

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 31: Selected Tax Return Items for Article 32 Fixed Dollar Minimum Filers\***

Item	Fixed Dollar Minimum Base	
	Number	Amount
Federal Taxable Income Before NOL	135	\$345,088,775
Dividends & Interest Effectively Connected	10	6,658,333
Income Effectively Connected	d/	d/
Dividends & Interest Not Included	23	202,849,788
Income Taxes Paid	25	(143,334,399)
NYS Franchise Taxes	76	2,168,693
NYS Gains (loss)	0	0
Federal Depreciation	43	412,036,996
Federal Safe Harbor Lease Deduction	0	0
Amount Required Except for Safe Harbor Lease	0	0
Additional Mortgage Recording Tax Deducted	25	8,089,320
Other Federal Deduction - Article 9-B/9-C	0	0
Bad Debt Deduction - IRC 166/585(c)	12	10,824,265
20% Excess Bad Debt Deduction	0	0
Other Additions to Federal Taxable Income	10	333,147,851
Interest and Other Expenses Not Deducted	27	26,726,841
Allowable New York Depreciation	45	508,568,061
Federal Gains (loss)	0	0
Other Federal Gain (loss)	d/	d/
Federal Income or Gain from Installment Method	0	0
IRC Section 78 Dividends Included	d/	d/
Amount Deducted as a Result of Safe Harbor Lease	0	0
Amount Deducted Except for a Safe Harbor Lease	0	0
Wages Not Deducted Due to Jobs Credit	3	1,622,419
Money Received from FDIC/FSLIC/RTC	0	0
Interest Income from Subsidiary Capital	d/	d/
Dividend Income from Subsidiary Capital	8	253,984,080
Net Gain from Subsidiary Capital	0	0
Interest Income on Obligations of New York State	30	29,013,542
Adjusted Eligible Net Income of IBF	0	0
Recaptured Reserves on Losses - IRC 585(c)	3	2,357,432
Recoveries of Charged Off Loans - IRC 585	d/	d/
Bad Debt Deduction - 1453(h)	11	12,473,371
Bad Debt Deduction - 1453(i)	d/	d/
NYS Net Operating Loss Deduction	18	746,456,956
Other Subtractions	11	6,481,677
Entire Net Income	132	(492,085,331)
NY Depreciation - CT-399	0	0
NY Optional Depreciation Gain/Loss	0	0
Allocated Taxable Entire Net Income	198	(57,074,607)
Largest of 4 Bases (Tax Before Credit)	198	3,899,513
Tax Credits: Total	28	3,837,843
Tax Due	198	61,671
Fixed Dollar Minimum Tax on Subsidiaries	26	33,500
Total Tax Liability	198	95,171

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 32: Selected Tax Return Items for Article 32 Filers by Type of Bank\***

Item	Clearinghouse & Commercial Banks		Foreign Banks		Savings Institutions	
	Number	Amount	Number	Amount	Number	Amount
Federal Taxable Income Before NOL	473	\$42,805,938,581	147	\$720,467,056	78	(\$1,104,178,546)
Dividends & Interest Effectively Connected	42	646,308,584	d/	d/	14	17,636,631
Income Effectively Connected	6	83,414,737	d/	d/	0	0
Dividends & Interest Not Included	133	4,657,151,833	5	39,441,567	21	218,462,547
Income Taxes Paid	104	235,658,820	31	14,526,690	12	54,552,677
NYS Franchise Taxes	356	782,412,626	141	159,224,325	61	22,873,186
NYS Gains (loss)	d/	d/	0	0	0	0
Federal Depreciation	220	10,793,300,389	42	52,009,307	49	375,263,420
Federal Safe Harbor Lease Deduction	0	0	0	0	0	0
Amount Required Except for Safe Harbor Lease	0	0	0	0	0	0
Additional Mortgage Recording Tax Deducted	69	18,964,729	0	0	27	2,548,328
Other Federal Deduction - Article 9-B/9-C	4	513,277,860	0	0	0	0
Bad Debt Deduction - IRC 166/585(c)	78	4,975,914,549	28	153,549,162	30	780,409,056
20% Excess Bad Debt Deduction	d/	d/	d/	d/	0	0
Other Additions to Federal Taxable Income	34	1,875,011,138	16	113,920,616	8	41,647,629
Interest and Other Expenses Not Deducted	140	537,389,927	5	8,696,879	22	7,217,753
Allowable New York Depreciation	233	12,680,968,505	44	76,194,867	50	460,377,288
Federal Gains (loss)	d/	d/	d/	d/	0	0
Other Federal Gain (loss)	d/	d/	d/	d/	d/	d/
Federal Income or Gain from Installment Method	0	0	0	0	d/	d/
IRC Section 78 Dividends Included	7	69,786,353	0	0	0	0
Amount Deducted as a Result of Safe Harbor Lease	0	0	0	0	0	0
Amount Deducted Except for a Safe Harbor Lease	0	0	0	0	0	0
Wages Not Deducted Due to Jobs Credit	15	7,064,822	0	0	3	1,176,509
Money Received from FDIC/FSLIC/RTC	0	0	0	0	0	0
Interest Income from Subsidiary Capital	21	1,771,616,134	d/	d/	d/	d/
Dividend Income from Subsidiary Capital	67	7,032,256,314	d/	d/	15	295,423,150
Net Gain from Subsidiary Capital	0	0	0	0	0	0
Interest Income on Obligations of New York State	196	1,038,837,402	42	80,737,114	37	31,572,877
Adjusted Eligible Net Income of IBF	4	(261,361,066)	d/	d/	0	0
Recaptured Reserves on Losses - IRC 585(c)	12	36,048,095	d/	d/	3	729,038,276
Recoveries of Charged Off Loans - IRC 585	18	124,643,172	37	286,671,729	d/	d/
Bad Debt Deduction - 1453(h)	21	1,227,831,863	7	20,884,705	20	235,209,327
Bad Debt Deduction - 1453(i)	38	4,246,215,750	21	278,129,689	6	10,211,657
NYS Net Operating Loss Deduction	54	9,737,538,455	19	755,720,159	7	56,908,654
Other Subtractions	53	953,837,907	15	129,161,669	8	3,108,842
Entire Net Income	463	28,185,355,637	141	(290,661,498)	77	(1,424,651,990)
NY Depreciation - CT-399	d/	d/	0	0	d/	d/
NY Optional Depreciation Gain/Loss	d/	d/	d/	d/	d/	d/
Allocated Taxable Entire Net Income	515	3,766,769,108	170	69,410,537	80	(21,233,940)
Largest of 4 Bases (Tax Before Credit)	515	535,516,914	170	162,313,704	80	21,836,325
Tax Credits: Total	81	28,463,594	0	0	30	5,406,527
Tax Due	515	507,053,322	170	162,313,704	80	16,429,798
Fixed Dollar Minimum Tax on Subsidiaries	175	378,500	6	3,500	27	27,250
Total Tax Liability	514	507,431,827	170	162,317,204	79	16,457,048

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.



**Table 33: Selected Tax Return Items for Article 32 Filers by Type of Return\***

Item	CT-32		CT-32-A	
	Number	Amount	Number	Amount
Federal Taxable Income Before NOL	488	\$10,887,806,741	210	\$31,534,420,350
Dividends & Interest Effectively Connected	25	195,600,521	33	493,396,884
Income Effectively Connected	d/	d/	5	121,158,975
Dividends & Interest Not Included	63	941,784,512	96	3,973,271,435
Income Taxes Paid	104	235,228,174	43	69,510,013
NYS Franchise Taxes	375	250,847,506	183	713,662,631
NYS Gains (loss)	d/	d/	d/	d/
Federal Depreciation	155	3,144,422,983	156	8,076,150,133
Federal Safe Harbor Lease Deduction	0	0	0	0
Amount Required Except for Safe Harbor Lease	0	0	0	0
Additional Mortgage Recording Tax Deducted	25	1,895,417	71	19,617,640
Other Federal Deduction - Article 9-B/9-C	d/	d/	3	513,248,231
Bad Debt Deduction - IRC 166/585(c)	63	518,816,506	73	5,391,056,261
20% Excess Bad Debt Deduction	d/	d/	d/	d/
Other Additions to Federal Taxable Income	33	1,243,121,461	25	787,457,922
Interest and Other Expenses Not Deducted	59	116,925,184	108	436,379,375
Allowable New York Depreciation	164	3,945,126,741	163	9,272,413,919
Federal Gains (loss)	d/	d/	d/	d/
Other Federal Gain (loss)	d/	d/	3	(99,987)
Federal Income or Gain from Installment Method	d/	d/	0	0
IRC Section 78 Dividends Included	d/	d/	6	69,786,083
Amount Deducted as a Result of Safe Harbor Lease	0	0	0	0
Amount Deducted Except for a Safe Harbor Lease	0	0	0	0
Wages Not Deducted Due to Jobs Credit	4	1,415,249	14	6,826,082
Money Received from FDIC/FSLIC/RTC	0	0	0	0
Interest Income from Subsidiary Capital	8	155,046,894	16	1,636,015,580
Dividend Income from Subsidiary Capital	13	567,999,863	70	6,782,583,341
Net Gain from Subsidiary Capital	0	0	0	0
Interest Income on Obligations of New York State	134	440,508,487	141	710,638,906
Adjusted Eligible Net Income of IBF	d/	d/	3	(263,897,903)
Recaptured Reserves on Losses - IRC 585(c)	3	35,068,952	13	732,393,478
Recoveries of Charged Off Loans - IRC 585	43	366,645,564	13	44,960,065
Bad Debt Deduction - 1453(h)	18	199,339,532	30	1,284,586,363
Bad Debt Deduction - 1453(i)	38	441,843,644	27	4,092,713,452
NYS Net Operating Loss Deduction	51	2,069,442,832	29	8,480,724,436
Other Subtractions	37	354,512,337	39	731,596,081
Entire Net Income	473	8,794,017,381	208	17,676,024,768
NY Depreciation - CT-399	d/	d/	d/	d/
NY Optional Depreciation Gain/Loss	d/	d/	d/	d/
Allocated Taxable Entire Net Income	554	1,185,731,628	211	2,629,214,077
Largest of 4 Bases (Tax Before Credit)	554	246,090,063	211	473,576,880
Tax Credits: Total	31	1,208,708	80	32,661,413
Tax Due	554	244,881,357	211	440,915,467
Fixed Dollar Minimum Tax on Subsidiaries	0	0	208	409,250
Total Tax Liability	552	244,881,357	211	441,324,722

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.



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# Article 33: Franchise Tax on Insurance Corporations

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## Tax Structure: Tax Law as of 2006

New York imposes a franchise tax on insurance corporations under Article 33 of the Tax Law. There are two components of the tax: (1) an income tax based on the higher of four bases plus a tax on subsidiary capital; and (2) a tax based on gross direct premiums written on risks or residents located in the State. Life insurance corporations are subject to both the income tax component and the premiums tax. Non-life insurance corporations are subject only to the tax on premiums.

The income tax component is based on one of four alternative bases. The total income tax equals the alternative that results in the largest tax, plus an additional 0.08 percent tax on subsidiary capital allocated to New York. The four bases are:

- 7.5 percent of allocated entire net income; or
- 1.6 mill on allocated business and investment capital; or
- 9 percent of entire net income plus officers' salaries less specified deductions (alternative base); or
- A fixed dollar minimum tax of \$250.

The second component of the Article 33 franchise tax is a tax on gross premiums, less return premiums thereon, written on risks located or resident in New York. The rate of the tax on premiums varies according to the type of risk covered by a premium. However, accident and health premiums are taxed at different rates dependent on the type of insurer. A 0.7 percent tax rate applies to all premiums written by life insurance corporations, including premiums on accident and health contracts. A 1.75 percent tax rate applies to premiums on accident and health contracts written by non-life insurance corporations. A 2.0 percent tax rate applies to all other premiums written by non-life insurers.

Life insurance corporations doing business within and without the State allocate the entire net income, capital and alternative bases to New York

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based on the ratios of premiums and wages, earned or paid in New York to those earned or paid everywhere. Premiums are weighted nine times, wages once.

In computing tax before credits, life insurance corporations add the tax on gross premiums to the highest of the four alternative taxes. The limitation on tax provides that the total of the two components cannot be greater than 2 percent of taxable premiums. The floor limitation provides that the total of the two components cannot be less than 1.5 percent of taxable premiums.

Empire Zone and Zone Equivalent Area (EZ/ZEA) tax credits must be taken after the floor limitation is applied but before the limitation on tax is applied. All other credits may be applied against the tax due after these limitations. Certain taxpayers may report tax due before the limitations, but have a limitation on tax of zero, and so report zero tax before credits.

Tax before credits for non-life insurance corporations is the higher of the tax on gross premiums or a fixed dollar minimum tax of \$250.

Major changes to the structure of the franchise tax on insurance corporations were enacted as part of the 2003-04 State Budget. See Appendix A for more details.

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**Significant Tax Law  
Changes: 2005 and  
2006**

*2005*

There were no significant Tax Law changes in Article 33 in 2005.

*2006*

There were no significant Tax Law changes in Article 33 in 2006.

**Statistical Summary:  
Comparison of 2005  
Versus 2006**

This section provides tax return data for the 2005 and 2006 tax years. The tables generally provide statistics for three separate categories of insurance corporations and for all insurance corporations. The three categories are life insurance corporations, property and casualty insurance corporations, and other insurance corporations (non-life insurers such as accident and health, title, mortgage, financial guaranty, and reciprocal insurers).

**Number of Taxpayers  
and Total Tax Liability**

*Number of Taxpayers*

Table 34 shows the number of taxpayers subject to Article 33 in 2005 and 2006, as well as total tax liability. The overall number of taxpayers increased by 61 from 2005 to 2006. All three categories of insurers increased in number.

*Total Tax Liability*

Total Article 33 tax liability increased by about \$63 million from 2005 to 2006. All three categories of insurers experienced an increase in liability. The relative share of total liability represented by each category of insurer remained relatively the same from 2005 to 2006.

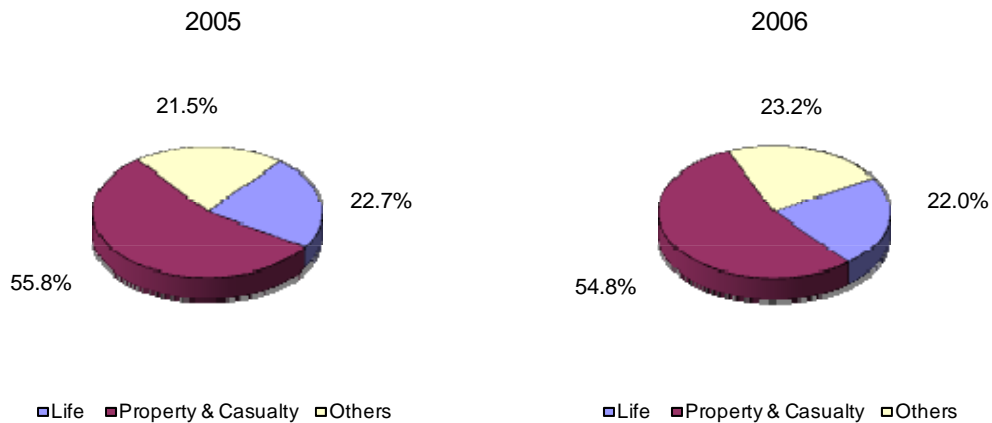
**Table 34: Article 33 Total Tax Liability - 2005 and 2006**

Tax Year	Insurance Category	Number of Taxpayers	Total Tax Liability	Share of Total Tax Liability
2005	Life	201	\$200,083,813	22.7%
	Property & Casualty	884	492,251,691	55.8%
	Others	84	189,603,564	21.5%
	Total	1,169	\$881,939,068	100.0%
2006	Life	217	\$208,017,791	22.0%
	Property & Casualty	922	517,401,738	54.8%
	Others	91	219,335,471	23.2%
	Total	1,230	\$944,755,000	100.0%

*Shares of Total Tax*

Figure 11 shows the distribution of insurance tax liability by type of insurer in 2005 and 2006. The portion of insurance tax liability represented by each category of insurer was virtually the same in each year. Property & casualty insurers made up more than half of the tax base in both years.

