



This booklet contains:

- Tax Credit Forms
- Fiduciary Tax Forms
- Withholding Tax Forms



CAUTION

The federal amounts that you use on your Arizona return may not be the same as the federal amounts from your federal tax return.

Each year, the Arizona State Legislature considers if it will adopt changes made to the federal tax laws in the prior year. **These forms assume the Legislature will adopt all federal law changes made after January 1, 2021. If you use the**

amounts from your 2021 federal tax return to complete your Arizona return and the Legislature does not adopt the 2021 federal changes, you may have to amend your return at a later date for any difference between Arizona and federal law. For more details, visit www.azdor.gov and click on the link for 2021 conformity.

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We have offices at the following locations:

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Forms Only:

Mesa

55 North Center Street
Mesa, AZ 85201

Reasonable accommodations for any person with a disability can be made.

VOLUME 1 CONTENTS

Individual Tax Forms

Highlights	Individual Income Tax - Highlights	1
131	Claim for Refund on Behalf of Deceased Taxpayer.....	5
140	Resident Personal Income Tax Return	9
140 Schedule A	Itemized Deduction Adjustments.....	45
140A	Resident Personal Income Tax Return (Short Form).....	49
140EZ	Resident Personal Income Tax Return (EZ Form).....	69
140PY	Part-Year Resident Personal Income Tax Return.....	81
140PY Schedule A(PY)	Itemized Deductions for Part-Year Residents	121
140PY Schedule A(PYN)	Itemized Deductions for Part-Year Residents With Nonresident Income	125
140NR	Nonresident Personal Income Tax Return	133
140NR Schedule A(NR)	Itemized Deductions for Nonresidents	169
140ES	Individual Estimated Income Tax Payment (2022)	173
140ET	Credit for Increased Excise Taxes	179
140PTC	Property Tax Refund (Credit) Claim	187
140X	Individual Amended Income Tax Return	197
Claim of Right	Arizona Claim of Right - Individual	219
200	Request for Innocent Spouse Relief and Separation of Liability and Equitable Relief	225
201	Renter's Certificate of Property Taxes Paid	237
203	Request for Injured Spouse Protection from Application of Joint Overpayment Against Spouse's Delinquencies and Debts	241
204	Application for Filing Extension (Individual)	247
221	Underpayment of Estimated Tax by Individuals.....	251
Tax Tables	Optional Tax Tables	259
	Tax Tables X & Y	265

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VOLUME 1 CONTENTS

Corporation, Partnership, and Exempt Organization Tax Forms

Highlights	Exempt Organization - Highlights.....	267
99M	Arizona Nonprofit Medical Marijuana Dispensary Annual Information Return.....	269
99T	Arizona Exempt Organization Business Income Tax Return.....	275
Highlights	Corporate Income Tax - Highlights	289
51	Combined or Consolidated Return Affiliation Schedule	291
120	Arizona Corporation Income Tax Return.....	297
120A	Arizona Corporation Income Tax Return (Short Form)	325
120ES	Corporation Estimated Tax Payment (2022).....	343
120EXT	Application for Automatic Extension of Time to File Corporation, Partnership, and Exempt Organization Returns	345
120S	Arizona S Corporation Income Tax Return	351
120S Schedule K-1	Resident Shareholder's Information Schedule.....	377
120S Schedule K-1(NR)	Nonresident Shareholder's Share of Income and Deductions	381
120W	Estimated Tax Worksheet for Corporations (2022).....	385
120X	Arizona Amended Corporation Income Tax Return	393
122	Authorization and Consent of Subsidiary Corporation to be Included in a Consolidated Income Tax Return.....	411
Highlights	Partnership - Highlights	413
165	Arizona Partnership Income Tax Return.....	415
165 Schedule K-1	Resident and Part-Year Resident Partner's Share of Adjustment to Partnership Income	437
165 Schedule K-1(NR)	Arizona Nonresident and Out-of-State Partner's Share of Income and Deductions....	441
165PA	Arizona Partnership Adjustment – Federal Imputed Underpayment Assessment.....	445
165PA Schedule K-1	Resident and Part-Year Resident Partner's Share of Arizona Partnership Adjustment.....	453
165PA Schedule K-1(NR)	Arizona Nonresident and Out-of-State Partner's Share of Arizona Partnership Adjustment	457
165PA-X	Amendment to Arizona Form 165PA	461
220	Underpayment of Estimated Tax by Corporations	469
Schedule ACA	Air Carrier Apportionment.....	479
Schedule MSP	Multistate Service Provider Election and Computation	481
Claim of Right	Arizona Claim of Right – Corporate	485
Schedule DFE	Disallowed Federal Expenses for Marijuana Establishments	489

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VOLUME 2 CONTENTS

Tax Credit Forms

300	Nonrefundable Corporate Tax Credits and Recapture	495
301	Nonrefundable Individual Tax Credits and Recapture	501
305	Environmental Technology Facility Credit	509
305-P	Environmental Technology Facility Credit – Distribution to Partners	513
306	Military Reuse Zone Credit	523
308	Credit for Increased Research Activities	527
308-P	Credit for Increased Research Activities - Distribution to Partners	531
308-S	Credit for Increased Research Activities - Distribution to Individual Shareholders of an S Corporation	533
308-I	Credit for Increased Research Activities - Individuals	543
309	Credit for Taxes Paid to Another State or Country	555
310	Credit for Solar Energy Devices	569
312	Agricultural Water Conservation System Credit	575
312-P	Agricultural Water Conservation System Credit - Distribution to Partners	577
312-S	Agricultural Water Conservation System Credit - Distribution to Shareholders	579
315	Pollution Control Credit	585
315-P	Pollution Control Credit - Distribution to Partners	589
315-S	Pollution Control Credit - Distribution to Shareholders	591
318	Credit for Taxes Paid for Coal Consumed in Generating Electrical Power	597
318-P	Credit for Taxes Paid for Coal Consumed in Generating Electrical Power - Distribution to Corporate Partners of a Partnership	599
319	Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets	605
320	Credit for Employment of TANF Recipients	609
320-P	Credit for Employment of TANF Recipients - Distribution to Partners	613
321	Credit for Contributions to Qualifying Charitable Organizations	621
322	Credit for Contributions Made or Fees Paid to Public Schools	629
323	Credit for Contributions to Private School Tuition Organizations	637

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VOLUME 2 CONTENTS

Tax Credit Forms (continued)

325	Agricultural Pollution Control Equipment Credit	645
325-P	Agricultural Pollution Control Equipment Credit - Distribution to Partners	647
331	Credit for Donation of School Site	653
331-P	Credit for Donation of School Site – Distribution to Partners	657
331-S	Credit for Donation of School Site – Distribution to Shareholders	659
332	Credits for Healthy Forest Enterprises	669
332-P	Credits for Healthy Forest Enterprises - Distributions to Partners	673
333	Credit for Employing National Guard Members	687
333-P	Credit for Employing National Guard Members - Distribution to Partners	691
333-S	Credit for Employing National Guard Members - Distribution to Shareholders	693
335	Credit for Corporate Contributions to School Tuition Organizations	699
335-P	Credit for Corporate Contributions to School Tuition Organizations - Distribution to Corporate Partners	701
335-S	Credit for Corporate Contributions to School Tuition Organizations - Distribution to Individual Shareholders of an S Corporation	703
335-I	Credit for Business Contributions by an S Corporation to School Tuition Organizations - Individual	709
336	Credit for Solar Energy Devices - Commercial and Industrial Applications	713
338	Credit for Investment in Qualified Small Businesses	717
338-P	Credit for Investment in Qualified Small Businesses - Distribution to Partners	719
338-S	Credit for Investment in Qualified Small Businesses - Distribution to Shareholders ...	721
340	Credit for Donations to the Military Family Relief Fund	727
341	Credit for Corporate Contributions to School Tuition Organizations for Displaced Students or Students with Disabilities	729
341-P	Credit for Corporate Contributions to School Tuition Organizations for Displaced Students or Students with Disabilities - Distribution to Corporate Partners	731
341-S	Credit for Corporate Contributions to School Tuition Organizations for Displaced Students or Students with Disabilities - Distribution to Individual Shareholders of an S Corporation	733
341-I	Credit for Business Contributions by an S Corporation to School Tuition Organizations . for Displaced Students or Students with Disabilities – Individual	739

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VOLUME 2 CONTENTS

Tax Credit Forms (continued)

343	Renewable Energy Production Tax Credit.....	743
343-P	Renewable Energy Production Tax Credit - Distribution to Partners.....	745
343-S	Renewable Energy Production Tax Credit – Distribution to Shareholders	743
345	Credit for New Employment	753
345-P	Credit for New Employment - Distribution to Partners	761
345-S	Credit for New Employment - Distribution to Shareholders	763
346	Additional Credit for Increased Research Activities for Basic Research Payments	773
346-P	Additional Credit for Increased Research Activities for Basic Research Payments - Distribution to Partners.....	777
346-S	Additional Credit for Increased Research Activities for Basic Research Payments - Distribution to Shareholders.....	779
348	Credit for Contributions to Certified School Tuition Organization - Individuals.....	785
349	Credit for Qualified Facilities	793
349-P	Credit for Qualified Facilities - Distribution to Partners	795
349-S	Credit for Qualified Facilities - Distribution to Shareholders	797
351	Credit for Renewable Energy Investment & Production for Self-Consumption by International Operations Centers	805
351-P	Credit for Renewable Energy Investment & Production for Self-Consumption by International Operations Centers -Distribution to Partners	807
352	Credit for Contributions to Qualifying Foster Care Charitable Organizations	815
353	Healthy Forest Production Tax Credit.....	823
353-P	Healthy Forest Production Tax Credit – Distribution to Partners	825
353-S	Healthy Forest Production Tax Credit – Distribution to Shareholders	827

THIS PAGE INTENTIONALLY LEFT BLANK

VOLUME 2 CONTENTS

Fiduciary Tax Forms

Highlights	Estates and Trusts - Highlights	829
141AZ	Arizona Fiduciary Income Tax Return	831
141AZ Schedule K-1	Resident or Part-Year Resident Beneficiary's Share of Fiduciary Adjustment	855
141AZ Schedule K-1(NR)	Nonresident Beneficiary's Share of Income and Share of Fiduciary Adjustment	859
141AZ ES	Estate or Trust Estimated Income Tax Payment (2022)	865
141AZ EXT	Application for Filing Extension (Fiduciary)	869
141AZ V	Arizona Fiduciary Payment Voucher	871
210	Notice of Assumption of Duties in a Fiduciary Capacity	873
Claim of Right	Arizona Claim of Right - Fiduciary	877
Tax Table	Tax Table for Estates and Trusts	881

Withholding Tax Forms

Highlights	Withholding - Highlights	883
A1-APR	Arizona Annual Payment Withholding Tax Return	885
A1-QRT	Arizona Quarterly Withholding Tax Return (2022)	893
A1-WP	Payment of Arizona Income Tax Withheld (2022)	903
A1-R	Arizona Withholding Reconciliation Return	905
A1-E	Employer's Election to Not Withhold Arizona Taxes in December (2022)	911
A-4	Employee's Arizona Withholding Election and Employee's Instructions (2022)	913
Instructions	Employer's Instructions for Form A-4	915
A-4P	Annuitant's Request for Voluntary Arizona Income Tax Withholding (2022)	917
A-4V	Voluntary Withholding Request for Arizona Resident Employed Outside of Arizona (2022)	919
WEC	Withholding Exemption Certificate (2022)	921

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VOLUME 3 CONTENTS

Small Business Income Tax Forms (SBI)

Highlights	Small Business Income - Highlights.....	925
131-SBI	Claim for Refund on Behalf of Deceased Taxpayer for SBI Tax Returns.....	929
140-SBI	Small Business Income Tax Return for Full-Year Residents.....	933
140PY-SBI	Small Business Income Tax Return for Part-Year Residents.....	951
140NR-SBI	Small Business Income Tax Return for Nonresidents.....	969
140ES-SBI	Individual Estimated Income Tax Payment for SBI Tax Returns (2022).....	987
140X-SBI	Small Business Amended Income Tax Return.....	989
204-SBI	Extension Payment for SBI Tax Returns.....	1001
301-SBI	Nonrefundable Individual Tax Credits and Recapture for SBI Tax Returns.....	1005
309-SBI	Credit for Taxes Paid to Another State or Country for SBI Tax Returns.....	1013

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Include with the taxpayer's return.

For the calendar year 2021 or fiscal year beginning [M,M|D,D|2,0,2,1] and ending [M,M|D,D|Y,Y,Y,Y].

Name as shown on Form 99T, 120, 120A, 120S, or 120X	Employer Identification Number
---	--------------------------------

Part 1 Nonrefundable Tax Credits Available					
Enter total available nonrefundable tax credits.					
		(a) Current Year Credit	(b) Available Carryover	(c) Total Available Credit (a) + (b)	
1 Environmental Technology Facility Credit..... from Form 305 ▶	1			00	
2 Military Reuse Zone Credit..... from Form 306 ▶	2			00	
3 Credit for Increased Research Activities..... from Form 308 ▶	3			00	
4 Pollution Control Credit..... from Form 315 ▶	4			00	
5 Credit for Taxes Paid for Coal Consumed in Generating Electrical Power..... from Form 318 ▶	5			00	
6 Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets..... from Form 319 ▶	6			00	
7 Credit for Employment of TANF Recipients..... from Form 320 ▶	7			00	
8 Credit for Donation of School Site..... from Form 331 ▶	8			00	
9 Credit for Employing National Guard Members..... from Form 333 ▶	9			00	
10 Credit for Corporate Contributions to School Tuition Organizations..... from Form 335 ▶	10			00	
11 Credit for Solar Energy Devices – Commercial and Industrial Applications..... from Form 336 ▶	11			00	
12 Credit for Corporate Contributions to School Tuition Organizations for Displaced Students or Students with Disabilities..... from Form 341 ▶	12			00	
13 Renewable Energy Production Tax Credit..... from Form 343 ▶	13			00	
14 Credit for New Employment..... from Form 345 ▶	14			00	
15 Additional Credit for Increased Research Activities for Basic Research Payments..... from Form 346 ▶	15			00	
16 Credit for Renewable Energy Investment and Production for Self-Consumption by International Operations Centers..... from Form 351 ▶	16			00	
17 Healthy Forest Production Tax Credit..... from Form 353 ▶	17			00	
18 Reserved for future use..... ▶	18				
19 Reserved for future use..... ▶	19				
20 Total available nonrefundable tax credits: Add lines 1 through 17. Enter the total.....	20			00	

Name (as shown on page 1)	EIN
---------------------------	-----

Part 2	Application of Nonrefundable Tax Credits and Recapture Enter tax, recapture tax, and tax credits used this taxable year.
---------------	--

21 Tax from Form 99T, line 6; or Form 120, line 16; or Form 120A, line 8; or Form 120S, line 12; or Form 120X, line 16(c)				21		00
22 Tax from Recapture of Environmental Technology Facility Credit from Form 305, Part 4, line 18	22	00				
23 Tax from Recapture of Credit for Qualified Facilities from Form 349, Part 7, line 19	23	00				
24 Tax from Recapture of Credit for Renewable Energy Investment and Production for Self-Consumption by International Operations Centers from Form 351, Part 2, line 24	24	00				
25 Recapture total: Add lines 22 through 24. Enter total here and on Form 99T, line 7; or Form 120, line 17; or Form 120A, line 9; or Form 120S, line 13; or Form 120X, line 17(c)...	25	00				
26 Subtotal of tax: Add lines 21 and 25				26		00

Nonrefundable Tax Credits Used This Taxable Year Enter amount of credits actually used from Part 1.

27 Environmental Technology Facility Credit – cannot exceed 75% of line 26. See instructions..... from Form 305 ▶				27		00
28 Military Reuse Zone Credit..... from Form 306 ▶	28	00				
29 Credit for Increased Research Activities: See the instructions for Form 308 for computing limitation from Form 308 ▶	29	00				
30 Pollution Control Credit..... from Form 315 ▶	30	00				
31 Credit for Taxes Paid for Coal Consumed in Generating Electrical Power..... from Form 318 ▶	31	00				
32 Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets from Form 319 ▶	32	00				
33 Credit for Employment of TANF Recipients..... from Form 320 ▶	33	00				
34 Credit for Donation of School Site from Form 331 ▶	34					
35 Credit for Employing National Guard Members..... from Form 333 ▶	35	00				
36 Credit for Corporate Contributions to School Tuition Organizations..... from Form 335 ▶	36	00				
37 Credit for Solar Energy Devices – Commercial and Industrial Applications..... from Form 336 ▶	37	00				
38 Credit for Corporate Contributions to School Tuition Organizations for Displaced Students or Students with Disabilities..... from Form 341 ▶	38	00				
39 Renewable Energy Production Tax Credit..... from Form 343 ▶	39	00				
40 Credit for New Employment..... from Form 345 ▶	40	00				
41 Additional Credit for Increased Research Activities for Basic Research Payments from Form 346 ▶	41	00				
42 Credit for Renewable Energy Investment and Production for Self-Consumption by International Operations Centers from Form 351 ▶	42	00				
43 Healthy Forest Production Tax Credit..... from Form 353 ▶	43	00				
44 Reserved for future use	44					
45 Reserved for future use	45					
46 Total available nonrefundable tax credits: Add lines 27 through 43. Total cannot be more than line 26. Enter total here and on Form 99T, line 9; or Form 120, line 19; or Form 120A, line 11; or Form 120S, line 15; or Form 120X, line 19(c).....				46		00

2021 Nonrefundable Corporate Tax Credits and Recapture

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

General Instructions

Arizona Form 300 may only be used by corporate taxpayers or exempt organizations with unrelated business taxable income (UBTI) to claim tax credits. Individual taxpayers must use Arizona Form 301 to claim tax credits.

Corporate taxpayers and exempt organizations with UBTI complete this form:

- to summarize their total available nonrefundable tax credits,
- to determine the application of the available nonrefundable tax credits, and
- to calculate their tax liability related to the recapture of tax credits.

The credits are available to an exempt organization that is subject to corporate income tax on UBTI. The credit must result from the activities that generate UBTI.

NOTE: *You must include Form 300 and the corresponding credit form(s) for which you computed your credit(s) with your income tax return. Use Arizona Form 300 to:*

- Summarize your total available nonrefundable tax credits.
- Determine the application of the available tax credits.
- Summarize your tax liability related to recapture of tax credits.
- Claim any available credit carryover.

Form 300 is not required to be included with your return to claim the following refundable credits. You must, however, include the completed refundable credit form with your tax return.

- The refundable portion of the Credit for Increased Research Activities (Form 308), or
- The Credit for Qualified Facilities (Form 349).

Specific Instructions

Enter the taxpayer name and employer identification number (EIN) as shown on Arizona Form 99T, 120, 120A, 120S, or 120X. Indicate the period covered by the taxable year.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for a corporation, an exempt organization with UBTI, or an S Corporation is its EIN. Taxpayers that fail to include their TIN may be subject to a penalty.

Part 1 - Nonrefundable Tax Credits Available

Complete Part 1 to determine the total amount of available nonrefundable tax credits. The available tax credit amount for a particular credit is the total of the current taxable year's credit and any available credit carryovers from prior taxable years. On lines 1 through 17, enter the available tax credit amount for each of the credits listed.

Line 1 - Environmental Technology Facility Credit

Column (a): Enter the amount from Form 305, line 35.
Column (b): Enter the amount from Form 305, line 36.
Column (c): Enter the amount from Form 305, line 37.

Line 2 - Military Reuse Zone Credit

Column (a): Do not enter an amount.
Column (b): Enter the amount from Form 306, line 7.
Column (c): Enter the amount from column (b).

Line 3 - Credit for Increased Research Activities

If you are claiming a refund of 75% of current year's excess credit:

Column (a): Enter the amount from Form 308, line 38(c).
Column (b): Enter "0". No carry forward of any amount is allowed from the year of the refund.
Column (c): Enter the amount from column (a).

If you are NOT claiming a refund of 75% of current year's excess credit:

Column (a): Enter the amount from Form 308, line 60.
Column (b): Enter the amount from Form 308, line 61.
Column (c): Enter the amount from Form 308, line 62.

Line 4 - Pollution Control Credit

Column (a): Enter the amount from Form 315, line 27.
Column (b): Enter the amount from Form 315, line 28.
Column (c): Enter the amount from Form 315, line 29.

Line 5 - Credit for Taxes Paid for Coal Consumed in Generating Electrical Power

Column (a): Enter the amount from Form 318, line 11.
Column (b): Enter the amount from Form 318, line 12.
Column (c): Enter the amount from Form 318, line 13.

Line 6 - Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets

Column (a): Do not enter an amount.
Column (b): Enter the amount from Form 319, line 9.
Column (c): Enter the amount from column (b).

Line 7 - Credit for Employment of TANF Recipients

Column (a): Enter the amount from Form 320, line 23.
Column (b): Enter the amount from Form 320, line 24.
Column (c): Enter the amount from Form 320, line 25.

Line 8 - Credit for Donation of School Site

Column (a): Enter the amount from Form 331, line 19.
Column (b): Enter the amount from Form 331, line 20.
Column (c): Enter the amount from Form 331, line 21.

Line 9 - Credit for Employing National Guard Members

Column (a): Enter the amount from Form 333, line 17.
Column (b): Enter the amount from Form 333, line 18.
Column (c): Enter the amount from Form 333, line 19.

Line 10 - Credit for Corporate Contributions to School Tuition Organizations

Column (a): Enter the amount from Form 335, line 20.
 Column (b): Enter the amount from Form 335, line 21.
 Column (c): Enter the amount from Form 335, line 22.

Line 11 - Credit for Solar Energy Devices - Commercial and Industrial Applications (This credit expired 12/31/2018.)

Column (a): Do not enter an amount.
 Column (b): Enter the amount from Form 336, line 5.
 Column (c): Enter the amount from column (b).

Line 12 - Credit for Corporate Contributions to School Tuition Organizations for Displaced Students or Students With Disabilities

Column (a): Enter the amount from Form 341, line 20.
 Column (b): Enter the amount from Form 341, line 21.
 Column (c): Enter the amount from Form 341, line 22.

Line 13 - Renewable Energy Production Tax Credit

Column (a): Enter the amount from Form 343, line 14.
 Column (b): Enter the amount from Form 343, line 15.
 Column (c): Enter the amount from Form 343, line 16.

Line 14 - Credit for New Employment

Column (a): Enter the amount from Form 345, line 22.
 Column (b): Enter the amount from Form 345, line 23.
 Column (c): Enter the amount from Form 345, line 24.

Line 15 - Additional Credit for Increased Research Activities for Basic Research Payments

Column (a): Enter the amount from Form 346, line 20.
 Column (b): Enter the amount from Form 346, line 21.
 Column (c): Enter the amount from Form 346, line 22.

Line 16 - Credit for Renewable Energy Investment and Production for Self-Consumption by International Operations Centers

Column (a): Enter the amount from Form 351, line 31.
 Column (b): Enter the amount from Form 351, line 32.
 Column (c): Enter the amount from Form 351, line 33.

Line 17 - Healthy Forest Production Tax Credit

Column (a): Enter the amount from Form 353, line 9.
 Column (b): Do not enter an amount.
 Column (c): Enter the amount from Form 353, line 10.

Line 18 - Reserved for Future Use

Line 19 - Reserved for Future Use

Line 20 - Total Available Nonrefundable Tax Credits

Add lines 1 through 17. Enter the total. This is the total amount of all nonrefundable tax credits available for use by the taxpayer.

Part 2 - Application of Nonrefundable Tax Credits and Recapture

Complete Part 2 to figure any recapture. Also complete Part 2 to determine which tax credits you will use and the portion of the available tax credit amount from Part 1 that you will use for a particular tax credit.

Note for a partner in a partnership: Partnerships with corporate partners or exempt organization partners with UBTI must notify those partners if a credit that the partnership passed through must be recaptured. The partnership should provide the amount of recapture to its partners. Each relevant credit form has a section devoted to this purpose. The partner must then include any of these recapture amounts in the amount of recapture it computes on Form 300.

Note for an exempt organization that is a shareholder in an S Corporation: S Corporations with exempt organization shareholders must notify those shareholders if a credit that the S Corporation passed through must be recaptured. The S Corporation should provide the amount of recapture to its shareholders. Each relevant credit form has a section devoted to this purpose. The exempt organization shareholder with UBTI must then include any of these recapture amounts in the amount of recapture it computes on Form 300.

Line 21 - Current Year's Tax From Tax Return

Enter the amount of tax as follows:

If you filed Form:	See page:	Line number:
99T	1	6
120	1	16
120A	1	8
120S	1	12
120X	1	16, column (c)

Line 22 - Tax From Recapture of Environmental Technology Facility Credit

Enter the amount of tax from recapture of the environmental technology facility credit on Form 305, Part 4, line 18.

Line 23 - Tax From Recapture of Credit For Qualified Facilities

Enter the amount of tax from recapture of the credit for qualified facilities from Form 349, Part 7, line 19.

Line 24 - Tax From Recapture of Credit for Renewable Energy Investment and Production for Self-Consumption by International Operations Centers

Enter the amount of tax from recapture of the credit for renewable energy investment and production for self-consumption by manufacturers from Form 351, Part 2, line 24.

Line 25 - Recapture Total

Add lines 22 through 24. Enter the total. Also, enter the total on your income tax form, as follows:

If you filed Form:	See page:	Line number:
99T	1	7
120	1	17
120A	1	9
120S	1	13
120X	1	17, column (c)

Line 26 - Subtotal of Tax

Add lines 21 and 25. Enter the total. This is the maximum amount to which the total amount of nonrefundable tax credits used by the taxpayer may be applied.

Nonrefundable Tax Credits Used This Taxable Year

The total amount of nonrefundable tax credits used by the taxpayer cannot exceed the amount entered on line 26. In order for the taxpayer

to determine which tax credit(s) to claim and the amount to claim for a particular tax credit, the taxpayer must consider any limitations on the allowable amount of a particular tax credit and whether the unused portion of a particular tax credit may be carried forward.

Line 27 - Environmental Technology Facility Credit

The unused portion of this tax credit may be carried forward for 15 succeeding taxable years. If the taxpayer is subject to the tax related to recapture of this tax credit for the facility, the carryover of the tax credit is reduced by the percentages listed in Form 305 instructions.

The portion of the available credit amount from Form 300, Part 1, line 1 that may be used by the taxpayer is limited to 75% of the amount of tax entered on line 26. Enter the amount used.

Line 28 - Military Reuse Zone Credit

The unused portion of this tax credit may be carried forward for five succeeding taxable years if the business remains in the military reuse zone. If the business relocates outside of the military reuse zone, the carryover of the tax credit is lost. Enter the amount used.

Line 29 - Credit for Increased Research Activities

The unused portion of this tax credit may be carried forward for 15 succeeding taxable years. Enter the total amount used.

NOTE: *If you qualify for, and are claiming, a 75% refund of your excess credit for the current year, enter only the nonrefundable portion of the current year's credit from Form 308, Part 7, line 38c. Enter the refundable portion of the credit (the amount from Form 308, Part 7, line 40) on Form 99T, line 12; or Form 120, line 22; or Form 120A, line 14; or Form 120S, line 18; or Form 120X, line 22c. Carry forwards from previous years of the credit for increased research activities will carry over to the following year, provided the credit is within the 15-year carry forward period.*

Line 30 - Pollution Control Credit

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 31 - Credit for Taxes Paid for Coal Consumed in Generating Electrical Power

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 32 - Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 33 - Credit for Employment of TANF Recipients

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 34 - Credit for Donation of School Site

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 35 - Credit for Employing National Guard Members

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 36 - Credit for Corporate Contributions to School Tuition Organizations

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 37 - Credit for Solar Energy Devices - Commercial and Industrial Applications

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 38 - Credit for Corporate Contributions to School Tuition Organizations for Displaced Students or Students with Disabilities

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 39 - Renewable Energy Production Tax Credit

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 40 - Credit for New Employment

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 41 - Additional Credit for Increased Research Activities for Basic Research Payments

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 42 - Credit for Renewable Energy Investment and Production for Self-Consumption by International Operations Centers

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 43 - Healthy Forest Production Tax Credit

The unused portion of this tax credit may be carried forward for five succeeding taxable years. Enter the amount used.

Line 44 - Reserved for Future Use

Line 45 - Reserved for Future Use

Line 46 - Total Nonrefundable Tax Credits Used

Add lines 27 through 43. Enter the total. This amount cannot exceed the amount entered on line 26. Enter the amount from this line on your income tax form, as follows:

If you filed Form:	See page:	Line number:
99T	1	9
120	1	19
120A	1	11
120S	1	15
120X	1	19, column (c)

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Include with your return.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Your Name as shown on Form 140, 140PY, 140NR or 140X	Your Social Security Number
Spouse's Name as shown on Form 140, 140PY, 140NR or 140X (if a joint return)	Spouse's Social Security Number

Part 1 Nonrefundable Individual Tax Credits Available: Enter total available tax credits.

		(a) Current Year Credit	(b) Available Carryover	(c) Total Available Credit (a) + (b)
1 Military Reuse Zone Credit..... Form 306 ▶	1			00
2 Credit for Increased Research Activities – Individuals..... Form 308-I ▶	2			00
3 Credit for Taxes Paid to Another State or Country..... Form 309 ▶	3			00
4 Credit for Solar Energy Devices Form 310 ▶	4			00
5 Agricultural Water Conservation System Credit Form 312 ▶	5			00
6 Pollution Control Credit..... Form 315 ▶	6			00
7 Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets Form 319 ▶	7			00
8 Credit for Contributions to Qualifying Charitable Organizations.. Form 321 ▶	8			00
9 Credit for Contributions Made or Fees Paid to Public Schools.... Form 322 ▶	9			00
10 Credit for Contributions to Private School Tuition Organizations Form 323 ▶	10			00
11 Agricultural Pollution Control Equipment Credit Form 325 ▶	11			00
12 Credit for Donation of School Site Form 331 ▶	12			00
13 Credit for Employment by Healthy Forest Enterprises Form 332 ▶	13			00
14 Credit for Employing National Guard Members..... Form 333 ▶	14			00
15 Credit for Business Contributions by an S Corporation to School Tuition Organizations - Individual Form 335-I ▶	15			00
16 Credit for Solar Energy Devices – Commercial and Industrial Applications..... Form 336 ▶	16			00
17 Credit for Investment in Qualified Small Businesses..... Form 338 ▶	17			00
18 Credit for Donations to the Military Family Relief Fund Form 340 ▶	18			00
19 Credit for Business Contributions by an S Corporation to School Tuition Organizations for Displaced Students or Students with Disabilities - Individual Form 341-I ▶	19			00
20 Renewable Energy Production Tax Credit..... Form 343 ▶	20			00
21 Credit for New Employment..... Form 345 ▶	21			00
22 Additional Credit for Increased Research Activities for Basic Research Payments Form 346 ▶	22			00
23 Credit for Contributions to Certified School Tuition Organizations (for contributions that exceed the allowable credit on Arizona Form 323). Form 348 ▶	23			00
24 Credit for Contributions to Qualifying Foster Care Charitable Organizations Form 352 ▶	24			00
25 Healthy Forest Production Tax Credit..... Form 353 ▶	25			00
26 Total available nonrefundable tax credits: Add lines 1 through 25.....	26			00

Continued on page 2 →



You must include Form 301 and the corresponding credit form(s) for which you computed your credit(s) with your individual income tax return.

Your Name (as shown on page 1)	Your Social Security Number
--------------------------------	-----------------------------

Part 2 Application of Tax Credits and Recapture: Enter tax, recapture tax, and tax credits used this taxable year.

27 Tax from Form 140, lines 46a and 46b; or Form 140PY, lines 56a and 56b; or Form 140NR, line 56a and 56b; or Form 140X, lines 37a and 37b.....	27		00
28 Tax from Recapture of Credits for Healthy Forest Enterprises from Form 332, Part 9, line 39, and Part 10, line 45.....	28	00	
29 Tax from Recapture of Credit for Qualified Facilities from Form 349, Part 7, line 19.....	29	00	
30 Recapture Total: Add lines 28 and 29. Enter here and on Form 140, line 47; or Form 140PY, line 57; or Form 140NR, line 57; or Form 140X, line 38.....	30		00
31 Subtotal: Add lines 27 and 30.....	31		00
32 Family Income Tax Credit from Form 140, line 50; or Form 140PY, line 60; or Form 140X, box 40a; plus Dependent Tax Credit from Form 140, line 49; or Form 140PY, line 59; or Form 140NR, line 59; or Form 140X, box 40b.....	32		00
33 Subtract line 32 from line 31. Enter the difference. If less than zero, enter "0".....	33		00

Nonrefundable Tax Credits Used This Taxable Year: Enter amounts actually used from Part 1.

34 Military Reuse Zone Credit.....Form 306 ▶	34		00
35 Credit for Increased Research Activities – Individuals..... Form 308-I ▶	35		00
36 Credit for Taxes Paid to Another State or Country.....Form 309 ▶	36		00
37 Credit for Solar Energy Devices.....Form 310 ▶	37		00
38 Agricultural Water Conservation System Credit.....Form 312 ▶	38		00
39 Pollution Control Credit.....Form 315 ▶	39		00
40 Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets.....Form 319 ▶	40		00
41 Credit for Contributions to Qualifying Charitable Organizations.....Form 321 ▶	41		00
42 Credit for Contributions Made or Fees Paid to Public Schools.....Form 322 ▶	42		00
43 Credit for Contributions to Private School Tuition Organizations.....Form 323 ▶	43		00
44 Agricultural Pollution Control Equipment Credit.....Form 325 ▶	44		00
45 Credit for Donation of School Site.....Form 331 ▶	45		00
46 Credit for Employment by Healthy Forest Enterprises.....Form 332 ▶	46		00
47 Credit for Employing National Guard Members.....Form 333 ▶	47		00
48 Credit for Business Contribution by an S Corporation to School Tuition Organizations - Individual..... Form 335-I ▶	48		00
49 Credit for Solar Energy Devices – Commercial and Industrial Applications.....Form 336 ▶	49		00
50 Credit for Investment in Qualified Small Businesses.....Form 338 ▶	50		00
51 Credit for Donations to the Military Family Relief Fund: Enter the smaller of Form 301, Part 1, line 18 or Part 2, line 31.....Form 340 ▶	51		00
52 Credit for Business Contributions by an S Corporation to School Tuition Organizations for Displaced Students or Students with Disabilities - Individual.. Form 341-I ▶	52		00
53 Renewable Energy Production Tax Credit.....Form 343 ▶	53		00
54 Credit for New Employment.....Form 345 ▶	54		00
55 Additional Credit for Increased Research Activities for Basic Research Payments..Form 346 ▶	55		00
56 Credit for Contributions to Certified School Tuition Organizations (for contributions that exceed the maximum allowable credit on Arizona Form 323) ..Form 348 ▶	56		00
57 Credit for Contributions to Qualifying Foster Care Charitable Organizations.....Form 352 ▶	57		00
58 Healthy Forest Production Tax Credit.....Form 353 ▶	58		00
59 Tax credits used from Form 301: Add lines 34 through 58.....	59		00
60 Tax credits used from Form 301-SBI, line 65.....	60		00
61 Total Tax Credits Used: add lines 59 and 60. Enter this amount on Form 140, line 51; or Form 140PY, line 61; or Form 140NR, line 60; or Form 140X, line 41. Total credits used cannot be more than line 33.	61		00

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website and click on *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

General Instructions

You must complete and include Arizona Form 301 and the credit form(s) with your Arizona income tax return to claim nonrefundable tax credits unless you meet one of the exceptions listed under *When Form 301 is Not Required*.

Use this form to:

- Summarize your total available nonrefundable tax credits.
- Determine the application of the available tax credits.
- Summarize your tax liability related to recapture of tax credits.
- Claim *any* available credit carryover.

If you don't meet one of the exceptions below and do not complete and include Form 301 and all required tax credit forms with your income tax return, your claim for tax credit(s) may be denied.

When Form 301 is Not Required

You are not required to complete and include Form 301 with your tax return to *only* claim any of the following credits:

- Dependent Tax Credit
- Family Income Tax Credit (from the worksheet in your income tax form instructions),
- Property Tax Credit (Arizona Form 140PTC),
- Increased Excise Tax Credit (from the worksheet in your income tax form instructions or Arizona Form 140ET),
- The refundable portion of the Increased Research Activities Credit (Arizona Form 308-I),
- The credit for Qualified Facilities (Arizona Form 349).

Line-by-Line Instructions

Enter your name and Social Security Number (SSN) as shown on Arizona Form 140, 140PY, 140NR, or 140X.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for an individual is the taxpayer's SSN or an Internal Revenue Service (IRS) individual taxpayer identification number (ITIN). Taxpayers that fail to include their identification number may be subject to a penalty.

Part 1: Nonrefundable Individual Tax Credits Available

Complete Part 1 to determine the total amount of *available* nonrefundable tax credits. The available tax credit amount for a particular credit is the total of the current taxable year's credit and any unused credit carryovers available from prior taxable years.

On lines 1 through 26 complete columns (a), (b) and (c) for each of the following credits available to you this taxable year.

Line 1 - Military Reuse Zone Credit

Column (a): Do not enter an amount here.

Column (b): Enter the amount from Form 306, line 7.

Column (c): Enter the amount from column (b).

Line 2 - Credit for Increased Research Activities - Individuals

If you are claiming a refund of 75% of current year's excess credit:

Column (a): Enter the amount from Form 308-I, line 28(d).

Column (b): Enter "0". No carry forward of any amount is allowed from the year of the refund.

Column (c): Enter the amount from column (a).

If you are not claiming a refund of 75% of current year's excess credit:

Column (a): Enter the amount from Form 308-I, line 57.

Column (b): Enter the amount from Form 308-I, line 58.

Column (c): Enter the amount from Form 308-I, line 59.

Line 3 - Credit for Taxes Paid to Another State or Country

Column (a): Enter the amount from Form 309, line 17.

Column (b): Do not enter an amount here.

Column (c): Enter the amount from column (a).

Line 4 - Credit for Solar Energy Devices

Column (a): Enter the amount from Form 310, line 16.

Column (b): Enter the amount from Form 310, line 17.

Column (c): Enter the amount from Form 310, line 18.

Line 5 - Agricultural Water Conservation System Credit

Column (a): Enter the amount from Form 312, line 17.

Column (b): Enter the amount from Form 312, line 18.

Column (c): Enter the amount from Form 312, line 19.

Line 6 - Pollution Control Credit

Column (a): Enter the amount from Form 315, line 27.

Column (b): Enter the amount from Form 315, line 28.

Column (c): Enter the amount from Form 315, line 29.

Line 7 - Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets

Column (a): Do not enter an amount here.

Column (b): Enter the amount from Form 319, line 8.

Column (c): Enter the amount from column (b).

Line 8 - Credit for Contributions to Qualifying Charitable Organizations

Column (a): Enter the amount from Form 321, line 20.

Column (b): Enter the amount from Form 321, line 21.

Column (c): Enter the amount from Form 321, line 22.

Line 9 - Credit for Contributions Made or Fees Paid to Public Schools

Column (a): Enter the amount from Form 322, line 20.

Column (b): Enter the amount from Form 322, line 21.

Column (c): Enter the amount from Form 322, line 22.

Line 10 - Credit for Contributions to Private School Tuition Organizations

Column (a): Enter the amount from Form 323, line 20.

Column (b): Enter the amount from Form 323, line 21.

Column (c): Enter the amount from Form 323, line 22.

Line 11 - Agricultural Pollution Control Equipment Credit

Column (a): Enter the amount from Form 325, line 25.

Column (b): Enter the amount from Form 325, line 26.

Column (c): Enter the amount from Form 325, line 27.

Line 12 - Credit for Donation of School Site

Column (a): Enter the amount from Form 331, line 17.

Column (b): Enter the amount from Form 331, line 18.

Column (c): Enter the amount from Form 331, line 19.

Line 13 - Credit for Employment by Healthy Forest Enterprises

Column (a): Enter the amount from Form 332, line 55.

Column (b): Enter the sum of lines 56 and 57 from Form 332.

Column (c): Enter the amount from Form 332, line 58.

Line 14 - Credit for Employing National Guard Members

Column (a): Enter the amount from Form 333, line 17.

Column (b): Enter the amount from Form 333, line 18.

Column (c): Enter the amount from Form 333, line 19.

Line 15 - Credit for Business Contributions by an S Corporation to School Tuition Organizations - Individual

Column (a): Enter the amount from Form 335-I, line 19.

Column (b): Enter the amount from Form 335-I, line 20.

Column (c): Enter the amount from Form 335-I, line 21.

Line 16 - Credit for Solar Energy Devices - Commercial and Industrial Applications

Column (a): Do not enter an amount in column (a).

Column (b): Enter the amount from Form 336, line 5.

Column (c): Enter the amount from column (b).

Line 17 - Credit for Investment in Qualified Small Businesses

Column (a): Enter the amount from Form 338, line 9.

Column (b): Enter the amount from Form 338, line 10.

Column (c): Enter the amount from Form 338, line 11.

Line 18 - Credit for Donations to the Military Family Relief Fund

Column (a): Enter the amount from Form 340, line 6.

Column (b): Do not enter an amount here.

Column (c): Enter the amount from column (a).

Line 19 - Credit for Business Contributions by an S Corporation to School Tuition Organizations for Displaced Students or Students with Disabilities - Individual

Column (a): Enter the amount from Form 341-I, line 19.

Column (b): Enter the amount from Form 341-I, line 20.

Column (c): Enter the amount from Form 341-I, line 21.

Line 20 - Renewable Energy Production Tax Credit

Column (a): Enter the amount from Form 343, line 14.

Column (b): Enter the amount from Form 343, line 15.

Column (c): Enter the amount from Form 343, line 16.

Line 21 - Credit for New Employment

Column (a): Enter the amount from Form 345, line 22.

Column (b): Enter the amount from Form 345, line 23.

Column (c): Enter the amount from Form 345, line 24.

Line 22 - Additional Credit for Increased Research Activities for Basic Research Payments

Column (a): Enter the amount from Form 346, line 20.

Column (b): Enter the amount from Form 346, line 21.

Column (c): Enter the amount from Form 346, line 22.

Line 23 - Credit for Contributions to Certified School Tuition Organizations (for contributions that exceed the allowable credit on Arizona Form 323)

Column (a): Enter the amount from Form 348, line 23.

Column (b): Enter the amount from Form 348, line 24.

Column (c): Enter the amount from Form 348, line 25.

Line 24 - Credit for Contributions to Qualifying Foster Care Charitable Organizations

Column (a): Enter the amount from Form 352, line 20.

Column (b): Enter the amount from Form 352, line 21.

Column (c): Enter the amount from Form 352, line 22.

Line 25 - Healthy Forest Production Tax Credit

Column (a): Enter the amount from Form 353, line 9.

Column (b): Do not enter an amount in column (b).

Column (c): Enter the amount from Form 353, line 10.

Line 26 - Total Available Nonrefundable Tax Credits

For column (c), add lines 1 through 25. Enter the total. This is the total amount of all nonrefundable tax credits, except the family income tax credit, *available* for your use.

Part 2: Application of Tax Credits and Recapture

Complete Part 2 to: figure any recapture. Also, complete Part 2 to determine which tax credits you will use and the portion of the available credit amount from Part 1 that you will use for a particular tax credit.

Line 27 -

Enter the amount of tax from your income tax form.

If you file Form:	Enter the amount from line:
140	46a and 46b
140PY	56a and 56b
140NR	56a and 56b
140X	35a and 35b

Line 28 -

Enter the amount of tax from recapture of the credits for Healthy Forest Enterprises. Use the following worksheet to calculate the amount of recapture to enter on line 28.

Healthy Forest Recapture Tax Worksheet	
1. Enter the tax from recapture of the <u>employment</u> credit from Form 332, Part 9, line 39.	
2. Enter the tax from recapture of the <u>training</u> credit from Form 332, Part 10, line 45.	
3. Add lines 1 and line 2. Enter the total here and on Form 301, line 29	

Line 29 -

Enter the amount of tax from recapture of the credit for Qualified Facilities from Form 349, Part 7, line 19.

Line 30 - Recapture Total

Add lines 28 and 29. Enter the total here and on your income tax form.

If you file Form:	Enter the amount on line:
140	47
140PY	57
140NR	57
140X	38

Line 31 - Subtotal

Add lines 27 and 30. Enter the total here.

Line 32 - Family Income Tax Credit and Dependent Tax Credit

If you claimed a family income tax credit and/or the dependent tax credit, enter the total amount of family income tax credit and dependent tax credit claimed on your income tax form.

If you file Form:	Enter the total amount from lines:
140	50 and 49
140PY	60 and 59
140NR	59
140X	40a and 40b

Line 33 -

Subtract line 32 from line 31. Enter the difference. **If less than zero, enter "0"**.

Nonrefundable Tax Credits Used This Taxable Year

The total amount of tax credits you use cannot exceed the amount entered on line 33. In order for you to determine which tax credit(s) to use and the amount to use for a particular tax credit, you must consider any limitations on the allowable amount of a particular tax credit and whether you may carry the unused portion of a particular tax credit forward. The amount entered on each of lines 34-58 cannot exceed the Total Available Credit amount on the corresponding lines on Form 301, page 1, column (c).

Line 34 - Military Reuse Zone Credit

The amount you enter on line 34 cannot exceed the amount from Form 301, line 1, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years if the business remains in the military reuse zone. You lose the carryover if the business relocates outside of the military reuse zone. See Form 306 for details. Enter the amount used.

Line 35 - Credit for Increased Research Activities - Individuals

The amount you enter on line 35 cannot exceed the amount from Form 301, line 2, column (c). The unused portion of this tax credit may be carried forward for 15 succeeding taxable years. See Form 308-I for details. Enter the amount used.

If you qualify for and are claiming a 75% refund of your excess credit for the current year, enter **only** the nonrefundable portion of the current year's credit here (from Form 308-I, **Part 6, line 28d**). Enter the refundable portion of the credit (the amount from Form 308-I, **Part 7 line 38**) on Form 140, line 58; or Form 140NR, line 65; or Form 140PY, line 67; or Form 140X, line 45.

Carry forwards from previous years of the credit for increased research activities will carry over to the following year, provided the credit is within the 15 year carry forward period.

Line 36 - Credit for Taxes Paid to Another State or Country

The amount you enter on line 36 cannot exceed the amount from Form 301, line 3, column (c). There is no carry forward of the unused portion of this tax credit. See Form 309 for details. Enter the amount used.

Line 37- Credit for Solar Energy Devices

The amount you enter on line 37 cannot exceed the amount from Form 301, line 4, column (c). You may carry the unused portion of this credit forward for five succeeding taxable years. See Form 310 for details. Enter the amount used. Nonresidents filing Form 140NR; enter "0".

Line 38 - Agricultural Water Conservation System Credit

The amount you entered on line 38 cannot exceed the amount from Form 301, line 5, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 312 for details. Enter the amount used.

Line 39 - Pollution Control Credit

The amount you enter on line 39 cannot exceed the amount from Form 301, line 6, column (c). You may carry the unused portion of this credit forward for five succeeding taxable years. See Form 315 for details. Enter the amount used.

Line 40 - Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets

The amount you enter on line 40 cannot exceed the amount from Form 301, line 7, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 319 for details. Enter the amount used.

Line 41 - Credit for Contributions to Qualifying Charitable Organizations

The amount you enter on line 41 cannot exceed the amount from Form 301, line 8, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 321 for details. Enter the amount used.

Line 42 - Credit for Contributions Made or Fees Paid to Public Schools

The amount you enter on line 42 cannot exceed the amount from Form 301, line 9, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 322 for details. Enter the amount used.

Line 43 - Credit for Contributions to Private School Tuition Organizations

The amount you enter on line 43 cannot exceed the amount from Form 301, line 10, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 323 for details. Enter the amount used.

Line 44 - Agricultural Pollution Control Equipment Credit

The amount you enter on line 44 cannot exceed the amount from Form 301, line 11, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 325 for details. Enter the amount used.

Line 45 - Credit for Donation of School Site

The amount you enter on line 45 cannot exceed the amount from Form 301, line 12, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 331 for details. Enter the amount used.

Line 46 - Credit for Employment by Healthy Forest Enterprises

The amount you enter on line 46 cannot exceed the amount from Form 301, line 13, column (c). You may carry the

unused portion of this tax credit forward for five succeeding taxable years. See Form 332 for details. Enter the amount used.

Line 47 - Credit for Employing National Guard Members

The amount you enter on line 47 cannot exceed the amount from Form 301, line 14, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 333 for details. Enter the amount used.

Line 48 - Credit for Business Contributions by an S Corporation to School Tuition Organizations - Individual

The amount you enter on line 48 cannot exceed the amount from Form 301, line 15, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 335-I for details. Enter the amount used.

Line 49 - Credit for Solar Energy Devices - Commercial and Industrial Applications

The amount you enter on line 49 cannot exceed the amount from Form 301, line 16, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 336 for details. Enter the amount used.

Line 50 - Credit for Investment in Qualified Small Businesses

The amount you enter on line 50 cannot exceed the amount from Form 301, line 17 column (c). You may carry the unused portion of this tax credit forward for three succeeding taxable years. See Form 338 for details. Enter the amount used.

Line 51 - Credit for Donations to the Military Family Relief Fund

There is no carryover for this credit. You must use this credit on the tax return filed for the taxable year in which you made your donation.

The amount of the credit that you may use is limited to the amount of your tax liability. See Form 340 for details. Enter the smaller of the amount entered on Form 301, Part 1, line 18 or on Form 301, Part 2, line 33.

Line 52 - Credit for Business Contributions by an S Corporation to School Tuition Organizations for Displaced Students or Students with Disabilities - Individual

The amount you enter on line 52 cannot exceed the amount from Form 301, line 19, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 341-I for details. Enter the amount used.

Line 53 - Renewable Energy Production Tax Credit

The amount you enter on line 53 cannot exceed the amount from Form 301, line 20, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 343 for details. Enter the amount used.

Line 54 - Credit for New Employment

The amount you enter on line 54 cannot exceed the amount from Form 301, line 21, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 345 for details. Enter the amount used.

Line 55 - Additional Credit for Increased Research Activities for Basic Research Payments

The amount you enter on line 55 cannot exceed the amount from Form 301, line 22, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 346 for details. Enter the amount used.

Line 56 - Credit for Contributions to Certified School Tuition Organizations (for contributions that exceed the allowable credit on Arizona Form 323)

The amount you enter on line 56 cannot exceed the amount from Form 301, line 23, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 348 for details. Enter the amount used.

Line 57 - Credit for Contributions to Qualifying Foster Care Charitable Organizations

The amount you enter on line 57 cannot exceed the amount from Form 301, line 24, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 352 for details. Enter the amount used.

Line 58- Healthy Forest Production Credit

The amount you enter on line 58 cannot exceed the amount from Form 301, line 25, column (c). You may carry the unused portion of this tax credit forward for five succeeding taxable years. See Form 353 for details. Enter the amount used.

Line 59 - Tax Credits Used

Add lines 34 through 58 and enter the total here.

Line 60 – Tax Credit Used from Form 301-SBI

If you are filing Form 301-SBI, to claim credits on Form 140-SBI, you may transfer (use) credits not used on Form 301-SBI to Form 301. Enter the amount from Form 301-SBI, line 65. For more information, see page 3 of Form 301-SBI.

Line 61 – Total Tax Credits Used

Add lines 59 and 60.

This amount cannot exceed the amount entered on Form 301, line 33.

Enter the amount from this line on your income tax form.

If you file Form:	Enter the amount on line:
140	51
140PY	61
140NR	60
140X	39

Credit Carryover Worksheet

To figure how much of a credit carryover that you will have for next year, complete the carryover worksheet below.

Keep the worksheet with your records and use the information to complete your 2022 return that you will file in 2023. If you have more than four credit types available, use your own worksheet. Make sure the additional worksheet has the same information as this worksheet.

Credit Carryover Worksheet

Keep this worksheet with your records. Use this information to complete your 2022 credit forms that you will file in 2023.
Note: For Credit Form 308-I: Do not include the 308-I in the schedule if you received the excess as a refundable credit. In this case, there is no carryover available.

(a) Credit Type		(b) Carryover?		(c) Credit Available for 2021	(d) Credit Used for 2021	(e) Carryover Available for 2022
On lines 1 through 4 below, enter the form number of the credit(s) available to you for 2021.		May the unused portion from the credit listed in column (a) be carried forward? (See the applicable credit form for carry forward information.) Check either yes or no. If the answer is no, do not complete columns (c) through (e) for that line.		On lines 1 through 4 below, enter the amount of each credit <i>available</i> to you for 2021. Take these amounts from Form 301, lines 1 through 25.	On lines 1 through 4 below, enter the amount of each credit <i>used</i> for 2021. Take these amounts from Form 301, lines 34 through 58.	For each line on which you have entered an amount, subtract the amount in column (d) from the amount in column (c). This is the amount of each credit that you may carryover to 2022, providing carryover may be carried to 2022. Use this figure when completing the appropriate carryover amount(s) on the 2022 credit form(s).
		YES	NO			
1.				.00	.00	.00
2.				.00	.00	.00
3.				.00	.00	.00
4.				.00	.00	.00

Include with your return.

NOTE: This credit is no longer available to individual taxpayers.

For the calendar year 2021 or fiscal year beginning M M D D 2 0 2 1 and ending M M D D Y Y Y Y .

Name as shown on Form 99T, 120, 120A, 120S, 120X, or 165	Social Security or Employer Identification Number
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Certification number from the former Arizona Department of Commerce: _____

Part 1 Schedule of Cost of Equipment or Property Used in Construction of a Facility for Current Year and Current Taxable Year's Credit Calculation

1 Start date of facility's initial construction.....	1	M M D D Y Y Y Y
--	---	-----------------

	(a) Description of Equipment or Property		(b) Cost
1A			00
1B			00
1C			00
1D			00
1E			00
1F			00
1G			00
1H			00
1I	Total of lines 1A through 1H.....		00
1J	Total from additional worksheets.....		00
2	Add lines 1I and 1J. Enter the total. This is a total of all current year property on which this credit is claimed.....	2	00
3	Multiply line 2, column (b), by 10%. Enter the result.	3	00
4	Enter the amount of this credit passed through from partnerships on Form(s) 305-P, Part 1, line 3(c).....	4	00
5	Add lines 3 and 4. Enter the total. This is the current taxable year's Environmental Technology Facility Credit.....	5	00

Continued on page 2 →

Name (as shown on page 1)	EIN
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Part 2 Recapture of Environmental Technology Facility Credit

6a Certification number: _____		
6b Date facility was placed in service.....	6b	M M D D Y Y Y Y
7 Date facility ceased to operate as an environmental manufacturing, producing or processing facility	7	M M D D Y Y Y Y
8 Enter total credit determined in prior years for this facility.....	8	00
9 See instructions for the recapture percentage to enter.....	9	%
10 Multiply line 8 by the percentage on line 9. Enter the result. This is the amount of the credit to be recaptured from taxpayer operations.....	10	00
11 Enter the partner's portion of this credit subject to recapture from Form(s) 305-P, Part 2, line 7.....	11	00
12 Add lines 10 and 11. Enter the total. This is the total amount of the Environmental Technology Facility Credit to be recaptured for the current taxable year. Also, enter this amount on Part 4, line 15.	12	00

Part 3 Partnerships

A partnership claiming this credit **must** pass it through to its corporate partners.

- Complete Form 305-P for each corporate partner.
- Provide a completed copy of Form 305-P to each corporate partner.
- Include a copy of each completed Form 305-P with your tax return.
- Keep a copy of each completed Form 305-P for your records.
- Do not complete Parts 4 through 7 of this form.