**Figure 11: Distribution of Article 33 Tax Liability by Type of Insurer – 2005 and 2006**



**Tax Liability by Domicile**

Table 35 shows the breakdown of Article 33 taxpayers by domicile. The table shows that foreign insurers accounted for the vast majority of the total number of Article 33 taxpayers in both 2005 and 2006. The greatest ratio of foreign to domestic insurers occurred in the category of property and casualty. In both years, the number of foreign insurers in each of the three categories exceeded the number of domestic insurers. Liability for foreign property and casualty insurers was much greater in both years than for domestics. Domestic insurers represented most of the liability for the category of other insurers in 2006, but not for the other two categories.

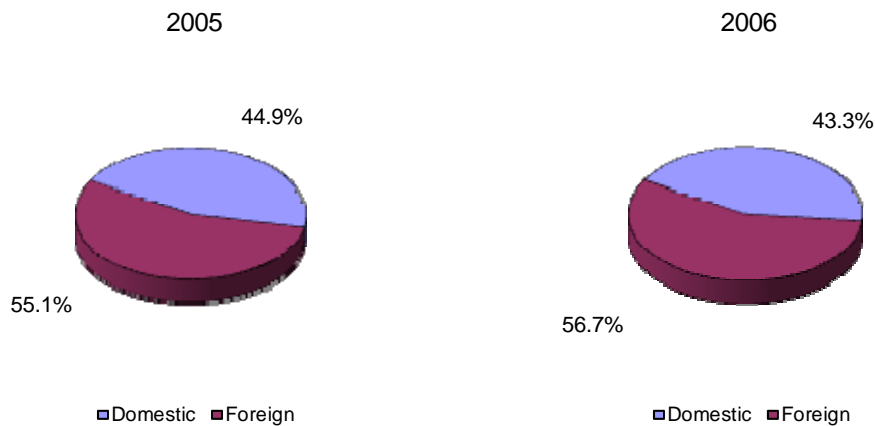
Figure 12 shows that foreign insurers also represented the majority of total tax liability in 2005 and 2006, accounting for 55 percent and 57 percent of liability in each of these years respectively.

**Table 35: Article 33 Tax Liability of Domestic and Foreign Insurers - 2005 and 2006**

Tax Year	Insurance Category	Number of Domestic Companies	Liability of Domestic Companies	Number of Foreign Companies	Liability of Foreign Companies
2005	Life	91	\$112,668,341	110	\$87,415,472
	Property & Casualty	175	118,877,888	709	373,373,803
	Others	27	164,011,027	57	25,592,537
	<b>Total</b>	<b>293</b>	<b>\$395,557,256</b>	<b>876</b>	<b>\$486,381,812</b>
2006	Life	100	\$89,371,256	117	\$118,646,535
	Property & Casualty	165	125,038,107	757	392,363,631
	Others	28	194,751,669	63	24,583,802
	<b>Total</b>	<b>293</b>	<b>\$409,161,032</b>	<b>937</b>	<b>\$535,593,968</b>

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**Figure 12: Distribution of Article 33 Tax Liability Between Domestic and Foreign Insurers – 2005 and 2006**



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**Tax Liability for Life Insurers**

*Number of Taxpayers and Liability by Basis of Income Tax*

Table 36 presents data for the tax liability of life insurers in 2005 and 2006 by basis of income tax.

The table shows that in both 2005 and 2006 more than half of life insurers determined their income tax on the entire net income base. Less than one quarter of life insurers paid on the alternative and capital bases in each of these years as well, as did life insurers paying on the fixed dollar minimum tax base.

The portion of total income tax for life insurers paying on the entire net income base declined from 2005 to 2006, while the portion of total income tax from the alternative and capital bases roughly doubled over this period. The fixed dollar minimum tax base accounted for far less than one percent of total income tax in each year. Total income tax increased by about \$22 million from 2005 to 2006.

Although for reasons of confidentiality data for the alternative base is grouped together with the capital base, the capital base accounts for virtually all taxpayers and income tax liability in this combined category for 2005 and 2006.

**Table 36: Article 33 Basis of Income Tax for Life Insurers - 2005 and 2006**

Tax Year	Basis of Tax	Number of Taxpayers	Total Income Tax	Share of Total Income Tax
2005	Entire Net Income	109	\$179,972,060	92.45%
	Minimum Tax	46	11,500	0.01%
	Alternative and Capital Taxes	46	14,682,173	7.54%
	Total	201	\$194,665,733	100.00%
2006	Entire Net Income	117	\$186,292,108	86.02%
	Minimum Tax	52	13,000	0.01%
	Alternative and Capital Taxes	48	30,256,911	13.97%
	Total	217	\$216,562,019	100.00%

**Tax Liability for Non-life Insurers**      *Number of Taxpayers and Liability by Basis of Tax*

Table 37 shows total tax liability for property and casualty and other non-life insurers in 2005 and 2006 by basis of tax. The table shows that taxpayers that paid on the premiums tax base represented a large portion of the total number of taxpayers for both categories of insurer. Taxpayers on the premiums base also represented nearly all the total tax liability. The total number of property and casualty insurers was about ten times the number of other non-life insurers, and represented more than twice the total tax liability.

**Table 37: Article 33 Basis of Tax Liability for Non-life Insurers in 2005 and 2006**

Tax Year	Basis of Tax	Property & Casualty		Others	
		Number of Taxpayers	Total Tax Liability	Number of Taxpayers	Total Tax Liability
2005	Premiums	583	\$492,177,036	52	\$189,595,564
	Minimum Tax	301	74,655	32	8,000
	Total	884	\$492,251,691	84	\$189,603,564
2006	Premiums	608	\$517,323,937	52	\$219,325,721
	Minimum Tax	314	77,801	39	9,750
	Total	922	\$517,401,738	91	\$219,335,471



Premiums Based Tax

*Amounts and Shares of Tax by Insurance Category*

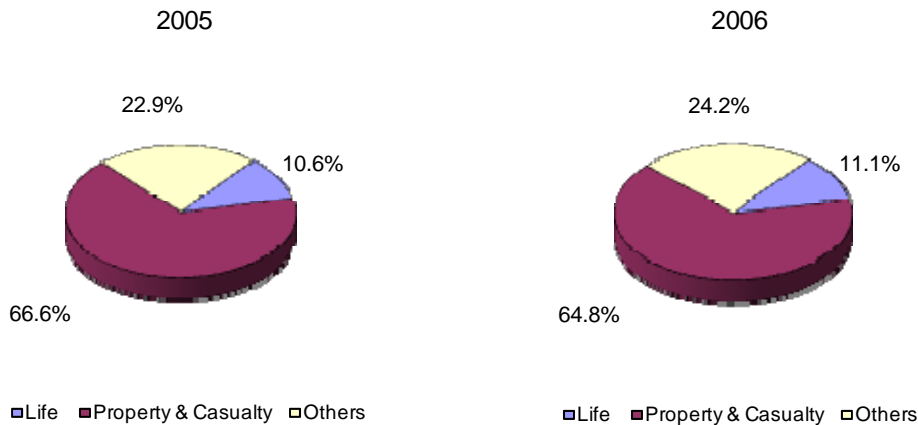
Table 38 and Figure 13 present data for the premiums based component of the Article 33 tax, which is paid by all insurers. The number of taxpayers with premiums tax liability and the total amount of taxable premiums increased from 2005 to 2006. The total premiums tax went up by \$82 million over these years, with each category of insurer experiencing an increase.

The share of total premiums tax for each insurance category remained relatively the same from 2005 to 2006. Property & casualty insurers paid around two-thirds of the premiums tax in both years.

**Table 38: Article 33 Premiums Tax - 2005 and 2006**

Tax Year	Insurance Category	Number of		Premiums Tax	Share of Premiums Tax
		Taxpayers	Taxable Premiums		
2005	Life	145	\$13,159,582,299	\$92,117,068	10.6%
	Property & Casualty	608	29,118,076,368	581,015,252	66.6%
	Others	54	11,048,288,469	199,677,782	22.9%
	Total	807	\$53,325,947,136	\$872,810,102	100.0%
2006	Life	152	\$15,066,999,936	\$105,468,989	11.1%
	Property & Casualty	636	30,961,809,922	617,813,788	64.8%
	Others	55	12,833,213,593	230,758,316	24.2%
	Total	843	\$58,862,023,451	\$954,041,093	100.0%

**Figure 13: Distribution of Article 33 Premiums Tax Amounts by Type of Insurer – 2005 and 2006**



**Tax Before the  
Limitations for Life  
Insurers**

*Amounts and Shares of Tax by Basis of Income Tax*

Table 39 shows the composition of tax before the limitations for life insurers by basis of income tax. The table shows that in both 2005 and 2006, the income based component of the tax made up a majority of the total tax before the limitations. The amount of income tax increased by \$22 million from 2005 to 2006, while the amount of premiums tax increased by \$13 million. This contributed to a significant overall increase in total tax before the limitations. In both 2005 and 2006, the vast majority of both the income tax and premiums tax was paid by life insurers on the entire net income base.

The overall portion of tax due before the limitations attributable to the income based tax was almost the same in 2005 and 2006. For taxpayers on the entire net income base, the income tax made up about seventy percent of their tax before the limitations. For taxpayers on the minimum tax base and the alternative and capital bases, the shares varied from year to year.

**Table 39: Article 33 Tax Before the Limitations for Life Insurers - 2005 and 2006**

Tax Year	Basis of Income Tax	Amount of Income Based Tax	Share of Tax from Income Base	Amount of Premiums Based Tax	Share of Tax from Premiums Base	Total Tax Before the Limitations
2005	Entire Net Income	\$179,972,060	70.6%	\$74,958,047	29.4%	\$254,930,107
	Minimum Tax	11,500	60.6%	7,477	39.4%	18,977
	Alternative and Capital Taxes	14,682,173	46.1%	17,151,544	53.9%	31,833,717
	Total	\$194,665,733	67.9%	\$92,117,068	32.1%	\$286,782,801
2006	Entire Net Income	\$186,292,108	67.4%	\$90,255,095	32.6%	\$276,547,203
	Minimum Tax	13,000	2.1%	609,051	97.9%	622,051
	Alternative and Capital Taxes	30,256,911	67.4%	14,604,843	32.6%	44,861,754
	Total	\$216,562,019	67.3%	\$105,468,989	32.8%	\$322,031,008

Limitations on Tax  
Before Credits for Life  
Insurers

*Effect of Limitations by Basis of Income Tax*

Table 40 shows the effect of the floor limitation and the limitation on tax on the tax before credits of life insurers in 2005 and 2006.

A total of 56 taxpayers were subject to the floor limitation in 2006. These taxpayers were required to raise their tax by an aggregate amount of \$24 million due to the floor, an increase of about \$4 million from 2005. Most of the effect of the floor limitation was due to taxpayers on the entire net income tax base. A total of 139 taxpayers were subject to the limitation on tax in 2006. These taxpayers were required to lower their tax by an aggregate total of \$89 million, an increase of about \$15 million over 2005. Most of the effect of the limitation on tax was due to taxpayers on the entire net income tax base. The net effect of the two limitations was a reduction in tax before credits of about \$66 million.

Empire Zone and Zone Equivalent Area (EZ/ZEA) credits are applied after the floor limitation but before the limitation on tax. Disclosure provisions prohibit listing the number of taxpayers using these credits or the amount of credit used in 2005 or 2006. As such, they have not been included in the table.

**Table 40: Article 33 Limitations on Tax Before Credits for Life Insurers in 2005 and 2006**

Tax Year	Basis of Income Tax	Total Tax Before Limitations	Floor Limitation 1/		Limitation on Tax 2/		Total Tax Before Credits
			Number of Taxpayers	Effect of Floor	Number of Taxpayers	Value of Limitation	
2005	Entire Net Income	\$254,930,107	21	\$9,837,402	67	\$69,979,257	\$194,788,252
	Minimum Tax	18,977	4	7,547	42	10,500	16,024
	Alternative and Capital Taxes	31,833,717	27	10,202,642	15	4,407,001	36,620,233
	<b>Total</b>	<b>\$286,782,801</b>	<b>52</b>	<b>\$20,047,591</b>	<b>124</b>	<b>\$74,396,758</b>	<b>\$231,424,509</b>
2006	Entire Net Income	\$276,547,203	28	\$16,464,375	71	\$73,302,081	\$218,692,872
	Minimum Tax	622,051	6	695,950	46	11,500	1,306,501
	Alternative and Capital Taxes	44,861,754	22	6,955,331	22	16,080,469	35,736,616
	<b>Total</b>	<b>\$322,031,008</b>	<b>56</b>	<b>\$24,115,656</b>	<b>139</b>	<b>\$89,394,050</b>	<b>\$255,735,989</b>

1/ This column displays the number of taxpayers whose tax before credits was determined based on the floor limitation and the amount by which the floor increased their tax before credits. The floor limitation equals 1.5 percent of the taxpayer's taxable premiums.

2/ This column displays the number of taxpayers whose tax before credits was determined based on the limitation on tax and the amount by which the limitation decreased their tax before credits. The limitation equals 2.0 percent of the taxpayer's gross premiums.

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Value of Tax Credits

*Aggregate Values of Tax Credits<sup>1</sup>*

The number of taxpayers using credits increased, from 369 in 2005 to 382 in 2006. The value of credits used by taxpayers grew by about \$30 million from 2005 to 2006. The use of tax credits grew for all three categories of insurer. Most tax credit usage is still due to property and casualty insurers. The total Value of Tax Credits for life insurers does not include Empire Zone and Zone Equivalent Area (EZ/ZEA) credits because of the fact that these credits are applied before the limitation on tax.

*Values of Individual Tax Credits*

The vast majority of credit usage by insurance companies is due to three credits that are specific to Article 33. The Fire Insurance Premiums Tax Credit, which is not applicable to life insurers, was the most widely used credit in 2005 and 2006. The value of this credit grew slightly in 2006. The Retaliatory Tax Credit, which may only be taken by domestic companies, had the greatest value of any credit in these years. The value of the credit grew for all three categories of insurer, and the total value of the credit grew by \$18 million.

The number of credit users and the value of the CAPCO Credit grew from 2005 to 2006. Most of the credit is used by life insurers. The use of this credit has grown significantly since its introduction in 1999. There was no increase in the aggregate statewide credit limit in 2006.

The QEZE Tax Reduction Credit, which is a cross-article credit, also had a significant total value in 2005 and 2006. The total value of the credit increased slightly over this period.

Article 33 taxpayers also used the EZ/ZEA Tax Credits, the QEZE Real Property Tax Credit, the Green Buildings Credit, and the Low-income Housing Credit in 2005 or 2006. The values of these credits were not very significant.

**Table 41: Article 33 Value of Tax Credits - 2005 and 2006**

Tax Year	Insurance Category	Total Tax Before Credits	Number of Credit Users 1/	Value of Tax Credits	Total Tax Liability
2005	Life	\$231,424,509	47	\$31,340,701	\$200,083,813
	Property & Casualty	581,088,171	310	88,836,577	492,251,691
	Others	199,685,549	12	10,081,986	189,603,564
	<b>Total</b>	<b>\$1,012,198,229</b>	<b>369</b>	<b>\$130,259,264</b>	<b>\$881,939,068</b>
2006	Life	\$255,735,989	48	\$47,718,203	\$208,017,791
	Property & Casualty	617,889,665	322	100,487,927	517,401,738
	Others	230,767,782	12	11,432,311	219,335,471
	<b>Total</b>	<b>\$1,104,393,436</b>	<b>382</b>	<b>\$159,638,441</b>	<b>\$944,755,000</b>

1/ The number of taxpayers displayed in the "Total Credits" column reflects the number of taxpayers taking individual credits. Because taxpayers may use multiple credits, the same taxpayer may be included in this column more than once.

**Table 41A: Retaliatory Tax Credit and CAPCO Credit: Number of Credit Users and Amount of Credit Used - 2005 and 2006**

Tax Year	Credit	Life Insurers		Property & Casualty		Others		Total	
		Number of Credit Users	Amount of Credit Used	Number of Credit Users	Amount of Credit Used	Number of Credit Users	Amount of Credit Used	Number of Credit Users	Amount of Credit Used
2005	Retaliatory Tax Credit	26	\$14,282,321	40	\$20,005,311	5	\$8,263,519	71	\$42,551,151
	CAPCO Credit	32	\$17,058,380	24	\$6,966,273	6	\$1,709,083	62	\$25,733,736
2006	Retaliatory Tax Credit	23	\$26,998,308	44	\$25,196,450	5	\$9,218,943	72	\$61,413,701
	CAPCO Credit	38	\$20,020,329	33	\$8,473,660	6	\$2,087,444	77	\$30,581,433

**Table 41B: Other Credits: Number of Credit Users and Amount of Credit Used****Fire Insurance Premiums Tax Credit**

Tax Year	Number of Credit Users	Amount of Credit Used
2005	267	\$42,271,289
2006	274	\$44,555,071

**QEZE Tax Reduction Credit**

Tax Year	Number of Credit Users	Amount of Credit Used
2005	5	\$18,137,988
2006	5	\$20,130,550

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# Endnotes

1. Insurance companies may claim many of the same credits as other corporate taxpayers. However, the following credits are only available to insurance companies under Article 33: fire insurance premiums tax credit (Tax Law Section 1511(a)); credit against reciprocal taxes imposed by this state (Tax Law Section 1511(b)); credit relating to life insurance company guarantee fund assessments (Tax Law Section 1511(f)); retaliatory tax credits (Tax Law Sections 1511(c) and 1511(h)); credit for investment in certified capital companies (Tax Law Section 1511(k));

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# Detailed Article 33 Summary Tables

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This section contains detailed Article 33 summary tables for the 2006 tax year. Tax liability excludes the MTA surcharge.

In certain tables Tax Law confidentiality provisions prohibit the disclosure of data. The data are included in the appropriate totals, and are designated by “d”.

**Table 42: Selected Tax Return Items for all Article 33 Life Insurers\***

Item	Total	
	Number	Amount
Federal Taxable Income Before NOL	184	\$19,497,391,673
Dividends Received Deduction	110	5,140,655,772
Dividends or Interest Income Not Included	46	128,225,117
Interest to Stockholders	8	140,908,621
Adjustment for Gains or Losses	0	0
Deductions Attributable to Subsidiary Capital	d/	d/
NYS Franchise Taxes	124	201,638,547
Federal Safe Harbor Lease Deduction	0	0
Amount Required Except for Safe Harbor Lease	0	0
ACRS/MACRS Deduction	27	455,036,113
Other Additions	24	1,713,419,344
Total Additions	188	27,299,169,270
Income from Subsidiary Capital	22	2,072,905,899
50% of Dividends	79	3,381,068,910
Gain on Installment Sales	d/	d/
NY Net Operating Loss	12	772,681,062
Amount Included as a Result of Safe Harbor Lease	0	0
Amount Deducted Except for a Safe Harbor Lease	0	0
Depreciation Allowed Section 1503(b)(10)	35	530,157,164
Other Subtractions	23	1,175,441,583
Total Subtractions	114	7,935,778,403
Entire Net Income	184	19,363,390,867
Allocated Entire Net Income	166	1,947,352,291
Tax on Entire Net Income	137	189,711,408
Allocated Subsidiary Capital	19	3,279,780,279
Tax on Subsidiary Capital	19	2,623,824
Life Insurance Premiums	150	10,579,028,568
Accident & Health Premiums	111	4,615,788,231
Other Insurance Premiums	8	(127,816,863)
Life Insurance Company Premiums	152	15,066,999,936
Tax on Life Company Premiums	152	105,468,989
Tax Before Limitations	217	322,031,008
Tax Floor	151	225,778,007
Limitation on Tax	155	306,859,026
Tax Before Credits	155	255,735,989
Tax Credits	48	47,718,203
Tax Due	154	208,017,791

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.



**Table 43: Selected Tax Return Items for Article 33 Life Insurers - Entire Net Income Filers\***

Item	Total	
	Number	Amount
Federal Taxable Income Before NOL	116	\$19,856,494,086
Dividends Received Deduction	73	3,359,039,782
Dividends or Interest Income Not Included	35	116,555,307
Interest to Stockholders	5	140,777,891
Adjustment for Gains or Losses	0	0
Deductions Attributable to Subsidiary Capital	d/	d/
NYS Franchise Taxes	87	169,490,046
Federal Safe Harbor Lease Deduction	0	0
Amount Required Except for Safe Harbor Lease	0	0
ACRS/MACRS Deduction	19	447,484,601
Other Additions	20	1,683,122,596
Total Additions	117	25,794,858,392
Income from Subsidiary Capital	16	1,832,542,032
50% of Dividends	57	2,411,511,662
Gain on Installment Sales	d/	d/
NY Net Operating Loss	3	189,234,049
Amount Included as a Result of Safe Harbor Lease	0	0
Amount Deducted Except for a Safe Harbor Lease	0	0
Depreciation Allowed Section 1503(b)(10)	26	521,838,803
Other Subtractions	19	1,142,537,275
Total Subtractions	80	6,101,187,606
Entire Net Income	117	19,693,670,786
Allocated Entire Net Income	117	2,452,048,203
Tax on Entire Net Income	117	183,903,605
Allocated Subsidiary Capital	14	2,985,623,517
Tax on Subsidiary Capital	14	2,388,500
Life Insurance Premiums	102	8,901,636,170
Accident & Health Premiums	80	4,119,768,003
Other Insurance Premiums	7	(127,818,136)
Life Insurance Company Premiums	103	12,893,586,037
Tax on Life Company Premiums	103	90,255,095
Tax Before Limitations	117	276,547,203
Tax Floor	102	193,175,410
Limitation on Tax	105	261,555,867
Tax Before Credits	105	218,692,872
Tax Credits	35	42,448,815
Tax Due	104	176,244,062

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 44: Selected Tax Return Items for Article 33 Life Insurers - Minimum Tax Filers\***

Item	Total	
	Number	Amount
Federal Taxable Income Before NOL	22	(\$46,770,406)
Dividends Received Deduction	8	847,320,990
Dividends or Interest Income Not Included	d/	d/
Interest to Stockholders	0	0
Adjustment for Gains or Losses	0	0
Deductions Attributable to Subsidiary Capital	0	0
NYS Franchise Taxes	4	1,371,547
Federal Safe Harbor Lease Deduction	0	0
Amount Required Except for Safe Harbor Lease	0	0
ACRS/MACRS Deduction	d/	d/
Other Additions	0	0
Total Additions	24	802,052,536
Income from Subsidiary Capital	0	0
50% of Dividends	3	1,741,346
Gain on Installment Sales	0	0
NY Net Operating Loss	d/	d/
Amount Included as a Result of Safe Harbor Lease	0	0
Amount Deducted Except for a Safe Harbor Lease	0	0
Depreciation Allowed Section 1503(b)(10)	d/	d/
Other Subtractions	0	0
Total Subtractions	6	5,404,479
Entire Net Income	23	796,648,057
Allocated Entire Net Income	5	(10,316,726)
Tax on Entire Net Income	4	189
Allocated Subsidiary Capital	0	0
Tax on Subsidiary Capital	0	0
Life Insurance Premiums	6	77,056,883
Accident & Health Premiums	5	9,949,253
Other Insurance Premiums	d/	d/
Life Insurance Company Premiums	6	87,007,409
Tax on Life Company Premiums	6	609,051
Tax Before Limitations	52	622,051
Tax Floor	6	1,306,501
Limitation on Tax	6	1,742,001
Tax Before Credits	6	1,306,501
Tax Credits	0	0
Tax Due	6	1,306,501

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 45: Selected Tax Return Items for Article 33 Life Insurers - Alternative and Capital Base Filers\***

Item	Alternative and Capital Bases	
	Number	Amount
Federal Taxable Income Before NOL	46	(\$312,332,007)
Dividends Received Deduction	29	934,295,000
Dividends or Interest Income Not Included	10	11,638,360
Interest to Stockholders	3	130,730
Adjustment for Gains or Losses	0	0
Deductions Attributable to Subsidiary Capital	0	0
NYS Franchise Taxes	33	30,776,954
Federal Safe Harbor Lease Deduction	0	0
Amount Required Except for Safe Harbor Lease	0	0
ACRS/MACRS Deduction	7	7,452,557
Other Additions	4	30,296,748
Total Additions	47	702,258,342
Income from Subsidiary Capital	6	240,363,867
50% of Dividends	19	967,815,902
Gain on Installment Sales	0	0
NY Net Operating Loss	7	579,882,835
Amount Included as a Result of Safe Harbor Lease	0	0
Amount Deducted Except for a Safe Harbor Lease	0	0
Depreciation Allowed Section 1503(b)(10)	8	8,219,406
Other Subtractions	4	32,904,308
Total Subtractions	28	1,829,186,318
Entire Net Income	44	(1,126,927,976)
Allocated Entire Net Income	44	(494,379,186)
Tax on Entire Net Income	16	5,807,614
Total Capital	48	438,667,599,256
Subsidiary Capital	13	2,815,447,772
Business & Investment Capital	48	435,852,151,484
Adjusted Business & Investment Capital	48	77,124,444,810
Allocated Business & Investment Capital	48	17,789,097,788
Tax on Business & Investment Capital Base	48	28,462,555
Alternative Tax Base	32	168,960
Tax on Alternative Base	20	3,848,116
Allocated Subsidiary Capital	5	294,156,762
Tax on Subsidiary Capital	5	235,324
Life Insurance Premiums	42	1,600,335,515
Accident & Health Premiums	26	486,070,975
Other Insurance Premiums	0	0
Life Insurance Company Premiums	43	2,086,406,490
Tax on Life Company Premiums	43	14,604,843
Tax Before Limitation	48	44,861,754
Tax Floor	43	31,296,096
Limitation on Tax	44	43,561,158
Tax Before Credits	44	35,736,616
Tax Credits	13	5,269,388
Tax Due	44	30,467,228

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 46: Selected Tax Return Items for all Article 33 Property & Casualty Insurers\***

Item	Total	
	Number	Amount
<b>Premiums Tax Base Filers</b>		
Accident & Health Company Premiums	67	\$568,953,566
Tax On Accident & Health Company Premiums	67	9,956,679
Other Nonlife Insurance Premiums	598	30,392,725,038
Tax on Other Nonlife Premiums	598	607,854,486
Total Premiums Tax	608	617,811,165
Tax Before Credits	608	617,811,165
Tax Credits	314	100,487,228
Tax Due	601	517,323,937
<b>Minimum Tax Base Filers</b>		
Accident & Health Company Premiums	d/	d/
Tax On Accident & Health Company Premiums	0	\$0
Other Nonlife Insurance Premiums	32	131,317
Tax on Other Nonlife Premiums	28	2,623
Total Premiums Tax	28	2,623
Tax Before Credits	314	78,500
Tax Credits	8	699
Tax Due	313	77,801

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.

**Table 47: Selected Tax Return Items for all Article 33 Other Non-life Insurers\***

Item	Total	
	Number	Amount
<b>Premiums Tax Base Filers</b>		
Accident & Health Company Premiums	15	\$10,362,381,460
Tax On Accident & Health Company Premiums	15	181,341,673
Other Nonlife Insurance Premiums	37	2,470,817,922
Tax on Other Nonlife Premiums	37	49,416,359
Total Premiums Tax	52	230,758,032
Tax Before Credits	52	230,758,032
Tax Credits	12	11,432,311
Tax Due	52	219,325,721
<b>Minimum Tax Base Filers</b>		
Accident & Health Company Premiums	0	\$0
Tax On Accident & Health Company Premiums	0	0
Other Nonlife Insurance Premiums	3	14,211
Tax on Other Nonlife Premiums	3	284
Total Premiums Tax	3	284
Tax Before Credits	39	9,750
Tax Credits	0	0
Tax Due	39	9,750

\*These items should be viewed as independently selected items of interest. The columns are not additive and cannot be summed.

d/ Tax Law provisions prohibit disclosure of data.



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# Appendix A: Description of Terms and Data and Data Sources

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Appendix A describes selected terms and data used in the tables and charts in each tax law section, as well as the data sources used in this report.

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## Description of Terms and Data

### Liability Year

Liability year corresponds to the corporate franchise tax return filing period. A liability year includes returns filed by taxpayers with filing periods that begin between January 1st and December 31st of the current year. For example, the 2006 liability year data used in this analysis encompasses tax years for calendar and fiscal year taxpayers with filing periods beginning January 2006 through December 2006. All Article 9 taxpayers file on a calendar year basis.

### MTA Surcharge

The report does not include the 17 percent temporary franchise tax surcharge imposed on taxpayers operating in the Metropolitan Commuter Transportation District (MCTD). The MCTD includes the counties of New York, Bronx, Kings, Queens, Richmond, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, and Westchester. Data users cannot determine the value of the MCTD surcharge from the statistical tables because tax liability data for business activity conducted in the MCTD is not readily available. The MTA Surcharge is effective through taxable years ending before December 31, 2013.

### Number of Taxpayers

This represents the actual number of tax returns filed for each tax year, although this data may not include some late filed returns. This count refers to each filing entity as a single corporation, regardless of whether the corporation files a separate return or as part of a combined group.

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### Tax Liability

This represents the sum of the post-credit liability for all taxpayers filing a return. Tax liability data includes the tax on subsidiary capital and the fixed dollar minimum tax for subsidiaries of combined filers. It does not include the MTA surcharge. In some tables, total dollar amounts may not equal 100 percent due to rounding.

### Tax Credits Used

The credit data are limited to credits used on the taxpayer's return. They do not reflect credits earned but not used, or balances of unused credits.

### Data Classification by Industry

Taxpayers are classified according to the North American Industrial Classification System (NAICS) codes<sup>1</sup> appropriate for their industry groups. The Internal Revenue Service (IRS) asks taxpayers to identify their Principal Business Activity using these codes for federal tax purposes. Taxpayers self-report appropriate NAICS codes on their tax returns. These codes identify the type of business activity in which the entity is engaged. However, taxpayers often fail to provide this information. NAICS coding for New York tax returns began in 1998. Previously, industries had been classified using the Standard Industrial Classification (SIC) system.

Industries are grouped by two-digit industry sectors and three and four-digit subsectors in this report. Only data from certain selected industry subsectors has been presented in this report. As a result, data presented in tables for subsectors may not necessarily add to the appropriate two-digit industry sector totals. NAICS coding expands into much more detail by going as far as the six-digit level. This can be highly specific by activity or product classification. For the purposes of this report, this level of detail is not required.