Part 4 Credit Recapture Summary

13 Enter the taxable year(s) in which you claimed a credit or credit carryover for the facility that has ceased to operate as an environmental manufacturing, producing or processing facility:

14 Enter the total amount of credit originally determined for the facility.....	14	00
15 Enter the total amount of credit to be recaptured from Part 2, line 12.....	15	00
16 Subtract line 15 from line 14 and enter the difference. This is the amount of credit allowable for the facility that has ceased to operate as an environmental manufacturing, producing or processing facility.....	16	00
17 Enter the total amount of credit on line 14 that you used on prior years' returns.	17	00
18 Subtract line 17 from line 16 and enter the difference.....	18	00

If the difference is POSITIVE:

- *This is the amount of Environmental Technology Facility Credit carryover you have remaining for use in future years.*
- Adjust the amounts in Part 5, lines 19 through 33, column (d) so the total amount on line 34 equals the amount of the credit carryover remaining for use in future years. See instructions.

If the difference is NEGATIVE:

- *This is the amount of Environmental Technology Facility Credit you must recapture.*
- Adjust the amounts in Part 5, lines 19 through 33 column (d) to "0". There is no carryover amount for this credit. See instructions.
- *C Corporations, S Corporations that claimed this credit at the corporate level, and exempt organizations with UBTI:* Enter this amount as a POSITIVE number on Form 300, Part 2, line 22.

Continued on page 3 →

Name (as shown on page 1)	EIN
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If you claimed this credit and there is a carryover of this credit from the past 15 taxable years, complete Part 5. If not, go to Part 6.

Part 5 Available Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount		(c) Amount Previously Used, Expired, or Recaptured		(d) Available Carryover:		
						Subtract column (c) from column (b).		
19			00		00		00	
20			00		00		00	
21			00		00		00	
22			00		00		00	
23			00		00		00	
24			00		00		00	
25			00		00		00	
26			00		00		00	
27			00		00		00	
28			00		00		00	
29			00		00		00	
30			00		00		00	
31			00		00		00	
32			00		00		00	
33			00		00		00	
34	Total Available Carryover: Add lines 19 through 33 in column (d). Enter the total.....						34	00

Part 6 Total Available Credit

35	Current year's credit: <ul style="list-style-type: none"> • <i>C corporations, S corporations electing to claim this credit at the corporate level, or exempt organizations with UBTI:</i> Enter the amount from Part 1, line 5, column (b). • <i>Partnerships:</i> Enter "0". • <i>S Corporations electing to pass this credit through to shareholders:</i> Enter "0". • <i>C Corporations, S Corporations that elected to claim this credit at the corporate level, or exempt organizations with UBTI:</i> Enter this amount on Form 300, Part 1, line 1, column (a) 	35	00
36	Available credit carryover from Part 5, line 34, column (d). <ul style="list-style-type: none"> • <i>C Corporations, S Corporations that elected to claim this credit at the corporate level, or exempt organizations with UBTI:</i> Enter this amount on Form 300, Part 1, line 1, column (b) 	36	00
37	Total available credit: Add lines 35 and 36. Enter the total. <ul style="list-style-type: none"> • <i>C Corporations, S Corporations that elected to claim this credit at the corporate level, or exempt organizations with UBTI:</i> Enter this amount on Form 300, Part 1, line 1, column (c) 	37	00

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For the calendar year 2021 or fiscal year beginning MM,MM,DD,2021 and ending MM,MM,DD,YYYY.

Partnerships:

- Complete Form 305-P for each corporate partner in the partnership.
- Provide a copy of the completed form to each corporate partner.
- Keep a copy of each completed Form 305-P for your records.
- Include a copy of each completed Form 305-P with your partnership return.

Corporate Partners:

- Use this form to complete your own Form 305.
- Include this completed form with your return.
- Keep a copy of this form for your records.

Individual taxpayers are not eligible to claim this credit.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Part 1 Distribution of the Credit

Complete Part 1 to distribute the credit to each corporate partner in the partnership.

1	(a) Partnership Name	(b) Employer Identification Number (EIN)	(c) Certification Number
2	(a) Corporate Partner Name	(b) Taxpayer Identification Number (TIN)	
3a	Partnership credit amount from Form 305, Part 1, line 5.....	3a	\$ <input type="text"/> 00
3b	Corporate Partner's ownership percentage.....	3b	<input type="text"/> %
3c	Multiply the amount on line 3a by the percentage on line 3b. Enter the result. This is the partner's portion of the credit.....	3c	\$ <input type="text"/> 00

Corporate Partners:

The amount reported on line 3c is your portion of this credit. Enter the amount from line 3c on Part 1, line 4 of your own Form 305 to claim this credit.

Part 2 Notification of Credit Recapture

Complete Part 2 to notify each corporate partner in the partnership of their share of the credit to be recaptured.

4	(a) Partnership Name	(b) Employer Identification Number (EIN)
5	(a) Corporate Partner Name	(b) Taxpayer Identification Number (TIN)
6	(a) Certification Number that was Terminated or Revoked	(b) Date the Certification was Terminated or Revoked <u>MM,MM,DD,YYYY</u>
7	Corporate partner's portion of the credit subject to recapture	7 \$ <input type="text"/> 00

Corporate Partners:

The amount reported on line 7 is your portion of this credit to be recaptured. Enter the amount from line 7 on Part 2, line 11 of your own Form 305.

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2021 Environmental Technology Facility Credit

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

General Instructions

A nonrefundable tax credit is available for expenses incurred in constructing a qualified environmental technology manufacturing, producing or processing facility. The credit is equal to 10% of the amount spent during the taxable year to construct the facility, including land acquisition, improvements, building improvements, machinery and equipment. The amount of credit used cannot exceed 75% of the Arizona income tax liability for the taxable year as determined without applying the credit.

NOTE: *Taxable year 2019 was the last year an individual taxpayer could establish this credit. A partnership may not pass this credit through to its individual partners; it may, however, pass it through to its corporate partners. An S Corporation may not pass this credit through to its shareholders.*

If the allowable tax credit exceeds 75% of the taxes otherwise due on the return, or if there are no taxes due, the amount of the credit not used to offset taxes may be carried forward for not more than fifteen taxable years as a credit against subsequent years' income tax liabilities.

The former Arizona Department of Commerce identified and certified new facilities of qualified environmental technology manufacturers, producers and processors for purposes of the credit. The certification program ran through June 30, 1996. The certification may be assigned or transferred to one or more successor taxpayers, manufacturers, producers or processors that have acquired and continue to operate a facility that was used to meet the qualifying conditions listed below and that continues to be used predominantly for those purposes.

To qualify, an environmental technology manufacturer, producer, or processor must locate or make an additional capital investment in a facility in this state that:

- Is used predominantly to do any of the following:
 - Sort, store, prepare, convert, fabricate, manufacture, or otherwise process finished products consisting of at least 90% recycled materials.

- Prepare, fabricate, manufacture, or otherwise process finished products that are powered exclusively with solar or other specific renewable energy.
- Prepare, fabricate, manufacture, or otherwise process raw material or intermediate product exclusively through a hydro-metallurgical process where at least 85% of the process solution used to produce the finished product is recycled on site for additional production.
- Fabricate or manufacture finished paper products that consist of at least 80% recycled material.
- Costs, or is expected to cost, an aggregate of at least 20 million dollars of new capital investment in this state within five years after construction begins or commencement of installation of improvements.

You may claim a credit with respect to new qualifying construction within ten years after the start of the facility's initial construction. You qualify for the credit if you own or lease the facility or any component of the facility for a term of five or more years. A credit is not allowed for any amount spent more than ten years after the start of the facility's initial construction.

You can only claim the credit for items that are depreciable or amortizable assets. You must subtract the amount of your credit from your basis in those assets. You may still take depreciation or amortization of your remaining Arizona basis in the assets.

Corporate taxpayers:

See Arizona Administrative Code R15-2D-1001 for detailed information on record-keeping requirements and credit carryover reduction if the credit is recaptured.

Corporate partners in a partnership may each claim only the *pro rata* share of the credit allowed based on the ownership interest. The total of the credits allowed all such owners may not exceed the amount that would have been allowed for a sole owner of the business.

The credit is available to an exempt organization that is subject to corporate income tax on unrelated business taxable income (UBTI). The credit must result from the activities that generate UBTI.

NOTE – To claim this credit:

- **C Corporations, S Corporations claiming this credit at the corporate level, or exempt organizations with UBTI:** *Complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. Include both completed forms with your tax return.*
- **Partnerships passing this credit through to corporate partners -** *Complete this credit form and Form 305-P for each corporate partner of the partnership. Provide each corporate partner a copy of its completed Form 305-P. Include Form 305 and one copy of each completed Form 305-P with your tax return.*

Credit Recapture

If either of the following circumstances occurs with respect to a qualified environmental technology manufacturing, producing or processing facility, the tax imposed for the

taxable year shall be increased by the full amount of all credits previously allowed with respect to that facility:

- The taxpayer abandons construction before the facility is placed in service.
- Before the facility is placed in service, the taxpayer changes plans so that the facility no longer qualifies as an environmental technology manufacturing, producing or processing facility.

If a qualified environmental technology facility ceases to operate as an environmental manufacturing, producing or processing facility at some time during the first five years it has been in operation, you must recapture part of the credit.

Any credit recapture will affect any carryover you may have on that credit. If you have to recapture 100% of the credit, you will have no credit carryover. If you have to recapture a portion of the credit, you have to recapture the same portion of the carryover. How to figure the recapture of a portion of your credit is discussed in the specific instructions that follow.

Specific Instructions

- Indicate the period covered by the taxable year.
- Enter the taxpayer's name and taxpayer identification number in the spaces provided.
- Enter the certification number from the former Arizona Department of Commerce.

NOTE:

- *All returns, statements, or other documents filed with the department must have the taxpayer's Employer Identification Number (EIN) or taxpayer identification number (TIN) indicated on them.*
- *Taxpayers who fail to include their EIN or TIN may be subject to a penalty.*

Part 1 - Schedule of Cost of Equipment or Property Used in Construction of Facility for Current Year and Current Taxable Year's Credit Calculation

Line 1

Enter the date the facility's initial construction was started.

Lines 1A through 1H

Column (a), describe the expenses incurred in constructing the new facility during the current year. Such items would include land purchased or improved, building construction initiated or improved, or equipment or machinery installed or placed in use. If additional space is needed, include a separate sheet.

Column (b), enter the cost of the equipment or property listed in column (a).

Line 1I

Add lines 1A through 1H. Enter the total.

Line 1J

Enter the cost of equipment or property from additional schedules in column (b).

Line 2

Add line 1I and line 1J of column (b). Enter the total. This is the total cost of equipment or property used in construction of an environmental technology facility for the taxable year.

Line 3

Multiply line 2, column (b) by 10%. Enter the result.

Line 4

Enter the amount of this credit passed through from partnerships on Form(s) 305-P, line 3(c). If you received a pass through of this credit from more than one partnership, add the amounts on line 3(c) of all Forms 305-P and enter the total.

Line 5

Add lines 3 and 4. Enter the total. This is the current taxable year's Environmental Technology Facility Credit.

Part 2 - Recapture of Environmental Technology Facility Credit

If the facility has been in operation for five years or more, you do not have to recapture credits you have already used to offset your tax liability. If it ceased to operate as required before five years have passed, you must recapture the credit you used by taking the total of all environmental technology facility credits you received before, and multiply it by a percentage. The percentage depends on how long the facility had been operating as an environmental manufacturing, producing or processing facility.

Line 6a

Enter the Certification Number that was terminated or revoked.

Line 6b

Enter the date the facility was placed in service.

Line 7

Enter the date the facility ceased to operate as an environmental manufacturing, producing or processing facility.

Line 8

Enter the total amount of the credit you were previously allowed to claim in prior years for this facility.

Line 9

Enter the recapture percentage based on the number of years between when the facility was placed in service and when it ceased to meet the credit requirements. See the table on page 3 to determine the recapture percentage.

How long between the time the facility was placed in service and the time it ceased to meet the credit requirements?	Recapture percentage
Less than one year	100 %
At least one year, but less than two years	80 %
At least two years, but less than three years	60 %
At least three years, but less than four years	40 %
At least four years, but less than five years	20 %

Line 10

Multiply line 8 by the percentage on line 9. Enter the result. This is the amount of credit recapture from taxpayer operations.

Line 11

Enter your portion of this credit subject to recapture from Form 305-P, Part 2, line 7.

Line 12

Add lines 10 and 11. Enter the total. This is the amount of the Environmental Technology Facility Credit subject to recapture for the current taxable year.

Also, enter this amount in Part 4, line 15.

Part 3 - Partnerships

A partnership claiming this credit *must* pass it through to its corporate partners. Skip to the instructions for completing Form 305-P on page 8.

- Complete Form 305-P for each corporate partner.
- Provide each corporate partner with a completed copy of their Form 305-P.
- Include a copy of each completed Form 305-P with your tax return.
- Keep a copy of each completed Form 305-P for your records.
- Do not complete the remainder of this form.

Each corporate partner is entitled to only a *pro rata* share of each credit based on the partner’s ownership interest in the partnership. The total of each credit allowed to all partners may not exceed the amount that would have been allowed for a sole owner.

Part 4- Credit Recapture Summary

NOTE: *If you are a partnership that passed the credit through to corporate partners, do not complete Part 5. You will report the recapture to the partners on Form 305-P.*

Use lines 13 through 18 to determine how much of your previously claimed credit must be recaptured, and how much, if any, credit carryover remains.

Line 13

Enter the taxable year(s) in which you claimed a credit or credit carryover for the facility that has ceased to operate as an environmental manufacturing, producing or processing facility.

Line 14

Enter the total amount of credit originally determined for the facility.

Line 15

Enter the total amount of the credit to be recaptured from Part 2, line 12.

Line 16

Subtract line 15 from line 14. Enter the difference. This is the amount of credit allowable for the facility that has ceased to operate as an environmental manufacturing, producing or processing facility.

Line 17

Enter the total amount of credit on line 14 that you used on prior years’ returns.

Line 18

Subtract line 17 from line 16. Enter the difference.

If the difference is **POSITIVE**:

- *This is the amount of Environmental Technology Facility Credit carryover you have remaining for use in future years.*
- Adjust the amounts in Part 5, lines 19 through 33 column (d) so the total amount on line 34 equals the amount of the credit carryover remaining for use in future years.

If the difference is **NEGATIVE**:

- *This is the amount of Environmental Technology Facility Credit you must recapture.*
- Adjust the amounts in Part 5, lines 19 through 33, column (d), to “0”. There is no carryover amount remaining for this credit.
- *C Corporations, S Corporations that claimed this credit at the corporate level, and exempt organizations with UBTI: Enter this amount as a POSITIVE number on Form 300, Part 2, line 22.*

For additional guidance, refer to Examples 1 and 2 following the instructions for line 34.

Part 5 - Available Credit Carryover

You may carry forward the amount of the unused environmental technology facility credit for a period not to exceed fifteen taxable years, provided the facility remains a qualified environmental technology manufacturing, producing or processing facility. (See the *Credit Recapture* section beginning on page 1 for information on retaining your qualification as a qualified environmental technology facility.)

Complete lines 19 through 33 if you claimed the credit on a prior year’s return and your credit was more than 75% of your tax to determine whether you have any allowable credit remaining, even if you have to recapture some of it.

S Corporations, *if this credit was claimed at the corporate level in a prior taxable year and there is a carryover amount available, complete Part 5.*

Lines 19 through 33

1. Enter the applicable taxable years in column (a).
2. Enter the amount of the original environmental technology facility credit for each taxable year in column (b).
3. Enter the amount of the credit for each taxable year that was previously used, expired or recaptured in column (c).

4. Subtract the amount in column (c) from the amount in column (b).
5. Enter the difference in column (d).

Line 34

Add the amounts entered in column (d) for lines 19 through 33. Enter the total. This is the total available credit carryover.

EXAMPLE 1 (In this example, line 18 is positive):

Environmental Technology Facility A (A) claimed the Environmental Technology Facility Credit on Form 305 for taxable years 2018 through 2020. The amount of credit claimed each year was \$1,000; the total credit claimed is \$3,000. A used \$1,500 of its environmental technology facility credit, leaving it with a credit carryover of \$1,500 as of taxable year ending 2020.

During 2021, A was notified by the department it was subject to a recapture of 60% of the credit claimed, or \$ 900.

A completes Part 5 of its Form 305 and finds that line 18 is **positive**. This means A still has a carryover of the environmental technology facility credit in the amount of \$600.

At the end of taxable year 2020, A had an available environmental technology facility credit carryover amount of \$1,500, shown on the schedule below (from Part 6 of its 2020 taxable year Form 305):

(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Credit Carryover
2018	1,000	500	500
2019	1,000	500	500
2020	1,000	500	500
Total Available Carryover:			1,500

Following the instructions for lines 19 through 33, A adjusts Part 5, Available Environmental Technology Facility Credit Carryover, for the recapture of \$900. Part 5 of its 2021 taxable year Form 305 is shown below:

(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used, Expired, or Recaptured	(d) Available Credit Carryover
2018	1,000	1,000	0
2019	1,000	900	100
2020	1,000	500	500
Total Available Carryover			600

- A increased its 2018 Amount Previously Used (Or Recaptured) by \$500. This eliminated its credit carryover from 2017.
- A increased its 2019 Amount Previously Used (Or Recaptured) by \$400. This reduced its credit carryover for 2018 from \$500 to \$100.
- A's 2020 Available Environmental Technology Facility Credit Carryover remains unchanged.
- A has \$600 of Available Environmental Technology Facility Credit Carryover it may use on its 2021 taxable year tax return.

EXAMPLE 2 (In this example, line 18 is negative):

Environmental Technology Facility B (B) claimed the Environmental Technology Facility Credit on Form 305 for taxable years 2018 through 2020. The amount of credit claimed each year was \$1,000; the total credit claimed is \$3,000. During those years, B used \$2,500 of its environmental technology facility credit, leaving it with a credit carryover of \$500 as of taxable year ending 2020.

During 2021, B was notified by the department it was subject to a recapture of 60% of the credit claimed, or \$ 900.

B completes Part 5 of its Form 305 and finds that line 18 is **negative**. This means B has no carryover of the environmental technology facility credit and must report \$400 as a recapture on Form 300, Part 2, line 19. (See the instructions for line 18).

At the end of taxable year 2020, B had an available environmental technology facility credit carryover amount of \$500, shown on the schedule below (from Part 6 of its 2020 taxable year Form 305):

(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Credit Carryover
2018	1,000	1,000	0
2019	1,000	1,000	0
2020	1,000	500	500
Total Available Carryover:			500

Following the instructions for lines 19 through 33, B adjusts Part 5 for the recapture of \$900. Part 5 of its 2021 taxable year Form 305 is shown below:

(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used Expired or Recaptured	(d) Available Credit Carryover
2018	1,000	1,000	0
2019	1,000	1,000	0
2020	1,000	1,000	0
Total Available Carryover			0

No adjustment is needed for 2018.

No adjustment is needed for 2019.

B increased its 2020 Amount Previously Used (Or Recaptured) by \$500. This eliminated its Environmental Technology Facility Credit carryover for 2020.

B has no credit carryover of the Environmental Technology Facility Credit.

Part 6 - Total Available Credit**Line 35**

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI - enter the current year's environmental technology facility credit from Part 1, line 5, column (b).

Partnerships - enter "0".

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI - Also, enter this amount on Form 300, Part 1, line 1, column (a).

Line 36

Enter the amount of available credit carryover from Part 5, line 34, column (d).

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI - Also, enter this amount on Form 300, Part 1, line 1, column (b).

Line 37

Add lines 35 and 36. This is the total available environmental technology facility credit that may be applied to the current taxable year's tax liability. Any amount in excess of 75% of the current year's tax liability must be carried forward to the next taxable year.

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI - Enter the total. Also, enter the total on Form 300, Part 1, line 1, column (c).

Form 305-P, Distribution to Corporate Partners of a Partnership

Enter the taxable year end for which this credit is being passed through to your partners.

Complete Form 305-P for each corporate partner of the partnership.

The partnership must furnish each corporate partner with their completed copy of Form 305-P, including additional schedules as needed.

NOTE: *Form 305-P is used to distribute the partnership's share of this credit to its corporate partners, or it is used to notify the corporate partners of the amount of the credit to be recaptured.*

Part 1 - Distribution of the Credit

To distribute the credit to the corporate partners of the partnership complete lines 1 through 3c.

Line 1 -

- a) Enter the partnership name.
- b) Enter the partnership's EIN.
- c) Enter the Certification Number for the facility from the former Arizona Department of Commerce.

Line 2 -

- a) Enter the corporate partner's name.
- b) Enter the corporate partner's TIN.

Lines 3a, 3b, and 3c -

- a) Enter the amount of this credit from Form 305, Part 1, line 5 for which this partnership was approved.
- b) Enter the corporate partner's ownership percentage.
- c) Multiply line 3(a) by line 3(b) and enter the result.

This is the corporate partner's portion of this credit.

Part 2 - Notification of Credit Recapture

To notify the corporate partners of the amount of the credit that must be recaptured (complete lines 4 through 7):

Line 4 -

- a) Enter the partnership name.
- b) Enter the partnership EIN.

Line 5 -

- a) Enter the corporate partner's name.
- b) Enter the corporate partner's TIN.

Line 6 -

- a) Enter the Certification Number that was terminated or revoked.
- b) Enter the date the Certification Number was terminated or revoked.

Line 7 -

Enter the total amount of the credit(s) previously passed through to the corporate partner for the facility(ies) whose certification was terminated or revoked.

This is the corporate partner's portion of the credit subject to recapture.

RECAPTURE OF THIS CREDIT PASSED THROUGH TO CORPORATE PARTNERS OF A PARTNERSHIP

If you passed this credit through to your corporate partners in a previous tax year and then received a notice from the Arizona Department of Revenue that your credit is subject to recapture during this year, you must pass the amount(s) subject to recapture through to your corporate partners that received the credit.

This credit was passed through to your corporate partners based on their ownership percentage (per year). The recapture amount is based on a percentage of the total credit passed through to all corporate partners. You will receive a notice of recapture from the department indicating the percentage of this credit that is subject to recapture. You must notify your corporate partners of their portion of this amount.

To notify your corporate partners of their respective amount(s) of this credit that is subject to recapture from them:

1. Determine the amount of credit passed through to each corporate partner for all years of the credit,
2. Multiply the amount on 1 (above) by the recapture percentage (provided by Arizona Department of Revenue),
3. Complete Part 2 of Form 305-P for each corporate partner informing him/her of the amount of this credit subject to recapture.

Example:

Partnership claimed this credit for four years, 1 through 4. Each year, Partnership claimed this credit in the amount of \$100,000. The total credit passed through to its corporate partners was \$400,000.

During the time Partnership claimed this credit, it had 5 Corporate Partners:

- Corporate partner A owned 20% of Partnership for each year, 1 through 5
- Corporate partner B owned 20% of Partnership for each year 1 through 5
- Corporate partner C owned 20% of Partnership for years 1 through 3; in year 4, Corporate partner C sold his ownership percentage of Partnership to Corporate partner D
- Corporate partner D owned 20% of Partnership for years 1 through 3; for years 4 and 5, Corporate partner D owned 40% of Partnership
- Corporate partner E owned 20% of Partnership for each year 1 through 5.

During year 5, Partnership received a notice from the Department indicating 40%, or \$160,000 of its credit is subject to recapture.

Using the 305-P forms it completed for years 1 through 4, Partnership determined it passed through the following amounts of credits to each of its corporate partners for these years:

Partner	Total Credit Passed Through
Corporate partner A	\$ 80,000
Corporate partner B	\$ 80,000
Corporate partner C	\$ 60,000
Corporate partner D	\$ 100,000
Corporate partner E	\$ 80,000
Total Credit	\$ 400,000

Multiplying each Partner’s amount of credit “passed through” by the recapture percentage, 40%, Partnership determined the credit amount(s) subject to recapture for each Corporate partner is:

Partner:	Credit Amount	Recapture %	Subject to Recapture
Corporate partner A	\$ 80,000	40%	\$ 32,000
Corporate partner B	\$ 80,000	40%	\$ 32,000
Corporate partner C	\$ 60,000	40%	\$ 24,000
Corporate partner D	\$ 100,000	40%	\$ 40,000
Corporate partner E	\$ 80,000	40%	\$ 32,000
Total Credit	\$ 400,000	40%	\$ 160,000

Partnership completed Form 305-P informing each corporate partners of the amount of this credit that is subject to recapture.

Include with your return.

For the calendar year 2021 or fiscal year beginning [M, M, D, D, 2, 0, 2, 1] and ending [M, M, D, D, Y, Y, Y, Y].

Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140PY-SBI, 140NR-SBI, 140X-SBI, 99T, 120, 120A, 120S, or 120X	Social Security or Employer Identification Number
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Available Credit Carryover

	(a)		(b)	
1 Taxable year				
2 Original credit amount		00		00
3 Amount previously used		00		00
4 Tentative carryover: Subtract line 3 from line 2.....		00		00
5 Amount unallowable: See instructions		00		00
6 Available carryover: Subtract line 5 from line 4.....		00		00
7 Total Available Carryover				
<ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 1, column (b).</i> • <i>Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 1, column (b).</i> • <i>C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Also enter this amount on Form 300, Part 1, line 2, column (b).....</i> 	7			00

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2021 Military Reuse Zone Credit

CONTACTS FOR MILITARY REUSE ZONE CREDIT

Arizona Commerce Authority

•Application forms •Military Reuse Zone program guidelines

Website: www.azcommerce.com

Program Manager (602) 845-1200

Department of Revenue

•Tax forms and instructions •Information and assistance

Website: www.azdor.gov

Taxpayer assistance (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

General Instructions

This credit provided nonrefundable individual and corporate income tax credits for net increases in employment of full-time employees by a taxpayer in a military reuse zone. The employees must have been engaged primarily in providing aviation or aerospace services, or in manufacturing, assembling, or fabricating aviation or aerospace products.

NOTE: *Taxable year 2017 was the last year a taxpayer could establish this credit. The unused portion of valid Military Reuse Zone credits may be carried forward for the remainder of the five-year carry forward period.*

Specific Instructions

Complete the name and taxpayer identification number section at the top of the form. Indicate the period covered by the taxable year. Include the completed form and all supporting documentation with the tax return.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for a C Corporation, or an S Corporation is the taxpayer's employer identification number. The TIN for an individual is the taxpayer's Social Security Number or an Internal Revenue Service individual taxpayer identification number. Taxpayers that fail to include their TIN may be subject to a penalty.

NOTE – To claim this credit carry forward:

- **Individual taxpayers that did not make the Small Business Income election** - Complete this credit form and Arizona Form 301. Include both completed forms with your Individual Income Tax Return (Form 140, 140PY, 140NR, or 140X).
- **Individual taxpayers that made the Small Business income election** – Complete this credit form and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI. Include both completed forms with your SBI Tax Return (140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).
- **C Corporations, S Corporations that elected to claim this credit at the corporate level, and exempt organizations with UBTI** - Complete this credit form and Arizona Form 300. Include both completed forms with your return.

Available Credit Carryover

Complete the table on this form if you have a carryforward of this credit from the past five years. (You will have a credit carryforward only if your allowable Military Reuse Zone Credit was greater than your tax liability for those same five years.) If you do not have a carryforward of this credit, do not complete this form.

Provided it maintained its businesses in the military reuse zone, a taxpayer may carry forward the amount of the unused military reuse zone credit for a period not to exceed five taxable years. If the taxpayer moved its business outside of the military reuse zone or the military reuse zone is terminated, the carryover of the tax credit is lost. If a portion of the taxpayer's business is moved outside of the military reuse zone, the portion of the carryforward attributable to that portion of the business is lost.

Line 1

Enter the taxable year(s) from which you are carrying over the credit in columns (a) and (b).

Line 2

Enter the credit originally computed for that taxable year.

Line 3

Enter the amount of the credit previously used from that taxable year.

Line 4

Subtract line 3 from line 2. Enter the difference.

Line 5

Enter the amount of credit that is disallowed because the business is no longer located in the military reuse zone or the zone has been terminated.

Line 6

Subtract line 5 from line 4. Enter the difference.

Line 7

Add the amounts in columns (a) and (b) on line 6. Enter the total. This is the total military reuse zone credit carryover for the current taxable year.

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 1, column (b).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 1, column (b).

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Also enter this amount on Form 300, Part 1, line 2, column (b).

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Include with your return.

For the calendar year 2021 or fiscal year beginning MM, DD, 2021 and ending MM, DD, YYYY.

Name as shown on Form 99T, 120, 120A, 120S, 120X or 16S	Employer Identification Number
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Part 1 Qualification for the Credit

- 1 Did you have qualified research expenses for the tax year indicated above? Yes No
 - a If "Yes", and you are claiming the Arizona Credit for Increased Research Activities, go to line 2.
 - b If "No", go to line 3.
- 2 Is this credit refundable? Yes No
 - a If "Yes":
 - 1 Include a copy of the certification you received from the Arizona Commerce Authority (ACA).
 - 2 Enter the maximum refund amount authorized by the ACA here and on Part 5, line 32 and Part 7, line 41a
 - b If "No", go to line 3.
- 3 Are you claiming a pass through of this credit from a partnership? Yes No
(If you are claiming a pass through of this credit from more than one partnership, include copies of all Form(s) 308-P you received.)
- 4 Is this pass through credit refundable? Yes No
- 5 If you answered "Yes" to the question on line 1, go to Part 2.
- 6 If you answered "No" to the question on line 1 and "Yes" to the question on line 3, go to Part 3.
- 7 If you answered "No" to the question on line 1 and "No" to the question on line 3, complete this form ONLY if you have credit carryovers. Go to Part 8. Otherwise, **STOP! YOU ARE NOT ELIGIBLE TO CLAIM THIS CREDIT.**

	2a2	00
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Part 2 Current Taxable Year's Credit Calculation

8 Basic research payments paid or incurred to qualified organizations: See instructions	8		00		
9 Qualified organization base period amount	9		00		
10 Subtract line 9 from line 8. If less than zero, enter "0"				10	00
11 Wages for qualified services (do not include wages used in figuring the federal work opportunity credit)	11		00		
12 Cost of supplies	12		00		
13 Cost to rent or lease computers	13		00		
14 Contract research expenses: See instructions	14		00		
15 Total research expenses: Add lines 11 through 14. Enter the total	15		00		
16 Average annual Arizona gross receipts: See instructions	16		00		
17 Fixed-base percentage [not more than 16% (.1600)]: See instructions	17	•			
18 Base amount: Multiply line 16 by the percentage on line 17. Enter the result				18	00
19 Subtract line 18 from line 15. If less than zero, enter "0"				19	00
20 Multiply line 15 by 50% (.50). Enter the result				20	00
21 Enter the lesser of line 19 or line 20				21	00
22 Add lines 10 and 21. Enter the total				22	00
<ul style="list-style-type: none"> If line 22 is \$2,500,000 or less, complete line 23 and skip lines 24 through 27. If line 22 is more than \$2,500,000, skip line 23 and complete lines 24 through 27. 					
23 Multiply line 22 by 24% (.24). Enter the result				23	00
24 Subtract \$2,500,000 from line 22. Enter the difference	24		00		
25 Multiply line 24 by 15% (.15). Enter the result	25		00		
26 Add \$600,000 to line 25. Enter the total				26	00
27 Enter the amount from line 23 or line 26				27	00

Continued on page 2 →

Name (as shown on page 1)	EIN
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Part 3 Current Taxable Year's Credit Passed Through from Partnerships

28 Enter the total amount of this credit received from all Form(s) 308-P, Part 2, line 4. Include copies of those forms with your return.....	28		00
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Part 4 Total Current Taxable Year Credit for Increased Research Activities

29 Total Credit: Add line 27 and line 28. Enter the total. This is your current year's total credit for increased research activities. <ul style="list-style-type: none"> • <i>Partnerships:</i> Enter this amount on Part 2, line 3 of the partner's Form 308-P. • <i>S Corporations passing this credit through to its shareholders:</i> Enter this amount on Part 2, line 3 of the shareholder's Form 308-S..... 			00
	29		00

Part 5 Partnerships and S Corporations Only

Determining Maximum Refund Amount to be Passed Through

30 Enter the amount of your current year credit from Part 4, line 29.....			00
31 Multiply line 30 by 75% (.75). Enter the result.....			00
32 Enter the amount of your maximum refundable credit from Part 1, line 2a2	32	00	
33 Enter the total maximum refundable credits received from partnerships on Form(s) 308-P, Part 3, line 6	33	00	
34 Add line 32 and line 33. Enter the total. This is the maximum refundable credit for this taxable year	34		00
35 Enter the lesser of line 31 or line 34. This is the maximum refund amount to be passed through to partners or shareholders	35		00

Partnerships:

Partnerships qualifying for this credit must pass it through to their partners. When passing this credit through to your partners, complete Form 308-P for each partner.

- Provide a completed copy of Form 308-P to each partner.
- Include a copy of each completed Form 308-P with your tax return.
- Keep a copy of each completed Form 308-P for your records.

Part 6 S Corporation Credit Election and Shareholder's Share of the Credit

S Corporations may elect to pass this credit through to its shareholders, or it may choose to keep it and apply it to its tax liability generated at the S Corporation level.

36 The S Corporation has made an irrevocable election for the taxable year ending MM, DD, YYYY to:

(check only one box):

36a Claim the credit for increased research and development as shown on Part 4, line 29 (for the taxable year indicated above);

OR

36b Pass the credit as shown on Part 4, line 29 (for the taxable year indicated above) through to its shareholders.

Signature Title Date

If passing the credit through to the shareholders:

- Complete Form 308-S for each individual shareholder.
- Provide a copy of each completed Form 308-S to each shareholder.
- Include a copy of each completed Form 308-S with your tax return.
- If the S Corporation passed the current year credit through to its shareholders, AND it has carryovers of this credit from prior years, skip Part 7 and complete the remainder of this form as appropriate.
- Enter "0" on Part 10, line 60.

Name (as shown on page 1)	EIN
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Part 7 Refundable Portion of the Taxpayer's Current Taxable Year's Excess Credit

Complete Part 7 **ONLY** if you checked "Yes" in Part 1, line 2 or 4.

37 Current taxable year's credit: Enter the amount from Part 4, line 29			37		00
38a Enter the current year's tax, including recapture amounts, from Form 99T, line 8; or Form 120, line 18; or Form 120A, line 10; Form 120S, line 14; or Form 120X, line 18(c).....	38a			00	
38b Nonrefundable tax credits: Enter the amount of nonrefundable tax credits from Form 300, Part 1, line 20 less the amount (if any) on Form 300, Part 1, line 3, column (c).....	38b			00	
38c Current taxable year's credit for increased research activities that will be used to offset the current taxable year's tax liability: Subtract line 38b from line 38a and enter the difference. If the difference is zero or more, enter it on Part 10, line 60; also enter it on Form 300, Part 1, line 3, column (a), and Form 300, Part 2, line 29. If less than zero, enter "0"			38c		00
39 Current taxable year's excess credit: Subtract line 38c from line 37 and enter the difference. If less than zero, enter "0", because no refund is available			39		00
40 Tentative refundable credit: Multiply line 39 by 75% (.75). Enter the result.....			40		00

Maximum refundable credit: See instructions.

41a Enter the maximum refundable credit amount authorized by ACA from Part 1, line 2a2	41a			00	
41b Enter the partner's maximum refundable credit amount from Form 308-P, Part 3, line 6. If this credit was passed through to you from more than one partnership, total the amounts indicated on Forms 308-P, Part 3, line 6.	41b			00	
41c Add the amounts on lines 41a and 41b. Enter the total here			41c		00
42 Refundable Credit: Enter the lesser of line 40 or line 41c. Also enter this amount on Form 99T, line 12; or Form 120, line 22; or Form 120A, line 14; Form 120S, line 18; or Form 120X, line 22(c).....			42		00

Complete Part 8 if you have carryovers from prior years. If you elect to receive a refund of 75% of the excess credit, you cannot carry forward any amount from the year of the refund.

Part 8 Available Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used or Expired	(d) Available Carryover: Subtract column (c) from column (b).	
43		00	00	00	
44		00	00	00	
45		00	00	00	
46		00	00	00	
47		00	00	00	
48		00	00	00	
49		00	00	00	
50		00	00	00	
51		00	00	00	
52		00	00	00	
53		00	00	00	
54		00	00	00	
55		00	00	00	
56		00	00	00	
57		00	00	00	
58	Total Available Carryover: Add lines 43 through 57 in column (d). Enter the total.....			58	00

Name (as shown on page 1)	EIN
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Part 9 Limitation of Credit Carryover

If you completed Part 7 and are receiving a refund, do not complete Part 9.

If you have credit carryovers from tax years 2006 and after, complete this section. If you do not, skip this section and go directly to Part 10. The amount of credit carryover from years 2006 and after that you can use is limited. Complete this schedule to determine how much of this carryover you may be able to use to offset this year's tax liability.

59a Current year's tax liability: Enter the amount from Form 300, Part 2, line 26.....	59a		00
59b Current taxable year's credit: Enter the amount from Part 4, line 29 of this form.....	59b		00
59c Subtract line 59b from line 59a. If the difference is zero or less, enter "0". This is the amount of this year's tax liability to which you may apply your credit carryovers.....	59c		00
59d Enter the total of your credit carryovers from Part 8, line 58, column (d)	59d		00
59e Enter the lesser of line 59c or line 59d. This is the amount of credit carryovers you can use to offset this year's tax liability.....	59e		00

Part 10 Total Available Nonrefundable Credit

60 Current year's credit: If you completed Part 7 and are receiving a refund, enter the amount from Part 7, line 38c. If you are not receiving a refund, enter the amount from Part 4, line 29. Partnerships and S Corporations that passed the current year credit through to partners or shareholders, enter "0". • Also enter this amount on Form 300, Part 1, line 3, column (a).....	60		00
61 Credit carryover: If you completed Part 7 and are receiving a refund, enter "0". Otherwise, enter the credit carryover from Part 9, line 59e. • Also enter this amount on Form 300, Part 1, line 3, column (b).....	61		00
62 Total available credit: Add lines 60 and 61. Enter the total. • Also enter this amount on Form 300, Part 1, line 3, column (c).....	62		00

For the calendar year 2021 or fiscal year beginning 2 0 2 1 and ending .

Partnership:

- Complete Form 308-P for each partner in the partnership **except for** trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Include a copy of each completed Form 308-P with your partnership return.
- Provide a copy of the completed form and the certification received from the Arizona Commerce Authority (if Part 3 is completed) to each partner.
- Keep a copy of each completed Form 308-P for your records.

Partners:

- Use this form to complete your own Form 308.
- If Part 3 is completed, include this completed form and a copy of the certification received from the Arizona Commerce Authority with your return.
- Keep a copy of this form and certification for your records.

Part 1 Partnership and Partner Information

1	(a) Partnership Name	(b) Employer Identification Number (EIN)
2	(a) Partner Name	(b) Taxpayer Identification Number (TIN) (c) Proportionate Share %

Part 2 Distribution of the Credit

3	Enter the total amount of partnership's research and development credit from Part 4, line 29 of the partnership's Form 308.....	3	\$		00
4	Multiply line 3 by the partner's proportionate share shown in line 2(c). Enter the result. This is the partner's portion of the partnership research and development credit	4	\$		00

Individual Partners: Enter the amount from line 4 on your Form 308-I, Part 3, line 24.
Corporate or Other Partners: Enter the amount from line 4 on your Form 308, Part 3, line 28.

Part 3 Distribution of the Maximum Refundable Portion of the Credit

Has the partnership listed above received a certificate from the Arizona Commerce Authority? Yes No

- If "Yes", include a copy of the certificate and proceed to question 5.
- If "No", **STOP!** There is no refundable portion of the research and development credit to be passed through.

5	Enter the maximum refund amount from Part 5, line 35 of the partnership's Form 308.....	5	\$		00
6	Multiply line 5 by the partner's proportionate share shown in line 2(c). Enter the result. This is the partner's portion of the maximum refundable research and development credit available for this year.....	6	\$		00

Individual Partners: Enter the amount from line 6 on your Form 308-I, Part 5, line 31b.
Corporate or Other Partners: Enter the amount from line 6 on your Form 308, Part 7, line 41b.
Partners who are Partnerships or S Corporations: Enter the amount from line 6 on your Form 308, Part 5, line 33.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

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For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

S Corporation:

- Complete Form 308-S for each shareholder in the S Corporation **except for** trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Include a copy of each completed Form 308-S with your S Corporation return.
- Provide a copy of the completed form and the certification received from the Arizona Commerce Authority (if Part 3 is completed) to each shareholder.
- Keep a copy of each completed Form 308-S for your records.

Shareholders:

- Use this form to complete your own Form 308-I.
- If Part 3 is completed, include this completed form and a copy of the certification received from the Arizona Commerce Authority with your return.
- Keep a copy of this form and certification for your records.

Part 1 S Corporation and Shareholder Information

1	(a) S Corporation Name	(b) Employer Identification Number (EIN)	
	(a) Shareholder Name	(b) Social Security Number (SSN)	(c) Proportionate Share %

Part 2 Distribution of the Credit

3	Enter the total amount of the S Corporation's research and development credit from Part 4, line 29 of the S Corporation's Form 308.....	3	\$		00
4	Multiply line 3 by the shareholder's proportionate share shown in line 2(c). Enter the result. This is the shareholder's portion of the S Corporation research and development credit.....	4	\$		00

Shareholders: Enter the amount from line 4 on your Form 308-I, Part 3, line 25.

Part 3 Distribution of the Maximum Refundable Portion of the Credit

Has the S Corporation listed above received a certificate from the Arizona Commerce Authority? Yes No

- If "Yes", include a copy of the certificate and proceed to question 5.
- If "No", **STOP!** There is no refundable portion of the research and development credit to be passed through.

5	Enter the maximum refund amount from Part 5, line 35 of the S Corporation's Form 308.....	5	\$		00
6	Multiply line 5 by the shareholder's proportionate share shown in line 2(c). Enter the result. This is the shareholder's portion of the maximum refundable research and development credit available for this year.....	6	\$		00

Shareholders: Enter the amount from line 6 on your Form 308-I, Part 5, line 31c.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

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2021 Credit for Increased Research Activities

CONTACTS FOR REFUND OF CREDIT FOR INCREASED RESEARCH ACTIVITIES

Arizona Commerce Authority

- Application forms
- Program guidelines

Website: www.azcommerce.com

Program Manager (602) 845-1200

CONTACTS FOR NONREFUNDABLE CREDIT FOR INCREASED RESEARCH ACTIVITIES

Arizona Department of Revenue

- Tax forms and instructions
- Information and assistance

Website: www.azdor.gov

Taxpayer assistance (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

General Instructions

NOTE: Form 308 is used by taxpayers that are C Corporations, S Corporations, exempt organizations with unrelated business taxable income (UBTI), or partnerships. Individual taxpayers must use Form 308-I.

Arizona Revised Statutes § 43-1168 provides a corporate income tax credit for increased research activities in a taxable year.

- This credit is available to corporate taxpayers, corporate partners, exempt organizations subject to corporate income tax on unrelated business taxable income (UBTI), or S Corporation shareholders.
 - An exempt organization may utilize this credit only if it results from activities that generate UBTI.
 - An S Corporation may claim this credit against income Arizona is taxing at the corporate level, or it may make an irrevocable election to pass this credit through to its shareholders.
 - A partnership must pass this credit through to its partners.
 - If two or more taxpayers, including shareholders of an S Corporation or partners in a partnership, share in the eligible expenses, each taxpayer is eligible to claim a proportionate share of the credit.
- This credit is allowed in an amount computed pursuant to Internal Revenue Code (IRC) § 41 with the following exceptions:
 - Qualified research includes only research conducted in Arizona. The term "qualified research," for purposes of the Arizona tax credit, means qualified research, as defined in IRC § 41, that is conducted in Arizona and basic research, as defined in IRC § 41, which is conducted in Arizona.
 - The amount of the credit is based on the federal regular credit computation method for Arizona qualified research expenses and Arizona basic research payments. Taxpayers cannot use the federal alternative credit computation method.

- The allowable current taxable year credit is a percentage of:
 - The excess, if any, of the Arizona qualified research expenses for the taxable year, over the base amount; and
 - The Arizona basic research payments.
- The termination provisions of IRC § 41 do not apply.
- If the allowable expenses do not exceed \$2,500,000, the allowable credit is 24% of this amount. If the allowable expenses exceed \$2,500,000, the allowable credit amount is \$600,000 plus 15% of the amount of expenses over \$2,500,000, subject to certain limitations.
- A portion of the current year's excess credit may be refundable if you qualify.

Corporate Taxpayers: *If two or more members of a unitary group or an Arizona affiliated group incur qualifying expenses, the individual members of the group are not considered separate taxpayers. When a combined return or a consolidated return is filed, the unitary group or the Arizona affiliated group is considered a single taxpayer.*

REFUNDABLE PORTION OF THE CURRENT YEAR'S EXCESS CREDIT

If you qualify, and if the current taxable year's credit for increased research activities exceeds your income tax liability, a portion of the excess credit may be refundable to you. To qualify to receive this refund:

- You must have less than 150 full-time employees.
- You must apply to the Arizona Commerce Authority (ACA) and receive a Certificate of Qualification (Certificate) to be eligible to receive a refund.
- The refund amount is the lesser of:
 - Seventy-five percent of the excess credit, or
 - The maximum refund amount indicated on the Certificate; any additional amount is waived.

The excess credit is the current year's credit less the current year's tax liability. The 75% refund is only available for the current year's excess credit for increased research activities.

The election to make this credit refundable must be made when you originally file your tax return to claim the current year's credit.

If two or more taxpayers, including shareholders of an S Corporation or partners in a partnership, share in the eligible expenses, each taxpayer is eligible to claim a proportionate share of the refund. An S Corporation must apply for the Certificate on behalf of its shareholders. A partnership must apply for the Certificate on behalf of its partners.

NOTE: *The refund of this credit is calculated after your tax liability. You must calculate all of your other credits before you can determine the current year's excess credit for Increased Research Activities.*

CARRYOVER OF UNUSED CREDIT

If your current taxable year's credit exceeds your tax liability, and you did not elect to receive a refund of 75% of the excess, you may carry forward the unused portion of your credit to the next 15 consecutive taxable years. Due to

various law changes, the amount you may carry forward, and how you may apply those amounts, differ depending on the tax year in which it was earned.

If you received a refund of 75% of the excess credit, you do not have any excess amount to carryforward for this year. Any carryover amounts from previous taxable years must be carried over to the next taxable year, subject to the fifteen-year carryover period and annual limitations on the use of those carryovers.

NOTE – To claim this credit:

- **C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI**, complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. Include both completed forms with your tax return.
- **S Corporations electing to pass this credit through to its shareholders**, complete this credit form. Also complete Form 308-S for each shareholder of the S Corporation. Provide each shareholder a copy of his or her completed Form 308-S. Include Form 308 and one copy of each completed Form 308-S with your tax return.
- **Partnerships**, complete this credit form. Also, complete Form 308-P for each partner of the partnership. Provide each partner a copy of his or her completed Form 308-P. Include Form 308 and one copy of each completed Form 308-P with your tax return.
- **Individuals**, complete Form 308-I, Credit for Increased Research Activities – Individuals. Also, complete Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both forms with your tax return.

Specific Instructions

Complete the name and employer identification number (EIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the tax return.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for a corporation, an exempt organization with UBTI, an S Corporation or a partnership is the taxpayer's EIN. Taxpayers that fail to include their TIN may be subject to a penalty.

Part 1 - Qualification for the Credit

Line 1

Did you have qualified research expenses for this taxable year?

- a. If you have qualified research expenses for this taxable year and you intend to claim this credit, check the box labeled, "Yes."
- b. If you did not have qualified research expenses for this tax year, check the box labeled, "No." Go to line 3.

Line 2

Is this credit refundable?

- a. If this credit is refundable, check the box labeled, "Yes." Provide the information requested on lines 2a1 and 2a2.
- b. If this credit is not refundable, check the box labeled, "No."

Line 3

Are you claiming a pass through of this credit from a partnership?

- If you are claiming a pass through of this credit from a partnership, check the box labeled, "Yes."
- If you are not claiming a pass through of this credit, check the box labeled, "No."

Line 4

Is this pass through credit refundable?

- If the pass through credit you received is refundable, check the box labeled, "Yes."
- If the pass through credit you received is not refundable, check the box labeled, "No."

NOTE: If an exempt organization receives a pass through of this credit from an S Corporation, enter that information on line 3 - Are you claiming a pass through of this credit and, line 4 - Is this pass through credit refundable?

Lines 5 through 7

Follow the instructions on lines 5 through 7 to determine if you qualify for this credit and to help you complete the remainder of this form.

Part 2 - Current Taxable Year's Credit Calculation

Corporate taxpayers (excluding S Corporations, personal holding companies, and service organizations): Begin computing your current year's credit on line 8 – Basic research payments paid or incurred.

All other taxpayers: Begin computing your current year's credit on line 11 – Wages for qualified services.

Line 8

Enter the amount you paid to a qualified university, scientific research organization, or grant organization for basic research conducted in Arizona.

NOTE: You must have a written contract with the organization to include these payments in the calculation.

Line 9

Enter your base period amount based on your Arizona research activity. Refer to IRC § 41(e) for a definition of base period amount.

NOTE: The amount reported on line 10, up to the amount reported on line 8, is not eligible for the basic research credit. However, it can be treated as contract research expenses on line 14.

Line 10

If line 8 is greater than line 9, subtract line 9 from line 8. Enter the difference. If line 9 is greater than line 8, enter "0".

Line 11

Enter total wages paid or incurred for qualified services performed in Arizona. Do not include the amount of wages paid to employees that were used in the calculation of the federal work opportunity credit.

NOTE: Wages include any wages paid or incurred to an employee for qualified services performed in Arizona.

Qualified services are: (1) engaging in qualified research; or (2) engaging in the direct supervision, or the direct support of research activities conducted in Arizona that are defined as qualified research.

Qualified research is an investigation undertaken to discover information that is technological in nature. Its application must be intended for use in developing a new or improved business component.

Line 12

Enter the cost of supplies paid or incurred for use in conducting qualified research in Arizona. Supplies include expenditures for any tangible property, other than land or improvements to land, and property of a character subject to the allowance for depreciation.

Line 13

Enter the amount paid or incurred to rent or lease the right to use computers in conducting qualified research in Arizona.

Line 14

Enter the total of:

- (a) Seventy-five percent of any amount paid or incurred for qualified research performed in Arizona by a qualified research consortium on the taxpayer's behalf. "Qualified research consortium" is any qualifying organization as defined in IRC § 41(b)(3)(C)(ii). Also, include 75% of that portion of line 8, basic research payments, paid to a qualified research consortium that does not exceed the line 9 base amount.
- (b) Sixty-five percent of any amount paid or incurred for qualified research performed in Arizona on the taxpayer's behalf, other than such amounts paid to a qualified research consortium. Prepaid contract research expenses are considered paid in the year the research is actually done. Also include 65% of that portion of line 9, basic research payments, that does not exceed the line 10 base amount, other than amounts paid to a qualified research consortium.

NOTE: If you made basic research payments to an Arizona university under the jurisdiction of the Arizona Board of Regents, you may be entitled to an additional credit. See Arizona Form 346 for details.

Line 15

Add the amounts on lines 11 through 14. Enter the total.

Line 16

Enter the average annual Arizona gross receipts for the four taxable years preceding the taxable year for which the credit is being determined (the credit year). You may be required to annualize gross receipts for any short taxable year.

If 2021 is the first year you are in business, your average annual Arizona gross receipts for the preceding taxable years is zero. If you have been in business in Arizona for less than four taxable years prior to the credit year, the average is the sum of annual Arizona gross receipts of the applicable period, divided by the number of taxable years.

Example: DEF Corporation began business in Arizona in 2019. Its annual Arizona gross receipts for 2019 were \$100,000. Its annual Arizona gross receipts for 2020 were \$200,000. Therefore, DEF Corporation's average annual Arizona gross receipts for the 2021 credit year is \$150,000 ([\$100,000 plus \$200,000] divided by 2).

Line 17**Fixed-base percentage**

Use the same type of formulas to compute your fixed-base percentage for Arizona as you would for computing your federal fixed-base percentage. The difference is that you use Arizona qualified research expense and gross receipts amounts instead of federal amounts. Other than that, the calculations are the same. Round off the percentage to the nearest one, one hundredth of one percent (four decimal places).

If the percentage computation involves *de minimis* amounts of gross receipts and qualified expenses in a taxable year, or short taxable years are involved, the amounts may be annualized or disregarded. Refer to IRC §§ 41(c)(3) and 41(f)(4) for details.

Existing firms and start-up companies

Arizona's definition of whether an organization is an existing firm or a start-up company is the same as the federal definition, except on an Arizona basis:

- **Existing firms** - An existing firm is one that had both Arizona gross receipts and Arizona qualified research expenses for at least three taxable years beginning after December 31, 1983, and before January 1, 1989. The fixed-base percentage is the ratio that the aggregate Arizona qualified research expenses for all taxable years beginning after 1983 and before 1989, bears to the aggregate Arizona gross receipts for such taxable years.
- **Start-up companies** - A start-up company is one that had both Arizona gross receipts and Arizona qualified research expenses either: 1) for the first time in a taxable year beginning after December 31, 1983, or, 2) for fewer than three taxable years beginning after 1983 and before 1989.

If the percentage computation involves *de minimis* amounts of gross receipts and qualified expenses in a taxable year, or short taxable years are involved, the amounts may be annualized or disregarded. Refer to IRC §§ 41(c)(3) and 41(f)(4) for details.

NOTE: The maximum percentage that can be entered on line 17 is 16% (.1600).

Lines 18 and 19

Read and follow the directions on the form.

Line 20

Multiply line 15 by 50%. Enter the result. The base amount cannot be less than 50% of the current year qualified research expenses. This rule applies to both existing and start-up companies.

Line 21

Enter the lesser of line 19 or line 20.

Line 22

Add lines 10 and 21. Enter the total.

NOTE:

- If line 22 is \$2,500,000 or less, complete line 23 and skip lines 24 through 27.
- If line 22 is more than \$2,500,000, skip line 23 and complete lines 24 through 27.

Lines 23 through 26

The amount of expenses you have determines the amount of current year credit you are eligible to claim. To determine your proper credit amount, complete lines 23 through 26 as instructed on the form.

Line 27

Enter the amount from line 23 or 26.

Part 3 – Total Current Year’s Credit Passed Through From Partnerships**Line 28**

Enter the total amount you received as a pass through from Form(s) 308-P, Part 2, line 4. If you received a pass through of this credit from more than one partnership, include a schedule providing this information for each partnership. Include a copy of each Form 308-P you received with your return.

Part 4 – Total Current Year’s Credit for Increased Research Activities**Line 29**

Add line 27 and line 28. Enter the total. This is your current year’s total credit for increased research activities.

- *Partnerships*, enter this amount on Part 2, line 3 of the partner’s Form 308-P.
- *S Corporations passing this credit through to its shareholders*, enter this amount on Part 2, line 3 of the shareholder’s Form 308-S.
- *All others*, go to Part 7.

**Part 5 - Partnerships and S Corporations Only
Determining Maximum Refund Amount to be Passed Through to Partners or Shareholders****Line 30**

Enter the amount of your current year credit from Part 4, line 29.

Line 31

Multiply line 30 by 75%. Enter the result.

Line 32

Enter the amount of your maximum refundable credit from Part 1, line 2a2.

Line 33

Enter the total maximum refundable credit(s) from any pass through entities from Form(s) 308-P, Part 3, line 6.

Line 34

Add lines 32 and 33 and enter the total. This is the maximum refundable credit you have for this taxable year.

Line 35

Enter the lesser of line 31 or line 34. **This is the maximum refund amount your partners or shareholders may claim for this taxable year.**

Each partner or shareholder is entitled to a proportionate share of the credit.

The total of the credit allowed to all partners or shareholders may not exceed the amount that would have been allowed for a sole owner.

Partnerships claiming this credit must pass it through to their partners. Go to the instructions for completing Form 308-P on page 7.

NOTE: *Trusts and estates which are partners in a partnership are not eligible to claim this credit. However, the share of a partnership owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.*

S Corporations electing to pass this credit through to their shareholders must complete Part 6, line 36 and line 36b. Do not enter this amount on Form 120S, line 18.

Part 6 - S Corporation Credit Election and Shareholder’s Share of the Credit**Lines 36, 36a, & 36b - S Corporation Credit Election**

The S Corporation must complete line 36 and line 36a or 36b. The S Corporation must make an irrevocable election either to claim the current taxable year credit at the corporate level or to pass the current taxable year credit through to its shareholders. The S Corporation election is made by:

- Entering the date the S Corporation taxable year ends in the box provided on line 36.
- Checking the box on line 36a electing to claim the current taxable year credit at the corporate level; or,
- Checking the box on line 36b electing to pass the current taxable year credit through to its shareholders.
- The election statement must be signed by an officer of the S Corporation who is also a signatory to Arizona Form 120S.

If the S Corporation elects to claim the credit at the corporate level, ensure line 36 is signed by an officer of the S Corporation, check Box 36a, and continue to Part 7.

If the S Corporation elects to pass this credit through to its shareholders, proceed to the instructions for completing Form 308-S on page 7.

If passing this credit through to the shareholders:

- Ensure line 36 is signed by an officer of the S Corporation who is also a signatory to Arizona Form 120S.
- Check Box 36b.
- Enter "0" on Part 10, line 60.
- Complete Form 308-S for each shareholder.
- Provide a copy of completed Form 308-S to each shareholder.
- File a copy of each completed Form 308-S with your tax return.
- Keep a copy of each completed Form 308-S for your records.

Each S Corporation shareholder is entitled to only a *pro rata* share of pass-through credit based on ownership interest in the S Corporation. The total of the credit allowed to all shareholders may not exceed the amount that would have been allowed for a sole owner.

NOTE: *Trusts and estates which are shareholders of S Corporations, are not eligible to claim this credit. However, the share of an S Corporation owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.*

Part 7 – Refundable Portion of Your Current Taxable Year’s Excess Credit

Complete Part 7 **ONLY** if you checked the “Yes” box on Part 1, line 2 and/or line 4 and elected to receive a refund of 75% of your excess credit. Otherwise, skip to Part 8.

NOTE: *If you are an individual receiving a pass through of this credit from a partnership or an S Corporation, you must complete Form 308-I to claim your refund of this credit.*

The excess credit is the current taxable year's credit for increased research activities less the current taxable year's tax liability. Carryovers of the credit for increased research activities from previous taxable years will carryover for possible use in the next taxable year, provided they do not expire this taxable year.

Line 37

Enter the amount of the current taxable year's credit from Part 4, line 29.

Line 38a

Enter the current taxable year's tax, including recapture, from Form 99T, line 8; or Form 120, line 18; or Form 120A, line 10; or Form 120S, line 14; or Form 120X, line 18(c).

Line 38b

Enter the amount of nonrefundable tax credits from Form 300, Part 1, line 20 less amount (if any) on Form 300, Part 1, line 3, column (c).

Line 38c

Subtract line 38b from line 38a. Enter the difference. If the difference is zero or more, also enter it on Part 10, line 60; also enter it on Form 300, Part 1, line 3, column (a), and

Form 300, Part 2, line 29. If the difference is less than zero, enter "0."

Line 39

Subtract line 38c from line 37. Enter the difference. If the difference is less than zero, enter "0"; no refund is available for this taxable year.

Line 40

Multiply line 39 by 75% and enter the result. This is your tentative refundable credit.

Maximum Refundable Credit

Line 41a

Enter the maximum refundable credit amount authorized by the ACA from Part 1, line 2a2.

Line 41b

Enter the partner's maximum refundable credit amount from Form 308-P, Part 3, line 6. If this credit was passed through to you from more than one partnership, total the amounts on Forms 308-P, Part 3, line 6. Enter the total.

Line 41c

Add the amounts on lines 41a and 41b. Enter the total.

Line 42

Enter the lesser of line 40 or line 41c. Enter this amount on Form 99T, line 12; or Form 120, line 22; or Form 120A, line 14; or Form 120S, line 18; or Form 120X, line 22(c). On the same line, be sure to check box 308 indicating you are claiming a refundable credit for increased research activities.

CREDIT CARRYOVERS

NOTE: *If you have credit carryovers from taxable years prior to 2021, complete Part 8. If you are receiving a refund, do not complete Part 9. If you do not have carryovers from taxable years prior to 2021, skip to Part 10.*

The credit for increased research activities may be carried forward to offset your tax liability of the next fifteen (15) years.

Allowable Credit Carryover

There are limitations on how much of your carryover you can use to offset this year's tax. Complete Part 9 to determine the proper carryover amounts.

If you have other credits, your usable amount of credit from increased research activities may be limited further. You will be applying these limitations when you complete Form 300, *Nonrefundable Corporate Tax Credits and Recapture*.

Part 8 - Available Credit Carryover

Use Part 8 to compute your available credit carryover.

S Corporations, *if this portion of the credit was claimed at the corporate level in a prior taxable year and there is a carryover amount available, complete Part 8.*

Lines 43 through 57

Complete lines 43 through 57, columns (a) through (d) to compute the total of all your carryovers from tax years beginning after December 31, 2005.

Line 58

Add the amount in column (d) of lines 43 through 57. Enter the total.

REMINDER: If you received a refund of this credit for any prior taxable year, no carryover of this credit is available from those years. In this case, enter "0" in column (d) for those tax years.

Part 9 - Limitation of Credit Carryover

NOTE: If you completed Part 7 and are receiving a refund, do not complete Part 9.

The total amount of your credit carryforward cannot be more than your current year's income tax liability minus this current year's credit for increased research activities.

Use lines 59a through 59e to calculate the amount of carryovers that you can use. Complete those lines as instructed on the form.

Part 10 - Total Available Nonrefundable Credit

Complete this section to compute the total available nonrefundable credit for the taxable year. The total available nonrefundable credit is the sum of the credit for the current taxable year's increased research activities and the available credit carryover(s).

Line 60 - Current year's credit

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI:

- If you completed Part 7 and are receiving a refund, enter the amount from Part 7, line 38c.
- If you are not receiving a refund, enter the amount from Part 4, line 29.
- Also, enter this amount on Form 300, Part 1, line 3, column (a).

Partnerships, enter "0".

S Corporations that passed the current year credit through to shareholders, enter "0".

NOTE: If you qualify for and are claiming a 75% refund of your excess credit for the current year, enter **only** the nonrefundable portion of the current year's credit from, Part 7, line 38c.

Enter the refundable portion of the credit (the amount from Part 7, line 42) on Form 99T, line 12; or Form 120, line 22; or Form 120A, line 14; or Form 120S, line 18; or Form 120X, line 22(c).

Carry forwards from previous years of the credit for increased research activities will carry over to the following year, provided the credit is within the 15-year carry forward period.

Line 61 - Credit Carryover

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI:

- If you completed Part 7 and are receiving a refund, enter "0".
- If you are not receiving a refund, enter your credit carryover amount from Part 9, line 59e.
- Also, enter this amount on Form 300, Part 1, line 3 column (b).

Line 62 - Total Available Credit

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI:

- Add the amounts from lines 60 and 61. This is the total available credit for increased research activities that may be applied to the current taxable year's tax liability.
- Enter the total and on Form 300, Part 1, line 3, column (c).

Form 308-P, Distribution to Partners of a Partnership

Enter the taxable year from which this credit is being passed through to your partners.

Complete Form 308-P for each partner of the partnership, *except for* trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The partnership must furnish each partner with their completed copy of Form 308-P, including additional schedules as needed.

Part 1 - Partnership and Partner Information

Line 1

Enter the partnership name and EIN in the spaces provided.

Line 2

Enter the partner's name, EIN or Social Security Number (SSN), and proportionate share of the credit in the spaces provided.

Part 2 - Distribution of the Credit Passed Through

Line 3

Enter the total amount of the partnership's credit for increased research and development from Form 308, Part 4, line 29.

Line 4

Multiply line 3 by the amount reported on line 2(c). Enter the result. This is the partner's proportionate share of the credit.

Part 3 - Distribution of the Maximum Refundable Portion of the Credit Passed Through to Partners

Line 5

Enter the maximum refund amount from Part 5, line 35 of the partnership's Form 308.

Line 6

Multiply line 5 by the amount reported on line 2(c). Enter the result. This is the partner's proportionate share of the maximum refundable amount of the credit.

Individual partners will use this form to complete their own Form 308-I.

All other partners will use this form to complete their own Form 308.

Form 308-S, Distribution to Shareholders of an S Corporation

Enter the taxable year from which this credit is being passed through to your shareholders.

Complete Form 308-S for each shareholder of the S Corporation, *except for* trust or estate partners. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The S Corporation must furnish each shareholder with his or her completed copy of Form 308-S, including additional schedules as needed.

Part 1 - S Corporation and Shareholder Information

Line 1

Enter the S Corporation name and EIN in the spaces provided.

Line 2

Enter the shareholder's name, SSN, and proportionate share of the credit in the spaces provided.

Part 2 - Distribution of the Credit Passed Through

Line 3 -

Enter the total amount of the S Corporation's credit for increased research and development from Form 308, Part 4, line 29.

Line 4

Multiply line 3 by the amount reported on line 2(c). Enter the result. This is the shareholder's proportionate share of the credit.

Part 3 - Distribution of the Maximum Refundable Portion of the Credit Passed Through to Shareholders

Line 5

Enter the maximum refund amount from Part 5, line 35 of the S Corporation's Form 308.

Line 6

Multiply line 5 by the amount reported on line 2(c). Enter the result. This is the shareholder's proportionate share of the maximum refundable amount of the credit.

Individual shareholders will use this form to complete their own Form 308-I.

Shareholders that are exempt organizations with UBTI, use this form to complete your own Form 308.

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Include with your return.

For the calendar year 2021 or fiscal year beginning MM, DD, DD 2, 0, 2, 1 and ending MM, DD, DD Y, Y, Y, Y.

Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI	Social Security Number
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Individuals must complete this form to claim the credit for increased research activities. Do not complete Form 308. Complete this form if the taxpayer has:

(a) a current taxable year's credit from the taxpayer's sole proprietorship; OR

(b) a current taxable year's credit passed through from an S Corporation or a partnership; OR

(c) a carryover of unused credit from taxable year(s) 2006 and after.

Part 1 Qualification for the Credit

<p>1 Did your sole proprietorship have qualified research expenses for the tax year indicated above? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>a If "Yes" and you are claiming the Arizona Credit for Increased Research Activities, go to line 2.</p> <p>b If "No", go to line 3.</p> <p>2 Is this credit refundable? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>a If "Yes":</p> <p>1 Include a copy of the certification you received from the Arizona Commerce Authority (ACA).</p> <p>2 Enter the maximum refund amount authorized by the ACA here and on line 31a.....</p> <p>b If "No", go to line 3.</p> <p>3 Are you claiming a pass through of this credit from a partnership or S Corporation? <input type="checkbox"/> Yes <input type="checkbox"/> No (If you are claiming a pass through of this credit from more than one partnership and/or S Corporation, include copies of all Form(s) 308-P and/or Form(s) 308-S you received.)</p> <p>4 Is this pass through credit refundable?..... <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>5 If you answered "Yes" to the question on line 1, go to Part 2.</p> <p>6 If you answered "No" to the question on line 1 and "Yes" to the question on line 3, go to Part 3.</p> <p>7 If you answered "No" to the question on line 1 and "No" to the question on line 3, complete this form ONLY if you have credit carryovers. Go to Part 6. Otherwise, STOP! YOU ARE NOT ELIGIBLE TO CLAIM THIS CREDIT.</p>	2a2	00
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Part 2 Current Taxable Year's Credit Calculation (Sole Proprietorships Only)

8 Wages for qualified services (do not include wages used in figuring the federal work opportunity credit).....	8		00		
9 Cost of supplies.....	9		00		
10 Rental or lease cost of computers.....	10		00		
11 Contract research expenses: See instructions.....	11		00		
12 Total research expenses: Add lines 8 through 11. Enter the total.....	12		00		
13 Average annual Arizona gross receipts: See instructions.....	13		00		
14 Fixed-base percentage [not more than 16% (.1600)]: See instructions.....	14	.			
15 Base amount: Multiply line 13 by the percentage on line 14. Enter the result.....			15		00
16 Subtract line 15 from line 12. Enter the difference. If less than zero, enter "0".....			16		00
17 Multiply line 12 by 50% (.50). Enter the result.....			17		00
18 Enter the lesser of line 16 or line 17.....			18		00
<p>• If line 18 is \$2,500,000 or less, complete line 19 and skip lines 20 through 22.</p> <p>• If line 18 is more than \$2,500,000, skip line 19 and complete lines 20 through 22.</p>					
19 Multiply line 18 by 24% (.24). Enter the result.....			19		00
20 Subtract \$2,500,000 from line 18. Enter the difference.....	20			00	
21 Multiply line 20 by 15% (.15). Enter the result.....	21			00	
22 Add \$600,000 to line 21. Enter the total.....			22		00
23 Enter the amount from line 19 or line 22 here.....			23		00

Continued on page 2 →

Name (as shown on page 1)	SSN
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Part 3 Current Taxable Year's Credit Passed Through From S Corporations and Partnerships

24 Enter the total amount of this credit passed through from partnerships on Form 308-P, Part 2, line 4.	24		00
25 Enter the total amount of this credit passed through from S Corporations on Form 308-S, Part 2 line 4.	25		00

Part 4 Total Current Taxable Year's Credit for Increased Research Activities

26 Total Credit: Add lines 23 through 25. Enter the total. This is your current year's total credit for increased research activities.	26		00
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Part 5 Refundable Portion of the Current Taxable Year's Excess Credit for Individuals that made the SBI election

Complete Part 5 *only* if you checked "Yes" in Part 1, line 2, or Part 1, line 4 and ***made the SBI election.***

NOTE: Individuals that *made the SBI election*, you must complete Arizona Form 301-SBI and Arizona Form 301 before completing Part 5.

27 Total current taxable year's credit: Enter the amount from Part 4, line 26	27		00
28a Subtotal of SBI tax: Enter the amount from Form 140-SBI, line 52; or Form 140PY-SBI, line 50; or Form 140NR-SBI, line 50; or Form 140X-SBI, line 51 ...	28a	00	
28b Nonrefundable SBI tax credits: Enter the amount of nonrefundable tax credits from Form 301-SBI, Part 1, line 19 less the amount (if any) on Form 301-SBI, Part 1, line 2, column (c).....	28b	00	
28c Excess SBI tax over SBI nonrefundable tax credits: Subtract line 28b from line 28a and enter the difference. If the difference is less than zero, enter "0"	28c		00
28d Current taxable year's SBI credit for increased research activities that will be used to offset the current taxable year's SBI tax liability. Enter the lesser of line 27 or line 28c. Also enter this amount on Form 301-SBI, Part 1, line 2, column (a) and on Form 301-SBI, Part 2, line 26.....	28d		00
29 Current taxable year's excess SBI credit: Subtract line 28d from line 27 and enter the difference. If zero, enter "0"; also enter "0" on lines 31 and 32. Skip to Part 9. No refund is available.	29		00
30a Enter the amount from Form 301-SBI, Part 3, line 46	30a	00	
30b Subtract line 28a from line 28b. Enter the difference. If the difference is less than or equal to zero, enter "0"	30b	00	
30c Subtract line 30b from line 30a. Enter the difference. If the difference is less than or equal to zero, enter "0"	30c		00
30d Current taxable year's SBI credit for increased research activities that will be used to offset the current taxable year's Individual Income tax liability: Enter the lesser of line 29 or line 30c. Also enter this amount on Form 301-SBI, Part 3, line 48, column (b)	30d		00
31 Current taxable year's total excess credit: Subtract line 30d from line 29 and enter the difference. If zero, enter "0". No refund is available.	31		00
32 Tentative refundable credit: Multiply line 31 by 75% (.75). Enter the result and skip to Part 7.	32		00

Continued on page 3 →

Name (as shown on page 1)	SSN
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Part 6 Refundable Portion of the Current Taxable Year's Excess Credit for Individuals that did not make the SBI election

Complete Part 6 *only* if you checked "Yes" in Part 1, line 2, or Part 1, line 4 and **did not make the SBI election**.

NOTE: Individuals that *did not make the SBI election*, you must complete Arizona Form 301 before completing Part 6.

33 Total current taxable year's credit: Enter the amount from Part 4, line 26		00		00
34a Subtotal of tax: Enter the amount from Form 140, line 48; or Form 140PY, line 58; or Form 140NR, line 58; or Form 140X, line 39.....	34a		00	
34b Nonrefundable tax credits: Enter the amount of nonrefundable tax credits from Form 301, Part 1, line 26 less the amount (if any) on Form 301, Part 1, line 2, column (c)	34b		00	
34c Excess tax over nonrefundable credits. Subtract line 34b from line 34a and enter the difference.- If the difference is zero, enter "0".....	34c			00
34d Current taxable year's credit for increased research activities that will be used to offset the current taxable year's tax liability. Enter the lesser of line 33 or line 34c. Also enter this amount on Form 301, Part 1, line 2, column (a) and on Form 301, Part 2, line 35.....	34d			00
35 Current taxable year's excess credit: Subtract line 34d from line 33 and enter the difference. If zero, enter "0". No refund is available.....	35			00
36 Tentative refundable credit: Multiply line 35 by 75% (.75). Enter the result.....	36			00

Part 7 Calculation of Maximum Refundable Credit

Maximum refundable credit: See instructions.

37a Enter the maximum refundable credit amount authorized by the ACA from Part 1, line 2a2 for the credit you earned.....	37a		00	
37b Enter the partner's maximum refundable credit amount from Form 308-P, Part 3, line 6.....	37b		00	
37c Enter the shareholder's maximum refundable credit from Form 308-S, Part 3, line 6.....	37c		00	
37d Add the amounts on lines 37a through 37c. Enter the total here	37d			00
38 Refundable Credit:				
• <i>Individuals that made the Small Business Income election:</i> Enter the lesser of line 32 or line 37d.				
• <i>Individuals that did not make the Small Business Income election:</i> Enter the lesser of line 36 or line 37d				
• See instructions.....	38			00

Continued on page 4 →

Name (as shown on page 1)	SSN
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Complete Part 8 if you have carryovers from prior years. If you elect to receive a refund of 75% of the excess credit, you cannot carry forward any amount from the year of the refund.

Part 8 Available Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount		(c) Amount Previously Used		(d) Available Carryover:		
						Subtract column (c) from column (b).		
39	2006		00		00		00	
40	2007		00		00		00	
41	2008		00		00		00	
42	2009		00		00		00	
43	2010		00		00		00	
44	2011		00		00		00	
45	2012		00		00		00	
46	2013		00		00		00	
47	2014		00		00		00	
48	2015		00		00		00	
49	2016		00		00		00	
50	2017		00		00		00	
51	2018		00		00		00	
52	2019		00		00		00	
53	2020		00		00		00	
54 Total Available Carryover: Add lines 39 through 53 in column (d). Enter the total.....							54	00

Part 9 Limitation of Credit Carryovers

If you completed Part 5 or Part 6 and are receiving a refund, do not complete Part 9.

LIMITATION OF CREDIT CARRYOVER: Complete Part 9 to determine which credit carryovers you may claim. Also, complete Part 9 to figure the total of all of your available credit carryover from Part 8, line 54, column (d) that you may claim this year.

55a Current year's liability:			
<ul style="list-style-type: none"> Individuals that made the Small Business Income election: Add the amounts from Form 301-SBI, Part 2, line 24 and Form 301-SBI, Part 3, line 46. Enter the total. Individuals that did not make the Small Business Income election: Enter the amount from Form 301, Part 2, line 33. 		55a	00
55b Current year's total credit: Enter the amount from Part 4, line 26.		55b	00
55c Subtract line 55b from 55a. If the difference is zero or less, enter "0".....		55c	00
56 Enter the lesser of Part 8, line 54, column (d) or line 55c. This is the amount of carryover you may use.....		56	00

Continued on page 5 →

Name (as shown on page 1)	SSN
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Part 10 Total Available Nonrefundable Credit

<p>57 Current year's credit:</p> <ul style="list-style-type: none"> • Individuals that <u>made the Small Business Income election</u>: If you completed Part 5 and are receiving a refund, enter the the sum of the amounts from Part 5, lines 28d and 30d. Also enter this amount on Form 301-SBI, Part 1, line 2, column (a). Otherwise, enter the amount from Part 4, line 26. • Individuals that <u>did not make the Small Business Income election</u>: If you completed Part 6 and are receiving a refund, enter the amount from Part 6, line 34d. Also enter this amount on Form 301, Part 1, line 2, column (a). Otherwise, enter the amount from Part 4, line 26. 	57		00
<p>58 If you completed Part 5 or Part 6 and are receiving a refund, enter "0". Otherwise, enter the carryover from Part 9, line 56.</p> <ul style="list-style-type: none"> • Individuals that <u>made the Small Business Income election</u>: Also enter this amount on Form 301-SBI, Part 1, line 2, column (b). • Individuals that <u>did not make the Small Business Income election</u>: Also enter this amount on Form 301, Part 1, line 2, column (b)..... 	58		00
<p>59 Total available credit: Add lines 57 and 58. Enter the total.</p> <ul style="list-style-type: none"> • Individuals that <u>made the Small Business Income election</u>: Also enter this amount on Form 301-SBI, Part 1, line 2, column (c). • Individuals that <u>did not make the Small Business Income election</u>: Also enter this amount on Form 301, Part 1, line 2, column (c) 	59		00

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2021 Credit for Increased Research Activities - Individuals

CONTACTS FOR REFUND OF CREDIT FOR INCREASED RESEARCH ACTIVITIES

Arizona Commerce Authority

- Application forms
- Program guidelines

Website: www.azcommerce.com

Program Manager (602) 845-1200

CONTACTS FOR NONREFUNDABLE CREDIT FOR INCREASED RESEARCH ACTIVITIES

Arizona Department of Revenue

- Tax forms and instructions
- Information and assistance

Website: www.azdor.gov

Taxpayer assistance (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

General Instructions

NOTE: Form 308-I is used only by individual taxpayers. C Corporations, S Corporations, exempt organizations with unrelated business taxable income, and partnerships must use the 2021 Form 308.

Arizona Revised Statutes § 43-1074.01 provides an individual income tax credit for increased research activities in a taxable year.

- The Arizona tax credit for individuals is allowed in an amount computed pursuant to Internal Revenue Code (IRC) § 41 with the following exceptions:
 - Qualified research includes only research conducted in Arizona. The term "qualified research", for purposes of the Arizona tax credit, means qualified research, as defined in IRC § 41, that is conducted in Arizona.
 - The amount of the credit is based on the federal regular credit computation method for Arizona qualified research expenses. Taxpayers cannot use the federal alternative credit computation method. The allowable current taxable year credit is a percentage of the excess, if any, of the Arizona qualified research expenses for the taxable year over the base amount.
- The termination provisions of IRC § 41 do not apply.
- For 2021, if the allowable expenses do not exceed \$2,500,000, the allowable credit is 24% of this amount. If the allowable expenses exceed \$2,500,000, the allowable credit amount is \$600,000 plus 15% of the amount of expenses over \$2,500,000.
- If two or more taxpayers, including shareholders of an S Corporation or partners in a partnership, share in the eligible expenses, each taxpayer is eligible to receive a proportionate share of the credit.
- A portion of the current year's excess credit may be refundable if you qualify.

REFUNDABLE PORTION OF THE CURRENT YEAR'S EXCESS CREDIT

If you qualify, *and* if the current taxable year's credit for increased research activities exceeds your income tax liability, a portion of the excess credit may be refundable to you. To qualify to receive this refund:

- You must have less than 150 full-time employees.
- You must apply to the Arizona Commerce Authority (ACA) and receive a Certificate of Qualification (Certificate) to be eligible to receive a refund.
- The refund amount is the lesser of:
 - Seventy-five percent of the excess credit, or
 - The maximum refund amount indicated on the Certificate; any additional amount is waived.

The excess credit is the current year's credit less the current year's tax liability. The 75% refund is only available for the current year's excess credit for increased research activities.

The election to make this credit refundable must be made when you originally file your tax return to claim the current year's credit.

If two or more taxpayers, including shareholders of an S Corporation or partners in a partnership, share in the eligible expenses, each taxpayer is eligible to claim a proportionate share of the refund. An S Corporation must apply for the Certificate on behalf of its shareholders. A partnership must apply for the Certificate on behalf of its partners.

NOTE: The refund of this credit is calculated after your tax liability. You must calculate all of your other credits before you can determine the current year's excess credit.

CARRYOVER OF UNUSED CREDIT

If your current taxable year's credit exceeds your tax liability, and you did not receive a refund of the excess, you may carry forward the unused portion of your credit to the next 15 consecutive taxable years. Due to various law changes, the amount you may carry forward, and how you may apply those amounts, differ depending on the tax year in which it was earned.

If you receive a refund of 75% of the excess credit, you do not have any excess amount to carry forward for this year. Any carryover amounts from previous taxable years must be carried over to the next taxable year, subject to the 15-year carryover period and annual limitations on the use of those carryovers.

If you have other nonrefundable tax credits that you are using to reduce your tax liability, you may not be able to use all of your credit for increased research activities to reduce your tax this year. You will be applying these limitations when you complete Arizona Form 301, *Nonrefundable Individual Tax Credits and Recapture*.

DO YOU HAVE TO MAKE OTHER ADJUSTMENTS TO ARIZONA GROSS INCOME OR TO THE ARIZONA TAX CREDIT FOR INCREASED RESEARCH ACTIVITIES?

- If you claim an Arizona credit for increased research activities for the taxable year, Arizona statutes do not require you to make an addition to Arizona gross income

for the amount of qualified research expenses equal to the amount of the allowable Arizona credit.

- If you claim a reduced federal credit for increased research expenses and claim the Arizona credit for increased research activities, Arizona statutes do not require you to reduce the Arizona credit for increased research activities in a manner similar to the federal reduction method.
- If you reduce the amount of the deduction for qualified research activities in the computation of federal adjusted gross income, Arizona statutes do not allow you to take a subtraction from Arizona gross income for the amount of the expense reduction.
- If you adjust the federal asset basis of capitalized research expenses and reduce the amount of amortization deductible in the computation of federal adjusted gross income, Arizona statutes do not allow you to take a subtraction from Arizona gross income for additional amortization.

NOTE – To claim this credit:

- **Individual taxpayers that did not make the Small Business Income election.** complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return (Form 140, 140PY, 140NR, or 140X).
- **Individual taxpayers that made the Small Business Income election.** complete this credit form and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).

Specific Instructions

Complete the name and Social Security Number (SSN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the tax return.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for an individual is the taxpayer’s SSN or an Internal Revenue Service individual taxpayer identification number. Taxpayers that fail to include their TIN may be subject to a penalty.

Part 1 - Qualification for the Credit

Line 1

Did your sole proprietorship have qualified research expenses for this taxable year?

- a. If your sole proprietorship had qualified research expenses for this taxable year and you intend to claim this credit, check the box labeled, “Yes.”
- b. If your sole proprietorship did not have qualified research expenses for this taxable year, check the box labeled, “No.” Go to line 3.

Line 2

Is this credit refundable?

- a. If this credit is refundable, check the box labeled, “Yes.” Provide the information requested on lines 2a1 and 2a2.
- b. If this credit is not refundable, check the box labeled, “No.”

Line 3

Are you claiming a pass through of this credit from a partnership or from an S Corporation?

- If you are claiming a pass through of this credit from a partnership or from an S Corporation, check the box labeled, “Yes.”
- If you are not claiming a pass through of this credit, check the box labeled, “No.” Go to line 5.

Line 4

Is this pass through credit refundable?

- If the pass through credit you received is refundable, check the box labeled, “Yes.”
- If the pass through credit you received is not refundable, check the box labeled, “No.”

Lines 5 through 7

Follow the instructions on lines 5 through 7 to determine if you qualify for this credit and to help you complete the remainder of this form.

Part 2 - Current Taxable Year's Credit Calculation (Sole Proprietorships Only)

NOTE: Complete this part only if you operate a business as a sole proprietorship and your sole proprietorship incurred qualified research expenses during the taxable year. If you received your credit as the result of a pass through, go to Part 3.

Line 8

Enter total wages paid or incurred for qualified services performed in Arizona. Do not include the amount of wages paid to employees that were used in the calculation of the federal work opportunity credit.

NOTE: Wages include any wages paid or incurred to an employee for qualified services performed in Arizona.

Qualified services are: (1) engaging in qualified research; or, (2) engaging in the direct supervision, or the direct support of research activities conducted in Arizona that are defined as qualified research.

Qualified research is an investigation undertaken to discover information that is technological in nature. Its application must be intended for use in developing a new or improved business component.

Line 9

Enter the cost of supplies paid or incurred for use in conducting qualified research in Arizona. Supplies include expenditures for any tangible property other than land or improvements to land and property of a character subject to the allowance for depreciation.

Line 10

Enter the amount paid or incurred to rent or lease the right to use computers in conducting qualified research in Arizona.

Line 11

Enter the total of:

- (a) Seventy-five percent of any amount paid or incurred for qualified research performed in Arizona by a qualified research consortium on your sole proprietorship's behalf. "Qualified research consortium" is any qualifying organization as defined in IRC § 41(b)(3)(C)(ii).
- (b) Sixty-five percent of any amount paid or incurred for qualified research performed in Arizona on your sole proprietorship's behalf, other than such amounts paid to a qualified research consortium. Prepaid contract research expenses are considered paid in the year the research is actually done.

NOTE: If your contract research expenses were made to an Arizona university under the jurisdiction of the Arizona Board of Regents and qualify as basic research payments, you may be entitled to an additional credit. See Form 346 for details.

Line 12

Add lines 8 through 11. Enter the total.

Line 13

Enter the average annual Arizona gross receipts for the four taxable years preceding the taxable year for which the credit is being determined (the credit year). You may be required to annualize gross receipts for any short taxable year.

If 2021 is the first year you are in business, the average annual Arizona gross receipts for the preceding taxable years is zero. If you have been in business in Arizona for less than four taxable years prior to the credit year, then the average is the sum of annual Arizona gross receipts of the applicable period, divided by the number of taxable years.

Example: DEF Corporation began business in Arizona in 2019. Its annual Arizona gross receipts for 2019 were \$100,000. Its annual Arizona gross receipts for 2020 were \$200,000. Therefore, DEF Corporation's average annual Arizona gross receipts for the 2021 credit year is \$150,000 ([\$100,000 plus \$200,000] divided by 2).

Line 14

Fixed-base percentage

Use the same type of formulas to compute your fixed-base percentage for Arizona as you would for computing your federal fixed-base percentage. The difference is that you use Arizona qualified research expense and gross receipts amounts instead of federal amounts. Other than that, the calculations are the same. Round off the percentage to the nearest one, one hundredth of one percent (four decimal places).

If the percentage computation involves *de minimis* amounts of gross receipts and qualified expenses in a taxable year or short taxable years are involved, the amounts may be annualized or disregarded. Refer to IRC §§ 41(c)(3) and 41(f)(4) for details.

Existing firms and start-up companies

Arizona's definition of whether an organization is an existing firm or a start-up company is similar to the federal definition, except on an Arizona basis:

- **Existing firms** - An existing firm is one that had both Arizona gross receipts and Arizona qualified research expenses for at least three taxable years beginning after December 31, 1983, and before January 1, 1989. The fixed-base percentage is the ratio that the aggregate Arizona qualified research expenses for all taxable years beginning after 1983 and before 1989, bears to the aggregate Arizona gross receipts for such taxable years.
- **Start-up companies** - A start-up company is one that had both Arizona gross receipts and Arizona qualified research expenses either: (1) for the first time in a taxable year beginning after December 31, 1983, or, (2) for fewer than three taxable years beginning after 1983 and before 1989.

Fixed-Base Percentages for Taxable Years Beginning After 1993 in Which Start-Up Companies Incurred Arizona Qualified Research Expenses	
<i>Taxable Year After 1993</i>	<i>Percentages for Taxable Years After 1993</i>
1st through 5th	3%
6th	Divide the aggregate Arizona qualified research expenses for 4th and 5th taxable years by the aggregate Arizona gross receipts for 4th and 5th taxable years. Multiply the result by 1/6 (.1667).
7th	Divide the aggregate Arizona qualified research expenses for 5th and 6th taxable years by the aggregate Arizona gross receipts for 5th and 6th taxable years. Multiply the result by 1/3 (.3333).
8th	Divide the aggregate Arizona qualified research expenses for 5th through 7th taxable years by the aggregate Arizona gross receipts for 5th through 7th taxable years. Multiply the result by 1/2 (.50).
9th	Divide the aggregate Arizona qualified research expenses for 5th through 8th taxable years by the aggregate Arizona gross receipts for 5th through 8th taxable years. Multiply the result by 2/3 (.6667).
10th	Divide the aggregate Arizona qualified research expenses for 5th through 9th taxable years by the aggregate Arizona gross receipts for 5th through 9th taxable years. Multiply the result by 5/6 (.8333).
All years after 10th	Divide the aggregate Arizona qualified research expenses for any 5 taxable years selected by the taxpayer from among the 5th through 10th taxable years by the aggregate Arizona gross receipts for the selected taxable years.

If the percentage computation involves *de minimis* amounts of gross receipts and qualified expenses in a taxable year or short taxable years are involved, the amounts may be annualized or disregarded. Refer to IRC §§ 41(c)(3) and 41(f)(4) for details.

NOTE: *The maximum percentage that can be entered on line 14 is 16% (.1600).*

Line 15

Multiply line 13 by the percentage on line 14. Enter the result.

Line 16

Subtract line 15 from line 12. Enter the difference. If the difference is less than zero, enter "0".

Line 17

Multiply line 12 by 50%. Enter the result. The base amount cannot be less than 50% of the current year qualified research expenses. This rule applies both to existing and start-up companies.

Line 18

Enter the lesser of line 16 or line 17.

NOTE:

- *If line 18 is \$2,500,000 or less, complete line 19 and skip lines 20 through 22.*
- *If line 18 is more than \$2,500,000, skip line 19 and complete lines 20 through 22.*

Lines 19 through 23

The amount of expenses you have determines the amount of current year credit you are eligible to claim. To determine your proper credit amount, complete lines 19 through 23 as instructed on the form.

Part 3 – Current Taxable Year’s Credit Passed Through from S Corporations and Partnerships

NOTE: *If you received a pass through of this credit from more than one partnership and/or S Corporation, total the amounts received from all Form(s) 308-P and/or Form(s) 308-S on a separate schedule and include it with this form. Include a copy of each Form 308-P and/or Form 308-S you received with your return.*

Line 24

Enter the total amount of this credit passed through from partnerships on Form 308-P, Part 2, line 4.

Line 25

Enter the total amount of this credit passed through from S Corporations on Form 308-S, Part 2, line 4.

Part 4 - Total Current Taxable Year’s Credit for Increased Research Activities**Line 26**

Add lines 23 through 25. Enter the total. **This is your current year’s total credit for increased research activities.**

Part 5 - Refundable Portion of the Current Taxable Year's Excess Credit for Individuals that made the Small Business Income election

Complete Part 5 **ONLY** if you checked the "Yes" box on line 2 or on line 4 electing to receive a refund of 75% of your excess credit **and** you **made the Small Business Income (SBI) election.**

If you checked the "No" box on line 2 and/or line 4, *and* you elect *not* to receive a refund of 75% of your excess credit, skip to Part 8.

NOTE: *You must complete Arizona Form 301-SBI and Arizona Form 301 before completing Part 5.*

The excess credit is the current taxable year's credit for increased research activities less the current taxable year's tax liability. Carryovers of the credit for increased research activities from previous taxable years will carry over for possible use in the next taxable year, provided they do not expire this taxable year.

NOTE: *If you complete Part 5 and are receiving a refund, do not complete Part 9.*

Line 27

Enter the amount from Part 4, line 26.

Line 28a

Enter the amount from Form 140-SBI, line 52; or Form 140PY-SBI, line 50; or Form 140NR-SBI, line 50; or Form 140X-SBI, line 51.

Line 28b

Enter the current year's nonrefundable tax credits from Form 301-SBI, Part 1, line 19 less the amount (if any) on Form 301-SBI, Part 1, line 2, column (c).

Line 28c

Subtract line 28b from line 28a. Enter the difference. If the difference is less than zero, enter "0".

Line 28d

Enter the lesser of line 27 or 28c. Also enter this amount on Form 301-SBI, Part 2, line 26.

Line 29

Subtract the amount on line 28d from line 27. Enter the difference. If the result is zero, enter "0"; also enter "0" on lines 31 and 32. Skip to Part 9. No refund is available.

Line 30a

Enter the amount from Form 301-SBI, Part 3, line 46.

Line 30b

Subtract line 28a from line 28b. Enter the difference. If the difference is less than zero, enter "0".

Line 30c

Subtract line 30b from line 30a. Enter the difference. If the difference is less than zero, enter "0".

Line 30d

Enter the lesser of line 29 or line 30c. Also enter this amount on Form 301-SBI, Part 3, line 48, column (b).

Line 31

Subtract line 30d from line 29 and enter the difference. If zero, enter "0". No refund is available.

Line 32

Multiply line 31 by 75% (.75). Enter the result and skip to Part 7.

Part 6 – Refundable Portion of the Current Taxable Year’s Excess Credit for Individuals that did not make the Small Business Income election.

Complete Part 6 **ONLY** if you checked the “Yes” box on line 2 or on line 4 electing to receive a refund of 75% of your excess credit **and** you **did not make the Small Business Income (SBI) election**.

If you checked the “No” box on line 2 and/or line 4, **and** you elect **not** to receive a refund of 75% of your excess credit, skip to Part 8.

NOTE: *You must complete Arizona Form 301 before completing Part 6.*

The excess credit is the current taxable year’s credit for increased research activities less the current taxable year’s tax liability. Carryovers of the credit for increased research activities from previous taxable years will carry over for possible use in the next taxable year, provided they do not expire this taxable year.

NOTE: *If you complete Part 6 and are receiving a refund, do not complete Part 9.*

Line 33

Enter the amount from Part 4, line 26.

Line 34a

Enter the amount from Form 140, line 48; or Form 140PY, Line 58; or Form 140NR, line 58, or Form 140X, line 39.

Line 34b

Enter the current year’s nonrefundable tax credits from Form 301, Part 1, line 25 less the amount (if any) on Form 301, Part 1, line 2, column (c).

Line 34c

Subtract line 34b from line 34a and enter the difference. If the difference is zero, enter “0”.

Line 34d

Enter the lesser of line 33 or line 34c. Also enter this amount on on Form 301, Part 2, line 2 and on Form 301, Part 2, line 35.

Line 35

Subtract line 34d from line 33 and enter the difference. If zero, enter “0”.

Line 36

Multiply line 35 by 75% (.75). Enter the result.

Part 7 – Calculation of Maximum Refundable Credit

Line 37a

Enter the maximum refundable credit amount authorized by the ACA for the credit you earned from Part 1, line 2a2.

NOTE for lines 37b and 37c: *If you received a pass through of this credit from more than one partnership and/or S Corporation, total the maximum refundable amounts on a separate schedule and include it with this form.*

Line 37b

Enter the partner’s maximum refundable credit amount from Form 308-P, Part 3, line 6, or from Form 308-S, Part 3, line 6. If this credit was passed through to you from more than one partnership, total the amounts indicated on Form(s) 308-P, Part 3, line 6. Enter the total.

Line 37c

Enter the shareholder’s maximum refundable credit amount form Form 308-S, Part 3, line 6. If this credit was passed through to you from more than one S Corporation, total the amounts indicated on Form(s) 308-S, Part 3, line 6. Enter the total.

Line 37d

Add the amounts on lines 31a through 31c. Enter the total.

Line 38 – Refundable Credit

Individuals that made the SBI election: Enter the lesser of line 32 or line 37d. Complete Part 8 if you have carryovers from prior taxable years. Also enter this amount on Form 140-SBI, line 57; or Form 140NR-SBI, line 55; or Form 140PY-SBI, line 55; or Form 140X-SBI, line 56. On the same line, be sure to check box 308-I indicating you are claiming a refundable credit for increased research activities.

Individuals that did not make the SBI election: Enter the lesser of line 36 or line 37d. Complete Part 8 if you have carryovers from prior taxable years. Also enter this amount on Form 140, line 58; or Form 140NR, line 65; or Form 140PY, line 67; or Form 140X, line 45. On the same line, be sure to check box 308-I indicating you are claiming a refundable credit for increased research activities.

CREDIT CARRYOVERS

NOTE: *If you have credit carryovers from taxable years prior to 2021, complete Part 8. If you do not have carryovers from taxable years prior to 2021, skip to Part 10.*

The credit for increased research activities may be carried forward to offset your tax liability of the next fifteen years.

Allowable Credit Carryover

There are limitations on how much of your carryover you can use to offset this year’s tax. How much you can use depends on the year from which the carryover arose. In Part 8 you will apply those limitations to determine the proper carryover amounts.

If you have other credits, your usable amount of credit from increased research activities may be limited further. You will be applying these limitations when you complete Form 301, *Nonrefundable Individual Tax Credits and Recapture*.

Part 8 - Available Credit Carryover

Use Part 8 to compute the carryover of the credit for increased research activities from taxable years beginning after December 31, 2005.

Lines 39 through 53

In column (b), enter the credit originally computed for taxable years 2006 and subsequent years. In column (c), enter the amount that has already been used. Subtract the amount in column (c) from column (b) and enter the difference in column (d).

Line 54

Add the amounts on lines 39 through 53 in column (d). Enter the total. This is the total credit carryover available.

REMINDER: *If you received a refund of this credit for any prior taxable year, no carryover of the credit is available from those years. In this case, enter "0" in column (d) for those tax years.*

Part 9 - Limitation of Credit Carryovers

Use Part 9 to figure the limitations on use of credit carryovers. Complete lines 49a through 50 if you claimed the credit on a prior year return and the credit was more than your tax.

NOTE: *If you completed Part 5 and are receiving a refund, do not complete Part 7.*

LIMITATION FOR CREDIT CARRYOVERS FROM TAXABLE YEARS BEGINNING ON OR AFTER JANUARY 1, 2003. The amount of credit carryover from taxable years beginning on or after January 1, 2003, is only limited by the amount by which your current year's tax liability exceeds your current year's credit for increased research activities.

Line 55a

Enter the current year's tax liability from Form 301, Part 2, line 34.

Line 55b

Enter the current year's total credit from Part 4, line 26.

Line 55c

Subtract line 54b from line 54a and enter the difference. If the difference is zero or less, enter "0".

Line 56

Enter the lesser of Part 8, line 54, column (d), or line 55c. This is the amount of carryover you may use to reduce your current year's Arizona tax liability.

Part 10 - Total Available Nonrefundable Credit

Complete this section to compute the total available credit for the taxable year. The total available credit is the sum of the current taxable year's credit for increased research activities and the available credit carryover(s).

Line 57 - Current Year's Credit

Individuals that made the SBI election: If you completed Part 5 and are receiving a refund, enter the sum of the amounts from Part 5, lines 28d and 30d. Also enter this amount on Form 301-SBI, Part 1, line 2, column (a). Otherwise, enter the amount from Part 4, line 26.

Individuals that did not make the SBI election: If you completed Part 6 and are receiving a refund, enter the amount from Part 6, line 34d. Also enter this amount on Form 301, Part 1, line 2, column (a). Otherwise, enter the amount from Part 4, line 26.

Line 58 - Credit Carryover

If you completed Part 5 or Part 6 and are receiving a refund, enter "0".

Individuals that made the SBI election: Also enter this amount on Form 301-SBI, Part 1, line 2, column (b).

Individuals that did not make the SBI election: Also enter this amount on Form 301, Part 1, line 2, column (b).

Line 59 - Total Available Credit

Add the amounts on lines 57 and 58. Enter the total.

Individuals that made the SBI election: Also enter this amount on Form 301-SBI, Part 1, line 2, column (c).

Individuals that did not make the SBI election: Also enter this amount on Form 301, Part 1, line 2, column (c).

Include with your return. A separate form must be filed for each state or country for which a credit is claimed.

For the calendar year 2021 or fiscal year beginning MM,DD,YY 2,0,2,1 and ending MM,DD,YY,YY.

Your Name as shown on Form 140, 140NR, 140PY, or 140X	Your Social Security Number
Spouse's Name as shown on Form 140, 140NR, 140PY, or 140X (if joint return)	Spouse's Social Security Number

Part 1 Computation of Income Subject to Tax by Both Arizona and the Other State or Country During 2021

A. Other State: If claiming a credit for taxes paid to another state, enter the two-letter abbreviation for that state.

See last page of the instructions for a list of state abbreviations

B. Other Country: If claiming a credit for taxes paid to another country, enter the country name

If claiming a credit for taxes paid to more than one country, see instructions.

	(a)	(b)	(c)
1 Description of income item(s). List each income item separately. Do not include any income item reported on your small business income tax return.			
2 Amount of income from item listed on line 1 reportable to both Arizona and the other state or country.....	2 \$ 00	\$ 00	\$ 00
3 Portion of income on line 2 included in Arizona adjusted gross income	3 \$ 00	\$ 00	\$ 00
4 Portion of income on line 2 included in the other state or country's equivalent of Arizona adjusted gross income.....	4 \$ 00	\$ 00	\$ 00
5 Income subject to tax by both Arizona and the other state or country. Enter the smaller of the amount entered on line 3 or line 4	5 \$ 00	\$ 00	\$ 00
6 Total income subject to tax in both Arizona and the other state or country. Add line 5, columns (a), (b), and (c). Include total from additional schedules. If less than zero, enter "0". See instructions.			6 \$ 00

Part 2 Computation of Other State or Country Tax Credit

(Read specific line instructions for Part 2 before completing this part.)

7 Arizona tax liability less any credits (except other state tax credit)	7	00
8 Amount from Part 1, line 6.....	8	00
9 Entire income upon which Arizona tax is imposed. See instructions.....	9	00
10 Divide the amount on line 8 by the amount on line 9 (cannot be greater than one)	10	.
11 Multiply the amount on line 7 by the decimal on line 10	11	00
12 Income tax paid to: Name of other state or country. See Instructions. 12a	12b	00
13 Amount from Part 1, line 6.....	13	00
14 Entire income upon which other state or country's income tax is imposed. See instructions.....	14	00
15 Divide the amount on line 13 by the amount on line 14 (cannot be greater than one)	15	.
16 Multiply the amount on line 12 by the decimal on line 15	16	00
17 Allowable credit for taxes paid to the above named other state or country: If claiming a credit from more than one state or country, see instructions. Enter the smaller of line 11 or line 16, and on Arizona Form 301, Part 1, line 3, column (a).....	17	00

Schedule of Income Allocation

Complete this schedule only if you are an Arizona resident who is also considered to be a resident of another state under the laws of that other state (dual resident); otherwise, skip this schedule. See pages 2 and 9 of the instructions.

	(a) Amount reported on your 2021 federal return	(b) Amount entered in column (a) reported on your 2021 Form 140	(c) Amount entered in column (a) reported on your 2021 return filed to your statutory state of residence	(d) Amount entered in column (c) that would be sourced to your statutory state of residence as income of a nonresident of that state
1 Wages, salaries, tips, etc.....	\$ 00	\$ 00	\$ 00	\$ 00
2 Interest.....	\$ 00	\$ 00	\$ 00	\$ 00
3 Dividends.....	\$ 00	\$ 00	\$ 00	\$ 00
4 Business income or (loss) from federal Schedule C.....	\$ 00	\$ 00	\$ 00	\$ 00
5 Gains or (losses) from federal Schedule D.....	\$ 00	\$ 00	\$ 00	\$ 00
6 Rents, royalties, partnerships, estates, trusts, small business corporations from federal Schedule E	\$ 00	\$ 00	\$ 00	\$ 00
7 Other income reported on your federal return	\$ 00	\$ 00	\$ 00	\$ 00
8 Total Income: Add lines 1 through 7 .	\$ 00	\$ 00	\$ 00	\$ 00
9 Other federal adjustments: List on lines 9a through 9c:				
9a	\$ 00	\$ 00	\$ 00	\$ 00
9b	\$ 00	\$ 00	\$ 00	\$ 00
9c	\$ 00	\$ 00	\$ 00	\$ 00
9d Total adjustments: Add lines 9a through 9c for each column	\$ 00	\$ 00	\$ 00	\$ 00
10 Adjusted Gross Income: Subtract line 9d from line 8 for each column....	\$ 00	\$ 00	\$ 00	\$ 00

2021 Credit for Taxes Paid to Another State or Country

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and click on *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

Purpose of Form

NOTE – To claim this credit:

- **Individual taxpayers that did not make the Small Business Income election**, complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR, or 140X).
- **Individual taxpayers that made the Small Business Income election and also paid tax on the small business income to another state or country**, complete credit form 309-SBI and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI and 140X-SBI. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).

Use Arizona Form 309 to figure your credit for taxes paid to Arizona and another state or country on the same income. If claiming a credit for more than one state or country, complete a separate Form 309 for **each** state or country.

If you are claiming a credit for taxes paid to more than one foreign country for income received from an investment in a regulated investment company (RIC) including, but not limited to, mutual funds, exchange trade funds (ETF), and real estate investment trusts (REITS), see Income Tax Procedure (ITP) 20-1, *Procedure for Calculating Credit for Taxes Paid to Another Country by Arizona Resident Individuals*, for additional instructions.

NOTE: Individuals claiming this credit **must** also complete Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture, and include Form 301 and Form(s) 309 with your tax return to claim this credit.

Estates and Trusts claiming a credit for taxes paid to another state or country are not required to completed Forms 301 and 309. See the instructions for Arizona Form 141AZ for requirements to claim this credit.

If you are not sure what amounts you should enter on Form 309, see the department's procedure, ITP 08-1, *Procedure for Calculating Credit for Taxes Paid to Another State or Country by Arizona Resident Individuals*.

NOTE: You must notify the department immediately if the other state or country credits or refunds taxes for which you have received an Arizona credit. In this case, you must file an amended return.

Complete this form only if you meet the following:

1. You are filing a 2021 Arizona income tax return.
 2. You paid a **net** income tax to another qualified state or country for 2021.
- If you are claiming a credit for taxes paid to another state, payroll taxes withheld from income do not constitute a net income tax. Having tax withheld from your pay by Arizona and another state does not by itself qualify you for this credit. You must file a net income tax return to the other state.
 - If you are claiming a credit for taxes paid to another country, a net income tax paid to another country includes those taxes that qualify for a credit under Internal Revenue Code (IRC) §§ 901 and 903.

NOTE: To claim a credit for taxes paid to a foreign country, you must complete Form 309. You must complete Form 309 even if you did not have to complete federal Form 1116 to claim a credit on your federal return.

You may not claim this credit for the following:

- income taxes paid to any city or county, and
- interest or penalties paid to another state or country.

NOTE: If you file an amended return after you claim this credit, be sure to recalculate the credit, if required.

Application of Credit

Claim this credit only if the income was subject to tax in both Arizona and the other state or country in the same tax year.

You cannot apply this credit against interest or penalties payable to Arizona.

NOTE: You may use this credit only in the year incurred. You cannot carry the credit forward to the next year. You also cannot carry the credit back to a prior year.

Are You Claiming Other Arizona Tax Credits?

A.R.S. § 43-1071 provides that residents shall be allowed a credit against the taxes imposed by Title 43, Chapter 10, for net income taxes imposed by and paid to another state or county on income taxable under this chapter.

“Taxes payable under this chapter” means the income tax imposed by this state on the taxpayer’s taxable income as defined under section 43-1001 minus any tax credit amount claimed for the taxable year under this article but not including the credit amount under this section.”

Therefore, Arizona will only allow a taxpayer to claim the credit for taxes paid to another state or country *after* applying all other available credits.

To determine if you have any remaining tax liability in which to apply the credit for taxes paid to another state or country, use the following rules when applying other tax credits.

- First, apply any credits that cannot be carried over or refunded.
- Second, apply any credits that can be carried over for a limited duration.
- Third, apply refundable credits

If there remains an income tax liability after applying those credits, then you may apply the credit for taxes paid to another state or country.

Arizona Resident

Arizona residents are allowed a credit against Arizona income taxes for net income taxes imposed by and paid to another state or country if the following apply:

- The income taxed in Arizona is derived from sources within another state or country. This income is subject to a net income tax in the other state or country regardless of your residence.
- The other state or country does not allow Arizona residents a credit for taxes imposed on income subject to tax in both Arizona and the other state or country.

As an Arizona resident, nonresident returns filed with the following states qualify for the credit:

Alabama, Arkansas, Colorado, Connecticut, Delaware, District of Columbia (see note below), Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Utah, Vermont, West Virginia and Wisconsin.

NOTE: Only income tax paid under the District of Columbia’s Unincorporated Business Franchise Tax qualifies for the credit. The tax must be paid by an individual and not the business entity for the credit to qualify.

Important: As an Arizona resident, nonresident returns filed with the following states **DO NOT QUALIFY** for the credit on the Arizona return:

Alaska, California, Florida, Indiana, Nevada, New Hampshire, Oregon, South Dakota, Tennessee, Texas, Virginia, Washington and Wyoming.

You may be able to claim a credit for taxes paid to Arizona on the nonresident return filed with any of those states listed above.

Nonresident

A credit against Arizona income taxes is allowed for Arizona nonresidents who are not allowed a credit by their state or country of residence for taxes paid to Arizona if either:

- The other state or country does not tax Arizona residents on income derived from sources within the other state or country.
- The other state or country allows Arizona residents credit for taxes paid on income subject to tax by the other state or country and Arizona.

Arizona nonresidents who file resident returns with the following states qualify for the credit.

- California, Indiana, Oregon, and Virginia

NOTE: This list is subject to change at any time.

Part-Year Residents

For that part of the year you were a resident of Arizona, follow the instructions for residents.

For that part of the year you were an Arizona nonresident, follow the instructions for nonresidents.

Dual Resident

You may be eligible to claim the credit if you are a full-year Arizona resident filing Arizona Form 140 and you are also considered to be a resident of another state under the laws of that other state. Figure your credit for taxes paid to Arizona and that other state on the same income that is taxable by both Arizona and the other state, but only on income that would be sourced to the other state if you had to report that income as a nonresident.

You may claim the credit as a dual resident if you meet the following:

1. You are filing a 2021 full-year Arizona resident income tax return.
2. You are considered to be a resident of another state under the laws of that other state.
3. You paid a **net** income tax to that other state.

An Arizona resident who is also considered to be a resident of another state under the laws of that state is allowed a credit against Arizona income taxes for net income taxes imposed by and paid to that other state if the following apply:

- The other state taxes the income of the Arizona resident and does not allow the Arizona resident a credit for taxes imposed on income subject to tax in both Arizona and the other state.
- The credit is allowed only for taxes imposed on income that would have been sourced to the other state if the Arizona resident had filed as a nonresident to the other state.