NAICS coding for certain three and four-digit industry subsectors was revised in 2002. These changes were reflected in the presentation of data for affected subsectors in Tables 10 and 11 of the 2002 report. Those affected include subsectors within the Construction, Wholesale Trade, and Information industry groups. Because of this, data for these subsectors will not match reports for tax years before 2002. However, data is still comparable to prior history at the two-digit industry sector level.



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The associated liability is quite small for those taxpayers who cannot be identified by industry group. Because some of the taxpayer universe remains unidentified, only general comparisons can be made between industry sectors for each particular tax. This caveat applies to both the number of taxpayers and liability data.

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## Article 9-A: Franchise Tax on Business Corporations

### Table Terms

#### Size of Liability

Table 9 classifies taxpayers according to the size of their tax liability. For non-minimum taxpayers, a wide range of liability groupings are displayed, from \$0-499 to \$1,000,000 and over. For fixed dollar minimum taxpayers, taxpayers are classified by minimum tax amount. The table includes those minimum taxpayers paying the \$300 maintenance fee for foreign corporations.

#### Tax Return Items

Certain tables include data for selected items taken from tax returns filed by corporations. Data for each tax return item is given for basis of tax, industry group, return type, and fiscal period.

#### Industry Group

Several tables are classified by industry group as reported by NAICS industry code. Certain caveats apply regarding corporations not included in these tables. The Finance and Insurance sector excludes banks taxable under Article 32 and insurance companies taxable under Article 33. The Utilities, Transportation and Warehousing, and Information sectors exclude public utilities, transportation companies, and telecommunications companies taxable under Article 9 of the Tax Law.

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Data Terms/  
Descriptions

The term “Industry Code Not Given” represents those corporations whose returns did not indicate an industry code and an appropriate code could not be assigned based upon the information submitted with the returns.

Primary Tax Base

The tax base on which the taxpayer paid, after the application of all available credits. The law includes four bases: entire net income, capital, alternative minimum taxable income, and the fixed dollar minimum. Certain tables also include data for S corporations, which are only subject to the fixed dollar minimum tax base.

“True” Minimum Taxpayers

Certain fixed dollar minimum taxpayers are classified as “true” minimum taxpayers. These taxpayers were liable only for the fixed dollar minimum tax of \$100 - \$1,500, without subsidiary capital taxes. Tables 1-12 include data for these taxpayers. Tables 13-20 do not, as income items are not verified for these taxpayers. Any taxpayers that allocate their income are not classified as true minimum taxpayers.

Tax Liability

Tax liability data are compiled in the aggregate, by sector of industry. Data includes the respective shares that each sector of industry represents in relation to all taxpayers as well as the average liability per taxpayer for each sector. Tax liability data in Tables 1-12, as well as corresponding charts, includes the fixed dollar minimum tax on subsidiaries.

Number of Taxpayers

This count refers to each filing entity as a single corporation, regardless of whether the corporation files a separate return or as part of a combined group. Data are compiled in the aggregate, by sector of industry. The data also includes the respective shares that each sector of industry represents in relation to the total number of taxpayers.

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Return Type

Return filed by taxpayers. Article 9-A tables include data for the CT-3, CT-3A, and CT-4 return types.

Fiscal Period

Taxpayers are classified by the first day of their fiscal year as reported for tax purposes.

Tax Credits

Detailed information on Article 9-A tax credits is not provided in this report. For detailed information on these credits please see *Analysis of Article 9-A General Business Corporation Franchise Tax Credits for 2006*, published by the Office of Tax Policy Analysis.

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Article 9: Corporation and Utilities Tax

Table Terms

Tax Law Section

The following sections of Article 9 are included in this report.

Section 183 Franchise Tax on Transportation and Transmission Corporations and Associations

Section 184 Additional Franchise Tax on Transportation and Transmission Corporations and Associations

Section 185 Franchise Tax on Cooperative Agricultural Corporations

Section 186 Franchise Tax on Waterworks Companies, Gas Companies, Electric or Steam Heating, Lighting and Power Companies

Section 186-a Gross Receipts Tax on the Furnishing of Utility Services

Section 186-e Excise Tax on Telecommunications Services

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Data Terms/  
Descriptions

Tax Liability

Tax liability data are shown in the aggregate, and for each selected tax section of Article 9.

Number of Taxpayers

The number of taxpayers represents the number of returns filed. A single corporation can be liable for more than one section of Article 9 and may be counted more than once. Combined returns are not permitted under Article 9. These data are shown in the aggregate, and for each selected tax section of Article 9.

Article 9 Data by Industry

In the 2004 report, the industry data for Article 9 presented in Appendix D was revised. Data is no longer presented in separate tables for each section of law. These tables are now consolidated into Table D3, which shows the number of taxpayers for each section of Article 9 on one table, and Table D4 which does the same for total tax liability.

Tables D3 and D4 break out Article 9 data for the separate industry groups which had at least fifty Article 9 taxpayers in 2006. These groups are identified based on their classification at the three-digit NAICS coding level. Industry groups which had less than fifty taxpayers at the three-digit level are combined in the category of "Other Industries."

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Article 32: Franchise Tax on Banking Corporations

Table Terms

Tax Return Items

Certain tables include data for selected items taken from tax returns filed by banks. Data for each tax return item is given for basis of tax, bank type, and return type.

Clearinghouse Banks

Clearinghouse banks are financial institutions that are members of the New York Clearing House Association. As members of this association, their functions include handling daily fund exchanges from other clearinghouse banks and settling exchanges.

Data Terms/  
Descriptions

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Foreign Banks

Foreign banks are commercial banks headquartered outside the United States or its possessions with nexus in New York State.

Savings Institutions

Savings institutions are depository financial institutions that receive deposits primarily from consumers, make mortgage and real estate loans, and invest in high-grade securities.

Commercial Banks

Commercial banks are institutions that are not classified as clearinghouse banks, foreign banks, or savings institutions. Banks included in this category are domiciled in the United States.

Tax Liability

Tax liability data includes the respective shares of certain bank types in relation to total bank tax liability as well as the average liability per taxpayer for each bank type.

Number of Taxpayers

This count refers to each filing entity as a single bank, regardless of whether the bank files a separate return or as part of a combined group.

Alternative Bases

For confidentiality reasons, the taxable assets and alternative entire net income bases are aggregated in the tables. They are referred to in the tables as alternative bases.

Fixed Dollar Minimum Taxpayers

All tables include “true” fixed dollar minimum taxpayers. These taxpayers were liable only for the fixed dollar minimum tax of \$250, without subsidiary capital taxes.

### Allocated Entire Net Income (ENI)

Allocated ENI refers to the New York portion of ENI. Taxpayers determine the amount of ENI attributable to New York using formula apportionment.

### Table 27: Credits Used by Article 32 Taxpayers

Table 27 displays data by credit for tax credits used by Article 32 taxpayers in 2005 and 2006. Data is displayed for an individual credit if that credit is used by three or more taxpayers in both years. Credits that do not meet this requirement are grouped under the category of Other Credits. The disclosure requirements of the Tax Law prohibit displaying data attributable to less than three taxpayers. The Total line in the table includes all credit users and credit used.

### Special Additional Mortgage Recording Tax Credit

A corporation may claim a credit for the New York special additional mortgage recording tax paid on mortgages recorded on or after January 1, 1979. Taxpayers may carry forward the unused mortgage recording tax credit to future tax years. Mortgages on certain property, such as property in the Metropolitan Commuter Transportation District and Erie County, are ineligible for the credit.

### Mortgage Servicing Tax Credit

A credit is allowed for servicing mortgages acquired by the State of New York Mortgage Agency (SONYMA). The credit value varies by dwelling size and the amount of the mortgage.

### Empire Zone and Zone Equivalent Area Tax Credits

Taxpayers may qualify for credits for creating jobs and investing in Empire Zones (EZs) and Zone Equivalent Areas (ZEAs). Credits available include the EZ and ZEA Wage Tax Credits, which are based on employment increases in the zones and equivalent areas. Taxpayers may also claim the EZ Capital Tax Credit, which is based on investments in zone businesses. The credits may be carried forward indefinitely, and the wage tax credits are fifty percent refundable for new businesses.

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### Qualified Empire Zone Enterprise (QEZE) Tax Credits

Credits are available to taxpayers certified as Qualified Empire Zone Enterprises (QEZE). QEZEs are business enterprises certified as Empire Zone businesses that meet an annual employment test. Available credits include the QEZE Tax Reduction Credit and the QEZE Real Property Tax Credit. These credits may be claimed for 15 years, and the Real Property Tax Credit is refundable.

### Investment Tax Credit for Financial Services

A credit is allowed for equipment or buildings used in broker/dealer activity and related activities. The credit is effective for property placed in service from October 1, 1998 to September 30, 2011.

### Defibrillator Credit

A credit is available for the purchase of an automated external defibrillator. The credit is equal to the cost to the taxpayer during the tax year, not to exceed \$500 per purchase.

### Long Term Care Insurance Credit

A taxpayer may take a credit equal to 20 percent of the premiums paid for a long-term care insurance policy, as defined in the Insurance Law. Any unused credit may be carried forward.

### Low Income Housing Credit

A taxpayer may take a credit for a long-term commitment to low income housing, depending on the applicable percentage of the qualified basis of each building. The credit is claimed at 10 percent per year over ten years. Any unused credit may be carried forward. The aggregate statewide total credit available in 2006 was \$4 million.

### Brownfield Redevelopment Credit

Three refundable tax credits are available to taxpayers who remediate a site under the Brownfield Cleanup Program. The brownfield redevelopment tax credit consists of three credit components relating to costs associated with: site preparation; tangible property; and on-site groundwater remediation.

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## Article 33: Franchise Tax on Insurance Corporations

**Issues with Table Data** Major changes to the structure of the Article 33 Franchise Tax on Insurance Corporations took effect for the 2003 tax year. The income tax component was eliminated and the premiums tax rates raised for non-life insurers, while life insurers were made subject to a floor limitation on tax.

Because of these changes, table data presented this report for the 2003-2006 tax years will not be comparable to table data presented in prior reports for tax years before 2003. Historical tables included in Appendix D present data according to the tax structure in existence before 2003, and may be compared to the historical tables presented in prior reports.

### Table Terms

#### Tax Return Items

Certain tables include data for selected items taken from tax returns filed by insurers. Data for each tax return item is given for basis of tax and type of insurer.

#### Life Insurance Companies

Life insurance companies include companies authorized by the Superintendent of Insurance to conduct an insurance business consisting of either insuring the lives of human beings or providing annuity contracts.

Officers and employees of savings banks may be authorized by the Superintendent of Insurance to negotiate, order, solicit, or procure applications or orders for life insurance or annuity contracts. Data for these taxpayers is presented under the category of life insurers.

#### Property and Casualty Insurance Companies

Property and casualty insurance companies include companies authorized by the Superintendent of Insurance to write insurance against the loss of, or damage to, property.



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Data Terms/  
Descriptions

Others

This category includes insurance companies authorized by the Superintendent of Insurance to write accident and health, title, mortgage, financial guaranty, or reciprocal insurance.

Number of Taxpayers

This count refers to each filing entity as a single insurance company, regardless of whether the company files a separate return or as part of a combined group.

Tax Liability

Tax liability is shown for the three general categories of insurance companies, as well as by basis of tax. Total tax liability represents tax due after the application of the limitations on tax for life insurers and the application of tax credits.

Basis of Tax

For life insurers, this is the basis on which the income tax component of the tax is determined, before the application of the limitations on tax and all available credits. The four income tax bases for life insurers are allocated entire net income, allocated business and investment capital, the alternative tax calculation, and the fixed dollar minimum tax. For reasons of confidentiality, the alternative and capital bases have been grouped together.

For the 2005 report, Table 36 and Table D15 were amended to present only total income tax amount by basis of tax for life insurers. Previously, these tables had presented total tax liability by basis of income tax for life insurers. Other tables in the report which present data by basis of tax for life insurers note that the data is presented by basis of income tax.

For non-life insurers, this is the basis of tax before the application of all available credits. The two bases are premiums and the fixed dollar minimum tax. The basis of tax before credits shown in the tables may not be the same as the basis of tax after credits. This is because taxpayers which have determined tax before credits on the premiums base may use credits to lower their liability to the minimum tax.

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### Domestic Companies

Domestic insurance companies are companies incorporated or organized in New York State

### Foreign Companies

Foreign insurance companies are companies incorporated or organized in any jurisdiction other than New York State.

### Taxable Premiums

Taxable premiums include gross direct premiums written on risks in New York State, minus return premiums, reinsurance premiums, and dividends paid or credited.

### Income Based Tax

This is the tax based on income paid by life insurance companies on the highest of the four bases. It also includes the tax on subsidiary capital.

### Premiums Based Tax

This is the tax based on New York premiums paid by all insurance companies.

### Tax Before the Limitations

Total tax before the limitations is the sum of the income based tax and the premiums based tax. It is the total tax for life insurance companies before the statutory limitations are applied.

### Limitations on Tax

The statutory limitations on tax affect the computation of tax before credits for life insurance companies. Without the limitations, tax before credits would simply equal the sum of the income and premiums based taxes. The limitation on tax provides that the total of these two components cannot be greater than 2 percent of taxable premiums. The floor limitation provides that the total of the two components cannot be less than 1.5 percent of taxable premiums. These limitations, if applicable, serve to either lower or raise the amount of tax before credits.

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Tax Credits Used in  
2005 and 2006

Tax Before Credits

For life insurers, total tax before credits equals the tax after the limitations are applied. For non-life insurers, total tax before credits equals the higher of the premiums or fixed dollar minimum tax bases.

Credit for Investment in Certified Capital Companies

Taxpayers may claim a credit for 100 percent of investments in Certified Capital Companies (CAPCOs). CAPCOs are for-profit venture capital firms that invest directly in small-to-mid-size businesses. The credit is claimed at a rate of 10 percent per year over a ten year period. For the 2006 report, a total line is presented for this credit for the first time.

Fire Insurance Premiums Tax Credit

Taxpayers may take a credit for additional taxes on premiums written by corporations organized in another state or country for any insurance against loss or damage by fire, paid by foreign fire insurance companies and foreign mutual fire insurance companies. These taxes are imposed under the Insurance Law. Unused credits may not be carried forward.

Retaliatory Tax Credit

Taxpayers domiciled or organized in New York may take a credit for up to 90 percent of any retaliatory taxes paid to other states as a result of New York State-imposed taxes on insurers domiciled or organized in those states. Taxpayers may elect to have the unused credit refunded or carried forward to future tax years. For the 2006 report, a total line is presented for this credit for the first time.

Empire Zone and Zone Equivalent Area Tax Credits

Taxpayers may qualify for credits for creating jobs and investing in Empire Zones (EZs) and Zone Equivalent Areas (ZEAs). Credits available include the EZ and ZEA Wage Tax Credits, which are based on employment increases in the zones and equivalent areas.

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Taxpayers may also claim the EZ Capital Tax Credit, which is based on investments in zone businesses. The credits may be carried forward indefinitely, and the wage tax credits are fifty percent refundable for new businesses. EZ/ZEA tax credits for life insurers must be taken before the limitations are applied. All other credits may be applied against the tax due after the limitation.

#### Qualified Empire Zone Enterprise (QEZE) Tax Credits

Credits are available to taxpayers certified as Qualified Empire Zone Enterprises (QEZEs). QEZEs are business enterprises certified as Empire Zone businesses that meet an annual employment test. Available credits include the QEZE Tax Reduction Credit and the QEZE Real Property Tax Credit. These credits may be claimed for 15 years, and the Real Property Tax Credit is refundable.

For the 2006 report, data for the QEZE Tax Reduction Credit is presented individually for the first time under Tables 41B and D12C.

#### Low Income Housing Credit

A taxpayer may take a credit for a long-term commitment to low income housing, depending on the applicable percentage of the qualified basis of each building. The credit is claimed at 10 percent per year over ten years. Any unused credit may be carried forward. The aggregate statewide total credit available in 2006 was \$4 million.

#### Green Building Credit

The credit consists of several components which provide incentives for the purchase of recyclable building materials and other environmentally preferable tangible personal property. Other components apply to the purchase of fuel cells, photovoltaic modules, and environmentally sensitive non-ozone depleting refrigerants.

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## Data Sources

### *Article 9-A (C Corporations)*

Tax statistics provided in this section of the report come from the Article 9-A Office of Tax Policy Analysis (OTPA) Study File and Minimum Tax File. These files include data collected from Article 9-A corporate franchise tax returns for the liability year to which the study and minimum tax files pertain. These data files include all timely filed and amended returns available at the time the study file is created. Although the presented data are prior to audit, OTPA staff may adjust taxpayer provided information for items failing the Office's verification program.

Article 9-A data presented in this report for the 2003 tax year will not match with 2003 data presented in the 2003 published report. This is due to the availability of enhanced data sources for the 2003 tax year. The enhanced data files include those taxpayers that filed for the 2003 tax year subsequent to the development of the data files used as the basis for the 2003 report. For 2003, the enhanced data represents an additional 4,410 taxpayers and an additional \$21.7 million in tax liability.

### *S Corporations (Articles 9-A and 32)*

The data come from the Department of Taxation and Finance's Corporation Master Files. A contracted processing bank provided the original data. These data are not subject to the Office's verification procedures. Therefore, these data are less reliable than that available from OTPA's other tax liability study files. Also, these data are extracted from the Department's Master File, as the file existed at a point in time, and may not include audit adjustments or amended or late filed returns.

### *Articles 9, 32 and 33*

All tax statistics provided in this section of the report come from the Office of Tax Policy Analysis (OTPA) Study File for the Article. This study file includes data collected from franchise tax returns for the liability year to which the study file pertains. This data file includes all timely filed and amended returns available at the time the study file is created. Although the presented data are prior to audit, OTPA staff may adjust taxpayer provided information for items failing the Office's verification program.

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*Changes in Data File Definitions in 2002*

A significant change was made in 2002 to the definition of the data files compiled for Articles 9-A, 32, and 33. Beginning with the 2002 tax year, the files are comprised of taxpayers whose filing period beginning date is 2002. Data files for tax years before 2002 were comprised of taxpayers whose file period end date was between December of one year and November of the following year. This change was made for two reasons. First, the definition is more straightforward and treats all taxpayers in a particular year in the same way. Second, and more importantly, the old definition allowed for the inclusion of a short period return when a full year return was already in the file. This practice dramatically overstated the value of stock variables such as assets and credit carry forward.

This file definition change created a one year shift of approximately 1,500 taxpayers from the 2002 to the 2003 data files. Statistical information regarding these taxpayers is available upon request.

# Appendix B: Tax Rate Changes in 2005 and 2006

Appendix B lists the changes in business tax rates effective in 2005 and 2006. The tables are organized by business tax type. There were six rate changes effective in business taxes in these two years.

## Article 9: Corporation and Utilities Tax

Table B1: Reduction in Rate of Tax Under Section 186-a of Article 9

	Tax on Gross Income-Receipts from Transportation and Distribution	Tax on Gross Income- Receipts from Commodities Charges	Tax on Gross Operating Income
Rate for taxable years beginning on or after January 1, 2004	2.125%	0.4%	0.4%
Rate for taxable years beginning on or after January 1, 2005	2%	0%	0%

## Article 9-A: Franchise Tax on General Business Corporations

Table B2: Rate of Tax on Entire Net Income for Small Business Taxpayers with ENI Base of \$290,000 or less \*

Rate for taxable years beginning on or after July 1, 2003 but before January 1, 2005	6.85%
Rate for taxable years beginning on or after January 1, 2005	6.5%

Table B3: Rates of Tax on Entire Net Income for Small Business Taxpayers with ENI Base Over \$290,000 \*

Rates for taxable years beginning on or after July 1, 2003 but before January 1, 2005	\$13,700, plus 7.5% of amount over \$200,000, plus 3.25% of amount over
Rates for taxable years beginning on or after January 1, 2005	\$18,850, plus 7.5% of amount over \$290,000, plus 7.25% of amount over \$350,000

\* The thresholds for determining whether a business qualified for the small business tax rate were amended in 2005. See “Significant Tax Law Changes in 2005” in the Article 9-A section of the report for details.

Table B-4: Restructuring of Fixed Dollar Minimum Tax Rates for Article 9-A Taxpayers

Taxable years beginning on or after January 1, 2004 and before January 1, 2006

<u>Gross Payroll</u>	<u>Fixed Dollar Minimum Amount</u>
\$25 million or more	\$10,000
More than \$6.25 million but less than \$25 million	\$5,000
More than \$1 million but not more than \$6.25 million	\$425
More than \$500,000 but not more than \$1 million	\$325
\$500,000 or less	\$100
Gross payroll, total receipts, and average value of gross assets each \$1,000 or less	\$800

Taxable years beginning on or after January 1, 2006

<u>Gross Payroll</u>	<u>Fixed Dollar Minimum Amount</u>
\$6.25 million or more	\$1,500
More than \$1 million but less than \$6.25 million	\$425
More than \$500,000 but not more than \$1 million	\$325
More than \$250,000 but not more than \$500,000	\$225
\$250,000 or less	\$100
Gross payroll, total receipts, and average value of gross assets each \$1,000 or less	\$800



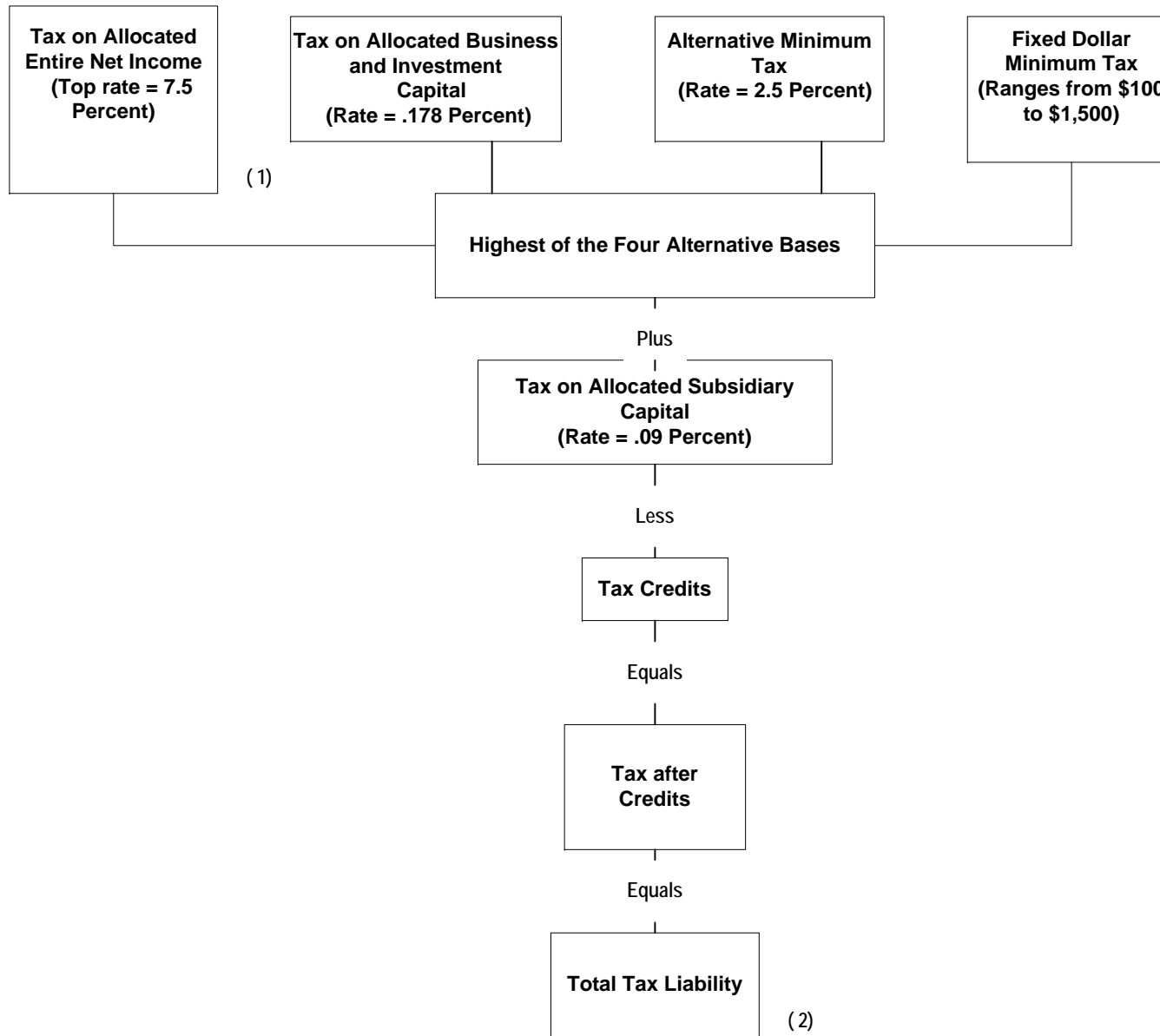
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# Appendix C: Descriptive Charts of the Calculation of Tax Liability for Articles 9-A, 32 and 33

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Appendix C contains descriptive charts of the calculation of tax liability for Articles 9-A, 32 and 33. The charts (except where noted) reflect the Tax Law as of January 1, 2006. Article 9 has not been included due to its complexity and the taxation of different sections under the Tax Law. For more information on the taxation of these Articles, see *New York State Tax Sourcebook* issued by the Office of Tax Policy Analysis.

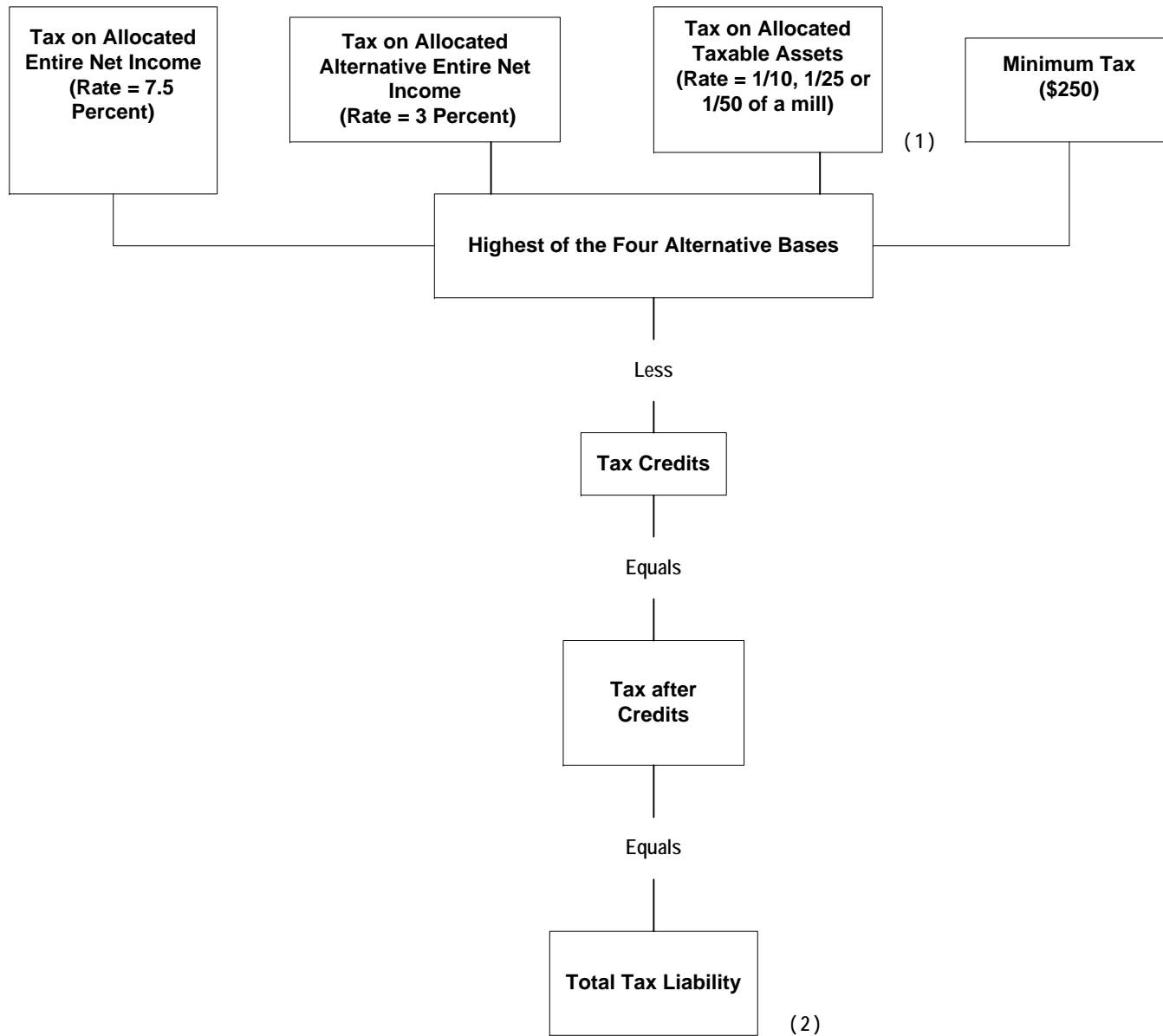
# Corporation Franchise Tax on General Business Corporations Article 9-A 2006



(1) Small businesses are subject to a lower rates of tax on the ENI base.

(2) Corporations doing business in the Metropolitan Commuter Transportation District (MCTD) are subject to a 17 percent surcharge on the portion of total tax liability allocable to activities within the MCTD.