NOTE: *If you are an Arizona full-year resident and also considered to be a resident of another state under the laws of that other state, complete the Schedule of Income Allocation, on page 2 of Form 309 before you complete page 1 of Form 309.*

Required Forms

Upon request by the department, the taxpayer shall provide the following as proof for claiming the credit.

- Copy of other state or country's tax return.
If the other country does not require a taxpayer to file a tax return, provide documentation showing amount of tax imposed and paid.
- Copy of brokerage statement, if applicable.
- Proof of payment.
- Statement showing conversion rate for taxes paid to other country.

Line-by-Line Instructions

Enter your name and Social Security Number (SSN) as shown on Arizona Forms 140, Form 140NR, Form 140PY, or Form 140X.

Make sure that every return, statement, or document that you file with the department has your SSN. Failing to include the proper numbers may subject you or your preparer to a penalty. Make sure that all of the required identification numbers are clear and correct. Your return may take longer to process if identification numbers are missing, incorrect, or unclear.

If your name appears first on the return, make sure your SSN is the first number listed.

Part 1 - Computation of Income Subject to Tax by Both Arizona and the Other State or Country During 2021

A. If you are claiming a credit for income taxes paid to another state, enter in the space provided, the two-letter abbreviation for that state. See the last page of these instructions for a list of state abbreviations.

B. If you are claiming a credit for income taxes paid to another country, enter the name of that country on the line provided. *See note on page 3.*

NOTE: *If you are claiming a credit for taxes paid to more than one foreign country for income received from an investment in a regulated investment company (RIC) including, but not limited to, mutual funds, exchange trade funds (ETF), and real estate investment trusts (REITS), enter "Various" in Part 1, on line B.*

In order for income to be taxed by both Arizona and another state or country, the following must exist.

For an Arizona resident:

1. The same income must be taxed by both Arizona and the other state or country.
2. The income must have its source within the other state or country.

For a nonresident:

1. The same income must be taxed by both Arizona and the other state or country.
2. The income must have its source within Arizona.

Lines 1 through 6

NOTE: Do *not* include any income item reported on your small business income tax return.

Provide a breakdown of your income which is subject to tax in both Arizona and the other state or country. Complete lines 1 through 5 separately for each income item listed in columns (a) through (c). If you have more than three items of income from the other state or country for which you are claiming the credit, complete additional schedules.

NOTE: *If you are an Arizona resident who is also considered to be a resident of another state under the laws of that other state, complete the Schedule of Income Allocation, on page 2 of Form 309 before you complete Part 1, lines 1 through 6 of Form 309.*

Line 1

Identify the income item from which the income subject to tax in both Arizona and the other state or country is derived. If you have more than one income item, complete column(s) (b) and (c), as necessary. Examples of such income are business income, partnership income, wages, etc. Enter an item in column (a) only if your Arizona adjusted gross income and the adjusted gross income of the return filed with the other state or country includes the income from that item.

If you are an Arizona resident and also considered to be a resident of another state, enter the income item and amount from column (d) of the *Schedule of Income Allocation*.

If you are claiming a credit for taxes paid to another country, and that country withheld at the source, and you are not required to file a return with that country, enter the item of income from which the foreign taxes were withheld.

Line 2

Enter the amount of income from the item listed on line 1 reportable to both Arizona and the other state or country. This is the amount of income derived from that item which you must include in the income reported to both Arizona and the other state or country.

NOTE: *If you are claiming a credit for taxes paid to more than one foreign country for income received from an investment in a regulated investment company (RIC) including, but not limited to, mutual funds, exchange trade funds (ETF), and real estate investment trusts (REITS), enter the **total amount of income received** on line 2, column (a).*

Line 3

Enter that portion of income on line 2 included in your Arizona adjusted gross income. This amount is that portion of the amount of income included on line 2 that is also included in your Arizona gross income adjusted by any additions or subtractions related to that income required under Arizona law.

For example, during the tax year, Taxpayer A, a full-year Arizona resident, had Schedule C business income of \$50,000 from State P. This \$50,000 of Schedule C income is reportable to both Arizona and to State P.

For federal purposes, Taxpayer A included the \$50,000 in federal adjusted gross income, but also reduced that Schedule C business income by ½ of the self-employment tax related to that income (\$3,532) and by the amount of self-employed health insurance deduction (\$6,000). Therefore, only \$40,468 [$\$50,000 - (\$3,532 + \$6,000)$] of the \$50,000 Schedule C income is included in Taxpayer A's Arizona gross income. Arizona law requires no further additions or subtractions related to this Schedule C income included in Taxpayer A's Arizona gross income. Therefore, the amount of Schedule C income included in Taxpayer A's Arizona adjusted gross income would be \$40,468. Taxpayer A would enter \$40,468 on line 3.

Line 4

Enter that portion of income on line 2 which is included in the other state or country's equivalent of Arizona adjusted gross income. If you are a full-year Arizona resident filing a nonresident return to the other state or country, this would be the other state or country's income computed under the equivalent of Arizona Revised Statute (A.R.S.) § 43-1094 (adjusted gross income of a nonresident). In other words, the income computed as if only source income were included, and then adjusted by any additions or subtractions related to that income required under the other state or country's law.

For example, during the tax year, Taxpayer A, a full-year Arizona resident, had Schedule C business income of \$50,000 from State P. This \$50,000 of Schedule C income is reportable to both Arizona and to State P.

For federal purposes, Taxpayer A included the \$50,000 in federal adjusted gross income, but also reduced that Schedule C business income by ½ of the self-employment tax related to that income (\$3,532) and by the amount of self-employed health insurance deduction (\$6,000). Taxpayer A was required to make these same adjustments on the return filed to State P. Therefore, only \$40,468 [$\$50,000 - (\$3,532 + \$6,000)$] of the \$50,000 Schedule C income is included in State P's equivalent of Arizona gross income.

Additionally, State P law allows Taxpayer A to subtract an additional \$2,000 of depreciation related to the Schedule C income. Therefore, the amount of Schedule C income included in State P's equivalent of Arizona adjusted gross income would be \$38,468 ($\$40,468 - \$2,000$). Taxpayer A would enter \$38,468 on line 4.

NOTE: *If you are claiming a credit for taxes paid to another country, and that country withheld at the source, and you are not required to file a return with that country, enter the amount of income subject to tax in that foreign country.*

Line 5

Enter the smaller of the amount entered on line 3 or line 4. This is the amount of income from that item which is subject to tax by both Arizona and the other state or country.

Line 6

Add line 5, columns (a) through (c). This is the total income subject to tax in both Arizona and the other state or country.

If less than zero, enter "0." In this case, there is no income that is subject to tax in both Arizona and the other state or country. You cannot claim a credit for taxes paid to the other state or country.

Enter the amount from Part 1, line 6, on Part 2, line 8, and also on Part 2, line 13.

NOTE: *The amounts on lines 2 through 5 may be the same. However, differences may occur due to the application of the other state's law. See the example on page 5.*

2021 Credit for Taxes Paid to Another State or Country

The following example illustrates how to complete lines 1 through 6 of Arizona Form 309. If you are an Arizona resident who is also considered to be a resident of another state under the laws of that other state, see the example following the instructions for the *Schedule of Income Allocation* for an example of how to complete lines 1 through 6 of Form 309.

EXAMPLE:

Facts:

Mr. and Mrs. M are Arizona residents. Mr. M is an active duty military member who is stationed in State X. Mr. M receives wages from the military and from a part-time job in State X. Mr. and Mrs. M receive rental income from property in Arizona. During the taxable year for which the credit is being claimed, Mr. and Mrs. M received the following income.

Mr. M's military wages	\$ 15,000
Mr. M's part-time employment wages	\$ 10,000
Rental income from AZ property	<u>\$ 20,000</u>
Total Income	\$ 45,000

As Reported on State X Return		As Reported on Arizona Return	
Federal adjusted gross income	\$ 45,000	Federal adjusted gross income	\$ 45,000
Less non-state X income (military & rental income)	\$ (35,000)	Less subtractions from income (military income of \$15,000 and other exemption of \$2,300)	\$ (17,300)
Less subtraction for second job income	\$ (1,000)	Arizona adjusted gross income	\$ 27,700
State X adjusted gross income	\$ 9,000		

Mr. and Mrs. M must include Mr. M's part-time employment wages of \$10,000 in both the Arizona gross income and the State X's equivalent of Arizona gross income. Therefore, the amount of wage income reportable to both Arizona and State X is \$10,000. For Arizona purposes, there are no additions or subtractions related to that \$10,000 wage income included in Arizona gross income, so the entire \$10,000 of wage income is included in Arizona adjusted gross income. However, under State X law, \$1,000 of the \$10,000 wage income is subtracted from State X's equivalent of Arizona adjusted gross income, so only \$9,000 of that \$10,000 is included in State X's equivalent of Arizona adjusted gross income. Mr. and Mrs. M complete lines 1 through 6 of Form 309 as follows:

1. Description of income items	(a) wages
2. Amount of income from item listed on line 1, reportable to both Arizona and the other state or country.	\$10,000
3. Portion of income on line 2 included in Arizona adjusted gross income.	\$10,000
4. Portion of income included on line 2 included in the other state or country's equivalent of Arizona adjusted gross income.	\$ 9,000
5. Income subject to tax by both Arizona and the other state or country. Enter the smaller of the amount entered on line 3 or 4.	\$ 9,000
6. Total income subject to tax in both Arizona and the other state or country.	\$ 9,000

Part 2 - Computation of Other State or Country Tax Credit

Line 7

Enter your Arizona tax liability less any credits. However, do not reduce your Arizona tax liability by the other state tax credit.

For 2021, your Arizona tax liability prior to tax credits can be found on the following line number.	
Arizona Form	Line Number
140	46a and 46b
140PY	56a and 56b
140NR	56a and 56b
140X	37a and 37b

NOTE: *If you are taking other tax credits, you must reduce your Arizona tax by the amount of those other tax credits. For the purpose of this computation, be sure to reduce your Arizona tax by both refundable and nonrefundable credits.*

Line 8

Enter amount from Part 1, line 6.

Line 9 - Entire Income Upon Which Arizona Tax is Imposed

Enter your entire income upon which Arizona tax is imposed. This is the Arizona adjusted gross income excluding allowable exemptions for age 65 or over, blind, dependents, or qualifying parents and grandparents.

Use the appropriate worksheet below to figure your entire income upon which Arizona tax is imposed.

Worksheet for Arizona Residents	
1. Enter the amount from Arizona Form 140, line 42.	
2. Enter the total amount from Form 140, lines 38 through 41.	
3. Add the amounts on line 1 and line 2. Enter the total here and on Form 309, line 9.	

Worksheet for Arizona Nonresidents	
1. Enter the amount from Arizona Form 140NR, line 52.	
2. Enter the amount from Form 140NR, line 51.	
3. Add the amounts on line 1 and line 2. Enter the total here and on Form 309, line 9.	

Worksheet for Arizona Part-Year Residents With No Arizona Source Income for the Period of the Year in Which You Were an Arizona Nonresident

1. Enter the amount from Arizona Form 140PY, line 52.	
2. Enter the amount from Form 140PY, line 51.	
3. Add the amounts on line 1 and line 2. Enter the total here and on Form 309, line 9.	

Part-Year Residents With Arizona Source Income for the Period of the Year in Which You Were an Arizona Nonresident

If you have Arizona source income for the period of the year in which you were an Arizona nonresident, you must separately determine the amount of Arizona adjusted gross income for the period in which you were a resident and the amount of Arizona adjusted gross income for the period in which you were a nonresident. These figures are not separately stated on any particular line on your Arizona Form 140PY.

Lines 10 and 11

Follow the instructions on the form for lines 10 and 11.

Line 12

12a. Enter the name of the other state or country.

12b. Enter the amount of income tax paid to the other state or country. Do not include federal income taxes or any taxes paid to a city or county. Also, do not include any amount paid to the other state or foreign country for penalty or interest. Amounts of tax paid or accrued to a foreign country do not include amounts that are reasonably certain to be refunded, credited, rebated, abated, or forgiven

Line 13

Enter the amount from Part 1, line 6.

Line 14 - Entire Income Upon Which Other State or Country's Income Tax is Imposed

Enter the entire income upon which the other state or country's income tax is imposed. This is the other state or country's equivalent of Arizona adjusted gross income, but does not include exemptions allowable under the equivalent of A.R.S. § 43-1023. Such income must include items of income and loss, but not exemptions and itemized or standard deductions. Such income must also be adjusted by any additions or subtractions required under the other state's law which relate to the income from sources within the other state. This amount may not be shown on a specific line of the return filed with the other state.

If you are claiming a credit for taxes paid to another country, and that country withheld at the source, and you are not required to file a return with that country, enter the amount of income subject to tax in that foreign country.

NOTE FOR ARIZONA RESIDENTS ONLY: *Since the other state can only tax a nonresident on income which is sourced to that state, the entire income upon which the other state's income tax is imposed includes only income sourced to that other state under its income tax laws. Source income is generally income derived from property located within a state or from an activity carried on within a state when the income recipient is a nonresident.*

NOTE: *You may not be able to take the entire income upon which the other state or country's tax is imposed from a specific line on the return filed to the other state or country. If you must determine this amount, include a schedule.*

The example beginning on page 7 illustrates how an Arizona resident figures the entire income subject to tax in the other state or country.

If you have questions concerning what amount to enter on line 14, call one of the phone numbers listed at the beginning of these instructions.

Lines 15 and 16

Follow the instructions on the form for lines 15 and 16.

Line 17

Enter the smaller of line 11 or line 16. If this is the only state or country for which you are claiming a credit, also enter this amount on Arizona Form 301, Part 1, line 3, column (a).

If you are claiming a credit for more than one state or country, make a separate computation for each. Enter the total from all Arizona Forms 309 on Arizona Form 301, Part 1, line 3, column (a).

EXAMPLE

The following example will illustrate how to figure a credit for taxes paid to another state.

Facts: Mr. and Mrs. F are Arizona residents who derive income from a farm in State XY. During the taxable year for which the credit is being claimed, Mr. and Mrs. F had the following income.

Interest income	\$ 38,000
Dividend income	\$ 4,000
Farm income from State XY	<u>\$ 16,000</u>
Total income	<u>\$ 58,000</u>

As Reported on Arizona Return

Federal adjusted gross income	\$ 58,000
Less other exemption \$2,300	(2,300)
Arizona adjusted gross income	\$ 55,700
Itemized deductions	(18,600)
Arizona taxable income	37,100
Arizona tax	1,030
Credit for Contributions to Public Schools	(300)
Arizona tax liability	730

As Reported on State XY Return		As Reported on State XY Income Allocation Schedule		
			<i>Column A</i> Income from federal return	<i>Column B</i> Income from Column A from State XY sources
1. Federal adjusted gross income	\$ 58,000			
2. Plus State XY additions	0	1. Wages		
3. Less State XY subtractions	0	2. Interest	38,000	
4. State XY adjusted gross income	<u>\$ 58,000</u>	3. Dividends	4,000	
5. Itemized Deductions	(11,000)	4. Farm Income	16,000	16,000
6. Exemptions	(3,000)	5. Capital Gains		
7. State XY taxable income	\$ 44,000	6. Rents, Sub S, Royalties, Partnership		
8. State XY tax	1,760	7. Other Income		
9. Percentage from Income Allocation Schedule	0.2759	8. Total income	58,000	16,000
10. State XY tax on income sourced to State XY. Multiply line 8 by line 9.	\$ 486	9. Tax proration Divide line 8 Column B by Line 8, Column A	$16,000/58,000 = .2759$	

Credit Computation:

Mr. and Mrs. F complete Arizona Form 309 as follows:

Arizona Form 309

Part I - Computation of Income Subject to Tax by Both Arizona and the Other State or Country

	(a) Farm income	(b)
1. Description of income item(s)		
2. Amount of income from item listed on line 1, reportable to both Arizona and the other state or country.	\$16,000	
3. Portion of income on line 2 included in Arizona adjusted gross income.	\$16,000	
4. Portion of income on line 2 included in State XY's equivalent of Arizona adjusted gross income.	\$16,000	
5. Income subject to tax by both Arizona and the other state or country. Enter the lesser of amount entered on line 3 or line 4.	\$16,000	
6. *Total income subject to tax in both Arizona and the other state or country.		\$16,000

Part II - Computation of Other State or Country Tax Credit

7. **Arizona tax liability less any credits (except other state tax credit).....	7	730	
8. Amount from Part 1, line 6	8	16,000	
9. ***Entire income upon which Arizona income tax is imposed	9	58,000	
10. Divide the amount on line 8 by the amount on line 9 (cannot be greater than 1)	10	.2759	
11. Multiply the amount on line 7 by the decimal on line 10.....	11	201	
12. Income tax paid to State XY (tax less credits)	12	486	
13. Amount from Part 1, line 6	13	16,000	
14. ****Entire income upon which State XY income tax is imposed	14	16,000	
15. Divide the amount on line 13 by the amount on line 14 (cannot be greater than 1)	15	1.0000	
16. Multiply the amount on line 12 by the decimal on line 15.....	16	486	
17. Other state or country tax credit. Enter the lesser of line 11 or line 16	17	201	

*** Lines 1 through 6 - Income subject to tax in both Arizona and State XY**

Mr. and Mrs. F must report State XY farm income of \$16,000 in both Arizona gross income and State XY's equivalent of Arizona gross income. There are no additions or subtractions related to the \$16,000 farm income required under either Arizona law, or State XY law. Therefore, \$16,000 of farm income is included in Arizona adjusted gross income and \$16,000 of farm income is included in State XY's equivalent of Arizona adjusted gross income.

****Line 7 - Arizona tax liability**

For the purpose of the credit, Mr. and Mrs. F compute the Arizona tax liability as follows:

Arizona tax	\$ 1,030
Less public school tax credit	(300)
Arizona tax liability	\$ 730

*****Line 9 - Entire income upon which Arizona tax is imposed**

For the purpose of the credit, Mr. and Mrs. F compute the entire income upon which Arizona tax is imposed as follows:

Arizona adjusted gross income	\$ 55,700
Plus other exemptions	<u>2,300</u>
Entire income upon which Arizona income tax is imposed	<u>\$ 58,000</u>

******Line 14 - Entire income upon which State XY tax is imposed**

This is the entire income upon which State XY's tax is imposed. This is State XY's equivalent of Arizona adjusted gross income for these individuals. Since these individuals are nonresidents of State XY, State XY's equivalent of Arizona adjusted gross income (not including exemptions and standard or itemized deductions), includes only that income which is sourced to State XY. It should be noted that in this case, the entire income upon which State XY's income tax is imposed had to be determined. This amount was not

separately shown on a specific line of the State XY return, since State XY computes its tax on the total income and then prorates that tax to reflect the tax attributable to income derived from sources within State XY. For the purpose of the credit, Mr. and Mrs. F compute the entire income upon which State XY's tax is imposed as follows:

Mr. and Mrs. F's Farm income sourced to State XY (State XY's equivalent of Arizona adjusted gross income) computed under A.R.S. § 43-1094).....	\$ 16,000
Plus State XY's equivalent of Arizona's dependent exemptions.....	<u>0</u>
Entire income upon which State XY tax is imposed.....	<u>\$ 16,000</u>

Form 309, Page 2 – Schedule of Income Allocation Instructions

Complete page 2, *Schedule of Income Allocation*, **only** if you are a full-year Arizona resident who is also considered a resident of another state under the laws of that other state.

All other taxpayers skip page 2, *Schedule of Income Allocation*.

NOTE: *If you are a full-year Arizona resident that is also considered to be a resident of another state under the laws of that other state, you must complete the Schedule of Income Allocation on page 2 of Form 309 before you complete page 1 of Form 309.*

Because the credit allowed for a full-year Arizona resident that is also considered to be a resident of another state is for taxes paid to that other state on income sourced to that other state, you must complete the *Schedule of Income Allocation*, before you can complete lines 1 through 6 of Form 309.

This schedule allocates income between income sourced to the other state and income from everywhere else that is taxable to the other state. Complete column (a) before completing columns (b) through (d). On lines 1 through 10 of column (a), for each line, enter the amounts reported on your federal income tax return. In column (b), enter the amounts listed in column (a) that are included in income reported on your Arizona return. In column (c), enter the amounts listed in column (a) that are included in income reported on the return filed with the other state. In column (d), enter the amounts listed in column (c) that would be sourced to the other state if you were a nonresident of that state filing a nonresident return to that state.

The following example illustrates how to complete Form 309 for an Arizona resident who is also considered to be a resident of another state under the laws of that other state.

EXAMPLE

Facts:

Mr. and Mrs. R are Arizona residents who are temporarily living and working in State Z. They will be there for one year and then they will return to Arizona. During the current taxable year, Mr. and Mrs. R have been living and working in State Z for 10 and one-half months. Because Mr. and Mrs. R have been living in State Z for more than 183 days during the tax year, State Z considers Mr. and Mrs. R to be residents of State Z and taxes all of their income from the time they moved to State Z. Because Mr. and Mrs. R are Arizona residents who are temporarily out of Arizona, they are still full-year Arizona residents for Arizona income tax purposes and must file a full-year Arizona income tax return and include all income for the taxable year, wherever derived. For the taxable year, Mr. and Mrs. R have the following income.

Mr. R's wages from employment in Arizona	\$ 15,000
Mr. R's wages from employment in State Z	\$ 42,000
Mrs. R's wages from employment in State Z	\$ 5,000
Interest income	\$ 5,000
Rental income from AZ property	<u>\$ 20,000</u>
Total income	<u>\$ 87,000</u>

As Reported on State Z Return		As Reported on Arizona Return	
Wages (Mr. R's State Z wages \$42,000 + Mrs. R's State Z wages \$5,000)	\$ 47,000	Federal adjusted gross income	\$ 87,000
Interest income received after moving to State Z	4,375	Less subtractions from income (other exemption \$2,300)	(2,300)
Rental income from Arizona property received after moving to State Z	17,500	Arizona adjusted gross income	\$ 84,700
State Z gross income	68,875	Arizona itemized deductions	(18,600)
Plus additions to income	0	Arizona taxable income	\$ 66,100
Less subtractions (dependent \$4,000)	(4,000)	Arizona tax	\$ 2,086
State Z adjusted gross income	\$ 64,875		
State Z itemized deductions	(9,500)		
State Z personal exemptions	(7,500)		
State Z taxable income	\$ 47,875		
State Z tax	\$ 2,154		

Before Mr. and Mrs. R can complete Form 309, they must complete the *Schedule of Income Allocation* on page 2 of Form 309. This will help Mr. and Mrs. R determine the income that is taxable in both Arizona and State Z that would be sourced to State Z if Mr. and Mrs. R were filing a nonresident return to State Z.

Schedule of Income Allocation				
	(a) Reported on your 2021 federal return	(b) Amount Entered in column (a) Reported on Your 2021 Form 140	(c) Amount Entered in column (a) Reported on Your Return Filed to Your Statutory State of Residence	(d) Amount Entered in column (c) That Could be Sourced to Your Statutory State of Residence as Income of a Nonresident of that State
1. Wages, salaries, tips, etc.	62,000	62,000	47,000	47,000
2. Interest	5,000	5,000	4,375	0
3. Dividends				
4. Business income (or loss) from federal Schedule C				
5. Gains (or losses) from federal Schedule D				
6. Rents, royalties, partnerships, estates, trusts, small business corporations from federal Schedule E	20,000	20,000	17,500	0
7. Other income reported on your federal return				
8. Total income: <i>Add lines 1 through 7</i>	87,000	87,000	68,875	47,000
9a. Other federal adjustments. <i>List</i>				
9b.				
9c.				
9d. Total adjustments. <i>Add lines 9a through 9c for each column.</i>	0	0	0	0
10. Adjusted gross income. <i>Subtract the sum of amounts entered on line 9d from line 8.</i>	87,000	87,000	68,875	47,000

If Mr. and Mrs. R had filed a nonresident return to State Z, they would have reported \$47,000 of wage income to State Z as State Z source income. Therefore, when Mr. and Mrs. R complete Form 309, they would complete lines 1 through 6 as follows:

Part I	(a)	(b)
1. Description of Income Items	Wages	
2. Amount of income from item listed on line 1, reportable to both Arizona and State Z.	\$ 47,000	
3. Portion of income on line 2 included in Arizona adjusted gross income.	\$ 47,000	
4. Portion of income on line 2 included in State Z's equivalent of Arizona adjusted gross income.	\$ 47,000	
5. Income subject to tax by both Arizona and State Z. Enter the smaller of line 3 or line 4.	\$ 47,000	
6. *Total income subject to tax in both Arizona and State Z.	\$ 47,000	

Part II – Computation of Other State or Country Tax Credit		
7. Arizona tax liability less any credits (except other state tax credit).....	7	2,086
8. Amount from Part 1, line 6.....	8	47,000
9. ** Entire income upon which Arizona income tax is imposed.....	9	87,000
10. Divide the amount on line 8 by the amount on line 9 (cannot be greater than 1).....	10	.5402
11. Multiply the amount on line 7 by the decimal on line 10.....	11	1,127
12. Income tax paid to State Z (tax less credits).....	12	2,154
13. Amount from Part 1, line 6.....	13	47,000
14. ***Entire income upon which State Z's income tax is imposed.....	14	68,875
15. Divide the amount on line 13 by the amount on line 14 (cannot be greater than 1).....	15	.6824
16. Multiply the amount on line 12 by the decimal on line 15.....	16	1,470
17. Other state or country tax credit. Enter the smaller of line 11 or line 16.....	17	1,127

*** Lines 1 through 6 – Income subject to tax in both Arizona and State XY**

Before completing lines 1 through 6, Mr. and Mrs. R must complete page 2 of Arizona Form 309, *Schedule of Income Allocation*. Even though Mr. and Mrs. R must report wage income, interest income and rental income to State Z, only the wage income earned for services performed in State Z would be sourced to State Z if State Z were taxing Mr. and Mrs. R as nonresidents. Therefore, when Mr. and Mrs. R complete the *Schedule of Income Allocation*, Mr. and Mrs. R indicate that only \$47,000 of wages would be sourced to State Z as income of a nonresident of State Z.

Mr. and Mrs. R must report State Z wages of \$47,000 in Arizona gross income and \$47,000 of State Z wages in State Z's equivalent of Arizona gross income. There are no additions or subtractions related to the \$47,000 of State Z wages required under either Arizona law, or State Z law. Therefore, \$47,000 of State Z wage income is included in Arizona adjusted gross income and \$47,000 of State Z wage income is included in State Z's equivalent of Arizona adjusted gross income.

****Line 9 – Entire income upon which Arizona tax is imposed**

For the purpose of the credit, Mr. and Mrs. R compute the entire income upon which Arizona tax is imposed as follows:

Arizona adjusted gross income	\$ 84,700
Plus other exemptions	<u>2,300</u>
Entire income upon which Arizona income tax is imposed	<u>\$ 87,000</u>

*****Line 14 – Entire income upon which State Z tax is imposed**

This is the entire income upon which State Z tax is imposed. This is State Z's equivalent of Arizona adjusted gross income for these individuals. For the purpose of the credit, Mr. and Mrs. R compute the entire income upon which State Z tax is imposed as follows:

State Z's equivalent of Arizona adjusted gross income	\$ 64,875
State Z's equivalent of Arizona's other exemptions	<u>4,000</u>
Entire income upon which State Z's tax is imposed	<u>\$ 68,875</u>

List of State Abbreviations

State		State		State		State	
Alabama	AL	Indiana	IN	Missouri	MO	Pennsylvania	PA
Arkansas	AR	Iowa	IA	Montana	MT	Rhode Island	RI
California	CA	Kansas	KS	Nebraska	NE	South Carolina	SC
Colorado	CO	Kentucky	KY	New Jersey	NJ	Utah	UT
Connecticut	CT	Louisiana	LA	New Mexico	NM	Vermont	VT
Delaware	DE	Maine	ME	New York	NY	Virginia	VA
District of Columbia	DC	Maryland	MD	North Carolina	NC	West Virginia	WV
Georgia	GA	Massachusetts	MA	North Dakota	ND	Wisconsin	WI
Hawaii	HI	Michigan	MI	Ohio	OH		
Idaho	ID	Minnesota	MN	Oklahoma	OK		
Illinois	IL	Mississippi	MS	Oregon	OR		

Include with your return.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Your Name as shown on Form 140, 140PY, or 140X	Your Social Security Number
Spouse's Name as shown on Form 140, 140PY, or 140X (if a joint return)	Spouse's Social Security Number

Part 1 Current Year's Credit

NOTE: The cumulative credit for all solar energy devices installed at the same residence cannot exceed \$1,000.

1 Address of residence where you installed the solar energy device for which you are claiming the credit:

Number and street: _____

City: _____ State: **AZ** ZIP Code: _____

2 Cost of the solar energy device installed during the current taxable year at the residence listed on line 1	2		00
3 Multiply the amount on line 2 by 25% (.25)	3		00
4 Enter the smaller of line 3 or \$1,000.....	4		00
5 Enter the amount of credit from prior taxable years (1995 through 2020) for other solar energy devices installed at the residence listed on line 1.....	5		00
6 Add line 4 and line 5.....	6		00
7 Enter the smaller of line 6 or \$1,000.....	7		00
8 Subtract line 5 from line 7.....	8		00
9 Current Year's Credit: Enter the smaller of line 4 or line 8. In most cases, if you are married filing a separate return, you must enter one-half (½) of the smaller of line 4 or line 8. See instructions	9		00

Part 2 Carryover from Prior Taxable Years

	(a) Taxable Year from which you are carrying the credit	(b) Original Credit Amount Cannot exceed \$1,000 (See note below line 15)	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
10	2016	00	00	00
11	2017	00	00	00
12	2018	00	00	00
13	2019	00	00	00
14	2020	00	00	00
15	Total Available Carryover: Add lines 10 through 14, column (d).....			00

NOTE: For amounts entered in column (b), do not enter the cost of the device, **enter the original credit amount**. Total amount claimed for all years for this residence cannot exceed \$1,000. If you are claiming an additional credit amount from a second Arizona home, see Note on page 1 of the general instructions.

Part 3 Total Available Credit

16 Current year's credit: Enter the amount from Part 1, line 9. Also, enter this amount on <i>Arizona Form 301, Part 1, line 4, column (a)</i>	16		00
17 Available credit carryover from Part 2, line 15, column (d). Also, enter this amount on <i>Arizona Form 301, Part 1, line 4, column (b)</i>	17		00
18 Total Available Credit: Add line 16 and line 17. Also, enter this amount on <i>Arizona Form 301, Part 1, line 4, column (c)</i>	18		00

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2021 Credit for Solar Energy Devices

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

General Instructions

NOTE: You *must* also complete Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture, and include Forms 301 and 310 with your tax return to claim this credit.

Arizona law provides a solar energy credit for an individual who installs a solar energy device in his or her residence located in Arizona.

The solar energy credit for buying and installing a solar energy device is 25% (.25) of the cost, including installation, or \$1,000, whichever is less. If you install another device in a later year, the cumulative credit cannot exceed \$1,000 for the same residence.

NOTE: A taxpayer may claim a credit of up to \$1,000 for a second personal home. A taxpayer that claims a credit for **both a primary home and a second home is limited to a maximum credit of \$1,000 in the taxable year.** To claim a credit for a second home you must complete a second form and add the two credit form amounts together and report the total amount of current year credit and total available carryover amount on Form 301 to claim on your return.

If the allowable tax credit is more than your tax or if you have no tax, you may carry the unused credit forward for up to the next five consecutive years.

NOTE: The maximum amount of credit established for the current taxable year does **not** include any unused valid carryover amount(s) from prior taxable years. Because this is a nonrefundable tax credit, the total amount of available credit [current year plus any valid carryover amount(s)] that a taxpayer may use for the taxable year cannot be greater than the tax liability shown.

To be eligible for this credit, you must be an Arizona resident who is not a dependent of another taxpayer.

A solar energy device is a system or series of mechanisms which collect and transfer solar generated energy and which are designed primarily to:

- provide heating,
- provide cooling,
- produce electrical power,
- produce mechanical power,
- provide solar daylighting, or
- provide any combination of the above by means of collecting and transferring solar generated energy into such uses either by active or passive means, including wind generator systems that produce electricity.

Solar energy systems may also have the capability of storing solar energy for future use. Passive systems must clearly be designed as a solar energy device, such as a trombe wall, and not merely as a part of a normal structure, such as a window.

Only a system or device, which performs one or more of these functions, qualifies for the credit. An individual component of a system does not qualify for the credit by itself.

The following devices, when used for residential purposes, qualify for the credit:

- Solar domestic water heating systems - collectors, storage tanks, heat exchangers, and piping, valves, wiring, etc., directly related to the solar system.
- Solar swimming pool and spa heating systems - collectors, heat exchangers, piping, valves, wiring, etc., directly related to the solar system.
- Solar photovoltaic systems - collectors, batteries, inverters, solar system related wiring, and including solar photovoltaic systems for recreational vehicles used as a residence. End-use appliances (even if they are 12 vdc) are excluded unless they are manufactured specifically for photovoltaic systems applications.
- Solar photovoltaic phones, street lighting, etc. - collectors, batteries, inverters, and solar system related wiring. Phone, lights, etc., are excluded unless they are manufactured specifically for photovoltaic applications.
- Passive solar building systems - trombe wall components, thermal mass, and components specifically designed for energy gains. Dual pane windows, low-e, and other window coatings, etc., are excluded.
- Solar day lighting systems - those devices and systems specifically designed to capture and redirect visible solar energy while controlling the infrared energy (conventional skylights are specifically excluded).
- Wind generators - windmill, structure, generator, batteries, controls, wiring, and other components directly related to the wind generator. End-use appliances are excluded.

- Wind-powered pumps - windmill, structure, pump, pipes, and other components directly related to the wind pump.

The person who sells you your solar energy device must furnish you with a certificate stating that the solar energy device complies with Arizona's solar energy device requirements. If you designed and installed the system yourself, you will not receive such a statement, but your solar energy device must meet the required criteria.

NOTE: *To qualify for this credit, you **must** purchase the solar energy device(s). If you lease or enter into a power purchase agreement (PPA) for the solar energy device, that device does not qualify for this credit.*

For more information on Arizona's solar energy device credit and the Arizona solar energy device requirements, see the department's income tax ruling (ITR) 13-4, *How do leases and power purchase agreements (PPA) impact the residential solar energy device credit?*, and publication, (Pub) 543, *Solar Energy Credit*.

The following items DO NOT qualify for the credit:

- Conventional plumbing components - water softeners, drinking water systems, etc., even if they are provided (free or otherwise) as part of the system.
- Conventional controls - load controllers, programmable thermostats, etc., even if they are provided (free or otherwise) as part of the system.
- Conventional heating/cooling systems - air conditioners, heat pumps, evaporative coolers, furnaces, regardless of efficiency.
- Conventional windows and window treatments - dual-pane, low-e, shade screens, reflective and dark coatings, awnings, interior shades, drapes, and blinds.
- Conventional skylights.
- Appliances (all voltages) - refrigerators, lights, fans, TVs, etc., unless they are manufactured specifically for photovoltaic systems.
- Fans - ceiling, window, attic, interior, etc., unless they are manufactured specifically for photovoltaic applications.
- Paint - ceramic, reflective roof coatings.
- Insulation (includes "outsulation") and radiant barrier.
- Weather stripping, caulking.
- Misting systems.
- Vegetation - shade trees, shrubs, grass.
- Solar energy cars.
- A solar hot water heater plumbing stub out that was installed by the builder of a house or dwelling unit before title was conveyed to the taxpayer.

NOTE: *If you claim a credit, you cannot take a depreciation deduction for the solar energy device for which the credit is claimed. If such depreciation deduction is included in your federal adjusted gross income, you must add that amount to your Arizona gross income. You must make this addition for each period in which you deduct depreciation for federal purposes.*

Line-by-Line Instructions

Enter your name and Social Security Number (SSN) as shown on Arizona Forms 140, 140PY, or 140X.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for an individual is the taxpayer's SSN or an Internal Revenue Service (IRS) individual taxpayer identification number (ITIN). Taxpayers that fail to include their identification number may be subject to a penalty.

NOTE: *Complete Parts 1 and 3, if you are claiming a new credit for the current tax year.*

*If you are **only** claiming a carryover amount available from a previous credit, complete Part 1 (**address only**) and Parts 2 and 3.*

Part 1 - Current Year's Credit

Use lines 1 through 9 to figure your credit for the current tax year.

Line 1

Enter the address of the residence where you installed the solar energy device for which you are claiming the credit.

Line 2

Enter the cost of the solar energy device. The cost of installing the device may be included in the cost of the device.

Lines 3 and 4

Follow the instructions on the form for lines 3 and 4.

Line 5

If you claimed a credit for another solar energy device you installed during a prior taxable year (1995 through 2020), at the same residence listed on line 1, enter the total amount of allowable credit for that prior tax year or years.

Lines 6 through 8

Follow the instructions on the form for lines 6 through 8.

Line 9 - Current Year's Credit

Enter the smaller of line 4 or line 8.

If you are married filing a separate return, but you could have filed a joint return, you may take only one-half of the total credit that you and your spouse would have been allowed to take on a joint return. In this case, enter one-half of the smaller of line 4 or line 8.

Part 2 - Carryover from Prior Taxable Years

Lines 10 through 15 Use Part 2 to figure your total available credit carryover from taxable years 2016 through 2020.

NOTE: *If you claimed a credit for your primary residence and a second residence, you must track each carryover amount separately on the original credit form filed for each location. Do not combine the two credit carryover amounts on one credit form. Be sure to add both carryover amounts together from each credit form and report the total on Arizona Form 301.*

Complete lines 10 through 15 if you claimed this credit on a return for one of these years and the credit was more than your tax.

- In column (b), **enter the credit originally** computed for the taxable year listed in column (a). Do not enter the cost of the device. The amount entered in column (b) cannot be more than \$1,000.
- In column (c), enter the amount of the credit from that taxable year which you have already used.
- In column (d), subtract the amount in column (c) from the amount in column (b) and enter the difference.
- Add the amounts entered on lines 10 through 14 in column (d).

Enter the total on line 15, column (d).

Part 3 - Total Available Credit

Lines 16 through 18

Use lines 16 through 18 to figure your total available credit for 2021.

Line 16

Enter the amount from Part 1, line 9. Also, enter this amount on Form 301, line 4, column (a).

Line 17

Enter the amount of available carryover from Part 2, line 15, column (d). Also, enter this amount on Form 301, line 4, column (b).

Line 18 - Total Available Credit

Add line 16 and line 17. Enter the total. Also, enter this amount on Form 301, line 4, column (c).

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Include with your return.

For the calendar year 2021 or fiscal year beginning [M,M|D,D|2,0,2,1] and ending [M,M|D,D|Y,Y,Y,Y].

Your Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140NR-SBI, 140PY-SBI, 140X-SBI, 120S or 165	Your Social Security or EIN Number
Spouse's Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140NR-SBI, 140PY-SBI or 140X-SBI (if a joint return)	Spouse's Social Security Number

Part 1 Qualifying Water Conservation System

1 Do you have a conservation plan on file and in effect with the United States Department of Agriculture Soil Conservation Service?..... 1 Yes No [] []

If the answer to question 1 is "No," STOP! You cannot claim this credit. You must have a qualified conservation plan on file and in effect with the United States Department of Agriculture Soil Conservation Service.

If the answer to question 1 is "Yes," enter the following:

2a Date filed..... 2a [M,M|D,D|Y,Y,Y,Y]

2b Location of Soil Conservation Office..... 2b _____

3 Check a box below and indicate the type of change or system installed.

System Changes:

- Unlined field ditch to concrete lined ditch
- Unlined field ditch to underground pipeline
- Unlined field ditch to gated pipes
- Sloping unlevelled surface field to slope on precise grade
- Sloping surface irrigated field to level basin
- Sloping field with surface irrigation to sprinkler
- Surface or sprinkler to trickle (above ground)
- Surface or sprinkler to subsurface trickle (below ground)
- Increasing the size of field ditch to provide larger head
- Unused runoff water to tailwater recovery system
- Other - Please describe: _____

Your Name (as shown on page 1)	Your Social Security or Employer Identification Number
--------------------------------	--

Part 2 Calculation of the Current Taxable Year's Credit

4 Total amount of qualifying expenses for current taxable year	4		00
5 Total amount of reimbursement.....	5		00
6 Net amount of qualifying expenses: Subtract line 5 from line 4.....	6		00
7 Current taxable year's credit: Multiply line 6 by 75% (.75)	7		00
8 Current taxable year's pass-through credit from Partnership: Enter the amount from Form 312-P, line 1. If you received more than one Form 312-P, add all amounts on line 1 and enter the total.....	8		00
9 Current taxable year's pass-through credit from S Corporation: Enter the amount from Form 312-S, line 2. If you received more than one Form 312-S, add all amounts on line 2 and enter the total	9		00
10 Total Current Year's Credit: Add lines 7, 8, and 9.....	10		00

NOTE: An individual cannot take a subtraction for the same expenses for which a credit is claimed.

- An individual claiming his or her own current year credit (line 7) must include the net amount of qualifying expenses entered on line 6, on his or her Arizona individual income tax return, under "Additions to Income."
- An individual shareholder claiming a current year pass-through credit (line 9) from an S Corporation must include the pro rata share of the net amount of qualifying expenses from Form 312-S, line 1, on his or her Arizona individual income tax return, under "Other Additions to Income."

Part 3 Available Credit Carryover

	(a) Taxable Year from which you are carrying the credit	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
11	2016	00	00	00
12	2017	00	00	00
13	2018	00	00	00
14	2019	00	00	00
15	2020	00	00	00
16	Total Available Carryover: Add lines 11 through 15, column (d)			16 00

Part 4 Total Available Credit

17 Current year's credit: Enter the amount from Part 2, line 10. • If you did not make the Small Business Income election: Enter this amount on <i>Arizona Form 301, Part 1, line 5, column (a).</i> • If you made the Small Business Income election: Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 4, column (a)</i>	17		00
18 Available credit carryover: Enter the amount from Part 3, line 16, column (d) • If you did not make the Small Business Income election: Enter this amount on <i>Arizona Form 301, Part 1, line 5, column (b).</i> • If you made the Small Business Income election: Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 4, column (b)</i>	18		00
19 Total Available Credit: Add line 17 and line 18. • If you did not make the Small Business Income election: Enter this amount on <i>Arizona Form 301, Part 1, line 5, column (c)</i> • If you made the Small Business Income election: Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 4, column (c)</i>	19		00

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Partnership Name	Employer Identification Number
------------------	--------------------------------

Partnership:

- Complete Form 312-P for each partner that is an individual, S Corporation, or another partnership.
- Provide a copy of the completed Form 312-P to the partner.
- Include a copy of Form 312 and a copy of each Form 312-P with your Form 312.
- Keep one copy for your records.

Partner:

- Use this form to complete your own Form 312.
- Include Form 312-P along with your own Form 312 with your return.
- Keep a copy for your records.

NOTE: If you file your income tax return on a calendar year basis (January 1, 2021 – December 31, 2021) but the partnership passing the credit files its return on a fiscal year basis, claim this credit on your income tax return for the year in which the partnership's fiscal year ends. For example, if the partnership's tax year ends in February 2022 claim this credit on your 2022 tax return.

Partner's Name (Individual, S Corporation or Partnership)	Social Security or Employer Identification Number	Ownership Interest
---	---	--------------------

1 Partner's pro rata share of the current year's credit based on ownership interest from Form 312, Part 2, line 10.....

1		00
----------	--	----

This is the amount of your pass-through credit from the Partnership listed above.

Partners:

- Enter the amount from Form 312-P, line 1 on your own Form 312, Part 2, line 8. If you are claiming a pass-through credit from more than one partnership, add all amounts from Forms 312-P and enter the total on Form 312, Part 2, line 8.
- If the partner is an S Corporation, it must also complete a separate Form 312-S for each individual shareholder identifying the shareholder's pro rata share of qualifying expenses and pass-through credit amount.
- If the partner is another partnership, it must complete a separate Form 312-P for each partner that is an individual, S Corporation or other partnership identifying the partner's pro rata share of the pass-through credit amount.

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For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

S Corporation Name	Employer Identification Number
--------------------	--------------------------------

S Corporation:

- Complete Form 312-S for each individual shareholder.
- Provide a copy of the completed Form 312-S to the shareholder.
- Include a copy of Form 312 and a copy of each Form 312-S with your Form 312.
- Keep one copy for your records.

Individual Shareholder:

- Use this form to complete your own Form 312.
- Include Form 312-S along with your own Form 312 with your return.
- Keep a copy for your records.

NOTE: If you file your income tax return on a calendar year basis (January 1, 2021 – December 31, 2021) but the S Corporation passing the credit files its return on a fiscal year basis, claim this credit on your income tax return for the year in which the S Corporation’s fiscal year ends. For example, if the S Corporation’s tax year ends in February 2022, claim this credit on your 2022 tax return.

Shareholder’s Name	Social Security Number	Ownership Interest
--------------------	------------------------	--------------------

1 Individual shareholder’s pro rata share of qualifying expenses based on ownership interest from Form 312, Part 2, line 6	1		00
2 Individual shareholder’s pro rata share of current year’s credit based on ownership interest from Form 312, Part 2, line 10	2		00

This is the amount of your pass-through credit from the S Corporation listed above.

Individual shareholder:

- Enter the amount from Form 312-S, line 2 on your own Form 312, Part 2, line 9.
If you are claiming a pass-through credit from more than one S Corporation, add all amounts from Forms 312-S and enter the total on Form 312, Part 2, line 9.
- An individual cannot take a subtraction for the same expenses for which a credit is claimed. If you are claiming this pass-through credit, you must include the amount reported on Form 312-S, line 1 on your Arizona individual income tax return under “Other Additions to Income.”

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2021 Agricultural Water Conservation System Credit

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

Purpose of Form

NOTE: You *must* also complete Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture, and include Forms 301 and 312 with your tax return to claim this credit.

Arizona law allows a nonrefundable tax credit for the purchase and installation of an agricultural water conservation system. Complete Form 312 to claim this nonrefundable credit.

NOTE – To claim this credit:

- **Individual taxpayers that did not make the Small Business Income election**, complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR or 140X).
- **Individual taxpayers that made the Small Business Income election**, complete this credit form and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI and 140X-SBI. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI or 140X-SBI).

To Qualify for the Credit:

- The system must be primarily designed to substantially conserve water on land that the taxpayer or taxpayer's tenant uses to:
 - produce crops, fruits, or other agricultural products; **or**
 - raise, harvest, or grow trees; **or**
 - sustain livestock.
- The expense must be consistent with a conservation plan that the taxpayer has filed and that is in effect with the United States Department of Agriculture Soil Conservation Service.

The credit is equal to 75% (.75) of the qualifying expenses incurred during the taxable year.

Who May Claim this Credit?

This credit is available to individuals *only*. A partnership may not claim this credit, but may pass the credit through to partners who are individuals, S Corporations and other partnerships. A corporation, including an S Corporation, may not claim this credit. However, an S Corporation may pass the credit through to its individual shareholders.

Individual co-owners of a Partnership or S Corporation, may each claim only a pro rata share of the credit, based on ownership interest. The total of the credits allowed all owners may not exceed the amount that would have been allowed for a sole owner of the business.

NOTE: If the entity is passing through a credit for more than one location for expenses incurred during the taxable year to purchase and install an agricultural water conservation system, complete a separate Form 312 for each location. Include all forms with your tax return.

A partnership passing the current year's credit through to its individual partners must do the following:

- Complete Part 1 and Part 2, lines 1 through 10.
- Complete Form 312-P, *Agricultural Water Conservation System Credit - Distribution to Partners*, for each partner and provide the partner with a copy of Form 312-P. Complete a separate 312-P for each location. Form 312-P is available on the department's website.

Instructions for completing Form 312-P are included, at the end of these instructions, beginning on page 4.

The partner will use Form 312-P to complete their own Form 312 to claim the *pro rata* share of the credit or another Form 312-P, if applicable.

- Include Forms 312 and 312-P with its tax return.
- Keep a copy of Forms 312 and 312-P for its record.

An S Corporation passing the current year's credit through to its individual shareholders must do the following:

- Complete Part 1 and Part 2, lines 1 through 10.
- Complete Form 312-S, *Agricultural Water Conservation System Credit - Distribution to Individual shareholders of an S Corporation*, for each individual shareholder and provide the shareholder with a copy of Form 312-S. Complete a separate 312-S for each location. Form 312-S is available on the department's website.

Instructions for completing Form 312-S are included, at the end of these instructions, beginning on page 4.

The individual shareholder will use Form 312-S to complete their own Form 312 to claim the *pro rata* share of the credit.

- Include Forms 312 and 312-S with its tax return.
- Keep a copy of Forms 312 and 312-S for its record.

Individual taxpayers claiming his or her own current year's credit for expenses incurred during the taxable year to purchase and install an agricultural water conservation system in this state must do the following:

- Complete Part 1, Part 2 and Part 4.
- Complete Part 3, if claiming an unused credit carryover amount from a prior tax year.
- Include Form 312 with the income tax return, when filed.

NOTE: *If you are claiming a credit for more than one location for expenses incurred during the taxable year to purchase and install an agricultural water conservation system, complete a separate Form 312 for each location. Include all forms with your tax return.*

Individual taxpayers claiming a pass-through credit for the current tax year from a partnership and/or an S Corporation must do the following:

- Complete Part 2, line 8 and/or line 9, using the information provided by the S Corporation on Form 312-S or the Partnership on Form 312-P. If you received more than one Form 312-P and/or Form 312-S, enter the total on line 8 and/or line 9.
- Complete Part 3, if claiming an unused credit carryover amount from a pass-through credit from a prior tax year.
- Include Form 312, Forms 312-S and/or 312-P, with the income tax return, when filed.

NOTE: *To claim a credit, the individual taxpayer **must** also complete Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture, and include it with his or her tax return.*

If the allowable tax credit exceeds the taxes otherwise due, or if there are no taxes due, you may carry the unused credit forward for a period not to exceed the next five taxable years.

NOTE: *The maximum amount of credit established for the current taxable year does **not** include any unused valid carryover amount(s) from prior taxable years. Because this is a nonrefundable tax credit, the total amount of available credit [current year plus any valid carryover amount(s)] that a taxpayer may **use** for the taxable year cannot be greater than the tax liability shown.*

A taxpayer cannot take a subtraction for the same expenses for which a credit is claimed.

For example: If the taxpayer had \$10,000 of qualifying expenses (Part 2, line 6), the credit would be \$7,500 (Part 2, line 7) and the add-back would be \$10,000. The individual would include \$10,000 on the Arizona individual income tax return under "Other Additions to Income." An individual shareholder claiming a pass-through credit would add-back his or her pro rata share of the qualifying expenses on the individual income tax return under "Other Additions to Income." The amount the shareholder is required to add-back is reported by the S Corporation on Form 312-S, line 1.

Line-by-Line Instructions

Type or print the required information in the name and taxpayer identification number section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the income tax return.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for a partnership or an S Corporation is the taxpayer's employer identification number (EIN).

The TIN for an individual is the taxpayer's Social Security Number (SSN) or an Internal Revenue Service (IRS) individual taxpayer identification number (ITIN). Taxpayers that fail to include their identification number may be subject to a penalty.

NOTE: *Complete Parts 1, 2 and 4, if you are claiming a new credit for the current tax year. If you are passing-through this credit, complete Parts 1, 2 and Form 312-S.*

*If you are **only** claiming a carryover amount available from a previous credit, complete Parts 1, 3 and 4.*

Part 1 - Qualifying Water Conservation System Lines 1 through 3

On lines 1 through 3, enter the information relating to the water conservation system purchased and installed for which the credit is being claimed.

If the system is not one of the systems or system changes listed, check the "other" box. Give a detailed description of the system and an explanation of how it qualifies for the credit.

Part 2 - Calculation of the Current Taxable Year's Credit Lines 4 through 10 -

Line 4

Enter the total amount of expenses relating to the water conservation system spent in the current taxable year.

Line 5

Enter the amount of any reimbursement received for expenses relating to the water conservation system.

Lines 6 and 7

Complete these lines as instructed on the form.

Line 8

If you are claiming a pass-through credit from a partnership, enter the amount from Form 312-P, line 1.

Line 9

If you are claiming a pass-through credit from an S Corporation, enter the amount from Form 312-S, line 2.

Line 10

Add lines 7, 8 and 9. Enter the total. This is your current taxable year's credit.

Part 3 - Available Credit Carryover**Lines 11 through 16**

Calculate the total available carryover of the agricultural water conservation credit from tax years 2016 through 2020 in Part 3, lines 11 through 16. Complete these lines if you claimed the credit on a prior taxable year's tax return and the credit was more than your tax.

In column (b) enter the credit originally computed for the taxable year listed in column (a).

In column (c) enter the amount of the credit from that taxable year which you have already used.

In column (d) subtract the amount in column (c) from the amount in column (b) and enter the difference.

Add the amounts entered on lines 11 through 15 in column (d).

Enter the total on line 16, column (d).

Part 4 - Total Available Credit**Lines 17 through 19 -****Line 17**

Enter the amount from Part 2, line 10.

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 5, column (a).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 4, column (a).

Line 18

Enter the amount of available credit carryover from Part 3, line 16, column (d).

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 5, column (b).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 4, column (b).

Line 19

Add line 17 and line 18. Enter the total.

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 5, column (c).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 4, column (c).

This is the total available credit that may be applied to the current taxable year's tax liability.

Form 312-P, Agricultural Water System Credit - Distribution to Partners

NOTE: Form 312-P is available on the department's website. If you are passing a credit for more than one location, complete a separate Form 312-P for each location.

Instructions for Partnerships Passing the Credit to Partners

- Enter the name of the partnership and employer identification number at the top of Form 312-P.
- In the space provided, enter the partner's name, social security or employer identification number, and ownership percentage.

Each partner is entitled to a *pro rata* share of the credit, based on its ownership percentage.

Line 1 -

Enter the partners' pro rata share of the current year's credit based on ownership interest from Form 312, Part 2, line 10.

Instructions for Partners Receiving Form 312-P

- Enter the amount from Form 312-P, line 1, on your own Form 312, Part 2, line 8.

If you are claiming a pass-through credit from more than one partnership, add all amounts from Forms 312-P and enter the total on Form 312, Part 2, line 8.

- If the partner is an S Corporation it must also complete a separate Form 312-S for each individual shareholder identifying the shareholder's pro rata share of qualifying expenses and pass-through credit amount.
- If the partner is another partnership, it must complete a separate Form 312-P for each partner that is an individual, S Corporation or other partnership identifying the partner's pro rata share of the pass-through credit amount.

NOTE: If you file your income tax return on a calendar year basis (January 1, 2021 – December 31, 2021) but the partnership or S Corporation passing the credit files its return on a fiscal year basis, claim the pass-through credit on your income tax return for the year in which the Partnership or S Corporation's fiscal year ends. For example, if the partnership or S Corporation's tax year ends in February 2022, claim this credit on your 2022 tax return.

Form 312-S, Agricultural Water System Credit - Distribution to Individual Shareholders

NOTE: Form 312-S is available on the department's website. If you are passing a credit for more than one location, complete a separate Form 312-S for each location.

Instructions for S Corporations Passing the Credit to Individual Shareholders

- Enter the name of the S Corporation and employer identification number at the top of Form 312-P.
- In the space provided, enter the individual shareholder's name, social security number, and ownership percentage.