# Corporation Franchise Tax on Banking Corporations Article 32 2006



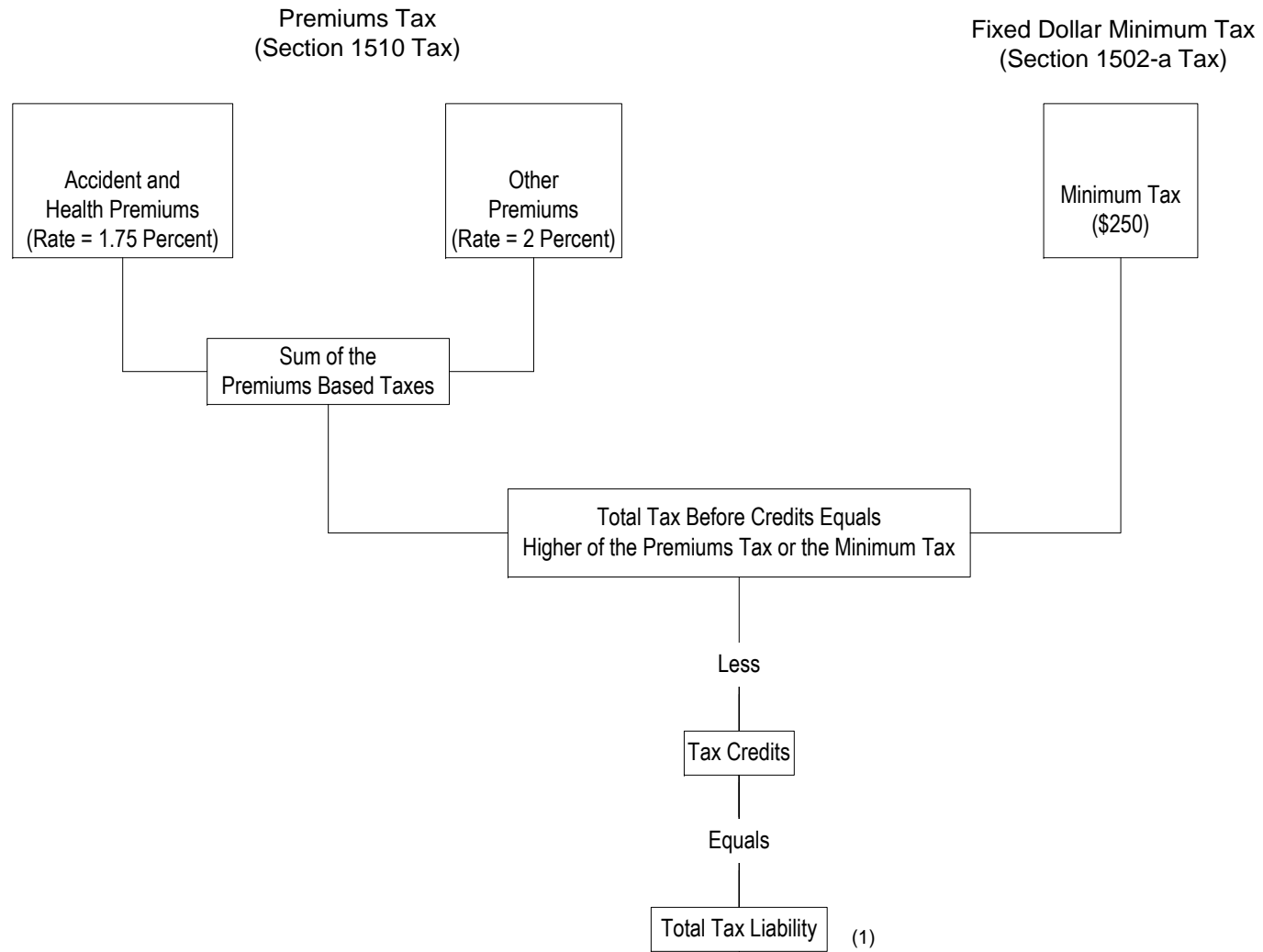
(1) Rate depends on the net worth ratio and the percentage of mortgages included in total assets.

(2) Corporations doing business in the Metropolitan Commuter Transportation District (MCTD) are subject to a 17 percent surcharge on the portion of total tax liability allocable to activities within the MCTD.

# Corporation Franchise Tax on Non-Life Insurance Companies

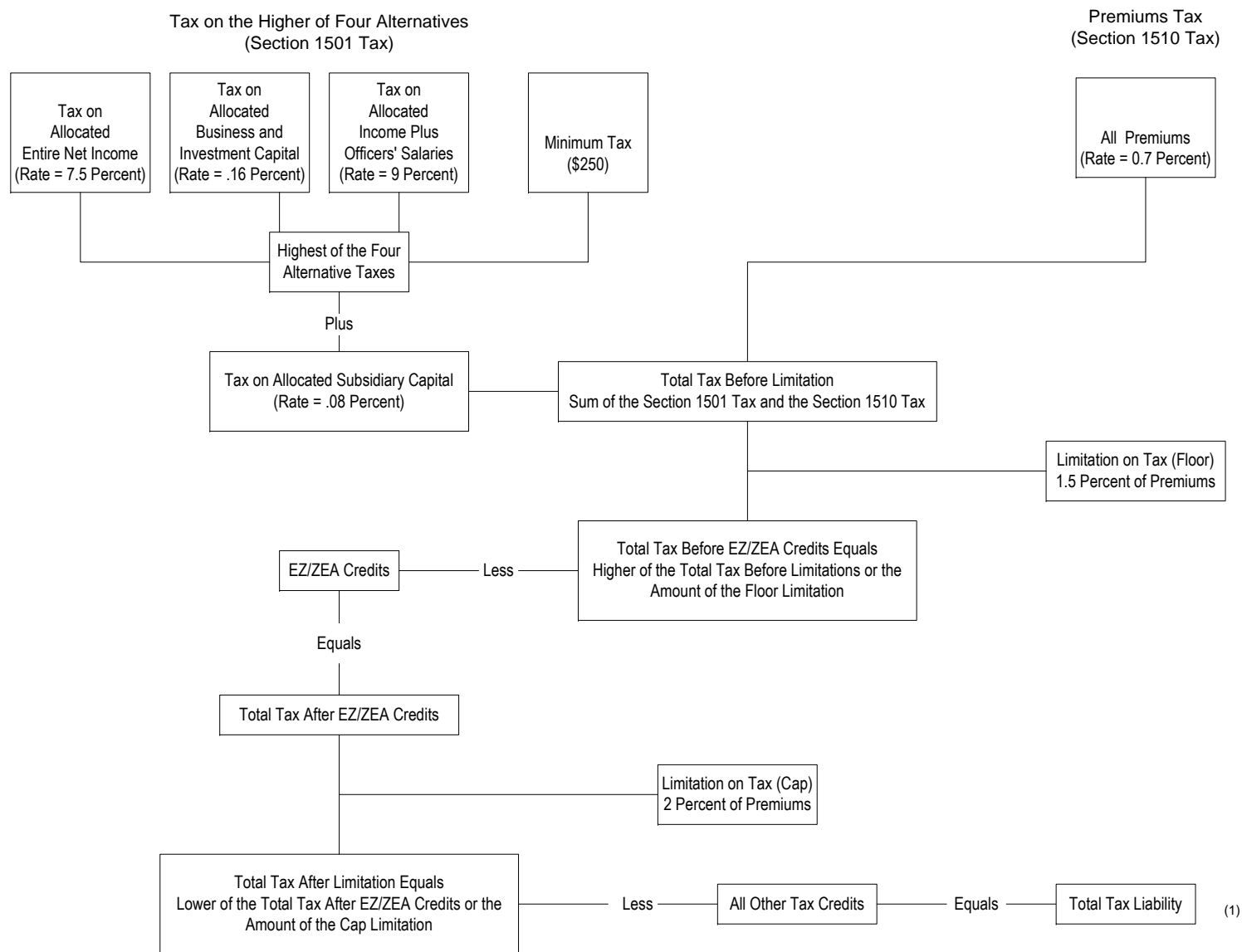
## Article 33

### 2006



(1) Corporations doing business in the Metropolitan Commuter Transportation District (MCTD) are subject to a 17 percent surcharge on the portion of the total tax liability allocable to activities within the MCTD.

## Corporation Franchise Tax on Life Insurance Companies Article 33 2006



(1) Corporations doing business in the Metropolitan Commuter Transportation District (MCTD) are subject to a 17 percent surcharge on the portion of the total tax liability allocable to activities within the MCTD.



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# **Appendix D: Historical Tables Accompanying This Report**

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This appendix contains four sections of selected historical tables and charts which were presented in this report previously. The historical tables are presented for tax years 2002-2006 for Articles 9-A and 32, and 2002-2004 for Article 33. Only data for 2004-2006 is presented for Article 9. See Appendix A for details.

Table D1: Distribution of C Corporation Taxpayers by Industry - 2002-2006

Industry	Number of Taxpayers				
	2002	2003	2004	2005	2006
Agriculture, Forestry, Fishing and Hunting	1,206	1,206	1,216	1,147	1,181
Mining	405	397	398	421	441
Utilities	428	447	464	502	501
Construction	19,380	20,399	20,393	19,900	20,863
Manufacturing	14,764	15,265	14,774	14,197	14,314
Wholesale Trade	24,532	26,152	25,623	24,523	25,091
Retail Trade	28,206	30,609	30,012	29,349	30,001
Transportation and Warehousing	9,247	10,110	10,046	9,886	10,482
Information	6,471	7,047	7,094	6,695	7,036
Finance and Insurance	13,644	14,192	14,137	14,458	15,050
Real Estate and Rental and Leasing	39,096	40,015	40,278	40,313	41,008
Professional, Scientific, & Technical Services	27,460	28,336	27,736	27,334	28,170
Management of Companies & Enterprises	3,213	3,369	3,344	3,112	3,313
Administrative, Support, Waste Management and Remediation Services	7,272	8,474	8,058	7,799	8,103
Educational Services	587	1,187	1,242	1,051	1,241
Health Care and Social Assistance	10,100	10,169	9,960	9,450	9,572
Arts, Entertainment, & Recreation	5,394	5,705	5,564	5,462	5,665
Accommodation and Food Services	10,809	11,904	11,797	11,548	12,182
Other Services (except Public Administration)	15,529	17,506	17,512	17,489	18,401
Public Administration	17	28	17	20	23
Industry Code Not Given	18,295	4,409	7,873	10,590	11,143
<b>Total</b>	<b>256,055</b>	<b>256,926</b>	<b>257,538</b>	<b>255,246</b>	<b>263,781</b>



**Table D2: Distribution of C Corporation Liability by Industry - 2002-2006**

Industry	Tax Liability					Share of Total Tax Liability (%)	
	2002	2003	2004	2005	2006	2005	2006
Agriculture, Forestry, Fishing and Hunting	\$1,481,042	\$1,426,955	\$1,675,350	\$1,666,837	\$1,809,652	0.1%	0.1%
Mining	1,730,870	5,226,002	5,771,671	8,675,378	7,471,859	0.4%	0.3%
Utilities	13,066,743	20,667,118	18,180,497	147,933,863	45,610,221	6.4%	2.0%
Construction	33,742,903	30,754,994	33,319,614	37,220,007	43,931,674	1.6%	1.9%
Manufacturing	169,368,509	207,724,494	262,689,966	299,442,234	383,892,433	13.0%	16.9%
Wholesale Trade	114,625,198	127,213,980	149,437,028	173,450,316	171,045,211	7.5%	7.5%
Retail Trade	103,973,366	150,561,979	196,003,782	198,261,325	205,232,960	8.6%	9.0%
Transportation and Warehousing	28,734,683	24,946,119	26,280,393	32,190,575	41,369,738	1.4%	1.8%
Information	84,192,615	165,320,801	148,625,868	216,545,786	199,056,935	9.4%	8.8%
Finance and Insurance	178,013,542	178,011,128	301,739,806	637,052,740	532,134,755	27.7%	23.4%
Real Estate and Rental and Leasing	97,181,260	114,375,699	122,259,653	155,575,806	269,588,576	6.8%	11.9%
Professional, Scientific, & Technical Services	97,135,822	93,828,281	122,645,577	165,354,696	151,371,961	7.2%	6.7%
Management of Companies & Enterprises	104,654,058	145,155,354	170,007,989	67,678,349	99,946,625	2.9%	4.4%
Administrative, Support, Waste Management and Remediation Services	19,340,673	22,361,017	29,690,738	72,994,841	30,732,563	3.2%	1.4%
Educational Services	2,260,162	2,030,333	3,569,301	3,509,310	4,236,373	0.2%	0.2%
Health Care and Social Assistance	14,020,734	18,195,905	21,628,854	20,734,096	21,800,907	0.9%	1.0%
Arts, Entertainment, & Recreation	10,047,180	19,014,737	14,312,077	15,967,535	14,214,405	0.7%	0.6%
Accommodation and Food Services	16,806,699	18,773,292	20,795,842	30,235,564	31,875,110	1.3%	1.4%
Other Services (except Public Administration)	12,666,178	11,209,193	17,010,002	14,432,305	15,980,932	0.6%	0.7%
Public Administration	12,254	11,957	5,038	11,993	11,417	0.0%	0.0%
Industry Code Not Given	3,442,161	755,340	1,259,310	1,791,225	1,944,068	0.1%	0.1%
<b>Total</b>	<b>\$1,106,496,652</b>	<b>\$1,357,564,678</b>	<b>\$1,666,908,356</b>	<b>\$2,300,724,781</b>	<b>\$2,273,258,375</b>	<b>100.0%</b>	<b>100.0%</b>

**Table D3: Distribution of Article 9 Taxpayers by Industry - 2004-2006**

2004		Number of Taxpayers					
Industry	Section 183	Section 184	Section 185	Section 186	Section 186-a	Section 186-e	Total
Truck Transportation	959	878	0	0	0	0	1,837
Telecommunications	395	245	0	0	0	453	1,093
Accommodation	0	0	0	0	d/	d/	424
Utilities	17	10	0	d/	175	0	223
Water Transportation	106	d/	0	d/	0	0	181
Rail Transportation	41	26	0	0	0	0	67
Real Estate	0	0	d/	0	d/	31	63
Other Industries	88	45	d/	0	37	72	294
<b>Total</b>	<b>1,606</b>	<b>1,278</b>	<b>53</b>	<b>22</b>	<b>244</b>	<b>979</b>	<b>4,182</b>

2005		Number of Taxpayers					
Industry	Section 183	Section 184	Section 185	Section 186	Section 186-a	Section 186-e	Total
Truck Transportation	927	858	0	0	0	0	1,785
Telecommunications	343	241	0	0	0	480	1,064
Accommodation	0	0	0	0	0	383	383
Water Transportation	103	70	0	d/	0	0	174
Utilities	17	9	0	d/	52	0	96
Rail Transportation	42	25	0	0	0	0	67
Other Industries	90	47	46	0	8	90	281
<b>Total</b>	<b>1,522</b>	<b>1,250</b>	<b>46</b>	<b>19</b>	<b>60</b>	<b>953</b>	<b>3,850</b>

2006		Number of Taxpayers					
Industry	Section 183	Section 184	Section 185	Section 186	Section 186-a	Section 186-e	Total
Truck Transportation	834	750	0	0	0	0	1,584
Telecommunications	338	237	0	0	0	474	1,049
Accommodation	0	0	0	0	0	413	413
Water Transportation	99	68	0	4	0	0	171
Utilities	18	9	0	18	28	0	73
Rail Transportation	41	25	0	0	0	0	66
Other Industries	85	41	48	0	8	97	279
<b>Total</b>	<b>1,415</b>	<b>1,130</b>	<b>48</b>	<b>22</b>	<b>36</b>	<b>984</b>	<b>3,635</b>

d/ Tax Law provisions prohibit disclosure of data.

**Table D4: Distribution of Article 9 Tax Liability by Industry - 2004-2006**

Industry	Tax Liability						Total
	Section 183	Section 184	Section 185	Section 186	Section 186-a	Section 186-e	
Truck Transportation	\$208,340	\$1,610,242	\$0	\$0	\$0	\$0	\$1,818,582
Telecommunications	15,703,858	51,963,740	0	0	0	432,878,840	500,546,438
Accommodation	0	0	0	0	d/	d/	1,735,481
Utilities	16,383	14,988	0	d/	145,121,120	0	167,946,372
Water Transportation	702,146	d/	0	d/	0	0	1,223,518
Rail Transportation	1,607,802	312,337	0	0	0	0	1,920,139
Real Estate	0	0	d/	0	d/	2,327,407	2,384,665
Other Industries	1,871,155	86,026	d/	0	6,573,958	3,840,371	12,455,182
<b>Total</b>	<b>\$20,109,684</b>	<b>\$54,508,315</b>	<b>\$84,266</b>	<b>\$22,794,271</b>	<b>\$151,751,888</b>	<b>\$440,781,953</b>	<b>\$690,030,377</b>

Industry	Tax Liability						Total
	Section 183	Section 184	Section 185	Section 186	Section 186-a	Section 186-e	
Truck Transportation	209,935	1,791,237	0	0	0	0	2,001,172
Telecommunications	7,897,952	54,576,436	0	0	0	408,628,537	471,102,925
Accommodation	0	0	0	0	0	1,363,898	1,363,898
Water Transportation	907,961	586,274	0	d/	0	0	1,494,622
Utilities	17,434	15,359	0	d/	82,722,703	0	108,787,686
Rail Transportation	1,552,711	147,395	0	0	0	0	1,700,106
Other Industries	1,920,943	85,524	91,104	0	67,499	3,755,599	5,920,669
<b>Total</b>	<b>12,506,936</b>	<b>57,202,225</b>	<b>91,104</b>	<b>26,032,577</b>	<b>82,790,202</b>	<b>413,748,034</b>	<b>592,371,078</b>

Industry	Tax Liability						Total
	Section 183	Section 184	Section 185	Section 186	Section 186-a	Section 186-e	
Truck Transportation	196,291	1,828,965	0	0	0	0	2,025,256
Telecommunications	9,934,417	58,344,145	0	0	0	443,372,216	511,650,778
Accommodation	0	0	0	0	0	1,137,237	1,137,237
Water Transportation	1,050,217	593,509	0	84,997	0	0	1,728,723
Utilities	19,183	15,482	0	28,759,632	82,157,779	0	110,952,076
Rail Transportation	1,297,884	149,155	0	0	0	0	1,447,039
Other Industries	1,749,359	85,598	31,379	0	6,304,626	3,762,942	11,933,904
<b>Total</b>	<b>14,247,351</b>	<b>61,016,854</b>	<b>31,379</b>	<b>28,844,629</b>	<b>88,462,405</b>	<b>448,272,395</b>	<b>640,875,013</b>

d/ Tax Law provisions prohibit disclosure of data.

**Table D5: Number and Total Tax Liability of Article 32 Taxpayers - 2002-2006**

Tax Year	Type of Bank	Number of Taxpayers	Total Tax Liability	Percent of Bank Tax
2002	Clearinghouse & Commercial	441	\$268,329,807	65.4%
	Foreign	198	107,724,229	26.3%
	Savings Institutions	82	34,113,455	8.3%
	All Banks	721	\$410,167,491	100.0%
2003	Clearinghouse & Commercial	452	\$236,992,649	59.8%
	Foreign	200	93,383,696	23.6%
	Savings Institutions	92	66,110,622	16.7%
	All Banks	744	\$396,486,967	100.0%
2004	Clearinghouse & Commercial	492	\$370,027,975	73.0%
	Foreign	187	110,762,811	21.9%
	Savings Institutions	90	26,058,403	5.1%
	All Banks	769	\$506,849,189	100.0%
2005	Clearinghouse & Commercial	472	\$419,770,181	72.5%
	Foreign	171	130,691,426	22.6%
	Savings Institutions	86	28,909,867	5.0%
	All Banks	729	\$579,371,474	100.0%
2006	Clearinghouse & Commercial	514	\$507,431,827	74.0%
	Foreign	170	162,317,204	23.7%
	Savings Institutions	79	16,457,048	2.4%
	All Banks	763	\$686,206,079	100.0%

**Table D6: Distribution of Article 32 Tax Liability by Basis of Tax - 2002-2006**

Tax Year	Type of Bank	Income Base		Alternative Base		Minimum Tax	
		Number of Taxpayers	Liability	Number of Taxpayers	Liability	Number of Taxpayers	Liability
2002	Clearinghouse & Commercial	207	\$156,984,321	115	\$111,274,286	119	\$71,200
	Foreign	51	58,393,418	114	49,322,561	33	8,250
	Savings Institutions	47	32,394,418	7	1,705,237	28	13,800
	<b>All Banks</b>	<b>305</b>	<b>\$247,772,157</b>	<b>236</b>	<b>\$162,302,084</b>	<b>180</b>	<b>\$93,250</b>
2003	Clearinghouse & Commercial	210	\$161,927,514	123	\$75,009,335	119	\$55,800
	Foreign	41	49,647,762	118	43,725,689	41	10,245
	Savings Institutions	47	65,126,370	11	968,452	34	15,800
	<b>All Banks</b>	<b>298</b>	<b>\$276,701,646</b>	<b>252</b>	<b>\$119,703,476</b>	<b>194</b>	<b>\$81,845</b>
2004	Clearinghouse & Commercial	233	\$300,031,766	112	\$69,937,409	147	\$58,800
	Foreign	51	61,238,282	100	49,515,529	36	9,000
	Savings Institutions	52	24,474,842	12	1,564,311	26	19,250
	<b>All Banks</b>	<b>336</b>	<b>\$385,744,890</b>	<b>224</b>	<b>\$121,017,249</b>	<b>209</b>	<b>\$87,050</b>
2005	Clearinghouse & Commercial	239	\$339,912,498	102	\$79,794,433	131	\$63,250
	Foreign	61	88,615,606	77	42,067,570	33	8,250
	Savings Institutions	49	19,774,125	20	9,125,992	17	9,750
	<b>All Banks</b>	<b>349</b>	<b>\$448,302,229</b>	<b>199</b>	<b>\$130,987,995</b>	<b>181</b>	<b>\$81,250</b>
2006	Clearinghouse & Commercial	245	\$443,213,607	118	\$64,135,549	151	\$82,671
	Foreign	68	115,504,022	69	46,804,932	33	8,250
	Savings Institutions	38	10,777,501	27	5,675,297	14	4,250
	<b>All Banks</b>	<b>351</b>	<b>\$569,495,130</b>	<b>214</b>	<b>\$116,615,778</b>	<b>198</b>	<b>\$95,171</b>

**Table D7: Allocated Entire Net Income Under Article 32 - 2002-2006**

Tax Year	Type of Bank	Positive Allocated ENI			Negative Allocated ENI		
		Number of Taxpayers	Total (\$ Thousands)	Average (\$ Thousands)	Number of Taxpayers	Total (\$ Thousands)	Average (\$ Thousands)
2002	Clearinghouse & Commercial	308	\$2,551,257	\$8,283	133	(\$4,641,321)	(\$34,897)
	Foreign	87	750,275	8,624	111	(3,825,601)	(34,465)
	Savings Institutions	70	471,450	6,735	12	(1,073,483)	(89,457)
	<b>All Banks</b>	<b>465</b>	<b>\$3,772,982</b>	<b>\$8,114</b>	<b>256</b>	<b>(\$9,540,405)</b>	<b>(\$37,267)</b>
2003	Clearinghouse & Commercial	333	\$2,900,215	\$8,709	119	(\$1,139,679)	(\$9,577)
	Foreign	97	702,356	7,241	103	(2,164,105)	(21,011)
	Savings Institutions	79	986,621	12,489	13	(1,022,991)	(78,692)
	<b>All Banks</b>	<b>509</b>	<b>\$4,589,193</b>	<b>\$9,016</b>	<b>235</b>	<b>(\$4,326,775)</b>	<b>(\$18,412)</b>
2004	Clearinghouse & Commercial	375	\$4,759,716	\$12,693	117	(\$1,391,292)	(\$11,891)
	Foreign	102	897,450	8,799	85	(1,218,578)	(14,336)
	Savings Institutions	75	387,554	5,167	15	(1,813,366)	(120,891)
	<b>All Banks</b>	<b>552</b>	<b>\$6,044,719</b>	<b>\$10,951</b>	<b>217</b>	<b>(\$4,423,236)</b>	<b>(\$20,384)</b>
2005	Clearinghouse & Commercial	368	\$5,372,344	\$14,599	104	(\$1,557,508)	(\$14,976)
	Foreign	108	1,280,113	11,853	63	(3,243,653)	(51,487)
	Savings Institutions	72	410,103	5,696	14	(296,993)	(21,214)
	<b>All Banks</b>	<b>548</b>	<b>\$7,062,560</b>	<b>\$12,888</b>	<b>181</b>	<b>(\$5,098,153)</b>	<b>(\$28,167)</b>
2006	Clearinghouse & Commercial	403	\$6,519,982	\$16,179	112	(\$2,753,213)	(\$24,582)
	Foreign	110	1,598,562	14,532	60	(1,529,152)	(25,486)
	Savings Institutions	57	227,754	3,996	23	(248,988)	(10,826)
	<b>All Banks</b>	<b>570</b>	<b>\$8,346,298</b>	<b>\$14,643</b>	<b>195</b>	<b>(\$4,531,352)</b>	<b>(\$23,238)</b>

**Table D8: Credits Used by Article 32 Taxpayers - 2002-2006**

Credit	Number of Credit Users				
	2002	2003	2004	2005	2006
Mortgage Recording Tax Credit	88	94	92	91	86
Mortgage Servicing Credit	32	28	25	28	25
Investment Tax Credit for Financial Services	19	17	11	12	8
EZ/ZEA Tax Credits	42	40	51	35	22
QEZE Tax Credits	15	20	25	24	22
Other Credits	6	4	7	5	9
<b>Total</b>	<b>202</b>	<b>203</b>	<b>211</b>	<b>195</b>	<b>172</b>

Credit	Amount of Credit Used				
	2002	2003	2004	2005	2006
Mortgage Recording Tax Credit	\$19,852,101	\$27,981,528	\$25,885,032	\$19,914,583	\$14,332,384
Mortgage Servicing Credit	11,068,832	8,018,442	6,973,568	7,138,107	8,658,361
Investment Tax Credit for Financial Services	4,956,068	6,909,315	1,480,470	3,919,251	1,592,677
EZ/ZEA Tax Credits	5,952,506	8,952,570	7,648,471	14,857,251	1,253,096
QEZE Tax Credits	1,167,235	4,492,333	6,559,832	9,208,268	6,444,694
Other Credits	9,797	26,674	180,292	381,737	1,588,909
<b>Total</b>	<b>\$43,006,539</b>	<b>\$56,380,862</b>	<b>\$48,727,665</b>	<b>\$55,419,197</b>	<b>\$33,870,121</b>

**Table D9: Article 33 Tax Liability Before Limitation and Credits - 2002**

Tax Year	Insurance Category	Number of Taxpayers	Tax Liability Before Limitation & Credits	Share of Total Insurance Tax
2002	Life	177	\$226,958,277	27.1%
	Property & Casualty	781	467,615,924	55.9%
	Others	82	142,463,602	17.0%
	Total	1,040	\$837,037,803	100.0%



**Table D10: Article 33 Tax Liability Before Limitation and Credits of Domestic and Foreign Insurers - 2002**

Tax Year	Insurance Category	Number of Domestic Companies	Liability of Domestic Companies	Share of Total Liability	Number of Foreign Companies	Liability of Foreign Companies	Share of Total Liability
2002	Life	88	\$133,798,915	16.0%	89	\$93,159,362	11.1%
	Property & Casualty	167	112,873,221	13.5%	614	354,742,703	42.4%
	Others	35	100,882,135	12.1%	47	41,581,467	5.0%
	Total	290	\$347,554,271	41.5%	750	\$489,483,532	58.5%

**Table D11: Article 33 Tax Liability by Base of Tax Before Limitation and Credits - 2002**

Tax Year	Insurance Category	Amount of Premiums Based Tax	Percent of Tax from Premiums Base	Amount of Income Based Tax	Percent of Tax from Income Base
2002	Life	\$93,797,276	41.3%	\$133,161,001	58.7%
	Property & Casualty	335,244,718	71.7%	132,371,206	28.3%
	Others	58,225,039	40.9%	84,238,563	59.1%
	Total	\$487,267,033	58.2%	\$349,770,770	41.8%

**Table D12: Article 33 Tax Liability After Limitation and Credits - 2002**

Tax Year	Insurance Category	Tax Limitation 1/		Total Tax Credits		Value of Limitation & Tax Credits	Total Tax Liability
		Number of Taxpayers	Value of Limitation	Number of Taxpayers 2/	Value of Tax Credits		
2002	Life	88	\$44,500,918	44	\$25,708,763	\$70,209,681	\$156,684,098
	Property & Casualty	388	47,733,627	260	50,680,897	98,414,524	368,627,334
	Others	48	63,751,374	13	3,843,830	67,595,204	74,868,399
	Total	524	\$155,985,919	317	\$80,233,490	\$236,219,409	\$600,179,831

1/ This column displays the number of taxpayers whose tax before credits was determined based on the limitation on tax and the amount by which the limitation decreased their tax before credits. The limitation equals 2.0 percent of the taxpayer's gross premiums for life insurers and 2.2 percent for all other insurers.

2/ The number of taxpayers displayed in the "Total Credits" column reflects the number of taxpayers taking individual credits. Because taxpayers may use multiple credits, the same taxpayer may be included in this column more than once.

**Table D12A: Retaliatory Tax Credit: Number of Credit Users and Amount of Credit Used - 2002 through 2006**

Tax Year	Life Insurers		Property & Casualty		Others		Total	
	Number of Credit Users	Amount of Credit Used	Number of Credit Users	Amount of Credit Used	Number of Credit Users	Amount of Credit Used	Number of Credit Users	Amount of Credit Used
2002	22	\$8,114,583	30	\$9,296,593	8	\$2,412,942	60	\$19,824,118
2003	23	\$9,826,992	26	\$7,675,923	5	\$2,395,796	54	\$19,898,711
2004	23	\$32,524,282	33	\$14,115,849	7	\$3,198,026	63	\$49,838,157
2005	23	\$20,608,444	42	\$25,204,242	5	\$648,988	70	\$46,461,674
2006	23	\$26,998,308	44	\$25,196,450	5	\$9,218,943	72	\$61,413,701

**Table D12B: Credit for Investments in CAPCOs: Number of Credit Users and Amount of Credit Used - 2002 through 2006**

Tax Year	Life Insurers		Property & Casualty		Others		Total	
	Number of Credit Users	Amount of Credit Used	Number of Credit Users	Amount of Credit Used	Number of Credit Users	Amount of Credit Used	Number of Credit Users	Amount of Credit Used
2002	23	\$8,499,663	12	\$3,475,161	3	\$482,881	38	\$12,457,705
2003	31	\$15,735,801	16	\$5,844,005	5	\$1,420,942	52	\$23,000,748
2004	34	\$17,628,457	20	\$6,520,495	5	\$1,420,944	59	\$25,569,896
2005	26	\$12,935,959	19	\$6,213,631	5	\$862,368	50	\$20,011,958
2006	38	\$20,020,329	33	\$8,473,660	6	\$2,087,444	77	\$30,581,433

**Table D12C: Other Credits: Number of Credit Users and Amount of Credit Used - 2002 through 2006**

**Fire Insurance Premiums Tax Credit**

Tax Year	Number of Credit Users	Amount of Credit Used
2002	239	\$37,486,319
2003	239	\$37,070,635
2004	275	\$40,435,793
2005	273	\$40,228,215
2006	274	\$44,555,071

**QEZE Tax Reduction Credit**

Tax Year	Number of Credit Users	Amount of Credit Used
2002	d/	d/
2003	d/	d/
2004	7	\$14,866,980
2005	5	\$18,137,988
2006	5	\$20,130,550

d/ Tax Law provisions prohibit disclosure of data.