Each individual shareholder is entitled to a *pro rata* share of the credit, based on his or her ownership percentage.

Line 1

Enter the individual shareholder's pro rata share of qualifying expenses based on ownership interest from Form 312, Part 2, line 6.

Line 2

Enter the individual shareholder's pro rata share of current year's credit based on ownership interest from Form 312, Part 2, line 10.

Instructions for Individual Shareholders Receiving Form 312-S

- Enter the amount from Form 312-S, line 2, on your own Form 312, Part 2, line 9.

If you are claiming a pass-through credit from more than one S Corporation, add all amounts from Forms 312-S and enter the total on Form 312, Part 2, line 9.

Include with your return.

For the calendar year 2021 or fiscal year beginning MM, M, D, D, 2, 0, 2, 1 and ending MM, M, D, D, Y, Y, Y, Y.

Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140PY-SBI, 140NR-SBI 140X-SBI, 99T, 120, 120A, 120S, 120X, or 165

Social Security or Employer Identification Number

Part 1 Schedule of Equipment and Current Taxable Year's Credit Calculation

If additional space is needed, include a separate schedule.

	(a) Date Qualifying Property Placed in Service or Expected to be Placed in Service	(b) Description	(c) Total Cost Incurred During the Taxable Year for Qualifying Property used to Reduce Pollution	
1	MM, M, D, D, Y, Y			00
2	MM, M, D, D, Y, Y			00
3	MM, M, D, D, Y, Y			00
4	MM, M, D, D, Y, Y			00
5	MM, M, D, D, Y, Y			00
6	MM, M, D, D, Y, Y			00
7	MM, M, D, D, Y, Y			00
8	MM, M, D, D, Y, Y			00
9	MM, M, D, D, Y, Y			00
10	MM, M, D, D, Y, Y			00
11	Add lines 1 through 10 in column (c). Enter the total.....		11	00
12	Enter the total from additional schedule(s), if applicable		12	00
13	Total cost of pollution control equipment incurred during the taxable year: Add lines 11 and 12. Enter the total		13	00
14	Multiply line 13 by 10% (.10). Enter the result.....		14	00

Part 2 Credit Passed Through from Partnerships or S Corporations

15	Enter the total amount of this credit passed through from partnerships on Form(s) 315-P, Part 2, line 4	15	00
16	Enter the total amount of this credit passed through from S Corporations on Form(s) 315-S, Part 2, line 4	16	00

Part 3 Total Current Year Credit

17	Add lines 14 through 16. Enter the total	17	00
18	Maximum Credit Allowed.....	18	500,000 00
19	Enter the lesser of line 17 or line 18. This is the total credit for the current year.....	19	00

In order to calculate Arizona depreciation or amortization, a taxpayer who elects to claim this credit under A.R.S. §§ 43-1081 or 43-1170 shall reduce the basis of the pollution control equipment by the amount of the credit claimed.

Part 4 Partnerships Passing Through the Credit

Partnerships qualifying for this credit must pass it through to their partners. When passing this credit through to your partners, complete Form 315-P for each partner.

- Provide a completed copy of Form 315-P to each partner.
- Include a copy of each completed Form 315-P with your tax return.
- Keep a copy of each completed Form 315-P for your records.

Continued on page 2 →

Name (as shown on page 1)	EIN
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Part 5 S Corporation Credit Election and Shareholder's Share of the Credit

20 The S Corporation has made an irrevocable election for the taxable year ending MM,MM,DD,YY,YY,YY to
(check only one box):

- 20a** Claim the pollution control credit as shown in Part 3, line 19 (for the taxable year indicated above);
OR
20b Pass the pollution control credit as shown in Part 3, line 19 (for the taxable year indicated above) through to its shareholders.

Signature Title Date

If passing this credit through to your shareholders, complete Form 315-S for each individual shareholder.

- Provide a completed copy of Form 315-S to each shareholder.
- Include a copy of each completed Form 315-S with your tax return.
- Keep a copy of each completed Form 315-S for your records.

If you claimed this credit and there is a carryover of this credit from the past 5 taxable years, complete Part 6. If not, go to Part 7.

Part 6 Available Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used or Expired	(d) Available Carryover: Subtract column (c) from column (b).
21		00	00	00
22		00	00	00
23		00	00	00
24		00	00	00
25		00	00	00
26	Total Available Carryover: Add lines 21 through 25 in column (d). Enter the total.....			26 00

Continued on page 3 →

Part 7 Total Available Credit

<p>27 Current year's credit:</p> <ul style="list-style-type: none"> • <i>Individuals, C Corporations, S Corporations claiming this credit at the corporate level, or exempt organizations with UBTI:</i> Enter the amount from Part 3, line 19. • <i>Individuals that did not make the Small Business Income election:</i> Also enter this amount on Form 301, Part 1, line 6, column (a). • <i>Individuals that made the Small Business Income election:</i> Also enter this amount on Form 301-SBI, Part 1, line 5, column (a). • <i>Partnerships:</i> Enter "0". • <i>S Corporations that passed the credit through to shareholders:</i> Enter "0". • <i>C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI:</i> Also enter this amount on Form 300, Part 1, line 4, column (a) 	27	00
<p>28 Enter the available credit carryover from Part 6, line 26, column (d).</p> <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election:</i> Also enter this amount on Form 301, Part 1, line 6, column (b). • <i>Individuals that made the Small Business Income election:</i> Also enter this amount on Form 301-SBI, Part 1, line 5, column (b) • <i>C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI:</i> Also enter this amount on Form 300, Part 1, line 4, column (b) 	28	00
<p>29 Total available credit: Add line 27 and line 28. Enter the total.</p> <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election:</i> Also enter this amount on Form 301, Part 1, line 6, column (c). • <i>Individuals that made the Small Business Income election:</i> Also enter this amount of Form 301-SBI, Part 1, line 5, column (c). • <i>C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI:</i> Also enter the total on Form 300, Part 1, line 4, column (c) 	29	00

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For the calendar year 2021 or fiscal year beginning 2 0 2 1 and ending Y Y Y Y .

Partnerships:

- Complete Form 315-P for each partner of the partnership **except for** trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of this completed form to each partner.
- Keep a copy of each completed Form 315-P for your records.
- Include a copy of each completed Form 315-P with your partnership return.

Partners:

- Use this form to complete your own Form 315.
- Include a copy of this completed form with your return.
- Keep a copy of this form for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Part 1 Partnership and Partner Information

1	(a) Partnership Name	(b) Employer Identification Number (EIN)	
2	(a) Partner Name	(b) Taxpayer Identification Number (TIN)	(c) Ownership Percentage %

Part 2 Distribution of the Credit

3	Enter the partnership credit amount from Form 315, Part 3, line 19	3		00
4	Multiply the amount on line 3 by the partner's ownership percentage shown on line 2(c). Enter the result. This is the partner's portion of the credit.....	4		00

Partners:

The amount reported on line 4 is your portion of this credit. The amount on line 4 should be included on your own Form 315, Part 2, line 15.

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For the calendar year 2021 or fiscal year beginning M, D, 2, 0, 2, 1 and ending M, D, Y, Y, Y, Y.

S Corporations:

- Complete Form 315-S for each shareholder of the S Corporation **except for** trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of this completed form to each shareholder.
- Keep a copy of each completed Form 315-S for your records.
- Include a copy of each completed Form 315-S with your S Corporation return.

Shareholders:

- Use this form to complete your own Form 315.
- Include a copy of this completed form with your return.
- Keep a copy of this form for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Part 1 S Corporation and Shareholder Information

1	(a) S Corporation Name	(b) Employer Identification Number (EIN)	
2	(a) Shareholder Name	(b) Taxpayer Identification Number (TIN)	(c) Ownership Percentage %

Part 2 Distribution of the Credit

3 Enter the S Corporation credit amount from Form 315, Part 3, line 19	3		00
4 Multiply the amount on line 3 by the shareholder's ownership percentage shown on line 2(c). Enter the result. This is the shareholder's portion of the credit	4		00

Shareholder:

The amount reported on line 4 is your portion of this credit. The amount on line 4 should be included on your own Form 315, Part 2, line 16.

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2021 Pollution Control Credit

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
 From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

General Instructions

Arizona Revised Statutes §§ 43-1081 and 43-1170 provide nonrefundable individual and corporate income tax credits for expenses incurred during the taxable year to purchase real or personal property that is used within Arizona in the taxpayer's trade or business to control or prevent pollution. The amount of the credit is equal to 10% of the purchase price, limited to a maximum credit of \$500,000 in a taxable year.

Qualifying property includes a structure, building, installation, excavation, machine, equipment, and any attachment to, or addition to, or reconstruction, replacement, or improvement of that property. Property eligible for the tax credit includes only that portion of the property directly used, constructed, or installed in Arizona to prevent, monitor, or reduce air, water, or land pollution that results from the taxpayer's direct operating activities in conducting a trade or business in this state. The property must meet or exceed rules or regulations adopted for this purpose by the United States Environmental Protection Agency, the Arizona Department of Environmental Quality, or a political subdivision of Arizona.

Amounts that qualify for the credit must be includible in the taxpayer's adjusted basis for the property. The adjusted basis of any property for which the taxpayer has claimed a credit must be reduced by the amount of credit claimed for that property.

If the allowable tax credit exceeds the taxes otherwise due or, if there are no taxes due, the amount of the credit not used to offset taxes may be carried forward for not more than five taxable years as a credit against subsequent years' income tax liabilities.

The pollution control equipment credit claimed on Form 315 is in lieu of the agricultural pollution control credit claimed on Form 325 with respect to the same equipment or expense.

Co-owners of a business, including partners in a partnership and shareholders of an S Corporation, may each claim only the *pro rata* share of the credit allowed based on the ownership interest. The total of the credits allowed all such

owners may not exceed the amount that would have been allowed for a sole owner of the business.

The credit is available to an exempt organization that is subject to corporate income tax on unrelated business taxable income (UBTI). The credit must result from the activities that generate UBTI.

NOTE – To claim this credit:

- **Individual taxpayers that did not make the Small Business Income election**, complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. *Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR, or 140X).*
- **Individual taxpayers that made the Small Business Income election**, complete this credit form and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI and 140X-SBI. *Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).*
- **C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI**, complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. *Include both completed forms with your tax return.*
- **S Corporations electing to pass this credit through to its shareholders**, complete this credit form. *Also complete Form 315-S for each shareholder of the S Corporation. Provide each shareholder a copy of his or her completed Form 315-S. Include Form 315 and one copy of each completed Form 315-S with your tax return.*
- **Partnerships**, complete this credit form. *Also, complete Form 315-P for each partner of the partnership. Provide each partner a copy of his or her completed Form 315-P. Include Form 315 and one copy of each completed Form 315-P with your tax return.*

Specific Instructions

Complete the name and taxpayer identification number (TIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the tax return.

All returns, statements, and other documents filed with the department require a TIN. The TIN for a corporation, an exempt organization with UBTI, an S Corporation, or a partnership is the taxpayer's employer identification number (EIN). The TIN for an individual is the taxpayer's Social Security Number (SSN) or an Internal Revenue Service individual taxpayer identification number (ITIN). Taxpayers that fail to include their TIN may be subject to a penalty.

Part 1 - Schedule of Equipment and Current Taxable Year's Credit Calculation

Lines 1 through 10

Column (a): Enter the date that the qualifying property was placed in service or the date it is expected to be placed in service in Arizona.

Column (b): Enter a brief description of the property used in the taxpayer's business in Arizona to control or prevent pollution.

Column (c): Enter the total cost incurred during the taxable year for qualifying property used to reduce pollution. For additional information, see the definition of "Qualifying property" in column 1 of this page.

If there are more than 10 items of qualifying property, complete additional schedules. Include the completed schedules with Form 315.

Line 11

Add lines 1 through 10 in column (c) and enter the total.

Line 12

Enter the total amounts in column (c) from additional schedules.

Line 13

Add lines 11 and 12. Enter the total. This is the total cost of pollution control equipment incurred during this taxable year.

Line 14

Multiply line 13 by 10% (.10) and enter the result.

Part 2 - Credit Passed Through From Partnerships or S Corporations

NOTE: *If you received a pass through of this credit from more than one partnership and/or S Corporation, total the amounts received from all Form(s) 315-P and/or Form(s) 315-S and enter the amount. Include a copy of each Form 315-P and/or Form 315-S you received with your return.*

Line 15

Enter the total amount of this credit passed through from partnerships on Form(s) 315-P, line 4.

Line 16

Enter the total amount of this credit passed through from S Corporations on Forms(s) 315-S, line 4.

Part 3 - Total Current Year Credit

Line 17

Add lines 14 through 16. Enter the total.

Line 18 - Maximum Credit Allowed

The maximum amount of credit you may claim in a taxable year is \$500,000.

Line 19

Enter the lesser of line 17 or line 18. This is your maximum current year credit for pollution control.

Partnerships - continue to Part 4.

S Corporations passing this credit through to its shareholders - skip to Part 5.

All others - go to Part 6.

Part 4 - Partnerships Passing Through the Credit

Partnerships qualifying for this credit must pass it through to its partners. Proceed to the instructions on page 4 for completing Form 315-P.

Each partner is entitled to only a *pro rata* share of the credit based on the partner's ownership interest in the partnership. The total of the credit allowed to all partners may not exceed the amount that would have been allowed for a sole owner.

NOTE: *Trusts and estates which are partners in a partnership are not eligible to claim this credit. However, the share of a partnership owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.*

Part 5 - S Corporation Credit Election and Shareholder's Share of the Credit

Lines 20, 20a, & 20b – S Corporation Credit Election

The S Corporation must complete line 20 and line 20a or line 20b. The S Corporation must make an irrevocable election either to claim the current taxable year credit at the corporate level or to pass the credit through to its shareholders. The S Corporation election is made by:

- Entering the date the S Corporation taxable year ends in the box provided on line 20.
- Checking the box on line 20a electing to claim the current taxable year credit at the corporate level; or,
- Checking the box on line 20b electing to pass the current taxable year credit through to its shareholders.
- The election statement must be signed by an officer of the S Corporation who is also a signatory to Arizona Form 120S.

If the S Corporation elects to claim the credit at the corporate level, continue to Part 6.

If the S Corporation elects to pass this credit through to its shareholders, proceed to the instructions for completing Form 315-S on page 4.

Each S Corporation shareholder is entitled to only a *pro rata* share of pass-through credit based on ownership interest in the S Corporation. The total of the credit allowed to all shareholders may not exceed the amount that would have been allowed for a sole owner.

NOTE: *Trusts and estates which are shareholders of an S Corporation are not eligible to claim these credits. However, the share of a S Corporation owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of these credits.*

Part 6 - Available Credit Carryover

Complete Part 6 only if you claimed this credit for prior taxable years and the credit exceeded the Arizona income tax liability for those taxable years.

S Corporations, if this credit was claimed at the corporate level in a prior taxable year and there is a carryover amount available, complete Part 6.

Lines 21 through 25

Enter the applicable taxable year(s) in column (a) on lines 21 through 25. In column (b), enter the credit originally computed for that taxable year. In column (c), enter the amount of the credit from that taxable year which was previously used or expired. Subtract the amount in column (c) from column (b) and enter the difference in column (d).

Line 26

Add the amounts entered on lines 21 through 25 in column (d). Enter the total on line 26, column (d). This is the total pollution control credit carryover available for the current taxable year.

Part 7 - Total Available Credit

Line 27

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: enter the current year's credit from Part 3, line 19.

Partnerships: Enter "0".

S Corporations that elected to pass the current year credit through to shareholders: Enter "0".

Individuals that did not make the Small Business Income election: – Also enter this amount on Form 301, Part 1, line 6, column (a).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 5, column (a).

C Corporations, S Corporations that elected to claim this credit at the corporate level, and exempt organizations with UBTI:– Also enter this amount on Form 300, Part 1, line 4, column (a).

This is your current taxable year's pollution control credit.

Line 28

Enter the amount from Part 6, line 26, column (d). This is your total available credit carryover.

Individuals that did not make the Small Business Income election:– Also enter this amount on Form 301, Part 1, line 6, column (b).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 5, column (b).

C Corporations, S Corporations that elected to claim this credit at the corporate level, and exempt organizations with UBTI: Also enter this amount on Form 300, Part 1, line 4, column (b).

Line 29

Add line 27 and line 28. Enter the total. This is the total available pollution control credit that may be applied to the current taxable year's tax liability.

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 6, column (c).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 5, column (c).

C Corporations, S Corporations that elected to claim this credit at the corporate level, and exempt organizations with UBTI: Also enter this amount on Form 300, Part 1, line 4, column (c).

Form 315-P, Distribution to Partners of a Partnership

Enter the taxable year for which this credit is being passed through to your partners.

Complete Form 315-P for each partner of the partnership, *except for* trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The partnership must furnish each partner with their completed copy of Form 315-P, including additional schedules as needed.

Part 1 – Partnership and Partner Information

Line 1

Enter the partnership's name and EIN in the spaces provided.

Line 2

Enter the partner's name and EIN, TIN, or SSN, and ownership percentage in the spaces provided.

Part 2 – Distribution of the Credit

Line 3

Enter the total amount of the partnership's pollution control credit from Form 315, Part 3, line 19.

Line 4

Multiply the amount on line 3 by the partner's ownership percentage shown on line 2(c). Enter the result. This is the partner's portion of the credit.

Each partner will use this form to complete their own Form 315.

Form 315-S, Distribution to Shareholders of an S Corporation

Enter the taxable year for which this credit is being passed through to your shareholders.

Complete Form 315-S for each shareholder of the S Corporation, *except for* trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The S Corporation must furnish each shareholder with a completed copy of Form 315-S, including additional schedules as needed.

Part 1 – S Corporation and Shareholder Information

Line 1

Enter the S Corporation's name and EIN in the spaces provided.

Line 2

Enter the shareholder's name and EIN, TIN, or SSN, and ownership percentage in the spaces provided. If the shareholder is an exempt organization with UBTI, enter the exempt organization's name, EIN, and ownership percentage.

Part 2 - Distribution of the Credit

Line 3

Enter the total amount of the S Corporation's pollution control credit from Form 315, Part 3, line 19.

Line 4

Multiply the amount on line 3 by the shareholder's ownership percentage shown on line 2(c). Enter the result. This is the shareholder's portion of the credit.

Each shareholder will use this form to complete their own Form 315.

Complete Form 318-1 on page 2 before completing Form 318 on page 1.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Name as shown on Form 99T, 120, 120A, 120S, 120X or 165

Employer Identification Number

Part 1 Current Taxable Year's Credit Calculation

1	Total amount paid by the seller or purchaser as transaction privilege tax or use tax for coal sold to the taxpayer to be consumed in the generation of electrical power in Arizona. Enter total amount from included Form(s) 318-1, line 13, column (d)	1		00
2	Current year's taxable credit from taxpayer's operations. Multiply line 1 by 30%. Enter the result	2		00
3	Enter the amount of this credit passed through from partnerships on Form 318-P, line 3c.....	3		00
4	Add line 2 and line 3. Enter the total. This is the current taxable year's Credit for Taxes Paid for Coal Consumed in Generating Electrical Power.	4		00

Part 2 Corporate Partner's Share of Credit

A partnership claiming this credit must pass it through to its corporate partners.

- Complete Form 318-P for each corporate partner.
- Provide a completed copy of Form 318-P to each corporate partner.
- File a copy of each completed Form 318-P with your tax return.
- Keep a copy of each completed Form 318-P for your records.

NOTE: This credit is not available to individual partners of a partnership or to individual shareholders of an S Corporation.

Part 3 Available Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
5			00	00
6			00	00
7			00	00
8			00	00
9			00	00
10	Total Available Carryover: Add lines 5 through 10 in column (d). Enter the total.....			00

Part 4 Total Available Credit

11	Current taxable year's credit: • C Corporations, and S Corporations electing to claim this credit at the corporate level: Enter the amount from Part 1, line 4. • Also, enter this amount on Form 300, Part 1, line 5, column (a)	11		00
12	Available credit carryover: • C Corporations, and S Corporations electing to claim this credit at the corporate level: Enter the amount from Part 3, line 10, column (d). • Also, enter this amount on Form 300, Part 1, line 5, column (b)	12		00
13	Total available credit: • C Corporations, and S Corporations electing to claim this credit at the corporate level: Add lines 11 and 12. Enter the total. • Also, enter this amount on Form 300, Part 1, line 5, column (c)	13		00

Form 318-1 **Qualifying Coal Purchases** **2021**

Section A - Vendor 1 Name	Vendor 1 Arizona TPT or Use Tax Number
Section B - Taxpayer Name	Taxpayer Arizona TPT or Use Tax Number

(a) Month	(b) Type of Tax: TPT or Use	(c) Coal Price Before Tax	(d) Amount of Tax Paid	(e) Total Amount
1	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
2	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
3	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
4	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
5	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
6	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
7	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
8	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
9	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
10	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
11	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
12	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
13 TOTAL: Add lines 1 through 12			00	00

Section A - Vendor 2 Name	Vendor 2 Arizona TPT or Use Tax Number
Section B - Taxpayer Name	Taxpayer Arizona TPT or Use Tax Number

(a) Month	(b) Type of Tax: TPT or Use	(c) Coal Price Before Tax	(d) Amount of Tax Paid	(e) Total Amount
1	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
2	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
3	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
4	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
5	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
6	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
7	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
8	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
9	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
10	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
11	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
12	<input type="checkbox"/> TPT <input type="checkbox"/> Use		00	00
13 TOTAL: Add lines 1 through 12			00	00

If there are more than two vendors, complete additional Form(s) 318-1.

For the calendar year 2021 or fiscal year beginning MM/DD/2021 and ending MM/DD/YYYY.

Partnerships:

- Complete Form 318-P for each Corporate Partner in the partnership.
- Provide a copy of the completed form to each Corporate Partner.
- Keep a copy of each completed Form 318-P for your records.
- Include a copy of each completed Form 318-P with your partnership return.

Corporate Partners:

- Use this form to complete your own Form 318.
- Include this completed form with your return.
- Keep a copy of this form for your records.

Individual taxpayers are not eligible to claim this credit.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Distribution of the Credit

Complete this section to distribute the credit to each Corporate Partner in the partnership.

1	(a) Partnership Name	(b) Employer Identification Number (EIN)
2	(a) Corporate Partner's Name	(b) Taxpayer Identification Number (TIN)
3a	Partnership credit amount from Form 318, Part 1, line 4.....	3a \$ 00
3b	Corporate Partner's ownership percentage.....	3b %
3c	Multiply the amount on line 3a by the percentage on line 3b. Enter the result. This is the Corporate Partner's portion of the credit	3c \$ 00

Corporate Partners:

The amount reported on line 3c is your portion of this credit. Enter the amount from line 3c on Part 1, line 3 of your own Form 318 to claim this credit.

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For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

General Instructions

This credit provides a nonrefundable corporate income tax credit equal to 30% of the amount paid by the seller or purchaser as transaction privilege tax or use tax for coal sold to the taxpayer that is consumed in the generation of electrical power in Arizona. "Amount paid by the seller or purchaser as transaction privilege tax or use tax" means that the Arizona transaction privilege tax (TPT) was passed through to the taxpayer by the seller as an added charge or that the seller collected the Arizona use tax from the taxpayer or that the taxpayer paid the Arizona use tax to the department.

The tax credit is in lieu of a deduction for the taxes paid for which the credit is claimed. An addition to Arizona gross income is required for the amount of Arizona TPT and Arizona use taxes included in the computation of federal taxable income for which the Arizona tax credit is claimed.

For example, a taxpayer that paid \$50,000 in TPT for coal consumed in the generation of electrical power in Arizona would receive a credit of \$15,000 ($\$50,000 \times 30\% = \$15,000$). The addition to Arizona gross income would be \$50,000.

The tax credit is available only to corporate taxpayers. A partnership may pass this credit through only to its corporate partners. An S Corporation may claim this credit, or the S Corporation may elect to pass this credit through only to its exempt organization shareholders. (If the S Corporation elects to pass this credit through to its exempt organization shareholders, complete Form 318-P for each exempt organization shareholder.)

Individual taxpayers are not eligible to claim this credit.

Co-owners of a business, including corporate partners of a partnership may each claim only the *pro rata* share of the credit allowed based on the ownership interest. The *pro rata* share that would be distributed to non-eligible partners or shareholders is lost. The total of the credits allowed all such owners may not exceed the amount that would have been allowed for a sole owner of the business.

If the allowable tax credit exceeds the taxes otherwise due, or if there are no taxes due, the amount of the credit not used to offset taxes may be carried forward for not more than five consecutive taxable years as a credit against subsequent years' income tax liability.

NOTE – To claim this credit:

- *C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI* - Complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. Include both completed forms with your tax return.
- *Partnerships* - Complete this credit form. Also, complete Form 318-P for each corporate partner of the partnership. Provide each corporate partner a copy of its completed Form 318-P. Include Form 318 and one copy of each completed Form 318-P with your tax return.
- *Individual taxpayers are not eligible to claim this credit.*

Specific Instructions

Complete the name and employer identification number (EIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the tax return.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for a corporation, an exempt organization with UBTI, an S Corporation or a partnership is the taxpayer's EIN. Taxpayers that fail to include their TIN may be subject to a penalty.

Part 1 - Current Taxable Year's Credit Calculation

Form 318-1

Complete Form 318-1 before completing Part 1, line 1.

FORM 318-1

Use Form 318-1 to list qualifying coal purchases for the taxable year in two situations:

1. Purchases from vendors that passed the Arizona TPT through to the taxpayer as an added charge or purchases from vendors that collected the Arizona use tax from the taxpayer; and
2. Purchases from vendors for which the taxpayer paid the Arizona use tax to the department.

Situation 1: List the qualifying coal purchases *by vendor* for situation 1 above. If the taxpayer has purchased coal from more than two vendors, additional Form(s) 318-1 must be completed to list the qualifying coal purchases for the taxable year. Complete section A to list the vendor name and the vendor's Arizona TPT or use tax number. Do not complete section B.

NOTE: *The Arizona TPT must be shown as an added charge on the vendor's invoice. If the vendor collects the Arizona use tax from the taxpayer, the tax must be shown as a separate charge on the vendor's invoice. If the amount is not shown as a separate charge, the taxpayer cannot claim that amount.*

Situation 2: List the qualifying coal purchases from all vendors for situation 2 above. Complete section B to list the taxpayer's Arizona TPT or use tax number. If the taxpayer paid use tax to the department for purchases from more than two vendors, complete additional Form(s) 318-1. Do not complete section A.

NOTE: *If the taxpayer pays the Arizona use tax directly to the department, the taxpayer must document the amount of tax paid for each invoice.*

Column (a): On lines 1 through 12, enter the applicable month of the taxable year.

Column (b): On lines 1 through 12, check the box to indicate the type of tax, "TPT" or "Use" paid.

Column (c): On lines 1 through 12, enter the total amount of qualifying coal purchases for that month. Do not include the amount of tax paid in the total.

Column (d): On lines 1 through 12, enter the total amount of tax paid for that month.

Column (e): On lines 1 through 12, enter the total of columns (c) and (d).

Proceed to Form 318, Part 1, line 1.

FORM 318

Part 1 – Current Taxable Year's Credit Calculation

Line 1

Enter the total from all completed Form(s) 318-1, line 13, column (d).

Line 2

Multiply line 1 by 30%. Enter the result. This is the current taxable year's credit from taxpayer operations.

Line 3

Enter the credit passed through from partnerships on Form 318-P, line 3c.

Line 4

Add lines 2 and 3. Enter the total. This is the current taxable year's Credit for Taxes Paid for Coal Consumed in Generating Electrical Power.

Part 2 - Corporate Partner's Share of Credit

A partnership claiming this credit *must* pass it through to its corporate partners. Complete a Form 318-P for each corporate partner.

- Provide a copy of the completed Form 318-P to each corporate partner.
- Include a copy of each completed Form 318-P with your tax return.
- Keep a copy of each completed Form 318-P for your records.

- Do not complete the remainder of this form.

Each corporate partner is entitled to only a *pro rata* share of the credit based on the corporate partner's ownership interest in the partnership. The total of the credit allowed to all corporate partners may not exceed the amount that would have been allowed for a sole owner.

Part 3 - Available Credit Carryover

Complete Part 3 only if the allowable credit for prior taxable years exceeded the Arizona income tax liability for those taxable years. Calculate the total available carryover of the credit on Part 3, lines 5 through 9.

Lines 5 through 9

Enter the applicable taxable year(s) in column (a) on lines 5 through 9. Enter the amount of the original tax credit for each taxable year in column (b). Enter the amount of the credit for each taxable year that has been taken in previous taxable years in column (c). Subtract column (c) from column (b) and enter the difference in column (d).

Line 10

Add the amounts entered on lines 5 through 9, column (d). Enter the total. This is the total available credit carryover available for the current taxable year.

Part 4 - Total Available Credit

Line 11

C Corporations, S Corporations electing to claim the credit at the corporate level, and exempt organizations with UBTI - enter the current taxable year's credit from Part 1, line 4.

Partnerships - enter "0".

Also, enter this amount on Form 300, Part 1, line 5, column (a).

Line 12

C Corporations, S Corporations electing to claim the credit at the corporate level, and exempt organizations with UBTI - enter the amount from Part 3, line 10, column (d). This is the total available credit carryover.

Also, enter this amount on Form 300, Part 1, line 5, column (b).

Line 13

C Corporations, S Corporations electing to claim the credit at the corporate level, and exempt organizations with UBTI - add line 11 and line 12. Enter the total. This is the total available credit that may be applied to the current taxable year's tax liability.

Also, enter this amount on Form 300, Part 1, line 5, column (c).

**Form 318-P,
Distribution to Corporate Partners of a
Partnership**

Enter the taxable year for which this credit is being passed through to your partners.

Complete Form 318-P for each corporate partner of the partnership.

The partnership must furnish each partner with their completed copy of Form 349-P, including additional schedules as needed.

Distribution of the Credit

To distribute the credit to the corporate partners of the partnership (complete lines 1 through 3):

Line 1

- a) Enter the partnership name.
- b) Enter the partnership's EIN.

Line 2

- a) Enter the corporate partner's name.
- b) Enter the corporate partner's EIN.

Line 3

- a) Enter the amount of this credit from Form 318, Part 1, line 4 for which this partnership was approved.
- b) Enter the corporate partner's ownership percentage.
- c) Multiply line 3(a) by line 3(b) and enter the result.

This is the corporate partner's portion of this credit.

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Include with your return.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140PY-SBI, 140NR-SBI, 140X-SBI
99T, 120, 120A, 120S, or 120X

Social Security or
Employer Identification Number

Individuals that made the Small Business Income (SBI) election and have carryovers of both Part 1, Builder of House or Dwelling Unit and Part 2, Purchaser or Transferee of House or Dwelling Unit, complete two Forms 319:

- Complete one Form 319 to claim the carryover as Builder of House or Dwelling Unit with Part 1 and Part 3 completed. Include this Form 319 and Form 301-SBI with your SBI tax return (140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).
- Complete one Form 319 to claim the carryover as Purchaser or Transferee of House or Dwelling Unit with Part 2 and Part 3 completed. Include this Form 319 and Form 301 with your Individual income tax return (140, 140PY, 140NR, 140X).
- **Do NOT claim both Part 1 and Part 2 carryovers of this credit on a single Form 319.**

If you did not make the Small Business Income election and have carryovers of both Part 1, Builder of House or Dwelling Unit and Part 2, Purchaser or Transferee of House or Dwelling Unit, you may claim both carryovers on one Form 319.

Part 1 Available Credit Carryover for Taxpayer as Builder of House or Dwelling Unit

	(a)	(b)
1 Taxable year		
2 Original credit amount	00	00
3 Amount previously used	00	00
4 Net Carryover Amount: Subtract line 3 from line 2	00	00
5 Total Available Carryover: Add columns (a) through (b) on line 4. Enter the total.	5	00

Part 2 Available Credit Carryover for Taxpayer as Purchaser or Transferee of House or Dwelling Unit

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
6		00	00	00
7		00	00	00
8 Total Available Carryover: Add lines 6 and 7 in column (d). Enter the total.			8	00

Part 3 Total Available Credit

9 Total available credit carryover:		
<ul style="list-style-type: none"> • Individuals that made the Small Business Income election and are claiming a carryover of this credit as Builder of House or Dwelling Unit: Enter the amount from line 5. Also enter this amount on Form 301-SBI, Part 1, line 6, column (b). • Individuals that made the Small Business Income election and are claiming a carryover of this credit as Purchaser or Transferee of House or Dwelling Unit: Enter the amount from line 8. Also enter this amount on Form 301, Part 1, line 7, column (b). • All others: Add line 5 and line 8. Enter the total. • Individuals that did not make the Small Business Income election and have carryovers of both Part 1 and Part 2: Also enter this amount on Form 301, Part 1, line 7, column (b). • C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Also enter this amount on Form 300, Part 1, line 6, column (b) 	9	00

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2021 Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets

Arizona Form 319

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

General Instructions

This credit provided nonrefundable individual and corporate income tax credits for the installation of solar hot water heater plumbing stub outs and electric vehicle recharge outlets in houses or dwelling units constructed by the taxpayer. **The houses or dwelling units must be located in Arizona.**

Taxable year 2017 was the last year a taxpayer could establish this credit. The unused portion of valid credits for Solar Hot Water Plumbing Stub Outs and Electric Vehicle Recharge Outlets may be carried forward for the remainder of the five-year carryforward period.

NOTE – To claim this credit carry forward:

- **Individual taxpayers that did not make the Small Business Income election**, complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. *Include both completed forms with your Individual Income Tax Return (Form 140, 140PY, 140NR, or 140X).*
- **Individual taxpayers that made the Small Business Income election and wish to claim carryovers of this credit as Builder of House or Dwelling Unit:** complete Part 1 of this credit form and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI, and 140X-SBI. *Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).*
- **Individual taxpayers that made the Small Business Income election and wish to claim carryovers of this credit as Purchaser of Transferee of House or Dwelling Unit:** complete Part 2 of this credit form and Arizona Form 301, Nonrefundable Individual tax Credits and Recapture. *Include both completed forms with your Individual Income Tax Return (Form 140, 140PY, 140NR, or Form 140X).*
- **C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with**

UBTI, complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. Include both completed forms with your tax return.

Specific Instructions

Complete the name and taxpayer identification number (TIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the tax return.

All returns, statements, and other documents filed with the department require a TIN. The TIN for a corporation, an exempt organization with UBTI, or an S Corporation is the taxpayer's employer identification number (EIN). The TIN for an individual is the taxpayer's Social Security Number (SSN) or an Internal Revenue Service individual taxpayer identification number. Taxpayers that fail to include their TIN may be subject to a penalty.

NOTE:

Individuals that made the Small Business Income election and have carryovers of this credit as Builder of House or Dwelling Unit **AND** as Purchaser or Transferee of House or Dwelling Unit:

- Complete one Form 319 to claim the carryover as Builder of House or Dwelling Unit with Part 1 and Part 3 completed. Include this Form 319 and Form 301-SBI with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).
- Complete a second Form 319 to the carryover as Purchaser or Transferee of House or Dwelling Unit with Part 2 and Part 3 completed. Include this Form 319 and Form 301 with your Individual Income Tax Return (Form 140, 140PY, 140NR, or 140X).
- **Do NOT claim both carryovers of this credit on one Form 319.**

If you did not make the Small Business Income election and have carryovers of **both Part 1**, Builder of House or Dwelling Unit **and Part 2**, Purchaser or Transferee of House or Dwelling Unit, you may claim both carryovers on one Form 319.

Part 1 - Available Credit Carryover for the Taxpayer as Builder of the House or Dwelling Unit

Complete Part 1 only if the allowable credit as Builder of House or Dwelling Unit for prior taxable years exceeded the Arizona income tax liability for those taxable years.

S Corporations, if this credit was claimed at the corporate level in a prior taxable year and there is a carryover amount available, complete Part 1.

Line 1 – Taxable Year

In columns (a) and (b), enter the applicable taxable year.

Line 2 – Original Credit Amount

In columns (a) and (b), enter the amount of the original tax credit earned for that taxable year.

Line 3 – Amount Previously Used or Expired

In columns (a) and (b), enter the amount of the tax credit for the taxable year that has been previously used or that has expired.

Line 4 – Net Carryover Amount

In columns (a) and (b), subtract the amount on line 3 from the amount on line 2. Enter the difference in the applicable columns.

Line 5 – Total Available Carryover for Taxpayer as Builder of House or Dwelling Unit

Add the amounts in columns (a) and (b) of line 4. Enter the total in column (b).

This is the total available credit carryover for the current taxable year for the taxpayer that built the house or dwelling unit.

Part 2 - Available Credit Carryover for Taxpayer as Purchaser or Transferee of House or Dwelling Unit

Complete Part 2 only if the allowable credit as Purchaser or Transferee of House or Dwelling Unit for prior taxable years exceeded the Arizona income tax liability for those taxable years.

S Corporations, if this credit was claimed at the corporate level in a prior taxable year and there is a carryover amount available, complete Part 2.

Line 6 and 7

Complete line 6 and 7 as follows:

- (a) Enter the applicable tax years in column (a).
- (b) Enter the amount of the credit originally computed for that taxable year in column (b).
- (c) Enter the amount of the credit from that taxable year that has already been used in column (c).
- (d) Subtract column (c) from column (b). Enter the difference.

Line 8- Total Available Carryover for Taxpayer as Purchaser or Transferee of House of Dwelling Unit

Add lines 6 and 7 in column (d). Enter the total.

This is the total credit carryover for the taxpayer as purchaser or transferee of the house or dwelling unit.

Part 3 - Total Available Credit Carryover**Line 9- Total Available Credit Carryover**

Individuals that made the Small Business Income election and are claiming a carryover of this credit as Builder of House of Dwelling: Enter the amount from line 5. Also, enter this amount on Form 301-SBI, Part 1, line 6, column (b).

Individuals that made the Small Business Income election and are claiming a carryover of this credit as Purchaser or Transferee of House or Dwelling Unit: Enter the amount from line 8. Also, enter this amount on Form 301, Part 1, line 7, column (b).

All others: Add line 5 and line 8. Enter the total.

Individuals that did not make the Small Business Income election: Also, enter this amount on Form 301, Part 1, line 7, column (b).

C Corporations, S Corporations that elected to claim this credit at the corporate level, and exempt organizations with UBTI: Also, enter this amount on Form 300, Part 1, line 6, column (b).

Include with your return.

NOTE: This credit is no longer available to individual taxpayers.

For the calendar year 2021 or fiscal year beginning [M, M, D, D] 2, 0, 2, 1 and ending [M, M, D, D] Y, Y, Y, Y.

Name as shown on Form 99T, 120, 120A, 120S, 120X or 165

Employer Identification Number

Part 1 Business Information

- 1 Business name: _____
- 2 Business location: _____

- 3 Employer Identification Number: _____

Part 2 Net Increase in Qualified Employment Positions

4 Average number of qualified employment positions during the current taxable year	4	
5 Average number of qualified employment positions during the immediately preceding taxable year ..	5	
6 Net increase in the number of qualified employment positions: Subtract line 5 from line 4	6	
7 Number of positions on line 6 that are eligible for any other income tax credit under Arizona law	7	
8 Maximum number of positions eligible for the credit: Subtract line 7 from line 6.....	8	

Part 3 Qualifying New Employees

9 New employees hired during the year	9	
10 Qualified new employees	10	
11 Maximum number of qualifying net new employees: Enter the smaller of line 8 or line 10.....	11	

Part 4 Credit Calculation for Qualified Employees

	(a) No. of Qualifying Employees	(b) Qualifying Wages	(c) Percentage	(d) Allowable Credit	
12 Qualifying Net New Employees	12	\$ 00	25%	\$	00
13 Previously Qualified Employees in the Second Year of Continuous Employment....	13	\$ 00	33.33%	\$	00
14 Previously Qualified Employees in the Third Year of Continuous Employment.....	14	\$ 00	50%	\$	00
15 Corporate partner's current year's pass- through amounts from all Partnership(s) : Enter the total amount from Form(s) 320-P. <i>See instructions</i>	15	\$ 00		\$	00
16 Total Current Year's Credit: For each column (a), (b), and (d), add lines 12 through 15, and enter the total for each column.....	16	\$ 00		\$	00

Note: Do not take a subtraction for the same wage expense for which a credit is claimed.

- **C Corporations, S Corporations claiming this credit at the corporate level, Partnerships, and Exempt organizations with UBTI:**
If you are claiming a current year's credit you must add-back on your tax return, under *Additions related to Arizona tax credits*, the total net amount of qualifying wage expenses entered on line 17, column (b).

Continued on page 2 →

Name (as shown on page 1)	Employer Identification Number
---------------------------	--------------------------------

Part 5 Corporate Partner's Share of Credit

Partnerships:

- Do not complete Part 6 and 7 of Form 320.
- Complete Form 320-P separately for each corporate partner.
- Furnish each corporate partner with a copy of Form 320-P.

Part 6 Available Credit Carryover

	(a) Taxable Year from which you are carrying the credit	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
17	2016	00	00	00
18	2017	00	00	00
19	2018	00	00	00
20	2019	00	00	00
21	2020	00	00	00
22	Total Available Carryover: Add lines 17 through 21, column (d).....			22 00

Part 7 Total Available Credit

23 Current year's credit:		
• <i>C Corporations, S Corporations that are claiming the credit at the corporate level, or exempt organizations with UBTI:</i> Enter the amount from Part 4, line 16, column (d). Also, enter this amount on Arizona Form 300, Part 1, line 7, column (a)	23	00
24 Available carryover: Enter the amount from Part 6, line 22, column (d).		
• <i>C Corporations, S Corporations that claimed the credit at the corporate level, and exempt organizations with UBTI that have valid carryovers of this credit:</i> Also, enter this amount on Arizona Form 300, Part 1, line 7 column (b).....	24	00
25 Total Available Credit: Add lines 23 and 24 and enter the total.		
• <i>C Corporations, S Corporations that claimed the credit at the corporate level, and exempt organizations with UBTI:</i> Also, enter this amount on Arizona Form 300, Part 1, line 7, column (c).....	25	00

Form 320-1	Qualifying Employees	2021
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	(a) Employee's Name	(b) Social Security Number	(c) Date of Hire	(d) Was this employee an Arizona resident on date of hire?	(e) Was this employee receiving TANF benefits on date of hire?
1				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
2				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
3				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
4				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
5				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
6				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
7				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
8				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
9				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
10				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
11				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
12				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
13				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
14				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
15				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
16				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
17				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
18				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
19				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
20				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
21				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
22				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
23				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
24				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
25				<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

If you have more than 25 qualifying employees, complete additional schedules and include behind this page.

Your Name (as shown on Form 320, page 1)

Your Social Security or Employer Identification Number

Page _____ of _____

Form 320-2	Qualifying Employees for Which You are Claiming a Credit	2021
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	(a) Employee's Name	(b) Social Security Number	(c) Type of Employee			(d)	(e) Maximum Allowable Wages:			
				Check the appropriate box. This employee is a:			Total Wages Paid to the Employee During the Current Taxable Year Less Wages Subsidized as Provided by A.R.S. §46-299	Enter the lesser of column (d) or the maximum allowed below.		
	(c1) 1 st Year Employee	(c2) 2 nd Year Employee	(c3) 3 rd Year Employee	(e1) Year 1 \$2000	(e2) Year 2 \$3000	(e3) Year 3 \$3000				
1			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	00				
2			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	00				
3			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	00				
4			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	00				
5			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	00				
6			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	00				
7			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	00				
8			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	00				
9			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	00				
10			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	00				
11			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	00				
12 TOTAL:						00				
<ul style="list-style-type: none"> • For column (c), add the number of employees in each column (c1), (c2) and (c3), and enter the total for each column on line 12. • For columns (d) and (e), add the amounts in each column and enter the total for each column on line 12. 12 						00				

If you have more than 11 qualifying employees for which you are claiming a credit, complete additional schedules and include behind this page.

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2021 Credit for Employment of TANF Recipients

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

2. One-third of the taxable wages paid to each previously qualified employee in the second year of continuous employment, not to exceed \$1,000 per net new employee.
3. One-half of the taxable wages paid to each previously qualified employee in the third year of continuous employment, not to exceed \$1,500 per net new employee.

You cannot claim this credit for any position that is eligible for any other Arizona employment credit based on wages paid. If the allowable credit exceeds your income tax liability, you may carry over any unused amount for up to five consecutive taxable years.

You cannot take a wage expense deduction for the same wages for which you claim a credit for state tax purposes.

C Corporations, S Corporations claiming this credit at the corporate level, and Exempt organizations with UBTI:

If you are claiming a current year's credit you must add-back, on your tax return under Additions related to Arizona tax credits, the total net amount of qualifying wage expenses entered on line 17, column (b).

A partnership passing the current year's credit through to its corporate partners **must** do the following:

1. Complete Parts 1 through 5.
2. Complete Arizona Form 320-P, *Credit for Employment of TANF Recipients - Distribution to Partners*, for each corporate partner and provide that corporate partner with a copy of its completed Form 320-P.
 - Form 320-P is available on the department's website.
 - Instructions for Form 320-P are included at the end of these instructions on page 5.
 - The partner will use Form 320-P to complete their own Form 320 to claim.
3. Include Forms 320 and 320-P with its tax return.
4. Keep a copy of Forms 320 and 320-P for its record.

For more information on this credit, see the department's publication, Pub 708, *Credit for Employment of Recipients of Temporary Assistance for Needy Families*.

General Instructions

Individual taxpayers are no longer eligible to claim this credit.

Corporate taxpayers including S Corporations claiming this credit and exempt organizations with unrelated business taxable income: *You must also complete Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture, and include Forms 300 and 320 with your tax return to claim this credit.*

A partnership may not pass this credit through to its individual partners. A partnership may pass this credit through to its corporate partners. Partnerships passing the credit through to its corporate partners must also complete and include a separate Form 320-P for each corporate partner receiving a pass-through of this credit.

S Corporations may claim this credit at the corporate level. S Corporations may not pass this credit through to its individual shareholders.

Arizona law provides a nonrefundable credit for employers that employ recipients of Temporary Assistance for Needy Families (TANF).

The last year an individual taxpayer could establish the Credit for Employment of TANF Recipients was taxable year 2020. The unused portion of this credit that was validly established may be carried forward for the remainder of the five-year carryforward period.

This credit is available to C Corporations, and S Corporations. A partnership may pass the credit through to its corporate partners. A partnership may not pass this credit through to its individual partners. An S Corporation may not pass the credit through to its shareholders.

This credit is also available to an exempt organization that is subject to corporate income tax on unrelated business taxable income (UBTI). The credit must result from the activities that generate UBTI.

The credit for employing TANF recipients is equal to:

1. One-fourth of the taxable wages paid to each qualified employee in the first year or partial year of employment, not to exceed \$500 per net new employee.

Completing the Form

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for an individual is the taxpayer's Social Security Number (SSN) or an Internal Revenue Service (IRS) individual taxpayer identification number (ITIN). The TIN for a corporation or partnership is the employer identification number (EIN). Taxpayers that fail to include their identification number may be subject to a penalty.

Enter your name and SSN, TIN or EIN as shown on your Arizona income tax form (Forms 99T, 120, 120A, 120S, 120X, or 165).

NOTE: *Complete Parts 1 through 4, and 7, if you are claiming a new credit for the current tax year. Partnerships passing this credit through their partners, complete Parts 1 through 5, and Form 320-P.*

*If you are **only** claiming a carryover amount available from a previous credit, complete Parts 1, 6 and 7.*

Part 1 - Business Information

Lines 1 through 3

On lines 1, 2, and 3, enter the name, address, and EIN of the business that employs qualifying employees.

Part 2 - Net Increase in Qualified Employment Positions

Lines 4 and 5

This credit is based on net increases in qualified employment positions. You must determine the net increase in the number of qualified positions by comparing the average number of qualified employment positions during the taxable year with the immediately preceding taxable year. This comparison is based on the report that you submit to the Arizona Department of Economic Security for unemployment purposes. The worksheet following the instructions for line 5 is provided to help you determine the average number of qualified positions for lines 4 and 5.

Line 4

Enter the average number of qualified employment positions during the current taxable year.

A qualified employment position is a position that meets **all** of the following.

- The position must be classified as full-time employment.
- The position must provide health insurance coverage if the employer offers the coverage to other employees not on TANF.
- The position must provide compensation at least equal to the minimum wage or a wage comparable to that paid other employees not receiving TANF in the same job classification.
- The position must be listed on the report that you submit to the Arizona Department of Economic Security for unemployment purposes.

Line 5

Enter the average number of qualified employment positions during the immediately preceding taxable year. If the business is a newly established business, the business would not have any qualified employment positions during the immediately preceding taxable year. A newly established business would have zero average employment positions during the immediately preceding taxable year. This business would enter "0" on line 5.

If the business is an established business, the business must figure the average qualified employment positions of the immediately preceding taxable year using the worksheet below. Line 15 of the *Immediately Preceding Taxable Year* column is the amount you should enter on line 5.

Complete the worksheet to determine the average employment. On lines 1 through 12, enter the number of qualifying employment positions the business had during each month of the current taxable year and the immediately preceding taxable year.

	Line 4 Current Taxable Year	Line 5 Immediately Preceding Taxable Year
1. January		
2. February		
3. March		
4. April		
5. May		
6. June		
7. July		
8. August		
9. September		
10. October		
11. November		
12. December		
13. Total. <i>Add lines 1 through 12.</i>		
14. Enter the total number of months during the taxable year in which you were in business.		
15. Average - <i>Divide line 13 by line 14.</i> Do not round the quotient.		

Line 6 - Net Increase in the Number of Qualified Employment Positions

Subtract line 5 from line 4. If this amount is less than one, enter "0". If this amount contains a decimal, round **down** to the next whole number. This is your net increase in qualified employment positions.

NOTE: *If the amount shown on line 6 is zero or less, you may not claim this credit for qualified employees hired during the year.*

Line 7

You cannot take this credit for any position that is **eligible** for any other Arizona employment credit based on wages paid.

On line 7, enter the number of positions on line 6 that are eligible for any other income tax credit under Arizona law.

Line 8

Subtract line 7 from line 6. This is the maximum number of new employment positions for which you may claim a credit for employees in their first year of employment.

Part 3 - Qualifying New Employees

Line 9

Enter the total number of new employees hired during the year.

Line 10 - Qualified New Employees

Enter the number of employees shown on line 9 who are qualified employees.

A qualified employee is an employee who meets **all** of the following criteria:

- The employee is a resident of Arizona.
- The employee was a recipient of TANF at the time he or she was hired. The employer should obtain documentation from the employee substantiating that the employee was a TANF recipient on the date of hire.
- The employee was employed for at least ninety days during the first taxable year. An employee hired with less than 90 days left in the taxable year is considered a new employee in the next taxable year. Periods when the employee's wages are subsidized under Arizona Revised Statute § 46-299 cannot be counted as employment time.
- The employee was not employed by the taxpayer within 12 months before the current date of hire.

Line 11 - Maximum Number of Qualifying Net New Employees

Enter the smaller of line 8 or line 10. This is the maximum number of qualifying net new employees for which you may claim a credit.

Part 4 - Credit Calculation for Qualified Employees**Lines 12 through 16 and Form 320-1 and Form 320-2**

IMPORTANT: Before completing Part 4, lines 12 through 16 of Form 320, complete Form 320-1, and Form 320-2.

Form 320-1 Qualifying Employees

List each employee who is a qualified employee. List each employee's name and SSN. Also, list the date each employee was hired. You must also answer the questions in columns (d) and (e).

Form 320-2 Qualifying Employees for Which You are Claiming a Credit

List each qualifying employee from Form 320-1 for whom you are taking the credit. List the employees' names and SSNs. Complete columns (c) through (e), as instructed on the form.

Form 320**Line 12 - Column (a)**

Enter the number of qualifying net new employees from Form 320-2, line 12, column (c1).

NOTE: The maximum number of qualifying net new employees entered on line 12, column (a), cannot exceed the number of qualified net new employees entered on line 11 (Part 3).

Line 12 - Column (b)

Enter the maximum allowable wages for all of your qualifying first year employees from Form 320-2, line 12, column (e1).

Line 12 - Column (d)

Multiply the amount entered on line 12, column (b), by the percent shown on line 12, column (c). Enter the result on line 12, column (d). This is the allowable credit for qualifying net new employees.

Line 13 - Column (a)

Enter the total number of previously qualified employees in the second year of continuous employment from Form 320-2, line 12, column (c2).

NOTE: The maximum number of previously qualified employees in the second year of continuous employment entered on line 13, column (a), cannot exceed the number of qualified net new employees entered on the 2020 Form 320, line 11 (Part 3).

Arizona's statutes do not require that the employee who is claimed in the second year of continuous employment be the same employee who was claimed in the first year of employment. Therefore, if one of the originally claimed net new employees leaves employment in year two, the business can claim the second year credit for another previously qualified employee who is in the second year of continuous employment.

Line 13 - Column (b)

Enter the maximum allowable wages for all previously qualified employees in the second year of continuous employment, from Form 320-2, line 12, column (e2).

Line 13 - Column (d)

Multiply the amount shown on line 13, column (b), by the percent shown on line 13, column (c). Enter the result on line 13, column (d). This is the allowable credit for previously qualified employees in their second year of continuous employment.

Line 14 - Column (a)

Enter the total number of previously qualified employees in the third year of continuous employment from Form 320-2, line 12, column (c3).

NOTE: The maximum number of previously qualified employees in the third year of continuous employment entered on line 14, column (a), cannot exceed the number of qualified net new employees entered on the 2019 Form 320, line 11 (Part 3).

Arizona's statutes do not require that the employee who is claimed in the third year of continuous employment be the same employee who was claimed in the second year of employment. Therefore, if one of the originally claimed net new employees leaves employment in year three, the business can claim the third year credit for another previously qualified employee who is in the third year of continuous employment.

Line 14 - Column (b)

Enter the maximum allowable wages for all previously qualified employees in the third year of continuous employment from Form 320-2, line 12, column (e3).

Line 14 - Column (d)

Multiply the amount shown on line 14, column (b), by the percent shown on line 14, column (c). Enter the result on line 14, column (d). This is the allowable credit for previously qualified employees in their third year of continuous employment.

Lines 15, Columns (b) and (d) – Corporate partners pass-through credit from Partnerships

Only complete line 15 if you received Arizona Form 320-P from a partnership passing through the credit.

Line 15 - Column (b)

Enter your pro rata share of the partnership's qualifying wage expense from Form 320-P, Part 3, line 6.

Line 15 - Column (d)

Enter your pro rata share of the partnership's credit from Form 320-P, Part 2, line 4.

Line 16 - Columns (a), (b), and (d)

- Add amounts in column (a) on lines 12, 13 and 14 enter the total in column (a) on line 16.
The amount entered is the total number of qualified employees for which you are claiming the credit.
- Add the amounts in column (b) on lines 12 through 15; enter the total in column (b) on line 16.
The amount entered on line 16, column (b) is the total net amount of qualifying wages.
- Add the amounts in column (d) on lines 12 through 15; enter the total in column (d) on line 16.
The amount entered on line 16, column (d), is the total allowable credit for qualified employees for the current taxable year.

Part 5 – Corporate Partner's Share of Credit

Each corporate partner may claim only a pro rata share of the credit based on the corporate partner's ownership interest in the partnership.

Partnerships:

- Complete Form 320, Parts 1 through 4. *Do not complete Parts 6 and 7 of Form 320.*
- Complete Form 320-P for each corporate partner.
- Furnish each corporate partner with a copy of their completed Form 320-P.