**Table D13: Article 33 Total Tax Liability - 2003 and 2004**

Tax Year	Insurance Category	Number of Taxpayers	Total Tax Liability	Share of Total Tax Liability
2003	Life	197	\$165,652,288	20.5%
	Property & Casualty	852	490,162,673	60.6%
	Others	83	153,114,278	18.9%
	Total	1,132	\$808,929,239	100.0%
2004	Life	214	\$208,433,047	23.7%
	Property & Casualty	869	498,884,856	56.8%
	Others	86	171,721,015	19.5%
	Total	1,169	\$879,038,918	100.0%

**Table D14: Article 33 Tax Liability of Domestic and Foreign Insurers - 2003 and 2004**

Tax Year	Insurance Category	Number of Domestic Companies	Liability of Domestic Companies	Number of Foreign Companies	Liability of Foreign Companies
2003	Life	93	\$91,314,167	104	\$74,338,121
	Property & Casualty	170	100,018,890	682	390,143,783
	Others	35	134,906,564	48	18,207,714
	Total	298	\$326,239,621	834	\$482,689,618
2004	Life	95	\$123,727,644	119	\$84,705,403
	Property & Casualty	165	112,128,504	704	386,756,352
	Others	35	152,428,291	51	19,292,724
	Total	295	\$388,284,439	874	\$490,754,479

**Table D15: Article 33 Basis of Income Tax for Life Insurers - 2003 and 2004**

Tax Year	Basis of Tax	Number of Taxpayers	Total Income Tax	Share of Total Income Tax
2003	Entire Net Income	100	\$141,755,918	84.57%
	Minimum Tax	41	10,250	0.01%
	Alternative and Capital Taxes	56	25,843,016	15.42%
	Total	197	\$167,609,184	100.00%
2004	Entire Net Income	111	\$239,492,331	90.43%
	Minimum Tax	47	11,750	0.01%
	Alternative and Capital Taxes	56	25,330,709	9.56%
	Total	214	\$264,834,790	100.00%

**Table D16: Article 33 Basis of Tax Liability for Non-life Insurers in 2003 and 2004**

Tax Year	Basis of Tax	Property & Casualty		Others	
		Number of Taxpayers	Total Tax Liability	Number of Taxpayers	Total Tax Liability
2003	Premiums	555	\$490,088,423	55	\$153,107,278
	Minimum Tax	297	74,250	28	7,000
	Total	852	\$490,162,673	83	\$153,114,278
2004	Premiums	587	\$498,814,859	53	\$171,712,765
	Minimum Tax	282	69,997	33	8,250
	Total	869	\$498,884,856	86	\$171,721,015



**Table D17: Article 33 Premiums Tax - 2003 and 2004**

Tax Year	Insurance Category	Number of Taxpayers	Taxable Premiums	Premiums Tax	Share of Premiums Tax
2003	Life	144	\$13,284,293,162	\$92,990,044	11.6%
	Property & Casualty	579	27,673,367,081	551,940,189	68.8%
	Others	57	8,710,769,055	157,808,517	19.7%
	Total	780	\$49,668,429,298	\$802,738,750	100.0%
2004	Life	149	\$13,497,584,165	\$94,483,081	11.1%
	Property & Casualty	613	29,444,806,269	587,354,127	68.7%
	Others	54	9,605,157,365	173,320,965	20.3%
	Total	816	\$52,547,547,799	\$855,158,173	100.0%

**Table D18: Article 33 Tax Before the Limitations for Life Insurers - 2003 and 2004**

Tax Year	Basis of Income Tax	Amount of Income Based Tax	Share of Tax from Income Base	Amount of Premiums Based Tax	Share of Tax from Premiums Base	Total Tax Before the Limitations
2003	Entire Net Income	\$141,755,918	68.4%	\$65,578,728	31.6%	\$207,334,646
	Minimum Tax	10,250	16.6%	51,519	83.4%	61,769
	Alternative and Capital Taxes	25,843,016	48.6%	27,359,797	51.4%	53,202,813
	Total	\$167,609,184	64.3%	\$92,990,044	35.7%	\$260,599,228
2004	Entire Net Income	\$239,492,331	75.6%	\$77,359,129	24.4%	\$316,851,460
	Minimum Tax	11,750	12.9%	79,258	87.1%	91,008
	Alternative and Capital Taxes	25,330,709	59.8%	17,044,694	40.2%	42,375,403
	Total	\$264,834,790	73.7%	\$94,483,081	26.3%	\$359,317,871

**Table D19: Article 33 Limitations on Tax Before Credits for Life Insurers in 2003 and 2004**

Tax Year	Basis of Income Tax	Total Tax Before Limitations	Floor Limitation 1/		Limitation on Tax 2/		Total Tax Before Credits
			Number of Taxpayers	Effect of Floor	Number of Taxpayers	Value of Limitation	
2003	Entire Net Income	\$207,334,646	23	\$12,729,605	57	\$65,156,138	\$154,854,113
	Minimum Tax	61,769	3	58,082	36	8,928	110,923
	Alternative and Capital Taxes	53,202,813	33	16,613,499	15	8,884,695	60,931,617
	<b>Total</b>	<b>\$260,599,228</b>	<b>59</b>	<b>\$29,401,186</b>	<b>108</b>	<b>\$74,049,761</b>	<b>\$215,896,653</b>
2004	Entire Net Income	\$316,851,460	22	\$12,947,469	65	\$125,713,684	\$204,085,245
	Minimum Tax	91,008	5	89,301	42	10,451	169,858
	Alternative and Capital Taxes	42,375,403	31	9,519,053	18	14,067,792	37,826,664
	<b>Total</b>	<b>\$359,317,871</b>	<b>58</b>	<b>\$22,555,823</b>	<b>125</b>	<b>\$139,791,927</b>	<b>\$242,081,767</b>

1/ This column displays the number of taxpayers whose tax before credits was determined based on the floor limitation and the amount by which the floor increased their tax before credits. The floor limitation equals 1.5 percent of the taxpayer's taxable premiums.

2/ This column displays the number of taxpayers whose tax before credits was determined based on the limitation on tax and the amount by which the limitation decreased their tax before credits. The limitation equals 2.0 percent of the taxpayer's gross premiums.

**Table D20: Article 33 Value of Tax Credits - 2003 and 2004**

Tax Year	Insurance Category	Total Tax Before Credits	Number of Credit Users 1/	Value of Tax Credits	Total Tax Liability
2003	Life	\$215,896,653	45	\$50,244,365	\$165,652,288
	Property & Casualty	552,012,506	307	61,849,816	490,162,673
	Others	157,815,253	16	4,700,975	153,114,278
	Total	\$925,724,412	368	\$116,795,156	\$808,929,239
2004	Life	\$242,081,767	39	\$33,648,724	\$208,433,047
	Property & Casualty	587,422,430	314	88,537,676	498,884,856
	Others	173,329,029	13	1,608,018	171,721,015
	Total	\$1,002,833,226	366	\$123,794,418	\$879,038,918

1/ The number of taxpayers displayed in the "Total Credits" column reflects the number of taxpayers taking individual credits. Because taxpayers may use multiple credits, the same taxpayer may be included in this column more than once.

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# Appendix E: Sources of Tax Return Data

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Appendix E lists the sources of tax return data used by the Office of Tax Policy Analysis (OTPA) in compiling the study files for Articles 9-A, 32 and 33 for the 2006 tax year. Tax return line items for which data is presented in this report are listed along with the associated line on the 2006 tax return(s). See Appendix A for more information on data sources.

**Table E-1: Sources of Data for Article 9-A Tax Return Items**

Tax Return Item	Line Number		
	CT-3	CT-3A	CT-4
Federal Taxable Income Before NOL	1	1E	1
Interest on Federal, State Obligations	2	2E	2
Interest Paid to Stockholders	3	3E	3
Deductions Directly Attributed to Subsidiary Capital	4a	4a E	NA
Non-Interest Directly Attributed to Subsidiary Capital	4b	4b E	NA
Deductions Indirectly Attributed to Subsidiary Capital	5a	5a E	NA
Non-Interest Indirectly Attributed to Subsidiary Capital	5b	5b E	NA
NYS, Other State and Local Taxes Deduction	6	6E	4
ACRS/MACRS Deduction	7	7E	5
Other Additions	8	8E	NA
Income from Subsidiary Capital	10	10E	NA
50% of Dividends	11	11E	NA
Foreign Dividends	12	12E	NA
NY Net Operating Loss Deduction	13	13E	7
Allowable NY Depreciation	14	14E	8
Other Subtractions	15	15E	9
Entire Net Income	17	17E	NA
Investment Income Before Allocation	18	18E	NA
Business Income Before Allocation	19	19E	NA
Allocated Investment Income	20	20E	NA
Allocated Business Income	21	21E	NA
Optional Depreciation Adjustment	23	23E	NA
Entire Net Income Base	24	24E	11
Tax on ENI Base	72	72	28
Total Capital	32	32E	NA
Subsidiary Capital	33	33E	NA
Investment Capital	35	35E	NA
Business Capital	36	36E	NA
Allocated Investment Capital	37	37E	NA
Allocated Business Capital	38	38E	NA
Capital Base	39	39E	19
Tax on Capital Base	73	73	29
Depreciation of Tangible Property	43	43E	22
Amortization of Mining Costs	44	44E	NA
Amortization Circulation Expenditures	45	45E	NA
Basis Adjustments	46	46E	NA
Long Term Contracts	47	47E	NA
Installment Sales	48	48E	NA
Merchant Marine Capital Construction	49	49E	NA
Passive Activity Loss	50	50E	NA
Depletion	52	52E	NA
Appreciated Property Charitable Deduction	53	53E	NA
Intangible Drilling Costs	54	54E	NA
Net Operating Loss Deduction - Alternative Minimum Tax	56	56E	NA
Alternative NOL Deduction - Alternative Minimum Tax	58	58E	25
Minimum Taxable Income - Alternative Minimum Tax	59	59E	NA
Investment Income Before Alternative NOL (Balance)	62	62E	NA
Apport NYS Alternative NOL Deduction	63	63E	NA

**Table E-1: Sources of Data for Article 9-A Tax Return Items (Cont'd)**

Tax Return Item	Line Number		
	CT-3	CT-3A	CT-4
Alternative Business Income Before Allocation	65	65E	NA
Allocated Alternative Business Income	66	66E	NA
Allocated Alternative Investment Income	67	67E	NA
Minimum Taxable Income Base	70	70E	26
Tax on Minimum Taxable Income Base	71	71	27
Tax on Fixed Dollar Minimum Base	74d	74d	30
Largest of 4 Bases (Tax Before Credit)	75	75	NA
Subsidiary Capital Base	76	249	NA
Tax on Allocated Subsidiary Capital	77	76	NA
Tax Credits: Total	79	78	NA
Tax Due	82	81	34
Fixed Dollar Minimum Tax on Subsidiaries	NA	83a + 83b	NA
Total Tax Liability	82	84	34

NA: Not Applicable

**Table E-2: Sources of Data for Article 32 Tax Return Items**

Tax Return Item	Line Number	
	CT-32	CT-32A
Federal Taxable Income Before NOL	22	24
Dividends & Interest Effectively Connected	23	25
Income Effectively Connected	24	26
Dividends & Interest Not Included	25	27
Income Taxes Paid	26	28
NYS Franchise Taxes	27	29
NYS Gains (loss)	80	190
Federal Depreciation	28	30
Federal Safe Harbor Lease Deduction	30	NA
Amount Required Except for Safe Harbor Lease	31	NA
Additional Mortgage Recording Tax Deducted	32	32
Other Federal Deduction - Article 9-B/9-C	33	33
Bad Debt Deduction - IRC 166/585(c)	34	34
20% Excess Bad Debt Deduction	35	35
Other Additions to Federal Taxable Income	36	36
Interest and Other Expenses Not Deducted	38	38
Allowable New York Depreciation	39	39
Federal Gains (loss)	81	191
Other Federal Gain (loss)	83	193
Federal Income or Gain from Installment Method	41	41
IRC Section 78 Dividends Included	42	42
Amount Deducted as a Result of Safe Harbor Lease	43	NA
Amount Deducted Except for a Safe Harbor Lease	44	NA
Wages Not Deducted Due to Jobs Credit	45	43
Money Received from FDIC/FSLIC/RTC	46	44
Interest Income from Subsidiary Capital	47	45
Dividend Income from Subsidiary Capital	48	46
Net Gain from Subsidiary Capital	49	47
Interest Income on Obligations of New York State	50	48
Adjusted Eligible Net Income of IBF	51	49
Recaptured Reserves on Losses - IRC 585(c)	52	50
Recoveries of Charged Off Loans - IRC 585	53	51
Bad Debt Deduction - 1453(h)	54	52
Bad Debt Deduction - 1453(i)	55	53
NYS Net Operating Loss Deduction	56	54
Other Subtractions	57	55
Entire Net Income	59a	57a
NY Depreciation - CT-399	77	187
NY Optional Depreciation Gain/Loss	82	192
Allocated Taxable Entire Net Income	1	1
Allocated Taxable Alternative Entire Net Income	2	2
Tax on Alternative ENI Base	2	2
Total Assets - Average Value	70	69
Money or Other Property Received from FDIC	71	70
Allocated Taxable Assets	3	3
Tax on Allocated Taxable Assets	3	3
Largest of 4 Bases (Tax Before Credit)	5	5
Tax Credits: Total	6	6
Tax Due	7	7
Fixed Dollar Minimum Tax on Subsidiaries	NA	8
Total Tax Liability	7	9

NA: Not Applicable.



**Table E-3: Sources of Data for Article 33 Tax Return Items**

Tax Return Item	Line Number		
	CT-33	CT-33-A	CT-33-NL
Federal Taxable Income Before NOL	62	64E	NA
Dividends Received Deduction	63	65E	NA
Dividends or Interest Income Not Included	64	66E	NA
Interest to Stockholders	65	67E	NA
Adjustment for Gains or Losses	66	68E	NA
Deductions Attributable to Subsidiary Capital	67	69E	NA
NYS Franchise Taxes	68	70E	NA
Federal Safe Harbor Lease Deduction	69a	71E	NA
Amount Required Except for Safe Harbor Lease	69b	72E	NA
ACRS/MACRS Deduction	70	73E	NA
Other Additions	71	74E	NA
Total Additions	72	75E	NA
Income from Subsidiary Capital	73	76E	NA
50% of Dividends	74	77E	NA
Gain on Installment Sales	75	78E	NA
NY Net Operating Loss	76	79E	NA
Amount Included as a Result of Safe Harbor Lease	77a	80E	NA
Amount Deducted Except for a Safe Harbor Lease	77b	81E	NA
Depreciation Allowed Section 1503(b)(10)	78	82E	NA
Other Subtractions	79	83E	NA
Total Subtractions	80	84E	NA
Entire Net Income	81	85E	NA
Allocated Entire Net Income	1	1	NA
Tax on Entire Net Income	1	1	NA
Total Capital	53	58E	NA
Subsidiary Capital	46E	52E	NA
Business & Investment Capital	55	60E	NA
Adjusted Business & Investment Capital	57	62E	NA
Allocated Business & Investment Capital	2	2	NA
Tax on Business & Investment Capital Base	2	2	NA
Alternative Tax Base	3	3	NA
Tax on Alternative Base	3	3	NA
Allocated Subsidiary Capital	5	5	NA
Tax on Subsidiary Capital	5	5	NA
Life Insurance Premiums	83	93	NA
Accident & Health Premiums	84	94	NA
Other Insurance Premiums	85	95	NA
Life Insurance Company Premiums	86	96	NA
Tax on Life Company Premiums	6	7	NA
Tax Before Limitation	7	8	NA
Tax Floor	8	9	NA
Limitation on Tax	10	14	NA
Accident & Health Company Premiums	NA	NA	1
Tax On Accident & Health Company Premiums	NA	NA	1
Other Nonlife Insurance Premiums	NA	NA	2
Tax on Other Nonlife Premiums	NA	NA	2
Tax Before Credits	11	15	5
Tax Credits	12	16	6
Tax Due	13	17	7

NA: Not Applicable.

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