Part 6 - Available Credit Carryover**Lines 17 through 22**

Use Part 6 to figure your total available credit carryover from tax years 2016 through 2020. Complete lines 17 through 22 if you claimed the credit on a prior year return and the credit was more than your tax.

- In column (b), enter the credit originally computed for the taxable year listed in column (a).
- In column (c), enter the amount of the credit from that taxable year which you have already used.
- Subtract the amount in column (c) from column (b) and enter the difference in column (d).
- Add the amounts entered on lines 17 through 21 in column (d). Enter the total on line 22, column (d).

Part 7 - Total Available Credit**Line 23 - Current Year's Credit**

C Corporations, S Corporations claiming the credit at the corporate level, and exempt organizations with UBTI: Enter the amount from Part 4, line 16, column (d). Also, enter this amount on Form 300, line 7, column (a).

Line 24 - Available Credit Carryover

Enter the amount from Part 7, line 22, column (d). Corporations, including S Corporations that are claiming the credit at the corporate level, and exempt organizations with UBTI, enter this amount on Form 300, line 7, column (b).

Line 25 - Total Available Credit

Add lines 23 and 24. Enter the total.

Corporations, including S Corporations that are claiming the credit at the corporate level, and exempt organizations with UBTI, enter this amount on Form 300, line 7, column (c).

NOTE: *You cannot take a deduction for the same wage expense for which you claim a credit.*

If you are claiming this credit, you must include the amount from Part 4, line 16, column (b), on your Arizona income tax return.

C Corporations, S Corporations claiming this credit at the corporate level, Partnerships passing this credit through to corporate partners, and Exempt organizations with UBTI:

If you are claiming a current year's credit, you **must** add-back on your tax return, under *Additions related to Arizona tax credits*, the total net amount of qualifying wage expenses entered on Part 4, line 16, column (b).

Form 320-P, Credit for Employment of TANF Recipients - Distribution to Corporate Partners

NOTE: Form 320-P is available on the department's website. If you are passing a credit for more than one location, complete a separate Form 320-P for each location.

Instructions for Partnerships passing the credit to corporate partners
Part 1 – Partnership and Corporate Partner Information
Line 1 (a) and (b)

In the space provided, enter the name of the partnership and employer identification number.

Line 2 (a) and (b)

In the space provided, enter the corporate partner's name, social security or employer identification number, and ownership percentage.

Each corporate partner is entitled to a *pro rata* share of the credit, based on its ownership percentage.

Part 2 - Distribution of Credit
Line 3

Enter the partnership's current year's credit from Form 320, Part 4, line 16, column (d).

Line 4

Multiply line 3 by the ownership percentage on line 2(c) and enter the result. This is the corporate partner's *pro rata* share of the pass-through credit.

Corporate Partners: Enter this amount on *your own* Form 320, Part 4, line 15, column (d).

Part 3 – Corporate Partner's share of Qualifying Wage Expense
Line 5

Enter the total amount of qualifying wage expense used to compute the credit from Form 320, Part 4, line 16, column (b).

Line 6

Multiply line 5 by the percentage on line 2(c) and enter the result. This is the partner's *pro rata* share of the qualifying wage expense.

Corporate Partners: enter this amount on your own Form 320, Part 4, line 15, column (b).

Instructions for Corporate Partners receiving Form 320-P

- Enter the amount from Form 320-P, line 4, on *your own* Form 320, in Part 4, on line 15, column (d).
If you are claiming a pass-through credit from more than one partnership, add all amounts from Forms 320-P, line 4, and enter the total on Form 320, in Part 4, on line 15, column (d).
- If the partner is another partnership, it must complete a separate Form 320-P for each partner identifying the partner's *pro rata* share of the pass-through credit amount and qualifying wage expense.
- If the partner is a C Corporation, S Corporation (electing to claim the credit), or an exempt organization with UBTI, it must complete its own Form 320 to claim the credit.

NOTE: If you file your income tax return on a calendar year basis (January 1, 2022 – December 31, 2022) but the partnership passing the credit files its return on a fiscal year basis, claim the pass-through credit on your income tax return for the year in which the partnership's fiscal year ends. For example, if the partnership's tax year ends in February 2022, claim this credit on your 2022 tax return.

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Include with your return.

For the calendar year 2021 or fiscal year beginning MM,MM,DD,DD | 2,0,2,1 | and ending MM,MM,DD,DD | Y,Y,Y,Y |.

Your Name as shown on Form 140, 140NR, 140PY or 140X	Your Social Security Number
Spouse's Name as shown on Form 140, 140NR, 140PY or 140X (if joint return)	Spouse's Social Security Number

Part 1 Current Year's Credit

A. Cash contributions made January 1, 2021 through December 31, 2021.

- The charitable organization must be certified by the department **for 2021** to claim the contributions listed in Part A.
For more information, see page 1 of the instructions.
- If you are married and filing separate returns, be sure to include **all** cash contributions made by you and your spouse.
- Do **not** include those cash contributions for which you or your spouse claimed a credit on the 2020 tax return.
- If you made cash contributions to more than three qualifying charitable organizations, complete the Continuation Sheet on page 3 and include it with the credit form.

(a) Date of Contribution MM/DD/2021	(b) Qualifying Charity Code	(c) Name of Qualifying Charity (Contributions to qualifying foster care charitable organizations are claimed on AZ Form 352)	(d) Cash Contribution
1 2,0,2,1			00
2 2,0,2,1			00
3 2,0,2,1			00
4 If you made contributions to more than three qualifying charitable organizations, enter the amount from line 4h of the Continuation Sheet, otherwise enter "0".....			4 00
5 Total contributions made to qualifying charitable organizations during 2021: Add lines 1 through 4, column (d).....			5 00

B. Cash contributions made January 1, 2022 through April 18, 2022, for which you or your spouse are claiming a credit on the 2021 return.

- The charitable organization must be certified by the department **for 2022** to claim the contributions listed in Part B.
For more information, see page 1 of the instructions.
- If you are married and filing separate returns, be sure to include **all** cash contributions made by you and your spouse.
- If you made cash contributions to more than three qualifying charitable organizations, complete the Continuation Sheet on page 3 and include it with the credit form.

(a) Date of Contribution MM/DD/2022	(b) Qualifying Charity Code	(c) Name of Qualifying Charity (Contributions to qualifying foster care charitable organizations are claimed on AZ Form 352)	(d) Cash Contribution
6 2,0,2,2			00
7 2,0,2,2			00
8 2,0,2,2			00
9 If you made contributions to more than three qualifying charitable organizations, enter the amount from line 9h of the Continuation Sheet, otherwise enter "0".....			9 00
10 Total contributions made to qualifying charitable organizations January 1, 2022 through April 18, 2022, for which you are claiming a credit on the 2021 tax return. Add lines 6 through 9, column (d).....			10 00
11 Add lines 5 and 10. Enter the total.....			11 00
12 Single taxpayers or heads of household, enter \$400. Married taxpayers, enter \$800.....			12 00
13 Total current year's credit: Enter the smaller of line 11 or line 12. In most cases, if you are married filing a separate return, enter one-half of the smaller of line 11 or 12. See instructions.....			13 00

Your Name (as shown on page 1)	Your Social Security Number
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Part 2 Available Credit Carryover

	(a) Taxable Year from which you are carrying the credit	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
14	2016	00	00	00
15	2017	00	00	00
16	2018	00	00	00
17	2019	00	00	00
18	2020	00	00	00
19	Total Available Carryover: Add lines 14 through 18, column (d).....			19 00

Part 3 Total Available Credit

20	Current year's credit: Enter the amount from Part 1, line 13. Also, enter this amount on <i>Arizona Form 301, Part 1, line 8, column (a)</i>	20	00
21	Available credit carryover from Part 2, line 19, column (d). Also, enter this amount on <i>Arizona Form 301, Part 1, line 8, column (b)</i>	21	00
22	Total Available Credit: Add line 20 and line 21. Also, enter this amount on <i>Arizona Form 301, Part 1, line 8, column (c)</i>	22	00

Your Name (as shown on page 1)	Your Social Security Number
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AZ Form 321- Credit for Contributions to Qualifying Charitable Organizations Continuation Sheet

Part 1 - Continued **Current Year's Credit**

If you need more space to list all qualifying charitable organizations, complete additional sheets and enter those totals on the appropriate line(s) on page 1.

A. Cash contributions made January 1, 2021 through December 31, 2021.

	(a) Date of Contribution MM/DD/2021	(b) Qualifying Charity Code	(c) Name of Qualifying Charity (Contributions to qualifying foster care charitable organizations are claimed on AZ Form 352)	(d) Cash Contribution
4a	_ _ _ _ 2,0,2,1	_ _ _ _ _ _		00
4b	_ _ _ _ 2,0,2,1	_ _ _ _ _ _		00
4c	_ _ _ _ 2,0,2,1	_ _ _ _ _ _		00
4d	_ _ _ _ 2,0,2,1	_ _ _ _ _ _		00
4e	_ _ _ _ 2,0,2,1	_ _ _ _ _ _		00
4f	_ _ _ _ 2,0,2,1	_ _ _ _ _ _		00
4g	_ _ _ _ 2,0,2,1	_ _ _ _ _ _		00
4h	Add all amounts in column (d) and enter the total. Also, enter this amount on page 1, line 4.....			4h 00

B. Cash contributions made January 1, 2022 through April 18, 2022.

	(a) Date of Contribution MM/DD/2022	(b) Qualifying Charity Code	(c) Name of Qualifying Charity (Contributions to qualifying foster care charitable organizations are claimed on AZ Form 352)	(d) Cash Contribution
9a	_ _ _ _ 2,0,2,2	_ _ _ _ _ _		00
9b	_ _ _ _ 2,0,2,2	_ _ _ _ _ _		00
9c	_ _ _ _ 2,0,2,2	_ _ _ _ _ _		00
9d	_ _ _ _ 2,0,2,2	_ _ _ _ _ _		00
9e	_ _ _ _ 2,0,2,2	_ _ _ _ _ _		00
9f	_ _ _ _ 2,0,2,2	_ _ _ _ _ _		00
9g	_ _ _ _ 2,0,2,2	_ _ _ _ _ _		00
9h	Add all amounts in column (d) and enter the total. Also, enter this amount on page 1, line 9.....			9h 00

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2021 Credit for Contributions to Qualifying Charitable Organizations

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

General Instructions

NOTE: You *must* also complete Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture, and include Forms 301 and 321 with your tax return to claim this credit.

Arizona law provides a credit for cash contributions made to certain qualifying charitable organizations (charities) that provide assistance to residents of Arizona who either:

- receive Temporary Assistance of Needy Families (TANF) benefits,
- are low income residents of Arizona, or
- are children who have a chronic illness or physical disability.

CAUTION: A cash contribution to a qualifying foster care charitable organization does **not** qualify for, and **cannot** be included in, a credit claimed on Form 321 for cash contributions made to a qualifying charitable organization (QCO).

If you made cash contributions to a qualifying foster care charitable organization (QFCO), you **must** complete Form 352 to claim a credit for those contributions.

This credit is available **only** to individuals. Corporations may not claim this credit. A partnership may not pass the credit through to its partners. An S Corporation may not pass the credit through to its shareholders.

What is a Qualifying Charitable Organization?

A qualifying charity is a charity that is exempt from federal income tax under Internal Revenue Code (IRC) § 501(c)(3).

A qualifying charity is also a charity that is a designated community action agency that receives Community Services Block Grant Program money under the United States Code, Title 42, Section 9901.

The charity must spend at least 50% of its budget on services to Arizona residents who:

- receive TANF benefits,
- are low income Arizona residents, or
- are chronically ill or physically disabled.

For the purpose of this credit, qualifying services are services that meet the recipient's immediate basic needs. The services must be provided and used in Arizona. Services include cash assistance, medical care, childcare, food, clothing, shelter, job training, and job placement services.

"Individuals who have a chronic illness or physical disability" means individuals whose primary diagnosis is a severe physical condition that may require ongoing medical or surgical intervention.

How Can I Tell if a Charity Qualifies?

To qualify, a charity must provide the department with written certification that it meets the criteria to be considered a qualifying charity.

To see a list of the qualifying charities, visit our website and click on *Tax Credits* and select *Contributions to QCOs and QFCOs*.

- For donations made in 2021 - use the 2021 list.
- For donations made from January 1, 2022 to April 18, 2022 - use the 2022 list.

A cash contribution for which a credit is claimed and that is made on or before the fifteenth day of the fourth month following the close of the taxable year may be applied to either the current or preceding taxable year and is considered to have been made on the last day of that taxable year.

For calendar year filers, credit eligible cash contributions made to qualifying charities from January 1, 2022, to April 18, 2022, may be claimed as a tax credit on either the 2021 or 2022 Arizona income tax return.

IMPORTANT: To claim a credit on your 2021 tax return for contributions made January 1, 2022, through April 18, 2022, the charitable organization must be certified by the department for the 2022 tax year.

If you claim this credit in 2021 for a cash contribution made from January 1, 2022, to April 18, 2022, you must make an adjustment on your 2022 Arizona Form 140 Schedule A, 140PY Schedule A(PY) or A(PYN), or 140NR Schedule A(NR).

NOTE: You cannot claim both a tax credit and an itemized deduction for the amount of contributions made to a QCO for which you are claiming a credit.

You cannot claim an increased standard deduction for the amount of contributions made to a QCO for which you are claiming a credit.

The maximum amount of credit that a taxpayer can establish for the current taxable year is \$400 for single taxpayers or heads of household. For married taxpayers filing a joint

return, the maximum amount of credit that a taxpayer can establish for the current taxable year is \$800. In most cases, for married taxpayers who file separate returns, each spouse may claim only **one-half** (½) of the total credit that would have been allowed on a joint return up to \$400.

NOTE: *The maximum amount of credit established for the current taxable year does **not** include any unused valid carryover amount(s) from prior taxable years. Because this is a nonrefundable credit, the total amount of available credit [current year plus any valid carryover amount(s)] that a taxpayer may **use** for the taxable year cannot be greater than the tax liability shown.*

If the allowable tax credit is more than your tax or if you have no tax, you may carry the unused credit forward for up to the next five consecutive taxable years' income tax liability.

You may qualify for this credit if you make cash contributions to a qualified charity through an Umbrella Charitable Organization (UCO). An UCO is a charitable organization that collects cash contributions on behalf of member charities and directs those contributions as designated by the taxpayer to a qualifying charity that is certified by the department.

In this case, 100% of the contribution to a specific qualifying charity or to a specific fund of the UCO must be distributed to a qualifying charity that is certified by the department.

The UCO should provide you with a receipt that lists the qualifying charity or fund and certifies that 100% of the contribution will be distributed to the named charity. If a fund is designated then the receipt should certify that 100% of the fund is distributed to a qualifying charity that is certified by the department.

NOTE: *You may be able to make contributions to these charities through your payroll withholding. Contact your employer and ask if they can withhold contributions for this credit from your pay.*

For more information, see the department's publication, Pub 710, *Credit for Contributions to Qualifying Charitable Organizations*.

What is a Qualifying Charitable Organization Code?

For Arizona tax credit purposes, the department assigns a code (a 5 digit identification number) to each qualifying charitable organization and the UCO fund (for example: 23456). If your donation receipt did not include the charity's code, the department's list of qualifying charities includes the code assigned to each charity and the UCO fund code.

Be sure to enter the code number, in column (a), for each qualifying charity for which you and your spouse made cash contributions.

Line-by-Line Instructions

Enter your name and Social Security Number (SSN) as shown on Arizona Forms 140, 140PY, 140NR, or 140X. All returns, statements, and other documents filed with the department

require a taxpayer identification number (TIN). The TIN for an individual is the taxpayer's SSN or an Internal Revenue Service (IRS) individual taxpayer identification number (ITIN). Taxpayers that fail to include their identification number may be subject to a penalty.

NOTE: *Complete Parts 1 and 3 if you are claiming a new credit for the current tax year.*

*If you are **only** claiming a carryover amount available from a previous credit, complete Parts 2 and 3.*

Part 1 - Current Year's Credit

A. Cash contributions made January 1, 2021, through December 31, 2021

Lines 1, 2 and 3

NOTE: *If you are married and filing separate returns, be sure to include all cash contributions made by you and your spouse.*

Enter the following for each qualifying charity you or your spouse made cash contributions from January 1, 2021, through December 31, 2021, for which you or your spouse are claiming a credit on the 2021 tax return:

- Column (a): the date you made the contribution (MM/DD/2021);
- Column (b): the five digit code number of the qualifying charity or the UCO fund code (for example: 23456);
- Column (c): the name of the qualifying charity or the UCO fund name; and
- Column (d): the amount of cash contributions made from January 1, 2021, through December 31, 2021.

*Do **not** include those cash contributions that you or your spouse made from January 1, 2021, through April 15, 2021, for which you or your spouse claimed a credit on the 2020 tax return.*

NOTE: *For contributions made to an Umbrella Charitable Organization, the Qualifying Charitable Organization Code and name of the qualifying charity are reported on the tax form. If a fund is designated, the Umbrella Charitable Organization Fund Code and the name of the fund are reported on the tax form.*

If you made cash contributions to more than three qualifying charities, complete the Continuation Sheet on page 3 of the form and include it with the credit form.

Line 4

Enter the amount from line 4h of the Continuation Sheet; otherwise enter "0".

Line 5

Add lines 1 through 4, column (d) and enter the total

B. Cash contributions made January 1, 2022, through April 18, 2022, for which you or your spouse are claiming a credit on the 2021 tax return

Lines 6, 7, and 8 -

NOTE: *If you are married and filing separate returns, include all cash contributions made by you and your spouse.*

Enter the following for each qualifying charity you or your spouse made cash contributions from January 1, 2022, through April 18, 2022, for which you or your spouse are claiming a credit on your 2021 tax return:

- Column (a): the date you made the contribution (MM/DD/2022);
- Column (b): the five digit code number of the qualifying charity or the UCO fund code (for example: 23456);
- Column (c): the name of the qualifying charity or the UCO fund name; and
- Column (d): the amount of cash contributions made from January 1, 2022, through April 18, 2022.

NOTE: *For contributions made to an Umbrella Charitable Organization, the Qualifying Charitable Organization Code and name of the qualifying charity are reported on the tax form. If a fund is designated, the Umbrella Charitable Organization Fund Code and the name of the fund are reported on the tax form.*

If you made cash contributions to more than three qualifying charities, complete the Continuation Sheet on page 3 of the form and include it with the credit form.

Line 9

Enter the amount from line 9h of the Continuation Sheet; otherwise enter "0".

Line 10

Add lines 6 through 9, column (d). Enter the total.

Line 11

Add lines 5 and 10. Enter the total.

Line 12

Single taxpayers and taxpayers filing as head of household enter \$400. Married taxpayers enter \$800.

Line 13 – Total Current Year’s Credit

Enter the smaller of line 11 or line 12.

If you are married filing a separate return, but you could have filed a joint return, you may take only ½ of the total credit that you and your spouse would have been allowed to take on a joint return, up to a maximum of \$400. In this case, enter ½ of the smaller of line 11 or line 12.

Part 2 - Available Credit Carryover

NOTE: *If you have a carryover amount from a prior year for cash contributions made to a qualifying foster care charitable organization for which you claimed a credit on Form 321, you **must** claim that carryover amount on Form 321.*

Lines 14 through 19

Use lines 14 through 19 to figure your total available credit carryover from taxable years 2016 through 2020. Complete lines 14 through 19 if you claimed this credit on a return for one of these years and the credit was more than your tax.

NOTE: *You may carry over only that portion of the credit that you do not apply to tax. You cannot carry over any amount that you gave that was more than the maximum amount allowed as a credit.*

For example: During 2021, Mary, a single person, gave \$600 to a qualified charity. For 2021, Mary is allowed a maximum credit of \$400. Mary’s 2021 tax is \$250. Mary can apply \$250 of the credit to her 2021 tax liability and carryover \$150 of the unused \$400 credit to 2022.

Mary cannot claim any credit for the \$200 gift that was more than the allowable credit (\$600 minus allowable credit of \$400).

- In column (b), enter the credit originally computed for that taxable year listed in column (a).
- In column (c), enter the amount of the credit from that taxable year which you have already used.
- In column (d), subtract the amount in column (c) from column (b) and enter the difference.
- Add the amounts entered on lines 14 through 18 in column (d).

Enter the total on line 19, column (d).

Part 3 - Total Available Credit

Lines 20 through 22

Use lines 20 through 22 to figure your total available credit for the taxable year.

Line 20

Enter the amount from Part 1, line 13. Also, enter this amount on Arizona Form 301, Part 1, line 8, column (a).

Line 21

Enter the amount from Part 2, line 19, column (d). Also, enter this amount on Form 301, Part 1, line 8, column (b).

Line 22 - Total Available Credit

Add line 20 and line 21. Enter the total. Also, enter this amount on Form 301, Part 1, line 8, column (c).

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Your Name (as shown on page 1)	Your Social Security Number
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Part 2 Available Credit Carryover

	(a) Taxable Year from which you are carrying the credit	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
14	2016	00	00	00
15	2017	00	00	00
16	2018	00	00	00
17	2019	00	00	00
18	2020	00	00	00
19	Total Available Carryover: Add lines 14 through 18, column (d).....			19 00

Part 3 Total Available Credit

20	Current year's credit: Enter the amount from Part 1, line 13. Also, enter this amount on <i>Arizona Form 301, Part 1, line 9, column (a)</i>	20	00
21	Available credit carryover from Part 2, line 19, column (d). Also, enter this amount on <i>Arizona Form 301, Part 1, line 9, column (b)</i>	21	00
22	Total Available Credit: Add line 20 and line 21. Also, enter this amount on <i>Arizona Form 301, Part 1, line 9, column (c)</i>	22	00

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For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

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Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

General Instructions

NOTE: *You must also complete Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture, and include Forms 301 and 322 with your tax return to claim this credit.*

Arizona law provides a credit for cash contributions made and certain fees paid to public schools in Arizona. "Public School" means a school that is part of a school district, a career technical education district, or a charter school.

This credit is available **only** to individuals. Corporations may not claim this credit. A partnership may not pass the credit through to its partners. An S corporation may not pass the credit through to its shareholders.

The credit is equal to the amount of cash contributed or the amount of fees paid up to the maximum amount allowed. The maximum amount of credit that a taxpayer can establish for the current taxable year for contributions or fees paid is \$200 for single taxpayers or heads of household. For married taxpayers filing a joint return, the maximum amount of credit that can be established for the current taxable year is \$400. In most cases, for married taxpayers who file separate returns, each spouse may claim only **one-half** (1/2) of the credit that would have been allowed on a joint return.

NOTE: *The maximum amount of credit established for the current taxable year does not include any unused valid carryover amount(s) from prior taxable years. Because this is a nonrefundable credit, the total amount of available credit [current year plus any valid carryover amount(s)] that a taxpayer may use for the taxable year cannot be greater than the tax liability shown.*

A cash contribution for which a credit is claimed and that is made on or before the fifteenth day of the fourth month following the close of the taxable year may be applied to

either the current or preceding taxable year and is considered to have been made on the last day of that taxable year.

For calendar year filers, credit eligible cash contributions made or fees paid to a public school from January 1, 2022 to April 18, 2022, may be used as a tax credit on either the 2021 or the 2022 Arizona income tax return.

If the allowable tax credit is more than your tax or if you have no tax, you may carry the unused credit forward for up to the next five consecutive taxable years' income tax liability.

If you claim this credit in 2021 for cash contributions made from January 1, 2022 to April 18, 2022, you must make an adjustment on your 2022 Arizona Form 140 Schedule A, 140PY Schedule A(PY) or A(PYN), or 140NR Schedule A(NR).

NOTE: *You cannot claim both a tax credit and an itemized deduction for contributions made to a public school for which you are claiming a credit.*

You may be able to make credit eligible contributions to a public school through payroll withholding. Check with your employer to see if your employer has agreed to withhold contributions that qualify for this credit from your pay.

To qualify for the credit, you must contribute or pay fees to a public school located in this state for the following public school purposes:

- standardized testing for college credit or readiness offered by a widely recognized and accepted educational testing organization,
- the career and technical education industry certification assessment,
- preparation courses and materials for standardized testing,
- cardiopulmonary resuscitation training,
- extracurricular activities, or
- character education programs.
- **from and after June 30, 2019, through June 30, 2024, contributions or fees paid for the following items qualify:**
 - (a) acquiring capital items, as defined in the uniform system of financial records, including those items listed in section 15-903, subsection c, paragraphs 2 through 8;
 - (b) community school meal programs;
An amount paid by an individual to receive a meal or a meal card does not qualify as a fee or donation for community school meal programs.
 - (c) student consumable health care supplies; and
 - (d) playground equipment and shade structures for playground equipment.

"Standardized testing for college credit or readiness" includes the SAT, PSAT, ACT, advanced placement and international baccalaureate diploma tests and other similar tests.

"Widely recognized and accepted educational testing organization" means the college board, the ACT, the international baccalaureate and other organizations that are

widely recognized and accepted by colleges and universities in the United States and that offer college credit and readiness examinations.

"Career and technical education industry certification assessment" means an assessment for career and technical preparation programs for pupils.

"Community school meal program" means a school meal program that takes place before or after the regular school day on school property.

"Student consumable health care supplies" includes tissues, hand wipes, bandages and other health care consumables that are generally used by children.

NOTE: *Your contribution for the support of standardized testing fees, career and technical education industry certification assessments, preparation courses, or materials for standardized testing, must be made directly to the public school located in Arizona. Contributions made to any other organization will not qualify for this credit.*

A character education program is a program defined in Arizona Revised Statutes (A.R.S.) § 15-719. Under this statute, each district may develop its own course of study for each grade. At a minimum, the character education program must include instruction in the definition and application of at least six of the following character traits: truthfulness, responsibility, compassion, diligence, sincerity, trustworthiness, respect, attentiveness, obedience, orderliness, forgiveness, and virtue.

Extracurricular activities are school-sponsored activities that may require enrolled students to pay a fee in order to participate. The activities must supplement the school's education program and may be educational or recreational.

Each school district will determine what activities are extracurricular activities for each public school located in that district. Extracurricular activities may include the following:

- use of band uniforms;
- use of equipment or uniforms for varsity athletics;
- use of scientific laboratory equipment or materials; and
- in-state or out-of-state trips that are solely for competitive events.

Extracurricular activities do not include any senior trips or events that are recreational, amusement or tourist activities.

You must make cash contributions or pay fees to a public school or charter school located in Arizona. The school must provide instruction in grades kindergarten through 12.

Contributions made or fees paid to any of the following **do not** qualify for this credit:

- a nongovernmental school;
- a pre-school;
- a community college;
- a university; or
- a public school located outside of Arizona.

Before claiming this credit, make sure the public school issues you a receipt for the contributions or qualifying fees you paid. The receipt should show **all** of the following:

- name of the public school;
- name and number of the school district;
- name of the taxpayer;
- amount paid or contributed;
- date paid or contributed; and
- description of the activity for which the contributions were made or the fees were paid.

Please keep this receipt with your tax records. For more information on school tax credits, see the department's publication, Pub 707, *School Tax Credits*.

What is an Arizona Public School CTDS Code?

The Arizona Department of Education uses a coding system (CTDS) to identify Arizona public and charter schools. CTDS is a nine-digit (9) number and stands for *County Code, Type Code, and District Code & Site Number*.

For the purpose of claiming Arizona's tax credit for contributions made or certain fees paid to a qualifying public school, you must provide this code on the tax credit form, in column (a), for each qualifying school you or your spouse made cash contributions or paid certain fees.

For example, a public school with a CTDS code of 01-23-45-678 would be entered (c) as 012345678 (do **not** include spaces or dashes).

You may obtain the CTDS code by visiting Arizona Department of Education's public school search webpage at www.ade.az.gov/edd or you may find the list on our website at www.azdor.gov/tax-credits/public-school-tax-credit under *Resources for Taxpayers*.

Line-by-Line Instructions

Enter your name and Social Security Number (SSN) as shown on Arizona Forms 140, 140PY, 140NR, or 140X.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN).

The TIN for an individual is the taxpayer's SSN or an Internal Revenue Service (IRS) individual taxpayer identification number (ITIN). Taxpayers that fail to include their identification number may be subject to a penalty.

NOTE: *Complete Parts 1 and 3 if you are claiming a new credit for the current tax year.*

*If you are **only** claiming a carryover amount available from a previous credit, complete Parts 2 and 3.*

Part 1 - Current Year's Credit

A. Cash contributions made January 1, 2021 through December 31, 2021

Lines 1, 2 and 3

NOTE: *If you are married and filing separate returns, be sure to include all cash contributions or fees paid by you and your spouse.*

Enter the following for each Arizona public school you or your spouse made cash contributions or paid fees from January 1, 2021, through December 31, 2021:

- Column (a): the date you made the contribution or paid fees (MM/DD/2021);
- Column (b): the public school CTDS code;
- Column (c): the name of the public school or charter school for which you made contributions for paid fees;
- Column (d): the school district name or charter holder; and
- Column (e): the amount of cash contributions or fees paid to the school during 2021.

NOTE: Do not include those contributions made or fees paid from January 1, 2021 through April 15, 2021, for which you or your spouse claimed a credit on the 2020 tax return.

If you made cash contributions or paid fees to more than three public schools or charter schools, complete the Continuation Sheet on page 3 of the form and include it with the credit form.

Line 4

Enter the amount from line 4h of the Continuation Sheet; otherwise enter "0".

Line 5

Add lines 1 through 4, column (e). Enter the total.

B. Cash contributions made January 1, 2022 through April 18, 2022, for which you or your spouse are claiming a credit on the 2021 tax return

Lines 6, 7, and 8

NOTE: If you are married and filing separate returns, be sure to include all cash contributions or fees paid by you and your spouse.

Enter the following for each Arizona public school for which you or your spouse made cash contributions or paid fees from January 1, 2022 through April 18, 2022, for which you or your spouse are claiming a credit on your 2021 tax return:

- Column (a): the date you made the contribution or paid fees (MM/DD/2022);
- Column (b): the public school CTDS code;
- Column (c): the name of the public school or charter school for which you made contributions for paid fees;
- Column (d): the school district name or charter holder.
- Column (e): the amount of cash contributions made or fees paid to the school from January 1, 2022, through April 18, 2022.

If you made cash contributions or paid fees to more than three public schools or charter schools, complete the Continuation Sheet on page 3 of the form and include it with the credit form.

Line 9

Enter the amount from line 9h of the Continuation Sheet; otherwise enter "0".

Line 10

Add lines 6 through 9, column (e). Enter the total.

Line 11

Add lines 5 and 10. Enter the total.

Line 12

Single taxpayers and taxpayers filing as head of household enter \$200. Married taxpayers enter \$400.

Line 13 - Current Year's Credit

Enter the smaller of line 11 or line 12. If you are married filing a separate return, but you could have filed a joint return, you may take only one-half (½) of the total credit that you and your spouse would have been allowed to take on a joint return, up to a maximum of \$200. In this case, enter ½ of the smaller of line 11 or line 12.

Part 2 - Available Credit Carryover

Lines 14 through 19

Complete lines 14 through 19 to figure your total available credit carryover from taxable years 2016 through 2020, if you claimed this credit on a return for one of these years and the allowable credit was more than your tax.

NOTE: You may carry over only that portion of the credit that you do not apply to tax. You cannot carry over any amount that you contributed or paid that was more than the amount allowed as a credit.

For example, during 2021, John, a single person, paid \$400 to School A for extracurricular activity fees for John's child. For 2021, John is allowed a credit of \$200. John's 2021 tax is \$100. John applied \$100 credit to his tax liability and may carryover \$100 of the unused \$200 credit to 2021. John cannot claim any credit for the \$200 fee he paid that was more than the allowable credit (\$400 minus allowable credit of \$200).

- In column (b), enter the credit originally computed for that taxable year listed in column (a).
- In column (c), enter the amount of the credit from that taxable year which you have already used.
- In column (d), subtract the amount in column (c) from column (b) and enter the difference.
- Add the amounts entered on lines 14 through 18 in column (d). Enter the total on line 19, column (d).

Part 3 - Total Available Credit

Lines 20 through 22

Use lines 20 through 22 to figure your total available credit for 2021.

Line 20

Enter the amount from Part 1, line 13. Also, enter this amount on Form 301, Part 1, line 9, column (a).

Line 21

Enter the amount from Part 2, line 19, column (d). Also, enter this amount on Form 301, Part 1, line 9, column (b).

Line 22 - Total Available Credit

Add lines 20 and 21. Enter the total. Also, enter this amount on Form 301, Part 1, line 9 column (c).

Include with your return.

- Do not use this form for cash contributions or fees paid to a public school.
- Use Form 322 for cash contributions or fees paid to public schools.

For the calendar year 2021 or fiscal year beginning MM/DD/2021 and ending MM/DD/YYYY.

Your Name as shown on Form 140, 140NR, 140PY or 140X	Your Social Security Number
Spouse's Name as shown on Form 140, 140NR, 140PY or 140X (if joint return)	Spouse's Social Security Number

Part 1 Current Year's Credit

A. Cash contributions made January 1, 2021 through December 31, 2021.

- If you are married and filing separate returns, be sure to include **all** cash contributions made by you and your spouse.
- Do **not** include those contributions for which you or your spouse claimed a credit on the 2020 tax return.
- If you made cash contributions to more than three private school tuition organizations, complete the Continuation Sheet on page 3 and include it with the credit form.

(a) Contribution Date MM/DD/2021	(b) Name of <u>Private</u> School Tuition Organizations	(c) Street Address	(d) City, State	(e) Cash Contribution Made
1 <u> </u> / <u> </u> / <u>2,0,2,1</u>				00
2 <u> </u> / <u> </u> / <u>2,0,2,1</u>				00
3 <u> </u> / <u> </u> / <u>2,0,2,1</u>				00
4 If you made contributions to more than three <u>private</u> school tuition organizations, enter the amount from line 4h of the Continuation Sheet, otherwise enter "0".....				4 00
5 Total contributions made to <u>private</u> school tuition organizations during 2021: Add lines 1 through 4, column (e)				5 00

B. Cash contributions made January 1, 2022 through April 18, 2022, for which you or your spouse are claiming a credit on the 2021 tax return.

- If you are married and filing separate returns, be sure to include **all** cash contributions made by you and your spouse.
- If you made cash contributions to more than three private school tuition organizations, complete the Continuation Sheet on page 3 and include it with the credit form.

(a) Contribution Date MM/DD/2022	(b) Name of <u>Private</u> School Tuition Organizations	(c) Street Address	(d) City, State	(e) Cash Contribution Made
6 <u> </u> / <u> </u> / <u>2,0,2,2</u>				00
7 <u> </u> / <u> </u> / <u>2,0,2,2</u>				00
8 <u> </u> / <u> </u> / <u>2,0,2,2</u>				00
9 If you made contributions to more than three <u>private</u> school tuition organizations, enter the amount from line 9h of the Continuation Sheet, otherwise enter "0".....				9 00
10 Total contributions made to <u>private</u> school tuition organizations January 1, 2022 through April 18, 2022, for which you are claiming a credit on the 2021 tax return. Add lines 6 through 9, column (e).....				10 00
11 Add lines 5 and 10. Enter the total				11 00
12 Single taxpayers or heads of household, enter \$611. Married taxpayers, enter \$1,221				12 00
13 Total current year's credit: Enter the smaller of line 11 or 12. In most cases, if you are married filing a separate return, enter one-half of the smaller of line 11 or 12. See instructions.				13 00

You **may** be able to claim an additional credit for excess contributions made to school tuition organizations. Complete Part 4, on page 2 of this form. See **Arizona Form 348** for more information.

Your Name (as shown on page 1)	Your Social Security Number
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Part 2 Available Credit Carryover

	(a) Taxable Year from which you are carrying the credit	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
14	2016	00	00	00
15	2017	00	00	00
16	2018	00	00	00
17	2019	00	00	00
18	2020	00	00	00
19	Total Available Carryover: Add lines 14 through 18, column (d)			19 00

Part 3 Total Available Credit

20	Current year's credit: Enter the amount from Part 1, line 13. Also, enter this amount on <i>Arizona Form 301, Part 1, line 10, column (a)</i>	20	00
21	Available credit carryover from Part 2, line 19, column (d). Also, enter this amount on <i>Arizona Form 301, Part 1, line 10, column (b)</i>	21	00
22	Total Available Credit: Add line 20 and line 21. Also, enter this amount on <i>Arizona Form 301, Part 1, line 10, column (c)</i>	22	00

Part 4 Do I Have Excess Contributions Available to Claim on Arizona Form 348?

23	Total contributions made during the taxable year: • Single taxpayers, head of household, and married taxpayers filing joint, enter the amount from Part 1, line 11. • Married taxpayers filing separate; enter one-half of the amount from Part 1, line 11	23	00
24	Maximum credit allowed on Form 323: • Single taxpayers; and heads of household; enter \$611. • Married taxpayers filing joint; enter \$1,221. • Married taxpayers filing separate; enter \$611	24	00
25	Excess contributions: Subtract line 24 from line 23 and enter the difference. If less than zero, enter "0". If the amount on line 25 is more than zero, you have excess contributions available and may claim a credit on Form 348 for those contributions. If the amount on line 25 is "0", you do not have any excess contributions available to claim on Form 348	25	00

Your Name (as shown on page 1)	Your Social Security Number
--------------------------------	-----------------------------

AZ Form 323 - Credit for Contributions to Private School Tuition Organizations Continuation Sheet

Part 1 - Continued **Current Year's Credit**

If you need more space to list all private school tuition organizations, complete additional sheets and enter those totals on the appropriate line(s) on page 1.

A. Cash contributions made January 1, 2021 through December 31, 2021.

	(a) Contribution Date MM/DD/2021	(b) Name of <u>Private</u> School Tuition Organizations	(c) Street Address	(d) City, State	(e) Cash Contribution Made
4a	_ _ _ 2,0,2,1				00
4b	_ _ _ 2,0,2,1				00
4c	_ _ _ 2,0,2,1				00
4d	_ _ _ 2,0,2,1				00
4e	_ _ _ 2,0,2,1				00
4f	_ _ _ 2,0,2,1				00
4g	_ _ _ 2,0,2,1				00
4h	Add all amounts in column (e) and enter the total. Also, enter this amount on page 1, line 4.....				00

B. Cash contributions made January 1, 2022 through April 18, 2022.

	(a) Contribution Date MM/DD/2022	(b) Name of <u>Private</u> School Tuition Organizations	(c) Street Address	(d) City, State	(e) Cash Contribution Made
9a	_ _ _ 2,0,2,2				00
9b	_ _ _ 2,0,2,2				00
9c	_ _ _ 2,0,2,2				00
9d	_ _ _ 2,0,2,2				00
9e	_ _ _ 2,0,2,2				00
9f	_ _ _ 2,0,2,2				00
9g	_ _ _ 2,0,2,2				00
9h	Add all amounts in column (e) and enter the total. Also, enter this amount on page 1, line 9.....				00

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2021 Credit for Contributions to Private School Tuition Organizations

Arizona Form 323

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

General Instructions

NOTE: You *must* also complete Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture, and include Forms 301 and 323 with your tax return to claim this credit.

Arizona law provides a credit for cash contributions made to a private school tuition organization (STO) that provides scholarships or grants to qualified schools.

This credit is available **only** to individuals. Corporations may not claim this credit. A partnership may not pass the credit through to its partners. An S corporation may not pass the credit through to its shareholders.

The credit is equal to the amount of cash contributed up to the maximum amount allowed. For 2021, the maximum amount of credit that a taxpayer can establish for the current taxable year is \$611 for single taxpayers or heads of household. For married taxpayers that file a joint return, the maximum credit that can be established for the current taxable year is \$1,221. In most cases, for married taxpayers who file separate returns, each spouse may claim only **one-half** (½) of the credit that would have been allowed on a joint return.

NOTE: The maximum amount of credit established for the current taxable year does **not** include any unused valid carryover amount(s) from prior taxable years. Because this is a nonrefundable credit, the total amount of available credit [current year plus any valid carryover amount(s)] that a taxpayer may use for the taxable year cannot be greater than the tax liability shown.

A cash contribution for which a credit is claimed and that is made on or before the fifteenth day of the fourth month following the close of the taxable year may be applied to either the current or preceding taxable year and is considered to have been made on the last day of that taxable year.

FOR CALENDAR YEAR FILERS: Credit eligible cash contributions made to a private STO from January 1, 2022, to April 18, 2022, may be used as a tax credit on either the 2021 or 2022 Arizona income tax return.

If you claim this credit in 2021 for a cash contribution made from January 1, 2022, to April 18, 2022, you must make an adjustment on your 2022 Arizona Form 140 Schedule A, Form 140PY Schedule A(PY) or A(PYN), or Form 140NR Schedule A(NR).

If the allowable tax credit is more than your tax or if you have no tax, you may carry the unused credit forward for up to the next 5 consecutive taxable years' income tax liability.

A private STO is an organization that meets **all** of the following:

- The organization is tax exempt under Section 501(c)(3) of the Internal Revenue Code (IRC).
- The organization allocates at least 90% of its annual revenue from contributions to educational scholarships or tuition grants.
- The organization makes its scholarships or grants available to students of more than one qualified school.

A "qualified school" means a preschool that offers services to students with disabilities, nongovernmental primary or a secondary school that is located in Arizona. The school cannot discriminate on the basis of race, color, handicap, familial status, or national origin and requires all teaching staff and personnel that have unsupervised contact with students to be fingerprinted. A qualified school does not include a charter school or programs operated by a charter school. The primary school must begin with kindergarten and the secondary school must end with grade 12.

In the case of a preschool that offers services to students with disabilities, a "student with disabilities" is a student who has any of the following conditions:

- hearing impairment;
- visual impairment;
- developmental delay;
- preschool severe delay; or
- speech and/or language impairment.

NOTE: The Arizona Department of Revenue is required to certify STOs. The department maintains a list of currently certified STOs on its website at www.azdor.gov.

To qualify for the credit all cash contributions must be made to a certified STO. To determine if your cash contributions made in 2021 and/or 2022, qualify for this credit, you should verify that the STO you made a contribution to is certified. For a list of STOs certified to receive cash contributions for the individual income tax credit, see the department's website.

Your cash contribution to the STO will not qualify for the credit if you designate the contribution for the direct benefit of your dependent. For Arizona purposes, "dependent" has the

same meaning provided in section § 152 of the IRC. For purpose of this credit, it does not matter if you qualify to take the dependent deduction

NOTE: *Your cash contribution will also not qualify if you designate a student beneficiary as a condition of your contribution to the STO. Also, the tax credit is not allowed if you agree with another person to designate each other's contributions to the STO for the direct benefit of each other's dependent, a practice commonly known as swapping.*

You **cannot** claim both a tax credit and an itemized deduction for the amount of contributions made to a private STO for which you are claiming an Arizona tax credit.

Before claiming this credit, make sure the STO issues you a receipt for the contribution. The receipt should show **all** of the following:

- name and address of the STO;
- name of the taxpayer;
- amount paid;
- date paid; and
- the tax year for which you will claim the contribution.

Please keep this receipt with your tax records. For more information on school tax credits, see the department's publication, Pub 707, *School Tax Credits*.

NOTE: *You may be able to make credit eligible contributions to a STO through payroll withholding. Check with your employer to see if your employer has agreed to withhold contributions that qualify for this credit from your pay.*

Line-by-Line Instructions

Enter your name and Social Security Number (SSN) as shown on Arizona Forms 140, 140PY, 140NR, or 140X.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for an individual is the taxpayer's SSN or an Internal Revenue Service (IRS) individual taxpayer identification number (ITIN). Taxpayers that fail to include their identification number may be subject to a penalty.

NOTE: *Complete Parts 1, 3, and 4, if you are claiming a new credit for the current tax year.*

*If you are **only** claiming a carryover amount available from a previous credit, complete Parts 2 and 3.*

Part 1 - Current Year's Credit

A. Cash contributions made January 1, 2021 through December 31, 2021

NOTE: *If you are married and filing separate returns, be sure to include all cash contributions made by you and your spouse.*

Lines 1, 2, and 3

Enter the following for each private STO to which you made contributions from January 1, 2021, through December 31, 2021, and for which you are claiming a current year's credit on your return.

- Column (a): the date you made the contribution (MM/DD/2021);
- Column (b): the name of the private STO;
- Column (c): street address of the private STO;
- Column (d): location (city and state) of the private STO; and
- Column (e): the amount of cash contributions made from January 1, 2021, through December 31, 2021.

NOTE: *Do not include those cash contributions that you made from January 1, 2021, through April 15, 2021, for which you or your spouse claimed a credit on the 2020 tax return.*

If you made cash contributions to more than three private STOs, complete the Continuation Sheet on page 3, and include it with the credit form.

Line 4

Enter the amount from line 4h of the Continuation Sheet; otherwise enter "0".

Line 5

Add lines 1 through 4, column (e) and enter the total.

B. Cash contributions made January 1, 2022 through April 18, 2022, for which you or your spouse are claiming a credit on the 2021 tax return

NOTE: *If you are married and filing separate returns, be sure to include all cash contributions made by you and your spouse.*

Lines 6, 7, and 8

Enter the following for each private STO to which you made contributions from January 1, 2022 through April 18, 2022, for which you are claiming a credit on your 2021 tax return:

- Column (a): the date you made the contribution (MM/DD/2022);
- Column (b): name of the private STO;
- Column (c): street address of the private STO;
- Column (d): location (city and state) of the private STO; and
- Column (e): the amount of contributions made from January 1, 2022 through April 18, 2022.

If you made cash contributions to more than three private STOs, complete the Continuation Sheet on page 3 of the form and include it with the credit form.

Line 9

Enter the amount from page 3, line 9h, of the Continuation Sheet; otherwise enter "0".

Line 10

Add lines 6 through 9, column (e). Enter the total.

Line 11

Add lines 5 and 10. Enter the total.

Line 12

Single taxpayers and taxpayers filing as head of household, enter \$611. Married taxpayers enter \$1,221.

Line 13 - Current Year's Credit

Enter the smaller of line 11 or line 12. If you are married filing a separate return, but you could have filed a joint return, you may take only one-half (½) of the total credit that you and your spouse would have been allowed to take on a joint return, up to a maximum of \$611 each. In this case, enter one-half (½) of the smaller of line 11 or line 12.

NOTE: *If you made contributions that total more than the allowable current year's credit on Form 323, you may claim a credit on Arizona Form 348 for some or all of the contributions that exceed the maximum allowable amount. To determine if you have excess contributions available to claim a credit on Form 348, complete Part 4 of Form 323. For additional information see Form 348.*

Part 2 - Available Credit Carryover

Lines 14 through 19

Complete lines 14 through 19 to figure your available credit carryover from taxable years 2016 through 2020. Complete lines 14 through 19 if you claimed this credit on a return for one of these years and the credit was more than your tax.

NOTE: *You may carry over only that portion of the credit that you do not apply to tax. You cannot carry over any amount that you gave that was more than the amount allowed as a credit. See the example at the end of these instructions.*

- In column (b) enter the credit originally computed for that taxable year listed in column (a).
- In column (c) enter the amount of the credit from that taxable year which you have already used.
- Subtract the amount in column (c) from column (b) and enter the difference in column (d).
- Add the amounts entered on lines 14 through 18 in column (d).

Enter the total on line 19, column (d).

Part 3 - Total Available Credit

Line 20

Enter the amount from Part 1, line 13. Also, enter this amount on Form 301, Part 1, line 10, column (a).

Line 21

Enter the amount from Part 2, line 19, column (d). Also, enter this amount on Form 301, Part 1, line 10, column (b).

Line 22

Add line 20 and line 21. Enter the total. Also, enter this amount on Form 301, Part 1, line 10, column (c).

Part 4 - Do I Have Excess Contributions Available to Claim on Arizona Form 348?

Complete Part 4, lines 23 through 25, to determine if you have excess contributions available to claim a credit on Arizona Form 348, *Contributions to Certified School Tuition Organization – Individuals*.

Line 23

Enter the total amount of contributions made during the taxable year:

- Single taxpayers, heads of household and married taxpayers filing a joint return; enter the total amount from Part 1, line 11.
- Married taxpayers filing separate; enter one-half (½) of the total amount from Part 1, line 11.

Line 24 -

Enter the maximum credit allowed on Form 323:

- Single taxpayers and heads of household; enter \$611.
- Married taxpayers filing joint; enter \$1,221.
- Married taxpayers filing separate; enter \$611.

Line 25 – Excess Contributions:

Subtract line 24 from line 23. Enter the difference. If less than zero, enter “0”.

If the amount on line 25 is more than zero, you have excess contributions available and may claim a credit on Form 348 for those contributions.

If the amount on line 25 is “0,” you do not have any excess contributions available to claim on Form 348.

EXAMPLE: During 2021, Mary, a single person, gave \$1,400 to a private STO. For 2021, Mary is allowed a maximum credit on Form 323 of \$611. Mary’s 2021 tax liability is \$400. Mary may apply \$400 of the \$611 credit claimed on Form 323 against her 2021 tax liability. Mary may carryover the unused credit of \$211 to her 2022 income tax return. Mary may not claim a credit on Form 323 for the \$789 gift that was more than the allowable credit (\$1,400 minus allowable credit of \$611).

However, Mary may claim a credit on Arizona Form 348 for the contribution made to the private STO that was more than the \$611 allowable credit. The credit Mary may claim on Form 348 cannot exceed the maximum credit allowed on that form.

To compute that credit, Mary must complete Form 348 in addition to Form 323. Mary must also complete Arizona Form 301. For 2021, Mary would compute her available credit for Form 348 as follows.

2021 total contribution made to STOs		\$1,400
2021 maximum allowable credit claimed on Form 323		<u>\$ 611</u>
Mary’s 2021 tax liability	\$ 400	
Less: available tax credit - Form 323	<u>\$ 400</u>	
Balance of tax	<u>\$ 0</u>	
Carryover available for 2021 from Form 323 (\$611 minus \$400)	\$ 211	
Contribution available to calculate the allowable credit on Form 348 (\$1,400 minus \$611). Mary must complete Arizona Form 348 to figure that credit.		<u>\$ 789</u>

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Include with your return.

For the calendar year 2021 or fiscal year beginning [M,M|D,D|2,0,2,1] and ending [M,M|D,D|Y,Y,Y,Y].

NOTE: This credit is no longer available to corporate taxpayers.

Name as shown on Form 140, 140PY, 140NR, 140X or 165

Social Security or
Employer Identification Number

Part 1 Schedule of Equipment and Current Taxable Year's Credit Calculation

If additional space is needed, include a separate schedule.

	(a) Date Qualifying Agricultural Property Placed in Service or Expected to be Placed in Service	(b) Description	(c) Total Cost Incurred During the Taxable Year for Qualifying Agricultural Property used to Reduce Pollution	
1	M M D D Y Y			00
2	M M D D Y Y			00
3	M M D D Y Y			00
4	M M D D Y Y			00
5	M M D D Y Y			00
6	M M D D Y Y			00
7	M M D D Y Y			00
8	M M D D Y Y			00
9	M M D D Y Y			00
10	M M D D Y Y			00
11	Add lines 1 through 10 in column (c). Enter the total.....		11	00
12	Enter the total from additional schedule(s), if applicable		12	00
13	Total cost of pollution control equipment incurred during the taxable year: Add lines 11 and 12. Enter the total		13	00
14	Multiply line 13 by 25% (.25). Enter the result.....		14	00

Part 2 Credit Passed Through From Partnerships

15	Enter the total amount of the credit passed through from partnerships on Form 325-P, Part 2, line 4.....	15	00
----	--	----	----

Part 3 Total Current Year Credit

16	Add lines 14 and 15. Enter the total	16	00
17	Maximum Credit Allowed	17	25,000 00
18	Enter the lesser of line 16 or line 17. This is the total credit for the current year.....	18	00

In order to calculate Arizona depreciation or amortization, a taxpayer who elects to claim this credit under A.R.S. §§ 43-1081.01 shall reduce the basis of the agricultural pollution control equipment by the amount of the credit claimed.

Part 4 Partnerships Passing The Credit Through to Individual Partners

Partnerships qualifying for this credit must pass it through to their individual partners. When passing this credit through to your individual partners, complete Form 325-P for each individual partner.

- Provide a copy of completed Form 325-P to each individual partner.
- Include a copy of each completed Form 325-P with your tax return.
- Keep a copy of each completed Form 325-P for your records.

Continued on page 2 →

Name (as shown on page 1)	TIN
---------------------------	-----

If you claimed this credit and there is a carryover of this credit from the past 5 taxable years, complete Part 5. If not, go to Part 6.

Part 5 Available Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used or Expired	(d) Available Carryover: Subtract column (c) from column (b).
19		00	00	00
20		00	00	00
21		00	00	00
22		00	00	00
23		00	00	00
24	Total Available Carryover: Add lines 19 through 23 in column (d). Enter the total.....			24 00

Part 6 Total Available Credit

<p>25 Current year's credit.</p> <ul style="list-style-type: none"> • <i>Individuals:</i> Enter the amount from Part 3, line 18 on Form 301. • <i>Partnerships:</i> Enter "0". • <i>Individuals that did not make the Small Business election:</i> Also enter this amount on Form 301, Part 1, line 11, column (a) • <i>Individuals that made the Small Business election:</i> Also enter this amount on Form 301-SBI, Part 1, line 7, column (a). 	25		00
<p>26 Enter the available credit carryover from Part 5, line 24, column (d):</p> <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business election:</i> Also enter this amount on Form 301, Part 1, line 11, column (b) • <i>Individuals that made the Small Business election:</i> Also enter this amount on Form 301-SBI, Part 1, line 7, column (b) 	26		00
<p>27 Total available credit: Add line 25 and line 26. Enter the total.</p> <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business election:</i> Also enter the total on Form 301, Part 1, line 11, column (c). • <i>Individuals that made the Small Business election:</i> Also enter the total on Form 301-SBI, Part 1, line 7, column (c) 	27		00

For the calendar year 2021 or fiscal year beginning [M, M, D, D | 2, 0, 2, 1] and ending [M, M, D, D | Y, Y, Y, Y].

Partnerships:

- Complete Form 325-P for each individual partner in the partnership. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form to each individual partner.
- Keep a copy of each completed Form 325-P for your records.
- Include a copy of each completed Form 325-P with your partnership return.

Individual Partners:

- Use this form to complete your own Form 325.
- Include this completed form with your return.
- Keep a copy of this form for your records.

Corporate taxpayers are not eligible to claim this credit.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Part 1 Partnership and Individual Partner Information

1	(a) Partnership Name	(b) Employer Identification Number (EIN)
2	(a) Individual Partner Name	(b) Taxpayer Identification Number (TIN) (c) Ownership Percentage %

Part 2 Distribution of the Credit

3	Enter the partnership credit amount from Form 325, Part 3, line 18.	3	00
4	Multiply the amount on line 3 by the individual partner's ownership percentage shown on line 2(c). Enter the result. This is the partner's portion of the credit.....	4	00

Individual Partners:

The amount reported on line 4 is your portion of this credit. The amount on line 4 should be included on your own Form 325, Part 2, line 15.

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2021 Agricultural Pollution Control Equipment Credit

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
 From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

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Income Tax Procedures and Rulings

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Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

General Instructions

Arizona Revised Statutes § 43-1081.01 provide nonrefundable individual income tax credits for expenses that a taxpayer incurred during the taxable year to purchase agricultural pollution control equipment.

NOTE: Taxable year 2019 was the last year a corporate taxpayer could claim this credit. S Corporations may not claim this credit at the corporate level or pass it through to its shareholders. A partnership may not pass this credit through to its corporate partners; it may, however, pass this credit through to its individual partners.

The amount of the credit is equal to 25% of the cost of the property. The maximum credit that a taxpayer may claim in a taxable year is \$25,000.

The Agricultural Pollution Control Equipment Credit claimed on Form 325 is in lieu of the Pollution Control Credit claimed on Form 315 with respect to the same equipment or expense.

Individual partners in a partnership may each claim only the *pro rata* share of the credit allowed based on their ownership interest. The total of the credits allowed all such owners may not exceed the amount that would have been allowed for a sole owner of the business.

To Qualify for the Credit:

- The individual taxpayer must be involved in the commercial production of livestock, livestock products or agricultural, horticultural, viticultural or floricultural crops or products; AND
- The individual taxpayer must purchase tangible personal property that is primarily used in the taxpayer's trade or business in Arizona to control or prevent pollution.
 - Property eligible for the tax credit includes only that portion of the property directly used, constructed, or installed in Arizona to prevent, monitor, or reduce air, water, or land pollution.
 - Qualifying property includes a portion of a structure, building, installation, excavation, machine, equipment, or device, and any attachment to, or

addition to, or reconstruction, replacement, or improvement of that property.

Amounts that qualify for the credit must be includible in the individual taxpayer's adjusted basis for the property. The adjusted basis of any property for which the taxpayer has claimed a credit must be reduced by the amount of credit claimed for that property.

If the allowable tax credit exceeds the taxes otherwise due or, if there are no taxes due, the amount of the credit not used to offset taxes may be carried forward for not more than five taxable years as a credit against subsequent years' income tax liabilities.

NOTE – To claim this credit:

- **Individual taxpayers that did not make the Small Business Income election:** Complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR, or 140X).
- **Individual taxpayers that made the Small Business Income election:** Complete this credit form and Arizona Form 301SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI, and 140X-SBI. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).
- **A partnership may pass this credit through to its individual partners:** Complete this credit form and Form 325-P for each individual partner of the partnership. Provide each individual partner a copy of his or her completed Form 325-P. Include Form 325 and one copy of each completed Form 325-P with your tax return.

Specific Instructions

Complete the name and taxpayer identification number (TIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the tax return.

All returns, statements, and other documents filed with the department require a TIN. The TIN for a partnership is its employer identification number (EIN). The TIN for an individual is the taxpayer's Social Security Number (SSN) or an Internal Revenue Service individual taxpayer identification number. Taxpayers that fail to include their TIN may be subject to a penalty.

Part 1 - Schedule of Equipment and Current Taxable Year's Credit Calculation

Lines 1 through 10

Column (a): Enter the date the qualifying agricultural property was placed in service or the date it is expected to be placed in service in Arizona.

Column (b): Enter a brief description of the Arizona property used in the taxpayer's business to control or prevent pollution.

Column (c): Enter the total cost incurred during the taxable year for qualifying agricultural property used to reduce pollution. For additional information, see the section "To Qualify for the Credit" in column 1 of this page.

If there are more than 10 items of qualifying property, complete additional schedules. Include the completed schedules with Form 325.

Line 11

Add lines 1 through 10 in column (c) and enter the total.

Line 12

Enter the total cost of equipment from additional schedules.

Line 13

Add lines 11 and 12 and enter the total. This is the total cost of agricultural pollution control equipment incurred during this taxable year.

Line 14

Multiply line 13 by 25%. Enter the result.

Part 2 – Credit Passed Through From Partnerships

NOTE: *If you received a pass through of this credit from more than one partnership, total the amounts received from all Forms 325-P and enter the total. Include a copy of each Form 325-P you received with your return.*

Line 15

Enter the total amount of the credit passed through from partnerships on Form(s) 325-P, line 4.

Part 3 - Total Current Year Credit

Line 16

Add lines 14 and 15. Enter the total.

Line 17 - Maximum Credit Allowed

The maximum credit amount allowed for this credit is \$25,000.

Line 18

Enter the lesser of line 16 or line 17. This is your maximum current year credit for agricultural pollution control equipment.

Partnerships - continue to Part 4.

Individuals - skip to Part 5.

Part 4 - Partnerships Passing Through the Credit

Partnerships claiming this credit must pass it through to its partners. Proceed to the instructions on page 4 for completing Form 325-P.

Each partner is entitled to only a *pro rata* share of the credit based on the partner's ownership interest in the partnership. The total of the credit allowed to all partners may not exceed the amount that would have been allowed for a sole owner.

NOTE: *Trusts and estates which are partners in a partnership are not eligible to claim this credit. However, the share of a partnership owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.*

Part 5 - Available Credit Carryover

Complete Part 5 only if you claimed this credit for prior taxable years and the credit exceeded your Arizona income tax liability for those taxable years.

Lines 19 through 23

Enter the taxable years from which the credit is carried over in column (a) on lines 19 through 23. In column (b), enter the credit originally computed for that taxable year. In column (c), enter the amount of the credit from that taxable year which was previously used or expired. Subtract the amount in column (c) from the amount in column (b) and enter the difference in column (d).

Line 24

Add the amounts entered on lines 19 through 23 in column (d). Enter the total on line 24, column (d).

Part 6 - Total Available Credit

Line 25

Individuals: Enter the current year's credit from Part 3, line 18.

Partnerships: Enter "0".

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 11, column (a).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 7, column (a).

Line 26

Individuals: Enter the amount from Part 5, line 24, column (d). This is the total available credit carryover.

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 11, column (b).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 7, column (b).

Line 27

Individuals: Add line 25 and line 26. Enter the total. This is the total available agricultural pollution control equipment credit that may be applied to the current taxable year's tax liability.

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 11, column (c).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 7, column (c).

**Form 325-P,
Distribution to Individual Partners of a
Partnership**

Enter the taxable year from which this credit is being passed through to your individual partners.

Complete Form 325-P for each individual partner of the partnership *except for* trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The partnership must furnish each individual partner with their completed copy of Form 325-P, including additional schedules as needed.

Part 1 – Partnership and Individual Partner Information

Line 1

Enter the partnership name and EIN in the spaces provided.

Line 2

Enter the individual partner's name, SSN, and ownership percentage in the spaces provided.

Part 2 – Distribution of the Credit

Line 3

Enter the total amount of the partnership's credit for Agricultural Pollution Control Equipment from Form 325, Part 3, line 18.

Line 4

Multiply the amount on line 3 by the individual partner's ownership percentage shown on line 2(c). Enter the result. This is the partner's portion of this credit.

Each individual partner will use this form to complete their Form 325.

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Include with your return.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140PY-SBI, 140NR-SBI, 140X-SBI 99T, 120, 120A, 120S, 120X or 165	Social Security or Employer Identification Number
---	--

The donated real property and improvements must be located in Arizona. The credit is in lieu of a deduction for the donation of the property for which the credit is claimed. See instructions.

Part 1 Donated Property Information and Current Taxable Year's Credit Calculation

		PROPERTY 1	PROPERTY 2	PROPERTY 3
1 Arizona county in which the property is located ...	1			
2 Parcel number of property	2			
3 Date of property conveyance.....	3			
4 Recording number of property conveyance.....	4			
5 Value of property based on appraisal	5	00	00	00
6 Multiply the amounts on line 5 in each column by 30%. Enter the result.	6	00	00	00
7 Add the amounts on line 6 in each column and enter the total	7			00
8 Total from continuation sheets, if applicable.....	8			00
9 Enter the amount of credit passed through from partnerships on Form(s) 331-P, line 3c	9			00
10 Enter the amount of credit passed through from S Corporations on Form(s) 331-S, line 3c.....	10			00
11 Add lines 7 through 10. Enter the total. This is the current taxable year's Credit for Donation of School Site. ...	11			00

Part 2 Partnerships

A partnership claiming this credit must pass it through to its partners.

- Complete Form 331-P for each partner.
- Provide a completed copy of Form 331-P to each partner.
- Include a copy of each completed Form 331-P with your tax return.
- Keep a copy of each completed Form 331-P for your records.
- Do not complete the remainder of this form.

Continued on page 2 →

Name (as shown on page 1)	EIN
---------------------------	-----

Part 3 S Corporation Election and Shareholder's Share of Credit

12 The S Corporation has made an irrevocable election for the taxable year ending MM, DD, YYYY to
(check only one box):

12a Claim the credit for donation of school site as shown on Part 1, line 11 (for the taxable year indicated above);
OR

12b Pass the credit for donation of school site as shown on Part 1, line 11 (for the taxable year indicated above) through to its shareholders.

Signature Title Date

If passing the credit through to the shareholders:

- Complete Form 331-S to each shareholder.
- Provide a copy of completed Form 331-S to each shareholder.
- Include a copy of each completed Form 331-S with your tax return.
- Keep a copy of each completed Form 331-S for your records.

Part 4 Available Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used or Expired	(d) Available Carryover: Subtract column (c) from column (b).
13		00	00	00
14		00	00	00
15		00	00	00
16		00	00	00
17		00	00	00
18	Total Available Carryover: Add lines 13 through 17 in column (d). Enter the total.....			18 00

Continued on page 3 →

Name (as shown on page 1)	EIN
---------------------------	-----

Part 5 Total Available Credit

19 Current year's credit: <ul style="list-style-type: none"> • <i>Individuals, C Corporations, S Corporations claiming this credit at the corporate level, or exempt organizations with UBTI:</i> Enter the amount from Part 1, line 11. • <i>Individuals that did not make the Small Business Income election:</i> Also, enter this amount on Form 301, Part 1, line 12, column (a). • <i>Individuals that made the Small Business Income election:</i> Also enter this amount on Form 301-SBI, Part 1, line 8, column (a). • <i>C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI:</i> Also, enter this amount on Form 300, Part 1, line 8, column (a)..... 	19		00
20 Available credit carryover from Part 4, line 18, column (d). <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election:</i> Also, enter this amount on Form 301, Part 1, line 12, column (b). • <i>Individuals that made the Small Business Income election:</i> Also enter this amount on Form 301-SBI, Part 1, line 8, column (b). • <i>C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI:</i> Also, enter this amount on Form 300, Part 1, line 8, column (b)..... 	20		00
21 Total available credit: Add lines 19 and 20. <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election:</i> Also, enter this amount on Form 301, Part 1, line 12, column (c). • <i>Individuals that made the Small Business Income election:</i> Also enter this amount on Form 301-SBI, Part 1, line 8, column (c). • <i>C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI:</i> Also, enter this amount on Form 300, Part 1, line 8, column (c)..... 	21		00

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For the calendar year 2021 or fiscal year beginning MM/DD/2021 and ending MM/DD/YYYY.

Partnerships:

- Complete Form 331-P for each partner in the partnership **except for** trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form to each partner.
- Keep a copy of each completed Form 331-P for your records.
- Include a copy of each completed Form 331-P with your partnership return.

Partners:

- Use this form to complete your own Form 331.
- Include this completed form with your return.
- Keep a copy of this form for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Distribution of the Credit

Complete this section to distribute the credit to each partner in the partnership.

1	(a) Partnership Name	(b) Employer Identification Number (EIN)
2	(a) Partner Name	(b) Taxpayer Identification Number (TIN)
3a	Partnership credit amount from Form 331, Part 1, line 11	3a \$ 00
3b	Partner's ownership percentage.....	3b %
3c	Multiply the amount on line 3a by the percentage on line 3b. Enter the result. This is the partner's portion of the credit.....	3c \$ 00
4	Partner's portion of the expenses for the donation of the property as a school site.....	4 \$ 00

Partners:

The amount reported on line 3c is your portion of this credit. Enter the amount from line 3c on Part 1, line 9 of your own Form 331 to claim this credit.

Corporate Partners:

The amount reported on line 4 is your portion of the value of the property and improvements donated and used to calculate the credit. Add back this amount in the calculation of Arizona taxable income.

Individual Partners:

The amount reported on line 4 is your portion of the value of the property and improvements donated and used to calculate this credit. You cannot claim both the tax credit and an itemized deduction for the donation of a school site. If you claim the credit and itemized deductions on federal Schedule A, add back the lesser of this amount or the amount that was deducted on Arizona Schedule A. See instructions for additional details.

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For the calendar year 2021 or fiscal year beginning MM|DD|2021 and ending MM|DD|YYYY.

S Corporations:

- Complete Form 331-S for each shareholder of the S Corporation **except for** trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form to each shareholder.
- Keep a copy of each completed Form 331-S for your records.
- Include a copy of each completed Form 331-S with your S Corporation return.

Shareholders:

- Use this form to complete your own Form 331.
- Include this completed form with your return.
- Keep a copy of this form for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Distribution of the Credit

Complete this section to distribute the credit to shareholders of the S Corporation.

1	(a) S Corporation Name	(b) Employer Identification Number (EIN)	
	(a) Shareholder Name	(b) Taxpayer Identification Number (TIN)	
3a	S Corporation credit amount from Form 331, Part 1, line 11	3a \$	00
	3b Shareholder's ownership percentage	3b	%
	3c Multiply the amount on line 3a by the percentage on line 3b. Enter the result. This is the shareholder's portion of the credit	3c \$	00
4	Shareholder's portion of the expenses for the donation of the property as a school site	4 \$	00

Shareholder:

The amount reported on line 3c is your portion of this credit. Enter the amount from line 3c on Part 1, line 10 of your Form 331 to claim this credit.

The amount reported on line 4 is your portion of the value of the property and improvements donated and used to calculate this credit. You cannot claim both the tax credit and an itemized deduction for the donation of a school site. If you claim the credit and itemized deductions on federal Schedule A, add back the lesser of this amount or the amount that was deducted on Arizona Schedule A. See instructions for additional details.

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2021 Credit for Donation of School Site

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

General Instructions

This credit provides nonrefundable individual and corporate income tax credits for the donation of real property and improvements to an Arizona school district or Arizona charter school for use as a school or as a site for the construction of a school.

To qualify for the credit:

- The real property and improvements must be located in Arizona.
- The donor must convey the real property and improvements unencumbered and in fee simple, except that there must be a deed restriction and protective covenant related to the use of the property.
- The value of the donated property must be determined by an appraisal as defined in Arizona Revised Statutes (A.R.S.) § 32-3601 that is conducted by an independent party and is paid for by the donee.
- The conveyance shall not violate the provisions of A.R.S. §§ 15-341(D) or 15-183(U).
- The donor must record the appropriate lien on the property donated to an Arizona charter school. The tax credit constitutes a lien on the property. The lien is the amount of the allowable tax credit adjusted by the gross domestic product (GDP) price deflator, as defined in A.R.S. § 41-563, with a maximum of 12.5% over the allowable tax credit.
- An Arizona school district shall not accept the donation unless the school facilities board has reviewed the proposed donation and has issued a written determination that the real property and improvements are suitable as a school site or as a school.

On written request of the donee, the donor must disclose in writing to the donee the amount of the allowable tax credit for the property received by the donee.

NOTE: *This tax credit is in lieu of a deduction in the computation of Arizona gross income for the donation of the property for which the credit is claimed.*

- **CORPORATE TAXPAYERS:** *An addition to Arizona gross income is required for the amount of the deduction included in the computation of federal taxable income.*
- **INDIVIDUAL TAXPAYERS:** *The taxpayer cannot claim both the tax credit and an itemized deduction for the donation of a school site. If the taxpayer claims the credit and itemizes deductions on the Arizona return, the taxpayer must exclude the amount of the charitable deduction otherwise allowed for the donation of the school site.*

EXAMPLE: *A taxpayer that donates a \$2,000,000 property would receive a credit of \$600,000 (\$2,000,000 x 30%).*

- **IF THE TAXPAYER IS A CORPORATION,** *the addition to Arizona gross income would be \$2,000,000.*
- **IF THE TAXPAYER IS AN INDIVIDUAL THAT ITEMIZES DEDUCTIONS,** *then the charitable contribution deduction must exclude the \$2,000,000 donation.*

Specific Instructions

Complete the name and taxpayer identification number (TIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the tax return.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for a corporation, an exempt organization with UBTI, an S Corporation or a partnership is the taxpayer's EIN. Taxpayers that fail to include their TIN may be subject to a penalty.

NOTE – To claim this credit:

- ***Individual taxpayers that did not make the Small Business Income election,*** *complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR, or 140X).*
- ***Individual taxpayers that made the Small Business Income election,*** *complete this credit form and Arizona Form 301SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI, and 140S-SBI. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).*
- ***C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI,*** *complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. Include both completed forms with your tax return.*

- **S Corporations electing to pass this credit through to its shareholders**, complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. Also, complete Form 331-S for each shareholder of the S Corporation. Provide each shareholder a copy of his or her completed Form 331-S. Include Form 300, Form 331, and one copy of each completed Form 331-S with your tax return.
- **Partnerships**, complete this credit form. Also, complete Form 331-P for each partner of the partnership. Provide each partner a copy of his or her completed Form 331-P. Include Form 331 and one copy of each completed Form 331-P with your tax return.

Part 1 - Donated Property Information and Current Taxable Year's Credit Calculation

Enter each donated property for which this credit is claimed in the columns, Property 1, Property 2, or Property 3. If more than three parcels were donated, complete a continuation sheet and include it with this form. Complete lines 1 through 6 for the property listed in each column.

Line 1 -

Enter the name of the Arizona county in which the donated property is located.

Line 2 -

Enter the parcel number of the donated property.

Line 3 -

Enter the date on which the property conveyance was recorded.

Line 4 -

Enter the recording number of the property conveyance.

Line 5 -

Enter the value of the donated property based on appraisal.

Line 6 -

Multiply the amounts in each column of line 5 by 30%.

Line 7 -

Add the amounts in each column of line 6. Enter the total.

Line 8 -

Enter the total contribution(s) from any continuation sheets.

Line 9 -

Enter the amount of credit passed through from partnerships on Form 331-P, line 3(c).

Line 10 -

Enter the amount of credit passed through from S Corporations on Form 331-S, line 3(c).

Line 11 -

Add lines 7 through 10. Enter the total. This is the current taxable year's Credit for Donation of School Site.

Part 2 Partnerships

A partnership claiming this credit *must* pass it through to its partners. Skip to the instructions for completing Form 331-P on page 4.

- Complete one Form 331-P for each partner.
- Provide a completed copy of Form 331-P to each partner.
- Include a copy of each completed Form 331-P with your tax return.
- Keep a copy of each completed Form 331-P for your records.
- Do not complete the remainder of this form.

Each partner is entitled to only a *pro rata* share of each credit based on the partner's ownership interest in the partnership. The total of each credit allowed to all partners may not exceed the amount that would have been allowed for a sole owner.

NOTE: *Trusts and estates which are partners in a partnership are not eligible to claim these credits. However, the share of a partnership owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of these credits.*

Part 3 - S Corporation Credit Election and Shareholder's Share of Credit

Lines 12, 12a, & 12b - S Corporation Credit Election

The S Corporation must complete line 12 and line 12a or line 12b. The S Corporation must make an irrevocable election either to claim the current taxable year credit at the corporate level or to pass the credit through to its shareholders. The S Corporation election is made by:

- Entering the date the S Corporation taxable year ends in the box provided on line 12.
- Checking the box on line 12a electing to claim the current taxable year credit at the corporate level; or,
- Checking the box on line 12b to pass the current taxable year credit through to its shareholders.
- The election statement must be signed an officer of the S Corporation who is also a signatory to Arizona Form 120S.

If the S Corporation elects to claim the current year credit at the corporate level, continue to Part 4.

If the S Corporation elects to pass the current year credit through to its shareholders, skip to the instructions for completing Form 331-S on page 4.

If passing this credit through to the shareholders:

- Complete one Form 331-S for each shareholder.
- Provide a copy of completed Form 331-S to each shareholder.
- Include a copy of each completed Form 331-S with your tax return.
- Keep a copy of each completed Form 331-S for your records.

Each S Corporation shareholder is entitled to only a *pro rata* share of pass-through credit based on ownership interest in the S Corporation. The total of the credit allowed to all shareholders may not exceed the amount that would have been allowed for a sole owner.

NOTE: Trusts and estates which are shareholders of an S Corporation are not eligible to claim these credits. However, the share of an S Corporation owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of these credits.

NOTE to shareholders of an S Corporation: The credit for donation of school site is in lieu of any deduction pursuant to §170 of the Internal Revenue Code. If you are claiming the credit in Part 1, line 11, you must exclude the amount of the charitable deduction otherwise allowed for the donation of the school site, which is the amount on Form 331-S, line 4. See the example in the NOTE box on page 1 of these instructions.

Part 4 - Available Credit Carryover

Complete Part 4 only if the allowable credit for donation of school site for prior taxable years exceeded the Arizona income tax liability for those taxable years. Calculate the total available carryover of the credit for donation of school site on page 2, Part 4, lines 13 through 17.

S Corporations, if this credit was claimed at the corporate level in a prior taxable year and there is a carryover amount available, complete Part 4.

Lines 13 through 17 -

Complete lines 13 through 17 as follows:

- Enter the applicable tax years in column (a).
- Enter the amount of the original environmental technology facility credit for each taxable year in column (b).
- Enter the amount of the credit for each taxable year that was previously used in column (c).
- Subtract the amount for each taxable year in column (b) from the amount for each taxable year in column (c). Enter the difference for each taxable year in column (d).

Line 18 -

Add the amounts entered in column (d) for lines 13 through 17. Enter the total. This is the total credit carryover available for the current taxable year.

Part 5 - Total Available Credit

Line 19 – Current Year Credit

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter the current year's credit from Part 1, line 11.

Partnerships: Enter "0".

S Corporations that elected to pass the current year credit through to shareholders: Enter "0".

This is the current taxable year's credit for donation of school site.

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 12, column (a).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 8, column (a).

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter this amount on Form 300, Part 1, line 8, column (a).

Line 20 – Available Credit Carryover

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter the amount from Part 4, line 18, column (d). This is the total available credit carryover.

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 12, column (b).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 8, column (b).

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter this amount on Form 300, Part 1, line 8, column (b).

Line 21 – Total Available Credit

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Add line 19 and line 20. Enter the total. This is the total available credit for donation of school site that may be applied to the current taxable year's tax liability.

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1 line 12, column (c).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1 line 8, column (c).

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter this amount on Form 300, Part 1, line 8, column (c).

Form 331-P, Distribution to Partners of a Partnership

Enter the taxable year for which this credit is being passed through to your partners.

Complete Form 331-P for each partner of the partnership, *except for* trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The partnership must furnish each partner with their completed copy of Form 331-P, including additional schedules as needed.

Part 1 - Distribution of the Credit

To distribute the credit to the partners of the partnership (complete lines 1 through 3c):

Line 1

Enter the partnership's name and EIN in the spaces provided.

Line 2

Enter the partner's name and TIN in the spaces provided.

Line 3a

Enter the amount of this credit from Form 331, Part 1, line 11 for which this partnership was approved.

Line 3b

Enter the partner's ownership percentage.

Line 3c

Multiply line 3(a) by line 3(b) and enter the result.

This is the partner's portion of this credit.

Line 4

Enter the partner's portion of the expenses for the donation of the property as a school site.

Form 331-S, S Corporation Distribution to Shareholders of an S Corporation

Enter the taxable year for which this credit is being passed through to your shareholders.

Complete Form 331-S for each shareholder of the S Corporation, *except for* trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The S Corporation must furnish each shareholder with a completed copy of Form 331-S, including additional schedules as needed.

Part 1 - Distribution of the Credit

To distribute the credit to the S Corporation shareholders (complete lines 1 through 3c):

Line 1

Enter the S Corporation's name and EIN in the spaces provided.

Line 2

Enter the shareholder's name and TIN in the spaces provided.

Line 3a

Enter the amount of this credit from Form 331, Part 1, line 11 for which the S Corporation was approved.

Line 3b

Enter the shareholder's ownership percentage.

Line 3c

Multiply line 3(a) by line 3(b) and enter the result.

This is the shareholder's portion of this credit.

Line 4

Enter the shareholder's portion of the expenses for the donation of the property as a school site.

Include with your return.

For the calendar year 2021 or fiscal year beginning M M D D 2 0 2 1 and ending M M D D Y Y Y Y .

NOTE: This credit is no longer available to corporate taxpayers.

All businesses must be certified by the Arizona Commerce Authority and the Department of Revenue before applying for this credit.

Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140PY-SBI, 140NR-SBI, 140X-SBI or 165	Social Security or Employer Identification Number
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Part 1 Healthy Forest Enterprise Information

- 1 Name of Healthy Forest Enterprise: _____

- 2 Employer identification number: _____

- 3 Reserved
- 4 Check one box to indicate the year this form represents for claiming the employment credit under A.R.S. § 43-1076:
 First Year Second Year Third Year Fourth Year Fifth Year Sixth Year or more

Part 2 Average Number of Full-Time Employees

5 Average number of full-time employees in the healthy forest enterprise during the current taxable year.....	5	
6 Average number of full-time employees in the healthy forest enterprise during the immediately preceding taxable year.....	6	
7 Net increase in average number of full-time employees: Subtract line 6 from line 5. Enter the difference.	7	

Part 3 Net Increase in Qualified Employment Positions

8 Total number of filled, qualified employment positions created in the current year	8	
9 Net increase in average number of full-time employees: Enter the amount from Part 2, line 7	9	
10 Net increase in qualified employment positions for this healthy forest enterprise: Enter the lesser of line 8 or line 9.	10	

Part 4 Limitation on Number of Qualified Employment Positions

11 Maximum number of filled, qualified employment positions on which a credit may be calculated	11	200
12 Maximum number of new qualified employment positions on which you may claim the credit: Enter the lesser of line 10 or line 11	12	

Part 5 Employment Credit Calculation

	(a) Number of Qualifying Employees	(b) Qualifying Wages	(c) Percentage	(d) Allowable Credit
13 Qualified new employees		00	25%	00
14 Previously qualified employees in the second year of continuous employment.....		00	33.33%	00
15 Previously qualified employees in the third year of continuous employment.....		00	50%	00
16 Employment credit passed through from Partnerships				00
17 Add the amounts in column (d) for lines 13 through 16. Enter the total. This is the total employment credit....				00

Continued on page 2 →

Name (as shown on page 1)	EIN
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Part 6 Recapture of the Employment Credit

18 Enter the taxable year in which the certification of the business as a healthy forest enterprise was revoked or terminated...	18	YYYY	
19 Enter the first taxable year in which the employment credit for healthy forest enterprises was allowed.....	19	YYYY	
20 Number of years between when the employment credit was first allowed and when the certification was revoked or terminated	20		
21 Enter the recapture percentage based on the number of years entered on line 20. See instructions.....	21		%
22 Enter the total amount of all employment credits previously allowed.....	22		00
23 Recapture of employment credit for healthy forest enterprises. Multiply line 22 by the percentage on line 21. Enter the result	23		00
24 Enter the total amount of the credit subject to recapture passed through to you from: Partnerships from Form 332-P, Part 3, line 8.	24		00
25 Add lines 23 and 24. Enter the total. This is the total amount of the employment credit subject to recapture.	25		00

Part 7 Recapture of the Training Credit

26 Enter the taxable year in which the certification of the business as a healthy forest enterprise was revoked or terminated...	26	YYYY	
27 Enter the first taxable year in which the training credit for healthy forest enterprises was allowed.....	27	YYYY	
28 Number of years between when the training credit was first allowed and when the certification was revoked or terminated.....	28		
29 Enter the recapture percentage based on the number of years entered on line 28. See instructions.....	29		%
30 Enter the total amount of all training credits previously allowed.....	30		00
31 Recapture of training credit for healthy forest enterprises. Multiply line 30 by the percentage on line 29. Enter the result.	31		00
32 Enter the total amount of the credit subject to recapture passed through to you from: Partnerships from Form 332-P, Part 3, line 11.....	32		00
33 Add lines 31 and 32. Enter the total. This is the total amount of the training credit subject to recapture.....	33		00

Part 8 Partner's Share of Credits and Credit Recaptures

Partnerships qualifying for the credit **must** pass it through to their individual partners. When passing the credit through to your individual partners, complete Form 332-P for each individual partner.

- Provide a copy of completed Form 332-P to each individual partner.
- Include a copy of each Form 332-P completed with your tax return.
- Keep a copy of each completed Form 332-P for your records.

After completing a Form 332-P for each individual partner, **STOP**. Do not complete the remainder of this form.

Name (as shown on page 1)	EIN
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Part 9 Recapture Summary for Employment Credit

34 Enter the taxable year(s) in which you took an employment credit or credit carryover for a disqualified healthy forest enterprise: _____		
35 Enter the total amount of the employment credit originally allowed	35	00
36 Enter the total amount of the employment credit to be recaptured from Part 6, line 25	36	00
37 Subtract line 36 from line 35 and enter the difference. This is the amount of current employment credit allowable.....	37	00
38 Amount of employment credit on line 35 that you have claimed on prior years' returns	38	00
39 Subtract line 38 from line 37 and enter the difference. If the difference is POSITIVE: <ul style="list-style-type: none"> • <i>This is the amount of employment credit carryover you have remaining for use in future years.</i> • Adjust the amounts in Part 11, lines 46 through 50, column (d) so the total amount on line 51 equals the amount of the credit carryover remaining for use in future years. See instructions. If the difference is NEGATIVE: <ul style="list-style-type: none"> • <i>This is the amount of employment credit carryover you must recapture.</i> • Adjust the amounts in Part 11, lines 46 through 50, column (d) to "0". There is no carryover amount for the employment credit. See instructions. • <i>Individuals:</i> Also, enter this amount as a POSITIVE number on <i>Form 301, Part 2, line 28.</i> (If you have a recapture of the employment credit <i>and</i> the training credit, add the amounts on Part 9, line 39 and Part 10, line 45. Enter the total on <i>Form 301, Part 2, line 28.</i>)..... 	39	00

Part 10 Recapture Summary for Training Credit

40 Enter the taxable year(s) in which you took a training credit or credit carryover for a disqualified healthy forest enterprise: _____		
41 Enter the total amount of the training credit originally allowed	41	00
42 Enter the total amount of the training credit to be recaptured from Part 7, line 33.....	42	00
43 Subtract line 42 from line 41 and enter the difference. This is the amount of current training credit allowable.....	43	00
44 Amount of credit on line 41 that you have claimed on prior years' returns.....	44	00
45 Subtract line 44 from line 43 and enter the difference. If the difference is POSITIVE: <ul style="list-style-type: none"> • <i>This is the amount of training credit carryover you have remaining for use in future years.</i> • Adjust the amounts in Part 12, lines 52 through 54, column (d) so the total amount on line 55 equals the amount of the credit carryover remaining for use in future years. See instructions. If the difference is NEGATIVE: <ul style="list-style-type: none"> • <i>This is the amount of training credit carryover you must recapture.</i> • Adjust the amounts in Part 12, lines 52 through 54, column (d) to "0". There is no carryover amount for the employment credit. See instructions. • <i>Individuals:</i> Also, enter this amount as a POSITIVE number on <i>Form 301, Part 2, line 28.</i> (If you have a recapture of the employment credit <i>and</i> the training credit, add the amounts on Part 9, line 39 and Part 10, line 45. Enter the total on <i>Form 301, Part 2, line 28.</i>)..... 	45	00

Part 11 Available Employment Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used Expired or Recaptured	(d) Available Credit Carryover: Subtract column (c) from column (b).
46		00	00	00
47		00	00	00
48		00	00	00
49		00	00	00
50		00	00	00
51	Total Available Carryover: Add lines 46 through 50 in column (d). Enter the total.....			51 00

Part 12 Available Training Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used Expired or Recaptured	(d) Available Credit Carryover: Subtract column (c) from column (b).
52		00	00	00
53		00	00	00
54	Total Available Carryover: Add lines 52 and 53 in column (d). Enter the total.....			54 00

Part 13 Total Available Credit

55	Current year's employment credit: <ul style="list-style-type: none"> • <i>Individuals:</i> Enter the amount from Part 5, line 17, column (d) • <i>Partnerships:</i> Enter "0". • <i>Individuals that did not make the Small Business Income election:</i> Also, enter this amount on Form 301, Part 1, line 13, column (a) • <i>Individuals that made the Small Business Income election:</i> Also, enter this amount on Form 301-SBI, Part 1, line 9, column (a) 			
		55		00
56	Enter the available employment credit carryover from Part 11, line 51, column (d), if any.....		56	00
57	Enter the available training credit carryover from Part 12, line 54, column (d), if any. <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election:</i> Also enter the total of lines 56 and 57 (total carryover) on Form 301, Part 1, line 13, column (b) • <i>Individuals that made the Small Business Income election:</i> Also enter the total of lines 56 and 57 (total carryover) on Form 301-SBI, Part 1, line 9, column (b) 		57	00
58	Total available credit: Add lines 55 through 57. <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election:</i> Also, enter this amount on Form 301, Part 1, line 13, column (c) • <i>Individuals that made the Small Business Income election:</i> Also enter this amount on Form 301-SBI, Part 1 line 9, column (c) 		58	00

Form 332-1	Qualified Employees of Healthy Forest Enterprise	2021
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Complete a Form 332-1 for each qualified employee of the Healthy Forest Enterprise. See instructions for Form 332-1 (included with Instructions for Form 332) about providing the requested information in an alternative format.

1 Employee name: _____

2 Employee's taxpayer identification number (TIN) _____

3 Did employee reside in Arizona on date of hire? Yes No

4 Brief description of employee's job duties:

5 Current date of employment | M M | D D | Y Y Y Y |

6 If employee was previously employed by the business, list the previous date of employment. See instructions. | M M | D D | Y Y Y Y |

7a Is the employee in a permanent full time position? Yes No

7b If the answer to line 7a is "Yes", list the number of hours the employee actually worked during the taxable year _____

7c If the answer to line 7b is less than 1550 hours annually, explain:

8 Employee's annual compensation for the taxable year \$

	00
--	----

9a Total cost of health insurance provided by employer for employee. See instructions. \$

	00
--	----

9b Total cost of health insurance for employee paid by employer. See instructions. \$

	00
--	----

10 Is this employee in a new qualified employment position? Yes No

11 Check only one box: First year employee Second year employee Third year employee

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Form 332-2 **Qualified Employees for Which You are Taking the Employment Credit** **2021**

	(a) Employee's Name	(b) Social Security Number	(c) Type of Employee			(d) Total Wages Paid to the Employee During the Current Tax Year	(e) Maximum Allowable Wages:		
			Check the appropriate box. This employee is a:				Enter the lesser of column (d) or the maximum allowed below.		
			(c1) 1 st Year Employee	(c2) 2 nd Year Employee	(c3) 3 rd Year Employee		(e1) Year 1 \$2000	(e2) Year 2 \$3000	(e3) Year 3 \$3000
1						00			
2						00			
3						00			
4						00			
5						00			
6						00			
7						00			
8						00			
9						00			
10						00			
11						00			
12						00			
13						00			
14						00			
15 TOTAL:									
	<ul style="list-style-type: none"> For column (c), add the number of employees in each column (c1), (c2) and (c3), and enter the total for each column on line 15. For columns (d) and (e), add the amounts in each column and enter the total for each column on line 15 		15			00			

If you have more than 14 qualified employees, complete and include additional sheets of Form 332-2

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For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYY.

Partnerships:

- Complete Form 332-P for each individual partner in the partnership except for trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form and the certification received from the Arizona Department of Revenue to each individual partner.
- Keep a copy of each completed Form 332-P for your records.
- Include a copy of each completed Form 332-P with your partnership return.

Individual Partners:

- Use this form to complete your own Form 332.
- Include this completed form with your return.
- Keep a copy of this form for your records.

Corporate taxpayers are not eligible to claim this credit.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Part 1 Partnership and Individual Partner Information

1	(a) Partnership Name	(b) Employer Identification Number (EIN)	
2	(a) Individual Partner Name	(b) Taxpayer Identification Number (TIN)	(c) Partner Ownership % %
3	(a) Healthy Forest Enterprise Name	(b) Healthy Forest Enterprise Employer Identification Number (EIN)	

Part 2 Distribution of the Credit

4	Enter the amount of the partnership's employment credit from Form 332, Part 5, line 17, column (d).....	4	00
5	Multiply line 4 by the percentage on line 2(c). Enter the result. This is the partner's portion of the employment credit . • <i>Individual Partners:</i> Enter this amount on <i>your</i> Form 332, Part 5, line 16, column (d)	5	00

Part 3 Credit Recapture

6	Enter the total amount of the partnership's employment credit previously passed through to the partner	6	00
7	Enter the percentage of the employment credit amount previously passed through that is subject to recapture from Form 332, Part 6, line 21	7	%
8	Multiply line 6 by the percentage on line 7. Enter the result. This is the partner's portion of the employment credit subject to recapture. • <i>Individual Partners:</i> Enter this amount on <i>your</i> Form 332, Part 6, line 24	8	00
9	Enter the total amount of the partnership's training credit previously passed through to the partner	9	00
10	Enter the percentage of the training credit previously passed through that is subject to recapture from Form 332, Part 7, line 29.....	10	%
11	Multiply line 9 by the percentage on line 10. Enter the result. This is the partner's portion of the training credit subject to recapture. • <i>Individual Partners:</i> Enter this amount on <i>your</i> Form 332, Part 7, line 32	11	00

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2021 Credit for Employment by a Healthy Forest Enterprise

CREDITS FOR HEALTHY FOREST ENTERPRISES CONTACT INFORMATION	
Arizona Commerce Authority	
•Certification requirements	•Certification forms
•Program guidelines	
Website: www.azcommerce.com	
Program Manager	(602) 845-1200
Arizona Department of Revenue	
•Tax forms and instructions	•Information and assistance
Website: www.azdor.gov	
Taxpayer assistance	(602) 255-3381
From area codes 520 and 928, toll-free	(800) 352-4090

General Instructions

Training Credit for Healthy Forest Enterprises

Former Arizona Revised Statute (A.R.S.) § 43-1076.01 allowed a business that operated a healthy forest enterprise to receive a nonrefundable training credit against individual income tax liabilities.

The last year the Training Credit could be established was taxable year 2017. The unused portion of valid Training Credits may be carried forward for the remainder of the five-year carryforward period.

Employment Credit for Healthy Forest Enterprises

A.R.S. §§ 43-1076 allows a business that operates a healthy forest enterprise to receive a nonrefundable employment credit against individual income tax.

The last year a corporate taxpayer could establish the Employment Credit was taxable year 2019. S Corporations may not claim this credit at the corporate level or pass it through to its shareholders. A partnership may not pass this credit through to its corporate partners; it may, however, pass this credit through to its individual partners.

NOTE: *In order to claim the Employment Credit, the business must be a qualified healthy forest enterprise, as certified by the Arizona Commerce Authority (Commerce). The business must provide a copy of its Commerce certification to the department for approval before using the certification to obtain this credit.*

Individual partners in a partnership may each claim only a *pro rata* share of the allowable credits based on the ownership interest. The total of the credits allowed all owners may not exceed the amount that would have been allowed for a sole owner of the business.

If the allowable tax credit exceeds the taxes otherwise due or, if there are no taxes due, the amount of the credit not used to offset taxes may be carried forward for not more than five taxable years as a credit against subsequent years' income tax liabilities.

With respect to the same employees, the credit is in lieu of the credit for New Employment, claimed on Arizona Form 345.

In general, a qualified healthy forest enterprise is a business operation that enhances or sustains forest health, sustains or recovers watershed or improves public safety. A qualified healthy forest enterprise must be primarily engaged in the business of harvesting, transporting or processing of qualifying forest products for commercial use. To obtain information regarding additional criteria for qualification, contact Commerce using the contact information shown above.

The credit is based on the net increase in the number of qualified employment positions created and filled by a business operating a healthy forest enterprise.

The employment credit is computed using the wages of qualified employees of the business and the net increase in the number of qualified employment positions.

Positions occupied by employees that meet the following criteria are considered qualified employment positions.

- NOTE:**
- *If a qualified employment position is filled during the last ninety days of the taxable year, it is considered a new qualified employment position for the next taxable year.*
 - *A newly created position is a qualified employment position on the date that it meets all of the requirements for a qualified employment position.*

EMPLOYEES IN QUALIFIED POSITIONS

- Must be Arizona residents on their hire date.
- Must be permanent, full-time employees in positions that require at least 1,550 hours per year. The 1,550 hour requirement does not include overtime hours. If forest closures or weather conditions beyond the taxpayer's control result in a shorter period, this would not disqualify the employee so long as the position is still permanent and full-time, and all other qualifications are met.
- Must have duties that primarily involve or directly support the harvesting, transporting or processing of qualifying forest products for commercial use.
- Must be compensated at wages equal to or greater than the wage offer of the county, as computed annually by the Arizona Department of Economic Security research administration division.
- Cannot have been employed by the business within the twelve months preceding their hire date.
- Must have been employed for at least ninety days during the first taxable year. An employee who is hired during the last ninety days of the taxable year shall be considered a new employee during the following taxable year.
- Must have employer-provided health insurance coverage, a portion of which must be paid for by the employer. The employer must pay for at least twenty-five percent of the premium or membership cost of the insurance program in the third year the employer claims the credit for healthy forest enterprises. The employer must pay at least forty percent of this cost in the fourth year it claims the credit, and at least fifty percent of the cost in the fifth year it claims the credit.

Calculating the Credit

The number of qualified employment positions on which the credit can be computed cannot exceed 200 per year per taxpayer. For example, if a taxpayer has several healthy forest enterprises, the taxpayer would add up the net increase in qualified employment positions for all enterprises and compute the credit on that number, or 200, whichever is the lesser amount. Therefore, although a taxpayer may have more than 200 filled qualified employment positions, the taxpayer must select which of those positions should be used for computing the credit. The same employees who are used to compute the first year credit are used to compute the second and third year credits.

NOTE: *The number of qualified employment positions determined in the first year will never increase in the second or third year. Only the same positions that were qualified in the first year can be used to compute the credit in the two subsequent tax years.*

Once the taxpayer has determined which employees it will use to compute the credit, the credit amount allowed per employee is applied. Only employee wages incurred during the period the taxpayer has been certified may be used for this calculation. The credit amount per employee depends on the employee's year of employment, as follows.

First year employees: The lesser of \$500 or one-fourth of the taxable wages paid to an employee in a qualified employment position in the first year or partial year of employment.

Second year employees: The lesser of \$1,000 or one-third of the taxable wages paid to an employee in a qualified employment position in the second year of continuous employment.

Third year employees: The lesser of \$1,500 or one-half of the taxable wages paid to an employee in a qualified employment position in the third year of continuous employment.

NOTE:

- **Individual taxpayers that did not make the Small Business Income election:** Complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR, or 140X).
- **Individual taxpayers that made the Small Business Income election:** Complete this credit form and Arizona Form 301SBI, Nonrefundable Individual Tax Credits and Recapture for Small Business Income. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).
- **Partnerships passing this credit through to its individual partners:** Complete this credit form and Form 332-P for each individual partner of the partnership. Provide each individual partner a copy of his or her completed Form 332-P. Include Form 332 and one copy of each completed Form 332-P with your tax return.

Specific Instructions

Complete the name and taxpayer identification number (TIN) section at the top of the form. Indicate the period covered by the taxable year. Include all supporting forms with the tax return.

All returns, statements, and other documents filed with the department require a TIN. The TIN for a partnership is its employer identification number (EIN). The TIN for an individual is the taxpayer's Social Security Number (SSN) or an Internal Revenue Service individual taxpayer identification number. Taxpayers that fail to include their TIN may be subject to a penalty.

Part 1 - Healthy Forest Enterprises Information

NOTE: *Taxpayers claiming only a pass through of this credit from Form 332-P and are claiming the Employment Credit, skip to Part 5, line 16, column (d).*

Lines 1 and 2

Enter the name and TIN of the healthy forest enterprise.

Line 3

Reserved for future use.

Line 4

Check the box on line 4 to indicate the year this form represents for claiming this credit.

Part 2 - Average Number of Full-Time Employees

Use these lines to calculate the difference in the average number of full-time employees that worked for the healthy forest enterprise in this taxable year and the average for the immediately preceding taxable year. The worksheet on page 3 can be helpful in figuring the average. The column for each year corresponds to line 5 and line 6 on page 1 of Form 332.

On lines 1 through 12 of the worksheet, enter the number of full-time employees employed at the end of each month of the year indicated. If the enterprise was not in operation in the immediately preceding taxable year, that year's average is zero. Once the worksheet is completed, enter the amounts on page 1 of Form 332.

Average Number of Full-Time Employees Worksheet		(a) Line 5 Current Taxable Year	(b) Line 6 Immediately Preceding Taxable Year
1	January		
2	February		
3	March		
4	April		
5	May		
6	June		
7	July		
8	August		
9	September		
10	October		
11	November		
12	December		
13	Total – add lines 1 through 12.		
14	Total number of months during the taxable year in which the healthy forest enterprise was in business.		
15	Average – divide the amount on line 13 by the amount on line 14.		

Line 5

Enter the average number of full-time employees in the healthy forest enterprise for the current taxable year from line 15, column (a) of the worksheet above.

Line 6

Enter the average number of full-time employees in the healthy forest enterprise for the immediately preceding taxable year from line 15, column (b) of the worksheet above.

Line 7

Subtract the amount on line 6 from the amount on line 5. If the difference contains a decimal, enter the whole number only - do not round up. This is the net increase in the average number of full-time employees. If the difference is zero, the enterprise cannot claim an employment credit for qualified employment positions created during the current taxable year. If the amount is greater than zero, enter the amount. Also, enter the amount in Part 3, line 9.

Part 3 - Net Increase in Qualified Employment Positions

Line 8

Enter the total number of filled qualified employment positions created during the current taxable year.

NOTE:

- If a qualified employment position is filled during the last ninety days of the taxable year, it is considered a new qualified employment position for the next taxable year.
- A newly created position is a qualified employment position on the date that it meets all of the requirements for a qualified employment position.

Line 9

Enter the net increase in average number of full-time employees from Part 2, line 7.

Line 10

Enter the lesser of line 8 or line 9. This is the increase in qualified employment positions for this healthy forest enterprise.

Part 4 - Limitation on Number of Qualified Employment Positions

Line 12

Compare the amounts on lines 10 and 11. Enter the lesser of line 10 or line 11. This is the maximum number of positions on which you may compute each of the credits.

NOTE: Before completing Part 5, lines 13 through 16, complete Forms 332-1 and 332-2. Use additional sheets, if necessary. See the instructions for Forms 332-1 and 332-2 on page 10 of these instructions.

Part 5 - Employment Credit Calculation

Line 13 - Column (a)

Enter the number of qualified net new employees from Form 332-2, line 15, column (c1). This number cannot exceed the maximum number shown on line 12, Part 4 of Form 332.

Line 13 - Column (b)

Enter the total allowable wages for qualified first year employees from Form 332-2, line 15, column (e1).

Line 13 - Column (d)

Multiply the amount entered on line 13, column (b) by the percent shown on line 13, column (c). Enter the result on line 13, column (d). This is the allowable credit for qualified new employees.

Line 14 - Column (a)

Enter the number of previously qualified employees in the second year of continuous employment from Form 332-2, line 15, column (c2).

Line 14 - Column (b)

Enter the total allowable wages for qualified second year employees from Form 332-2, line 15, column (e2).

Line 14 - Column (d)

Multiply the amount entered on line 14, column (b) by the percent shown on line 14, column (c). Enter the result on line 14, column (d). This is the allowable credit for previously qualified employees in their second year of continuous employment.

Line 15 - Column (a)

Enter the number of previously qualified employees in the third year of continuous employment from Form 332-2, line 15, column (c3).

Line 15 - Column (b)

Enter the total allowable wages for qualified third year employees from Form 332-2, line 15, column (e3).

Line 15 - Column (d)

Multiply the amount entered on line 15, column (b) by the percent shown on line 15, column (c). Enter the result on line 15, column (d). This is the allowable credit for previously qualified employees in their third year of continuous employment.

Line 16 - Column (d)

Enter the amount of the Employment Credit passed through from partnerships on Form 332-P, Part 2, line 5.

Line 17

Add the amounts on lines 13 through 16 in column (d). Enter the total.

Part 6 - Recapture of the Employment Credit

NOTE: Taxpayers recapturing *only* a pass through of this credit from Form 332-P who claimed:

- The Employment Credit, skip to Part 6, line 24.
- The Training Credit, skip to Part 7, line 32.

If your healthy forest enterprise had its qualification for the employment credit terminated or revoked within five taxable years after you first claimed that credit, you must recapture a percentage of the total employment credit you took in all prior years.

If your qualification was revoked due to reasons beyond your control, as determined by Commerce, you do not have to recapture the credit.

If you are required to recapture the employment credit, complete Part 6. If not, skip to Part 7.

Line 18

Enter the taxable year in which your certification as a healthy forest enterprise was revoked or terminated (i.e. if your taxable year end was 12/31/2017, enter "2017").

Line 19

Enter the first taxable year in which your employment credit for healthy forest enterprises was allowed (i.e. if your taxable year end was 12/31/2016, enter "2016").

Line 20

Subtract line 19 from line 18. Enter the difference. This is the number of years between when your employment credit was first allowed and when your certification was revoked.

Line 21

The amount of credit you must recapture depends on the year you first received the credit, and how long ago it was. Compare the number of years on line 20 to the following table to determine the percentage of your Employment Credit to be recaptured. (For example: If the number on line 20 is "2", the percentage to be recaptured is 80%. If the number on line 20 is "6" or greater, the percentage to be recaptured is "0".) Enter that percentage.

Number of years since receiving the credit:	Percentage to recapture:
1	100%
2	80%
3	60%
4	40%
5	20%
6 or more	0%

Line 22

Enter the total amount of employment credits that you were previously allowed to claim.

Line 23

Multiply line 22 by the percentage on line 21. Enter the result.

Line 24

Enter the total amount of the employment credit subject to recapture passed through to you from partnerships on Form 332-P, Part 3, line 8.

Line 25

Add lines 23 and 24. Enter the total. This is the amount of your employment credit subject to recapture.

Part 7 - Recapture of the Training Credit

If your healthy forest enterprise had its qualification for the training credit terminated or revoked within five taxable years after you first claimed that credit, you must recapture a percentage of the total training credit you took in all prior years.

If your qualification was revoked due to reasons beyond your control as determined by Commerce, you do not have to recapture the credit.

If you are required to recapture the training credit, complete Part 7. If not, skip to Part 8.

Line 26

Enter the taxable year in which your certification as a healthy forest enterprise was revoked or terminated (i.e. if your taxable year end was 12/31/2017, enter "2017").

Line 27

Enter the first taxable year in which your employment credit for healthy forest enterprises was allowed (i.e. if your taxable year end was 12/31/2016, enter "2016").

Line 28

Subtract line 27 from line 26. Enter the difference. This is the number of years between when your employment credit was first allowed and when your certification was revoked.

Line 29

The amount of credit you must recapture depends on the year you first received the credit, and how long ago it was. Compare the number of years on line 28 to the following table to determine the percentage of your Training Credit to be recaptured. (For example, if the number on line 28 is "3", the percentage to be recaptured is 60%. If the number on line 28 is "6" or greater, the percentage to be recaptured is "0".) Enter that percentage.

Number of years since receiving the credit:	Percentage to recapture:
1	100%
2	80%
3	60%
4	40%
5	20%
6 or more	0%

Line 30

Enter the total amount of training credits that you were previously allowed to claim.

Line 31

Multiply line 30 by the percentage on line 29. Enter the result.

Line 32

Enter the amount of training credit subject to recapture that was passed through from partnerships on Form 332-P, Part 3, line 11.

Line 33

Add line 31 and 32. Enter the total. This is the amount of training credit subject to recapture.

Part 8 - Partner's Share of Credits and Credit Recaptures

Partnerships claiming these credits must pass them through to its individual partners. Proceed to the instructions for completing Form 332-P on page 11.

Each individual partner is entitled to only a *pro rata* share of each credit based on the partner's ownership interest in the partnership. The total of each credit allowed to all partners may not exceed the amount that would have been allowed for a sole owner.

NOTE: *Trusts and estates which are partners in a partnership are not eligible to claim these credits. However, the share of a partnership owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of these credits.*

Part 9 - Recapture Summary for Employment Credit

Use lines 34 through 39 to determine whether you have any allowable employment credit remaining, even if you have to recapture some of it.

Line 34

Enter the taxable year(s) in which you took an employment credit or credit carryover for the disqualified healthy forest enterprise.

Line 35

Enter the total amount of employment credit originally allowed for the disqualified healthy forest enterprise.

Line 36

Enter the amount from Part 6, line 25. This is the total amount of the employment credit to be recaptured.

Line 37

Subtract line 36 from line 35. Enter the difference. This is the amount of employment credit allowable for the disqualified healthy forest enterprise.

Line 38

Enter the amount of employment credit on line 35 that you claimed on prior taxable year's returns.

Line 39

Subtract line 38 from line 37. Enter the difference.

If the difference is POSITIVE:

- This is the amount of employment credit carryover you have remaining for use in future years.
- Adjust the amounts in column (d) in Part 11, lines 46 through 50 so the total amount on line 51 equals the amount of the credit carryover remaining for use in future years.

If the difference is NEGATIVE:

- This is the amount of employment credit you must recapture.
- Adjust the amounts in Part 11, lines 46 through 50, column (d) to zero, "0." There is no carryover amount for the employment credit.
 - *Individuals* - Also enter this amount as a POSITIVE number on Form 301, Part 2, line 28. (If you have a recapture of the employment credit *and* the training credit, and the amounts on Part 9, line 39 and Part 10, line 45. Enter the total on Form 301, Part 2, line 28.)

For additional guidance, refer to Examples 1 and 2 following the instructions for line 46.

Part 10 - Recapture Summary for Training Credit

Use lines 41 through 45 to determine whether you have any allowable training credit remaining, even if you have to recapture some of it.

Line 40

Enter the taxable year(s) in which you took a training credit or credit carryover for the disqualified healthy forest enterprise.

Line 41

Enter the total amount of training credit originally allowed for the disqualified healthy forest enterprise.

Line 42

Enter the amount from Part 7, line 33. This is the total amount of the training credit to be recaptured.

Line 43

Subtract line 42 from line 41. Enter the difference. This is the amount of training credit allowable for the disqualified healthy forest enterprise.

Line 44

Enter the amount of training credit on line 41 that you claimed on prior taxable year's returns.

Line 45

Subtract line 44 from line 43. Enter the difference.

If the difference is POSITIVE:

- This is the amount of training credit carryover you have remaining for use in future years.
- Adjust the amounts in column (d) in Part 12, lines 52 through 54 so the total amount on line 55 equals the amount of the credit carryover remaining for use in future years.

If the difference is NEGATIVE:

- This is the amount of training credit you must recapture.
- Adjust the amounts in Part 12, lines 52 through 54, column (d) to zero, "0." There is no carryover amount of the employment credit.

- *Individuals* - Also enter this amount as a POSITIVE number on Form 301, Part 2, line 28. (If you have a recapture of the training credit and the employment credit, add the amounts on Part 9, line 39 and Part 10, line 45. Enter the total on Form 301, Part 2, line 28.)

For additional guidance, refer to Examples 1 and 2 on the following pages.

EXAMPLE 1 (In this example, line 39 is positive):

Healthy Forest Enterprise A (A) claimed the employment credit on Form 332 for taxable years 2018 through 2020. The amount of credit claimed each year was \$1,000; the total credit claimed is \$3,000. A used \$1,500 of its employment credit, leaving it with a credit carryover of \$1,500 as of taxable year ending 2020.

During 2021, A was notified by the department it was subject to a recapture of 60% of the credit claimed, or \$900.

A completes Part 9 of its Form 332 and finds that line 39 is **positive**. This means A still has a carryover of the employment credit in the amount of \$600.

At the end of taxable year 2020, A had an available employment credit carryover amount of \$1,500, shown on the schedule below (from Part 13 of its 2020 taxable year Form 332):

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used, Expired, or Recaptured	(d) Available Credit Carryover
47	2018	1,000	500	500
48	2019	1,000	500	500
49	2020	1,000	500	500
50				
51				
52	Total Available Carryover:			1,500

Following the instructions for line 40, A adjusts Part 11, Available Employment Credit Carryover, for the recapture of \$900. Part 11 of its 2021 taxable year Form 332 is shown below:

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used, Expired, or Recaptured	(d) Available Credit Carryover
46	2018	1,000	1,000	0
47	2019	1,000	900	100
48	2020	1,000	500	500
49				
50				
51	Total Available Carryover			600

- A increased its 2018 Amount Previously Used (Or Recaptured) by \$500. This eliminated its credit carryover from 2018.
- A increased its 2019 Amount Previously Used (Or Recaptured) by \$400. This reduced its credit carryover for 2019 from \$500 to \$100.
- A's 2020 Available Employment Credit Carryover remains unchanged.
- A has \$600 of Available Employment Credit Carryover it may use on its 2021 taxable year tax return.

EXAMPLE 2 (In this example, line 39 is negative):

Healthy Forest Enterprise B (B) claimed the employment credit on Form 332 for taxable years 2018 through 2020. The amount of credit claimed each year was \$1,000; the total credit claimed is \$3,000. B used \$2,500 of its employment credit, leaving it with a credit carryover of \$500 as of taxable year ending 2020.

During 2021, B was notified by the department it was subject to a recapture of 60% of the credit claimed, or \$900.

B completes Part 9 of its Form 332 and finds that line 39 is **negative**. This means B has no carryover of the employment credit and must report \$400 as a recapture on Form 301, Part 2, line 28. (See line 39 for instructions).

At the end of taxable year 2020, B had an available employment credit carryover amount of \$500, shown on the schedule below (from Part 14 of its 2020 taxable year Form 332):

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used, Expired, or Recaptured	(d) Available Credit Carryover
47	2018	1,000	1,000	0
48	2019	1,000	1,000	0
49	2020	1,000	500	500
50				
51				
52	Total Available Carryover:			500

Following the instructions for line 39, B adjusts Part 9 for the recapture of \$900. Part 9 of its 2021 taxable year Form 332 is shown below:

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used, Expired, or Recaptured	(d) Available Credit Carryover
46	2018	1,000	1,000	0
47	2019	1,000	1,000	0
48	2020	1,000	1,000	0
49				
50				
51	Total Available Carryover			0

No adjustment is needed for 2018.

No adjustment is needed for 2019.

B increased its 2020 Amount Previously Used (Or Recaptured) by \$500. This eliminated its Employment Credit carryover for 2020.

B has no credit carryover of the Employment Credit.

Part 11 - Available Employment Credit Carryover

Use Part 11 to figure your available employment credit carryover. Complete lines 46 through 50 if you claimed the employment credit on a prior taxable year return and your employment credit was more than your tax.

If the allowable tax credit exceeds the taxes otherwise due or, if there are no taxes due, the amount of the credit not used to offset taxes may be carried forward for not more than five taxable years as a credit against subsequent years' income tax liabilities.

Lines 46 through 50

Enter the following information in the columns indicated on lines 46 through 50:

- Taxable Year – the taxable year from which you are carrying over the employment credit.
- Original Credit Amount - the amount of the credit you originally computed.
- Amount Previously Used – the employment credit from that taxable year you have already used or the amount of the credit that expired.
- Available Credit Carryover – Subtract the amount in column (c) from the amount in column (b). Enter the difference. This is the available employment credit carryover available for the current taxable year.

Line 51

Add the amounts on lines 46 through 50 in column (d). Enter the total. This is your available employment credit carryover for the current taxable year.

Part 12 - Available Training Credit Carryover

Use Part 12 to figure your available training credit carryover. Complete lines 52 through 54 if you claimed the training credit on a prior year return and your training credit was more than your tax.

If the allowable tax credit exceeds the taxes otherwise due or, if there are no taxes due, the amount of the credit not used to offset taxes may be carried forward for not more than five taxable years as a credit against subsequent years' income tax liabilities.

Lines 52 and 53

Enter the following information in the columns indicated on lines 52 and 53:

- Taxable Year – the taxable year from which you are carrying over the training credit.
- Original Credit – the amount of the credit you originally computed.
- Amount Previously Used the amount of the training credit from that taxable year you have already used or the amount of the credit that expired.
- Available Credit Carryover – Subtract the amount in column (c) from the amount in column (b). Enter the difference. This is the available training credit carryover available for the current taxable year.

Line 54

Add the amounts entered on lines 52 and 53 in column (d). Enter the total. This is the available training credit carryover available for the current taxable year.

Part 13 - Total Available Credit

Line 55 Current Year's Employment Credit

Enter the current year's employment credit.

Individuals: Enter the amount from Part 5, line 17, column (d).

Partnerships: Enter "0".

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 13, column (a).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 9, column (a).

Line 56 Employment Credit Carryover

Enter the amount of available employment credit carryover from Part 11, line 51, column (d).

Line 57 Training Credit Carryover

Enter the amount of available training credit carryover from Part 12, line 54, column (d).

Individuals that did not make the Small Business Income election: Enter the total of lines 56 and 57 on Form 301, Part 1, line 13, column (b).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 9, column (b).

Line 58 Total Available Credit

Add lines 55 through 57 and enter the total.

Individuals that did not make the Small Business Income election: Enter the total available credit on Arizona Form 301, Part 1, line 13, column (c).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 9, column (c).

FORM 332-1 QUALIFIED EMPLOYEES

Alternative formats prescribed by the department may also be used to file this form. For example, the department will accept a hard copy spreadsheet that contains all the requested information or the information may be compiled with a spreadsheet program such as Microsoft Excel and submitted on a CD-ROM or DVD-ROM. The chosen media must be Microsoft Windows compatible. Regardless of the form, the information must be filed on or before the due date of the tax return, including any extensions.

Taxpayers submitting the information on CD-ROM or DVD-ROM should secure the CD-ROM or DVD-ROM in a hard case and include it with the tax return. Arizona Forms 332-1, and 332-2 submitted on CD-ROM or DVD-ROM are part of the income tax return, are subject to the sworn statement on the return that they are true, and correct to the best of the signer's knowledge and belief.

The CD-ROM or DVD-ROM should be labeled as Forms 332-1, or 332-2, with the taxpayer's name, EIN and taxable year listed.

Taxpayers may password protect the CD-ROM or DVD-ROM and email the password separately to MediaLibrarian@azdor.gov. Include "Form(s) 332-1, and/or 332-2" in the subject line of the email. In the body of the email, include the same information that is on the CD-ROM or DVD-ROM label. The department will not return or copy any media.

CAUTION: *Taxpayers that substitute the CD-ROM or DVD-ROM do so at their own risk and understand that the information may need to be provided to the department again at a later date if it is not accessible by the department for any reason.*

Complete one Form 332-1 for each qualified employee. Include the employee's name, SSN, and the date each employee was hired. If an employee's job duties do not involve or directly support the harvesting, transporting or processing of qualifying forest products in a qualified project, the employee is not in a qualified employment position. Do not complete a Form 332-1 for employees that are not in qualified employment positions. These employees should not be listed on Form 332-2, and will not be used to compute the credits.

FORM 332-1, LINE 6 - complete this line if the employee was previously employed by the business (prior to current employment).

FORM 332-1, LINES 9a AND 9b - on line 9a, enter the total amount of the insurance premium or membership cost provided for the employee. If the business is self-insured, list the total amount of a predetermined fixed cost for the employee for an insurance program that is payable whether or not the employee has filed claims. On line 9b, enter the total amount of the insurance premium or membership cost paid by the employer.

FORM 332-2 QUALIFIED EMPLOYEES FOR WHICH YOU ARE TAKING THE EMPLOYMENT CREDIT

Complete the requested information for each employee in a qualified employment position for whom you are taking the employment credit. Use Forms 332-1 and 332-2 to complete Part 5, lines 13 through 17 on Form 332.

Form 332-P, Distribution to Individual Partners of a Partnership

Enter the taxable year from which this credit is being passed through to your individual partners.

Complete Form 332-P for each individual partner of the partnership, *except for* trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The partnership must furnish each individual partner with their completed copy of Form 332-P, including additional schedules as needed.

Part 1 - Partnership and Partner Information

Line 1

Enter the partnership name and EIN in the spaces provided

Line 2

Enter the individual partner's name, SSN, and ownership percentage in the spaces provided.

Line 3

If the name and EIN of the partnership is different from the name and EIN of the Healthy Forest Enterprise, enter the name and EIN of the Healthy Forest Enterprise in the spaces provided. If the name and EIN of the partnership is the same as the name and EIN of the Healthy Forest Enterprise, indicate, "SAME."

Part 2 - Distribution of the Credit

Line 4

Enter the amount of the partnership's employment credit from Form 332, Part 5, line 17, column (d).

Line 5

Multiply line 4 by the percentage on line 2(c). Enter the result. This is the individual partner's portion of the employment credit.

Part 3 - Credit Recapture

Line 6

Enter the total amount of the partnership's employment credit previously passed through to the individual partner.

Line 7

Enter the recapture percentage of the employment credit amount previously passed through that is subject to recapture from Form 332, Part 6, line 21.

Line 8

Multiply line 6 by the percentage on line 7. Enter the result.

- *Individual Partners:* Enter this amount on *your* Form 332, Part 6, line 24.

This is the individual partner's portion of the employment credit subject to recapture.

NOTE: *If you have recapture amounts for the employment credit from more than one source, calculate each recapture amount separately. Total the amounts subject to recapture and enter that amount on line 8.*

Line 9

Enter the total amount of the partnership's training credit that was previously passed through to the individual partner.

Line 10

Enter the recapture percentage of the training credit amount that was previously passed through that is subject to recapture from Form 332, Part 7, line 29.

Line 11

Multiply line 9 by the percentage on line 10. Enter the result.

- *Individual Partners:* Enter this amount on *your* Form 332, Part 7, line 32.

This is the individual partner's portion of the training credit subject to recapture.

NOTE: *If you have recapture amounts for the training credit from more than one source, calculate each recapture amount separately. Total the amounts subject to recapture and enter that amount on line 11.*

Each individual partner will use this form to complete his or her own Form 332.

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Include with your return.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Your Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140NR-SBI, 140PY-SBI, 99T, 120, 120A, 120S, 120X or 165	Your Social Security or Employer Identification Number
Spouse's Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140NR-SBI, 140PY-SBI or 140X-SBI (if a joint return)	Spouse's Social Security Number

Part 1 Business Information

- 1 Business name: _____
- 2 Business location: _____

- 3 Employer Identification Number: _____

Part 2 Credit Computation - All taxpayers must complete Part 2

4 Number of qualifying employees placed on active duty during the current taxable year	4		
5 Credit per employee	5	1,000	00
6 Multiply the number on line 4 by the amount on line 5	6		00
7 Amount of pass through credit from Partnership: Enter the amount from Form 333-P, line 4	7		00
8 Amount of pass through credit from S Corporation: Enter the amount from Form 333-S, line 4.....	8		00
9 Total Credit: Add lines 6, 7, and 8. Enter the total	9		00

Part 3 Partner's Share of Credit

Partnerships:

- Do not complete Part 5 and 6 of Form 333.
- Complete Form 333-P separately for each partner.
- Furnish each partner with a copy of Form 333-P.

Part 4 S Corporation Credit Election and Shareholder's Share of Credit

10 The S Corporation has made an irrevocable election for the taxable year ending MM,DD,YYYY to (check only one box):

- (a) Claim the credit for employing national guard members, as shown on Part 2, line 9 for the taxable year mentioned above;
- OR
- (b) Pass the credit for employing national guard members, as shown on Part 2, line 9 for the taxable year mentioned above, through to its shareholders.

Signature Title Date

- If box (a) is checked, continue to Part 5.
- If box (b) is checked:
 - Complete a separate Form 333-S for each shareholder.
 - Furnish each shareholder with a copy of Form 333-S
 - S Corporations that have a carryover available from a credit in a prior year must complete Part 5; and Part 6, lines 18 and 19. If no carryover is available do not complete Part 5 and Part 6.

Continued on page 2 →

Part 5 Available Credit Carryover

	(a) Taxable Year from which you are carrying a credit	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
11	2016	00	00	00
12	2017	00	00	00
13	2018	00	00	00
14	2019	00	00	00
15	2020	00	00	00
16	Total Available Carryover: Add lines 11 through 15, column (d).....			00

Part 6 Total Available Credit

17	Current year's credit: <ul style="list-style-type: none"> • Individuals, C Corporations, S Corporations that are claiming the credit, or exempt organizations with UBTI: Enter the amount from Part 2, line 9 on line 17. • Individuals: If you did not make the Small Business Income election: Enter this amount on <i>Arizona Form 301, Part 1, line 14, column (a)</i>. • Individuals: If you made the Small Business Income election: Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 10, column (a)</i>. • C Corporations, S Corporations that are claiming the credit, and exempt organizations with UBTI: Also, enter this amount on <i>Arizona Form 300, Part 1, line 9, column (a)</i>..... 	17	00
18	Available carryover from Part 5, line 16, column (d). <ul style="list-style-type: none"> • Individuals: If you did not make the Small Business Income election: Enter this amount on <i>Arizona Form 301, Part 1, line 14, column (b)</i>. • Individuals: If you made the Small Business Income election: Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 10, column (b)</i>. • C Corporations, S Corporations that are claiming the credit, and exempt organizations with UBTI: Also, enter this amount on <i>Arizona Form 300, Part 1, line 9, column (b)</i>..... 	18	00
19	Total Available Credit: Add lines 17 and 18 and enter the total. <ul style="list-style-type: none"> • Individuals: If you did not make the Small Business Income election: Enter this amount on <i>Arizona Form 301, Part 1, line 14, column (c)</i>. • Individuals: If you made the Small Business Income election: Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 10, column (c)</i>. • C Corporations, including S Corporations that are claiming the credit, and exempt organizations with UBTI: Also, enter this amount on <i>Arizona Form 300, Part 1, line 9, column (c)</i> 	19	00

Your Name (as shown on Form 333, page 1)

Your Social Security or Employer Identification Number

Page ____ of ____

Form 333-1

Qualifying Employees

2021

	(a) Employee Name	(b) Social Security Number	(c) Date of Hire	(d) Date placed on Active Duty	(e) Was this employee in a full-time employment position when placed on active duty?	(f) Did this employee serve on active duty during the taxable year for training that exceeds the required annual training period, including any activation for federal or state contingencies or emergencies?
1					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
2					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
3					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
4					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
5					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
6					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
7					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
8					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
9					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
10					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
11					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
12					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
13					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
14					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
15					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
16					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

If you have more than 16 qualifying employees, complete additional schedules and include with the form.

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For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Partnership:

- Complete Form 333-P for each partner in the partnership **except for** trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form and certification received from the Arizona Department of Revenue to each partner.
- Include a copy of Form 333 and a copy of each Form 333-P with your partnership return.
- Keep a copy of each completed 333-P for your records.

Partner:

- Use this form to complete *your own* Form 333.
- Include a copy of this form with your return.
- Keep a copy of this form for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which the partnership's fiscal year ends.

Part 1 Partnership and Partner Information

1	(a) Partnership Name	(b) Employer Identification Number (EIN)	
	2	(a) Partner Name	(b) Taxpayer Identification Number (TIN)

Part 2 Distribution of the Credit

3 Enter the amount of the partnership's credit from Form 333, Part 2, line 9.....	3		00
4 Multiply line 3 by the percentage on line 2(c). Enter the result..... This is the partner's <i>pro rata</i> share of the credit. <i>Partners:</i> Enter this amount on <i>your own</i> Form 333, Part 2, line 7.	4		00

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For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

S Corporation:

- Complete Form 333-S for each shareholder in the S Corporation **except for** trust or estate shareholders. However, a S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form and certification received from the Arizona Department of Revenue to each shareholder.
- Include a copy of Form 333 and a copy of each Form 333-S with your S Corporation return.
- Keep a copy of each completed 333-S for your records.

Shareholder:

- Use this form to complete *your own* Form 333.
- Include a copy of this form with your return.
- Keep a copy of this form for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which the S Corporation's fiscal year ends.

Part 1 S Corporation and Shareholder Information

1	(a) S Corporation Name	(b) Employer Identification Number (EIN)	
	(a) Shareholder Name	(b) Taxpayer Identification Number (TIN)	(c) Shareholder Ownership % %

Part 2 Distribution of the Credit

3 Enter the amount of the S Corporation's credit from Form 333, Part 2, line 9.....	3		00
4 Multiply line 3 by the percentage on line 2(c). Enter the result..... This is the shareholder's <i>pro rata</i> share of the credit. <i>Shareholders:</i> Enter this amount on <i>your own</i> Form 333, Part 2, line 8.	4		00

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2021 Credit for Employing National Guard Members

For information or help, call one of the numbers listed:

Phoenix (602) 255- 3381

From area codes 520 and 928, toll-free (800) 352- 4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

General Instructions

- **Individual taxpayers that did not make the Small Business Income election**, complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR, or 140X).
- **Individual taxpayers that made the Small Business Income election**, complete this credit form and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI and 140X-SBI. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).

Corporate taxpayers including exempt organizations with unrelated business taxable income: You must also complete Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture, and include Forms 300 and 333 with your tax return to claim this credit.

Partnerships passing the credit through to its partners must also complete and include a separate Form 333-P for each partner receiving a pass-through credit.

S Corporations passing the credit through to its shareholders must also complete and include a separate Form 333-S for each shareholder receiving a pass-through credit.

Arizona law provides a credit for employers who have an employee that is a member of the Arizona National Guard if the employee is placed on active duty.

The credit is \$1,000 for each employee who is placed on active duty by the Arizona National Guard.

To qualify for the credit, all of the following must apply:

- The employee must be a member of the Arizona National Guard.

- The employee must be in a full time equivalent position when the employee is placed on active duty.
- Each member of the Arizona National Guard who is employed must have served during the taxable year on active duty for training that exceeds the required annual training period, including any activation for federal or state contingencies or emergencies.

You may claim the credit only once in any taxable year with respect to each employee who is placed on active duty by the Arizona National Guard. However, you may claim the credit again for that employee in a subsequent year if that employee remains on active duty or is placed again on active duty in a subsequent taxable year.

If the allowable credit exceeds your income tax liability, you may carry over any unused amount for the next five consecutive taxable years.

NOTE: *The maximum amount of credit established for the current taxable year does not include any unused valid carryover amount(s) from prior taxable years. Because this is a nonrefundable tax credit, the total amount of available credit [current year plus any valid carryover amount(s)] that a taxpayer may use for the taxable year cannot be greater than the tax liability shown.*

This credit is available to individuals, C Corporations, and S Corporations. A partnership may pass the credit through to its partners. An S Corporation may pass the credit through to its shareholders.

NOTE: *Partnerships passing the credit through to its partners must complete Form 333, Parts 1, 2 and 3; and Form 333-P for each partner.*

S Corporations, who elect to pass through the credit to its shareholders, must complete Form 333, Parts 1, 2 and 4; and Form 333-S for each shareholder. If the S Corporation has a carryover amount available from claiming the credit in a prior taxable year, the S Corporation must also complete Parts 5 and 6 of Form 333.

This credit is also available to an exempt organization that is subject to corporate income tax on unrelated business taxable income (UBTI). The credit must result from the activities that generate the UBTI.

Line-by-Line Instructions

Enter your name and Social Security Number (SSN) or Employer Identification Number (EIN) as shown on Arizona Forms 140, 140PY, 140NR, 140X, 99T, 120, 120A, 120S, 120X, or 165.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for an individual is the taxpayer's SSN or an Internal Revenue Service (IRS) individual taxpayer identification number (ITIN). The TIN for a business is the EIN.

Taxpayers that fail to include their identification number may be subject to a penalty.

NOTE: Complete Parts 1, 2, and 6, if you are claiming a new credit for the current tax year. If you are passing-through this credit, complete Parts 1 through 4, and Form 333-P or Form 333-S.

If you are **only** claiming a carryover amount available from a previous credit, complete Parts 1, 5 and 6.

Part 1 - Business Information

Complete lines 1, 2, and 3 for the business that employed the qualifying National Guard Members.

Lines 1 through 3

Enter the name, address, and EIN of the business that employs qualifying employees.

Part 2 - Credit Computation

NOTE: Before completing Part 2, lines 4 through 6, complete Form 333-1, Qualifying Employees, as instructed on the form. Form 333-1 is a listing of all employees for which you are claiming the credit. If you have more than 16 qualifying employees, complete additional schedule(s) and include with the credit form.

Lines 4 through 6

The credit is \$1,000 for each qualifying employee that is placed on active duty by the Arizona National Guard. Complete lines 4 through 6 as instructed on the form.

Line 7

Enter the amount from Form 333-P, line 4. If you received more than one Form 333-P, add all amounts on line 4 and enter the total.

Line 8

Enter the amount from Form 333-S, line 4. If you received more than one Form 333-S, add all amounts on line 4 and enter the total.

Line 9 - Total Credit

Add lines 6, 7, and 8. Enter the total.

Part 3 - Partner's Share of Credit

Partnerships:

- Do not complete Parts 5 and 6 of Form 333.
- Complete Form 333-P, *Credit for Employing National Guard Members – Distribution to Partners*, separately for each partner. Form 333-P is available on our website. The instructions for completing Form 333-P are included on page 4 of these instructions.
- Furnish each partner with a copy of their completed Form 333-P.

Part 4 - S Corporation Credit Election and Shareholder's Share of Credit

Line 10

The S Corporation must complete this portion of Form 333 in order for the S Corporation or its shareholders to claim this credit. Each shareholder may claim only a *pro rata* share of the credit based on the shareholder's ownership interest in the S Corporation.

The S Corporation must make an irrevocable election either to claim the credit (check box a) or to pass the credit through to its shareholders (check box b).

The election statement must be signed by one of the officers of the S Corporation who is also a signatory to the Arizona Form 120S.

- If box (a) is checked, continue to Part 5.
- If box (b) is checked:
 - Complete a separate Form 333-S, *Credit for Employing National Guard Members – Distribution to Shareholders*, for each shareholder. Form 333-S is available on our website. The instructions for completing Form 333-S are included on page 4 of these instructions.
 - Furnish each shareholder with a copy of their completed Form 333-S.
 - S Corporations that have a carryover available from a credit in a prior year must complete Part 5 and Part 6, lines 18 and 19. If no carryover is available, do not complete Part 5 and Part 6.

Part 5 – Available Credit Carryover

Lines 11 through 16

Complete Part 5, lines 11 through 16 to figure your available credit carryover from taxable years 2016 through 2020.

- In column (b), enter the credit originally computed for the taxable year listed in column (a).
- In column (c), enter the amount of the credit from that taxable year which you have already used.
- In column (d), subtract the amount in column (c) from the amount in column (b) and enter the difference.
- Add the amounts entered on lines 11 through 15 in column (d).

Enter the total on line 16, column (d).

Part 6 - Total Available Credit

Line 17

Individuals, C Corporations, S Corporations claiming the credit, or exempt organizations with UBTI, enter the amount from Part 2, line 9.

- **Individuals that did not make the Small Business Income election:** – Also enter this amount on Form 301, Part 1, line 14, column (a).
- **Individuals that made the Small Business Income election:** Also enter this amount on Form 301-SBI, Part 1, line 10, column (a).

- Corporations, S Corporations claiming the credit, and exempt organizations with UBTI claiming the credit: Also, enter this amount on Form 300, Part 1, line 9, column (a)

Line 18

Enter the amount from Part 5, line 16, column (d).

- *Individuals that did not make the Small Business Income election:* – Also enter this amount on Form 301, Part 1, line 14, column (b).
- *Individuals that made the Small Business Income election:* Also enter this amount on Form 301-SBI, Part 1, line 10, column (b).
- Corporations, S Corporations claiming the credit, and exempt organizations with UBTI claiming the credit: Also, enter this amount on Form 300, Part 1, line 9, column (b)

Line 19 -Total Available Credit

Add lines 17 and 18. Enter the total.

- *Individuals that did not make the Small Business Income election:* – Also enter this amount on Form 301, Part 1, line 14, column (c).
- *Individuals that made the Small Business Income election:* Also enter this amount on Form 301-SBI, Part 1, line 10, column (c).
- Corporations, S Corporations claiming the credit, and exempt organizations with UBTI claiming the credit: Also, enter this amount on Form 300, Part 1, line 9, column (c).

2021 Credit for Employing National Guard Members

Form 333-P, Credit for Employing National Guard Members - Distribution to Partners

NOTE: Form 333-P is available on the department's website.

Instructions for Partnerships Passing the Credit to Partners

Part 1 – Partnership and Partner Information

Line 1 (a) and (b)

In the space provided, enter the name of the partnership and employer identification number.

Line 2 (a) and (b) and (c)

In the space provided, enter the partner's name and SSN or employer identification number, and ownership percentage.

Each partner is entitled to a *pro rata* share of the credit, based on its ownership percentage.

Part 2 - Distribution of Credit

Line 3

Enter the partnership's current year's credit from Form 333, Part 2, line 9.

Line 4

Multiply line 3 by the partner's ownership percentage and enter the result.

Instructions for Partners receiving Form 333-P

- Enter the amount from Form 333-P, line 4, on *your own* Form 333, in Part 2, on line 7.

If you are claiming a pass-through credit from more than one partnership, add all amounts from Forms 333-P, line 4, and enter the total on Form 333, in Part 2, on line 7.

- If the partner is another partnership, it must complete a separate Form 333-P for each partner identifying the partner's *pro rata* share of the pass-through credit amount and qualifying wage expense.
- If the partner is an S Corporation and the S Corporation elects to pass through the credit to its shareholders, it must also complete a separate Form 333-S for each shareholder identifying the shareholder's *pro rata* share of credit amount and qualifying wage expense.
- If the partner is a C Corporation, S Corporation (electing to claim the credit), or an exempt organization with UBTI, it must complete its own Form 333 to claim the credit.

NOTE: If you file your income tax return on a calendar year basis (January 1, 2021 – December 31, 2021) but the partnership or S Corporation passing the credit files its return on a fiscal year basis, claim the pass-through credit on your income tax return for the year in which the partnership or S Corporation's fiscal year ends. For example, if the entity's tax year ends in February 2022, claim this credit on your 2022 tax return.

Form 333-S, Credit for Employing National Guard Members - Distribution to Shareholders

NOTE: Form 333-S is available on the department's website.

Instructions for S Corporations Passing the Credit to Shareholders

Part 1 – S Corporation Corporation and S Information

Line 1 (a) and (b)

In the space provided, enter the name of the S Corporation and employer identification number.

Line 2 (a) and (b) and (c)

In the space provided, enter the shareholder's name and SSN, and ownership percentage.

Each shareholder is entitled to a *pro rata* share of the credit, based on its ownership percentage.

Part 2 - Distribution of Credit

Line 3

Enter the S Corporation's current year's credit from Form 333, Part 2, line 9.

Line 4 -

Multiply line 3 by the shareholder's ownership percentage and enter the result.

Instructions for Shareholders receiving Form 333-S

- Enter the amount from Form 333-S, line 4, on *your own* Form 333, in Part 2, on line 8.

If you are claiming a pass-through credit from more than one S Corporation, add all amounts from Forms 333-S, line 4, and enter the total on Form 333, in Part 2, on line 8.

Include with your return.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Name as shown on Form 99T, 120, 120A, 120S, 120X or 165

Employer Identification Number

Part 1 Current Taxable Year's Credit Calculation

	(a) School Tuition Organization Name and Address	(b) Credit Approval Number	(c) Contribution Amount
1			00
2			00
3			00
4			00
5			00
6			00
7			00
8			00
9			00
10			00
11	Current year's contributions: Add lines 1 through 10 and any amounts on additional schedules. Enter the total		11 00
12	Flow-through from a partnership from <i>Form 335-P, line 13</i>		12 00
13	Total Current Year's Contributions: Add lines 11 and 12. Enter the total		13 00

Name (as shown on page 1)	EIN
---------------------------	-----

Part 2 Available Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
14		00	00	00
15		00	00	00
16		00	00	00
17		00	00	00
18		00	00	00
19	Total Available Carryover: Add lines 14 through 18 in column (d)			19 00

Part 3 Total Available Credit

C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI:

20	Total current year's contributions:			
	• Partnerships passing through this credit: Enter "0".			
	• Qualified S Corporations electing to pass through this credit: Enter "0". (Complete Part 4 to determine if qualified.)			
	• All others: Enter the amount from line 13.			
	• Also enter this amount on Form 300, Part 1, line 10, column (a).....	20		00
21	Available credit carryover from Part 2, line 19, column (d).			
	• Also enter this amount on Form 300, Part 1, line 10, column (b).....	21		00
22	Total available credit: Add lines 20 and 21. Enter the total.			
	• Also enter this amount on Form 300, Part 1, line 10, column (c).....	22		00

NOTE: Partnerships proceed to the instruction box at the bottom of this page. S Corporations, continue to Part 4.

Part 4 S Corporation Credit Election

S Corporations may elect to pass this credit through to its shareholders if its combined contributions to School Tuition Organizations and School Tuition Organizations for Displaced Students or Students With Disabilities, Forms 335 and 341, are greater than, or equal to, \$5,000.00.

23	Total contributions from line 11			
24	Total contributions from Form 341, line 11.....			
25	Total contributions: Add lines 23 and 24. Enter the total.....	23	00	24
		25		00

26 Is line 25 greater than or equal to \$5,000.00?..... **Yes** **No**
 If "Yes", you qualify and may elect to pass this credit through to the individual shareholders of the S Corporation.
 To do this, complete the authorization below.
 If "No", STOP, the S Corporation cannot pass this credit through to its individual shareholders.

27 The S Corporation has made an irrevocable election for the taxable year ending MM/DD/YYYY to:
(check only one box):

- 27a** Pass the credit as shown on line 13, for the taxable year indicated above, through to its individual shareholders.
OR
27b Claim this credit as shown on line 13, for the taxable year indicated above, at the corporate level.

 Signature Title Date

S Corporations making the election to pass on this credit to its shareholders, proceed to the instructions below.

INSTRUCTIONS:

- Partnerships passing this credit through to its corporate partners, complete Form 335-P for each corporate partner, and include a copy of this form with your return. Provide a copy of Form 335-P to each corporate partner.
- S Corporations passing this credit through to its individual shareholders, complete Form 335-S for each shareholder, and include a copy of this form with your return. Provide a copy of Form 335-S to each shareholder.

For the calendar year 2021 or fiscal year beginning MM,MM,DD,2021 and ending MM,MM,DD,YYYY.

Partnership Name	Employer Identification Number
------------------	--------------------------------

Partnerships:

- Complete Form 335-P for each corporate partner in the partnership.
- Include a copy of this form with your return.
- Provide a copy of this form to the partner.
- Keep one copy for your records.

Corporate Partners:

- Use this form to complete your Form 335.
- Include a copy of this completed form with your Form 335.

Corporate Partner's Name	Employer Identification Number	Ownership Percentage	%
--------------------------	--------------------------------	----------------------	---

	(a) School Tuition Organization Name	(b) Credit Approval Number
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

11	Total contributions to school tuition organizations from Form 335, Part 1, line 13	11		00
12	Corporate partner's ownership percentage.....	12		%
13	Corporate partner's portion of credit: Multiply line 11 by line 12. Enter the result here and on <i>Form 335, Part 1, line 12</i> . This is the amount of credit available to the corporate partner	13		00

NOTE: The amount on line 13 is the corporate partner's portion of the charitable deduction to be excluded. Add back this amount in the calculation of Arizona taxable income. See instructions for more details.

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For the calendar year 2021 or fiscal year beginning MM,MM,DD,2021 and ending MM,MM,DD,YYYY.

S Corporation Name	Employer Identification Number
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S Corporations:

- Complete Form 335-S for each individual shareholder in the S Corporation.
- Include a copy of this form with your return.
- Provide a copy of this form to each individual shareholder.
- Keep one copy for your records.

Individual Shareholders:

- Use this form to complete your Form 335-I.
- If you file your tax return on a calendar year basis but the corporation files a return for a fiscal year, claim this credit on your tax return for the year in which the corporation's fiscal year ends. For example, if the corporation's tax year ends in February 2022, claim this credit on your 2022 tax return.

Individual Shareholder's Name	Social Security Number	Ownership Percentage %
-------------------------------	------------------------	---------------------------

	(a) School Tuition Organization Name	(b) Credit Approval Number
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

11 Total contributions to school tuition organizations from Form 335, Part 1, line 13	11		00
12 Individual shareholder's ownership percentage	12		%
13 Individual shareholder's portion of the credit: Multiply line 11 by line 12. Enter the result here and on Form 335-I, Part 1, line 11. This is the amount of credit available to the individual shareholder	13		00

NOTE: If you claim the credit and itemize deductions on federal Schedule A, add back the lesser of the amount on line 13 or the amount that was deducted on Arizona Schedule A. See instructions for more details.

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For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

General Information

This credit provides a nonrefundable corporate income tax credit for contributions made to a school tuition organization (STO), authorized to receive corporate donations, that provides scholarships or grants to qualified schools. This credit must be pre-approved by the Arizona Department of Revenue. The STO must be certified pursuant to Chapter 15 of Title 43 at the time of donation.

Contributions designated for the direct benefit of a specific student will not qualify for the credit.

This credit is in lieu of any deduction taken under Internal Revenue Code § 170 for state tax purposes.

A taxpayer cannot claim this credit and the credit claimed on Form 341 for the same contribution.

The tax credit is equal to the amount the department has pre-approved. Once pre-approved, the taxpayer has 20 days in which to make the contribution to the STO.

The tax credit is available to corporate taxpayers, corporate partners, exempt organizations subject to corporate income tax on unrelated business taxable income (UBTI), or S Corporation individual shareholders.

- A partnership may pass this credit through only to its corporate partners, each of which may claim a *pro rata* share of the credit based on their ownership interest.
- An exempt organization may utilize this credit only if it results from activities that generate UBTI.
- An S Corporation may claim this credit against income Arizona is taxing at the corporate level, or it may make an irrevocable election to pass this credit through to its individual shareholders.
 - To pass this credit through to its individual shareholders, the S Corporation must make minimum contributions of \$5,000 to School Tuition Organizations or to School Tuition Organizations for Displaced Students or Students With Disabilities in a taxable year.
 - Each individual shareholder may claim only a *pro rata* share of the credit based on the individual's ownership interest in the S Corporation.

Any *pro rata* shares that would be distributed to non-eligible partners (individual partners in a partnership), or estates or trusts (shareholders in an S Corporation) is lost.

The total of the credits allowed to all owners may not exceed the amount that would have been allowed to a sole owner of the business.

If the allowable tax credit exceeds the taxes otherwise due, or if there are no taxes due, the amount of the credit not used to offset taxes may be carried forward for not more than five consecutive taxable years as a credit against subsequent years' income tax liability.

Claiming the Credit

This credit must be pre-approved by the Arizona Department of Revenue before it can be claimed. The process for obtaining pre-approval for the credit is available on our website: www.azdor.gov. Click on "Tax Credits", then click on "Corporate Tuition Tax Credits."

Before claiming the credit, obtain a copy of the STO's pre-approved application. Include a copy of the pre-approved application with Form 335. Failure to do so could result in a disallowance of this credit.

The department will preapprove the credits on a first-come, first-served basis. The pre-approval process works as follows:

- Before making the contribution, the taxpayer notifies the STO of the intended amount.
- The STO requests pre-approval from the Arizona Department of Revenue.
- The Arizona Department of Revenue pre-approves or denies the request within twenty days after it has received the request, and notifies the STO.
- If the request is pre-approved, the STO notifies the taxpayer immediately.
- The taxpayer must make the contribution within twenty days of receiving notice from the STO.

QUALIFIED SCHOOL TUITION ORGANIZATION REQUIREMENTS

The STO receiving contributions under this program must be certified pursuant to Chapter 15 of Title 43 at the time of donation.

A listing of certified School Tuition Organizations is available at www.azdor.gov. Click on "Tax Credits", then click on "Corporate Tuition Tax Credits", and then click on "School Tuition Organizations Certified to Receive Corporate Donations."

Completing the Form

Complete the name and employer identification number (EIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the tax return.

NOTE: *If the entity passing this credit through has a different tax year-end than the taxpayer, the taxpayer may only claim this credit on its tax return for that year. For example, if the entity passing this credit through has a tax year end of February 2021, claim this credit on the taxpayer's 2021 return.*

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for a corporation, an exempt organization with UBTI, an S Corporation, or a partnership is the taxpayer's EIN. Taxpayers that fail to include their TIN may be subject to a penalty.

NOTE – To claim this credit:

- **Individual taxpayers that did not make the Small Business Income election**, complete Form 335-I and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your tax return.
- **Individual taxpayers that made the Small Business Income election**, complete Form 335-I-SBI and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI. Include both completed forms with your tax return.
- **C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI**, complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. Include both completed forms with your tax return.
- **S Corporations electing to pass this credit through to its shareholders**, complete this credit form. Also complete Form 335-S for each individual shareholder of the S Corporation. Provide each individual shareholder a copy of his or her completed Form 335-S. Include Form 335 and one copy of each completed Form 335-S with your tax return.
- **Partnerships**, complete this credit form. Also, complete Form 335-P for each corporate partner of the partnership. Provide each corporate partner a copy of its completed Form 335-P. Include Form 335 and one copy of each completed Form 335-P with your tax return.

Part 1 – Current Taxable Year’s Credit Calculation

Lines 1 through 10

- List each STO’s name and address in column (a).
- List the credit approval number(s) in column (b).
- List the approved contribution amount(s) in column (c).

Line 11

Add the amounts in column (c) on lines 1 through 10 and enter that amount on line 11.

If contributions are made to more than ten STOs, complete and include additional schedules.

Line 12

Corporate partners (only), enter the amount from Form 335-P, line 13. If none, enter “0.”

Line 13

Add the amounts entered on lines 11 and 12. Enter the total.

Part 2 – Available Credit Carryover

Use Part 2 to calculate the taxpayer’s total available credit carryover from prior taxable years.

S Corporations, if this credit was claimed at the corporate level in a prior taxable year and there is a carryover amount available, complete Part 2.

Lines 14 through 18

- In column (a), enter the taxable year(s) from which the taxpayer is carrying over the credit.
- In column (b), enter the credit originally computed for the taxable year listed in column (a).
- In column (c), enter the amount of the credit from the taxable year that was already used.
- In column (d), subtract the amount in column (c) from column (b). Enter the difference.

Line 19

Add the amounts entered on lines 14 through 18 and enter the amount in column (d).

Part 3 – Total Available Credit

Use Part 3 to calculate the taxpayer’s total available credit for this tax year.

Line 20

- Partnerships passing through this credit to corporate partners, enter “0”
- Qualified S Corporations electing to pass this credit through to individual shareholders, enter “0.” To determine if the S Corporation qualifies to pass this credit through to its individual shareholders, complete Part 4. If the S Corporation’s total contributions to STOs on Form 335 and/or Form 341 exceed \$5,000, the S Corporation qualifies, and may elect, to pass this credit through to its individual shareholders.
- All other corporate entities, (C Corporations, exempt organizations subject to corporate income tax on UBTI, or **S Corporations claiming this credit at the corporate level**), enter the amount from line 13.
- Also, enter this amount on Form 300, Part 1, line 10, column (a).

Line 21

Enter the amount on line 19, column (d). If the amount is zero, enter “0.” Also, enter this amount on Form 300, line 10, column (b).

Line 22

Add lines 20 and 21. Enter the total. This is the taxpayer’s total credit for this tax year. Also, enter this amount on Form 300, line 10, column (c).

Partnerships: skip Part 4 and proceed to the instructions for completing Form 335-P on page 4.

S Corporations making the election to pass through this credit, proceed to Part 4.

Part 4 – S Corporation Credit Election

An S Corporation may elect to pass this credit through to its individual shareholders.

NOTE: *Trusts and estates which are shareholders of S Corporations, are not eligible to claim this credit. However, as S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. If the grantor is an individual, he or she may claim his or her share of the credit.*

To pass this credit through to its individual shareholders, the S Corporation must have made an aggregate contribution of \$5,000 or more on Forms 335 and 341 during the tax year.

Line 23

Enter the total contributions from line 11.

Line 24

Enter the total contributions from Form 341, line 1

Line 25

Add lines 23 and 24, enter the total.

Line 26

Is the amount on line 25 greater than, or equal to, \$5,000? If yes, check the “Yes” box and continue to line 27. If no, STOP, the S Corporation cannot pass this credit to its individual shareholders.

Line 27

If the S Corporation wishes to make an irrevocable election to pass this credit through to its individual shareholders, enter the ending date for this tax year, check the box indicating the S Corporation is passing this credit through to its individual shareholders, and have this form signed by an officer of the S Corporation who is also a signatory to Arizona Form 120S.

Proceed to the instructions on page 4 to complete Form 335-S.

Form 335-P, Distribution to Corporate Partners of a Partnership

Enter the name of the partnership and EIN at the top of Form 335-P. Enter the corporate partner's name, EIN, and ownership percentage on the next line. (Each corporate partner is entitled to a *pro rata* share of the credit, based on its ownership percentage.)

Complete Form 335-P for *each* corporate partner of the partnership.

Lines 1 through 10

- Enter the names of the STO(s) in column (a).
- Enter the Credit Approval Number(s) received in column (b).

If contributions are made to more than ten organizations, complete and include additional schedules.

Line 11

Enter the amount of the total current year's contributions from Form 335, Part 1, line 13.

Line 12

Enter the corporate partner's ownership percentage of the partnership.

Line 13

Multiply line 11 by line 12. Enter the result. This is the corporate partner's portion of this credit.

The partnership must furnish each corporate partner with its completed copy of Form 335-P, including additional schedules as needed.

The corporate partner will enter the amount on Form 335-P, line 13 on its own Form 335, line 12.

Form 335-S, Distribution to Individual Shareholders of an S Corporation

Enter the S Corporation name and TIN at the top of Form 335-S. Enter the individual shareholder's name, Social Security Number, and ownership percentage on the next line. (Each individual shareholder of the S Corporation is entitled to a *pro rata* share of the credit based on his/her ownership percentage.)

Complete Form 335-S for *each* shareholder except for trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. If the grantor is an individual, he or she may claim his or her share of the credit.

Lines 1 through 10

- Enter the names of the STO(s) in column (a).
- Enter the Credit Approval Number(s) received in column (b).

If contributions are made to more than ten organizations, complete and include additional schedules.

Line 11

Enter the amount of the total current year's contributions from Form 335, Part 1, line 13.

Line 12

Enter the shareholder's ownership percentage of the S Corporation.

Line 13

Multiply line 11 by line 12. Enter the result. This is the individual shareholder's portion of this credit.

The S Corporation must furnish each shareholder with their completed copy of Form 335-S, including additional schedules as needed.

The individual shareholder will use this form to complete Form 335-I.

Include with your return.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Your Name as shown on Form 140, 140NR, 140PY, 140X, 140-SBI, 140NR-SBI, 140PY-SBI or 140X-SB	Your Social Security Number
Spouse's Name as shown on Form 140, 140NR, 140PY, 140X, 140-SBI, 140NR-SBI, 140PY-SBI or 140X-SBI (if a joint return)	Spouse's Social Security Number

Part 1 School Tuition Organization Information

Check if you are claiming a pro rata share of credit from more than one S Corporation. Complete and include a separate Part 1 for each additional S Corporation.

I am claiming a credit for my pro rata share of contributions made by the S Corporation named below to the following school tuition organizations:

S Corporation name: _____ EIN: _____

If you need more space to list all school tuition organizations for which contributions were made by the S Corporations identified above, complete an additional schedule and include it with the credit form.

	(a) School Tuition Organization Name	(b) Credit Approval Number	
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11	Amount of individual shareholder's pro rata share of qualified contributions made to school tuition organizations from the S Corporation listed above.....	11	00

Continued on page 2 →

Your Name (as shown on page 1)	Your Social Security Number
--------------------------------	-----------------------------

Part 2 Current Year's Credit

12 Current year's credit: Enter the amount from Part 1, line 11. If you are claiming a current year's credit from more than one S Corporation, include the amount(s) on line 11 from each additional Part 1 schedule and enter the total	12	00
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Part 3 Available Credit Carryover

	(a) Taxable Year from which you are carrying the credit	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
13	2016	00	00	00
14	2017	00	00	00
15	2018	00	00	00
16	2019	00	00	00
17	2020	00	00	00
18	Total Available Carryover: Add lines 13 through 17, column (d).....			18 00

Part 4 Total Available Credit

19 Current year's credit: Enter the amount from Part 2, line 12. <ul style="list-style-type: none"> • If you did not make the Small Business Income election: Enter this amount on <i>Arizona Form 301, Part 1, line 15, column (a)</i>. • If you made the Small Business Income election: Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 11, column (a)</i>..... 	19	00
20 Available credit carryover: Enter the amount from Part 3, line 18, column (d). <ul style="list-style-type: none"> • If you did not make the Small Business Income election: Enter this amount on <i>Arizona Form 301, Part 1, line 15, column (b)</i>. • If you made the Small Business Income election: Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 11, column (b)</i>..... 	20	00
21 Total Available Credit: Add lines 19 and 20. Enter the total. <ul style="list-style-type: none"> • If you did not make the Small Business Income election: Enter this amount on <i>Arizona Form 301, Part 1, line 15, column (c)</i>. • If you made the Small Business Income election: Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 11, column (c)</i>..... 	21	00

For information or help, call one of the numbers listed:
Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

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Publications
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General Instructions

NOTE – To claim this credit:

- **Individual taxpayers that did not make the Small Business Income election**, complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR or 140X).
- **Individual taxpayers that made the Small Business Income election**, complete this credit form and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI and 140X-SBI. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI or 140X-SBI).

Arizona law allows an individual shareholder to claim a nonrefundable tax credit for the *pro rata* amount of contributions made by an S Corporation to a school tuition organization (STO).

The S Corporation must make an irrevocable election on Arizona Form 335, *Credit for Contributions to School Tuition Organization*, to pass-through the credit to its individual shareholder(s). The S Corporation making the election should give you Arizona Form 335-S, *Credit for Corporate Contributions to School Tuition Organizations - Distribution to Shareholders of an S Corporation*, showing your *pro rata* share of the available credit for the taxable year. The amount of the allowable credit you may claim is reported on Form 335-S.

An individual shareholder may claim a corporate STO credit passed through from an S Corporation even if the individual is claiming the maximum amount allowed under the two individual private school tuition credits (Arizona Forms 323 and 348.) The corporate STO credit passed through from the

S Corporation is a different credit that is not subject to the limitations under the two individual private school tuition credits.

NOTE: Individual Shareholders of an S Corporation with a Fiscal Year-End - If you file your tax return on a calendar year basis, but the corporation files a return for a fiscal year, claim the credit on your tax return for the year in which the corporation's fiscal year ends. For example, if the corporation's tax year ends in February 2022, claim the credit on your 2022 tax return.

Co-owners of the S Corporation may each claim the *pro rata* share of the credit allowed based on the taxpayers ownership interest. The total of the credits allowed all owners of the corporation may not exceed the amount that would have been allowed a sole owner of the business.

If the allowable tax credit exceeds the taxes otherwise due, or if there are no taxes due, you may carry the unused credit forward for a period not to exceed the next five consecutive taxable years' income tax liability.

NOTE: The maximum amount of credit established for the current taxable year does **not** include any unused valid carryover amount(s) from prior taxable years. Because this is a nonrefundable tax credit, the total amount of available credit [current year plus any valid carryover amount(s)] that a taxpayer may use for the taxable year cannot be greater than the tax liability shown.

You cannot claim both a tax credit and an Arizona itemized deduction for the amount of contributions made to a STO for which you are claiming a credit.

NOTE: This tax credit is not allowed if the S Corporation or a shareholder designates the contribution to the STO for the direct benefit of any dependent of a shareholder of the corporation claiming a credit under this section or if the corporation or a shareholder designates a student beneficiary as a condition of the contribution to the STO.

The tax credit is not allowed if the S Corporation or a shareholder, with the intent to benefit a shareholder's dependent, agrees with one or more other taxpayers to designate reciprocal contributions to school tuition organizations for the direct benefit of the other taxpayer's dependent.

For Arizona purposes, "dependent" has the same meaning provided in § 152 of the Internal Revenue Code. For the purpose of this credit, it does not matter if the shareholder qualifies to take the dependent deduction.

Line-by-Line Instructions

Enter your name and taxpayer identification number (TIN) as shown on Arizona Forms 140, 140NR, 140PY, or 140X. Indicate the period covered by the taxable year. Include the completed form with the income tax return.

All returns, statements, and other documents filed with the department require a TIN. The TIN for an individual is the taxpayer's Social Security Number (SSN) or an Internal

Revenue Service (IRS) individual taxpayer identification number (ITIN). Taxpayers that fail to include their identification number may be subject to a penalty.

NOTE: Complete Parts 1, 2 and 4 if you are claiming a new credit for the current tax year.

If you are **only** claiming a carryover amount available from a previous credit, complete Parts 3 and 4.

Part 1 - School Tuition Organization Information

NOTE: If you are claiming a pro rata share of credit from more than one S Corporation, check the box in Part 1. Complete and include a separate Part 1 for each S Corporation.

In the space provided, enter the S Corporation's name and employer identification number (EIN) for which you are claiming a pro rata share of credit for contributions made during the taxable year.

Lines 1 through 10

On lines 1 through 10, enter the name and credit approval number for **all** STOs the S Corporation made a contribution to for which you are claiming a pro rata share of credit for the current taxable year.

This information is shown on page 1 of the S Corporation's Arizona Form 335-S.

If you need more space to list **all** STOs for which contributions were made by the S Corporation, include a separate schedule showing the name and credit approval number for each and include with the credit form.

Line 11 - Taxpayer's Pro Rata Share of Contributions Made by the S Corporation Named in Part 1

Enter the amount from the S Corporation's Arizona Form 335-S, line 13.

Part 2 - Current Year's Credit

Line 12

Enter the amount of your pro rata share of the contributions made to the STOs listed in Part 1.

If you are claiming a pro rata share of credit from more than one S Corporation, add all amounts on line 11 from each separate Part 1, and enter the total.

Part 3 - Available Credit Carryover

Lines 13 through 18

Complete Part 3, lines 13 through 18 to figure your available credit carryover from taxable years 2016 through 2020 if you claimed this credit and the credit was more than your tax.

- In column (b) enter the credit originally computed for that taxable year listed in column (a).
- In column (c) enter the amount of the credit from that taxable year which you have already used.
- Subtract the amount in column (c) from column (b) and enter the difference in column (d).
- Add lines 13 through 17, column (d).

Enter the total on line 18, column (d).

Part 4 - Total Available Credit

Line 19 -

Enter the amount from Part 2, line 12.

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 15, column (a).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 11, column (a).

Line 20 -

Enter the amount from Part 3, line 18, column (d).

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 15, column (b).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 11, column (b).

Line 21 - Total Available Credit

Add line 19 and line 20. Enter the total.

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 15, column (c).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 11, column (c).

All taxpayers: Include with your return. Exempt organizations: See instructions.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Your Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140NR-SBI, 140PY-SBI, 140X-SBI, 99T, 120, 120A, 120S or 120X	Your Social Security or Employer Identification Number
Spouse's Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140NR-SBI, 140PY-SBI or 140X-SBI (if a joint return)	Spouse's Social Security Number

Part 1 Available Credit Carryover

	(a) Taxable Year from which you are carrying a credit	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
1	2016	00	00	00
2	2017	00	00	00
3	2018	00	00	00
4	Total Available Carryover: Add lines 1 through 3, column (d).....			00

Part 2 Total Available Credit

5 Available credit carryover from Part 1, line 4, column (d). Enter the total from Part 1, line 4.		
• Individuals: If you did not make the Small Business Income election : Enter this amount on <i>Arizona Form 301, Part 1, line 16, column (b) and column (c)</i> .		
• Individuals: If you made the Small Business Income election : Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 12, column (b) and column (c)</i> .		
• C Corporations and S Corporations claiming the credit and exempt organizations with UBTI: Also enter this amount on <i>Arizona Form 300, Part 1, line 11, column (b) and column (c)</i>	5	00

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**CONTACTS FOR COMMERCIAL AND INDUSTRIAL
SOLAR ENERGY TAX CREDIT PROGRAM**

Arizona Commerce Authority (ACA)

•Application forms •Program guidelines

Website: www.azcommerce.com

Program Manager: (602) 845-1200

Arizona Department of Revenue

For information or help, call one of the numbers listed:

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Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

General Instructions

NOTE: This credit expired on December 31, 2018.

Taxpayers *may not* establish any new credits for taxable years beginning from and after December 31, 2018. Taxpayers may only claim valid credit carryover amounts available from prior taxable years.

Individual taxpayers that did not make the Small Business Income election, complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return (Form 140, 140PY, 140NR, or 140X.)

Individual taxpayers that made the Small Business Income election, complete this credit form and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI and 140X-SBI. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).

Corporate taxpayers including exempt organizations with unrelated business taxable income: You must also complete Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture, and include Forms 300 and 336 with your tax return to claim this credit.

Line-by-Line Instructions

Enter the name(s) and taxpayer identification number(s) (TIN) as shown on Arizona Forms 99T, 140, 140NR, 140PY, 140X, 120, 120A, 120S, or 120X.

If the taxpayer is an exempt organization that is not required to file Arizona Form 99, enter the organization's name and employer identification number (EIN).

Fiscal year basis taxpayers must indicate the period covered by the taxable year. Include the completed form with the tax return. Exempt organizations must file this form as noted under the heading titled "Tax Exempt Organizations."

All returns, statements, and other documents filed with the Department of Revenue (Department) require a taxpayer identification number (TIN). The TIN for an individual is the taxpayer's Social Security Number (SSN) or an Internal Revenue Service (IRS) individual taxpayer identification number (ITIN), or for a business, the EIN.

Paid tax preparers must also include their TIN on forms where requested. Paid preparers who fail to include their TIN may be subject to a penalty. Missing, incorrect, or unclear identification numbers may cause delays in processing.

**Part 1 - Available Credit Carryover
Lines 1 through 4**

Complete lines 1 through 4 to figure your credit carryover from taxable years 2016 through 2018, if you claimed this credit on a return for one of these years and the credit was more than your tax.

- In column (b), enter the credit originally computed for the taxable year.
- In column (c), enter the amount of the credit from that taxable year which you have already used.
- In column (d), subtract the amount in column (c) from the amount in column (b) and enter the difference.
- Add the amounts entered on lines 1 through 3 in column (d).

Enter the total on line 4, column (d).

**Part 2 - Total Available Credit
Line 6**

Individuals, C Corporations, S Corporations claiming the credit, and exempt organizations with UBTI: Enter the amount from Part 1, line 4.

- **Individuals that did not make the Small Business Income election:** Also enter this amount on Form 301, Part 1, line 16, column (b).
- **Individuals that made the Small Business Income election:** Also enter this amount on Form 301-SBI, Part 1, line 12, column (b).
- C Corporations, S Corporations claiming the credit, and exempt organizations with UBTI: Also, enter this amount on Arizona Form 300, Part 1, line 11, column (b).

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Include with your return.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Your Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140NR-SBI, 140PY-SBI, 140X-SBI, 120S or 165	Your Social Security or EIN
Spouse's Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140NR-SBI, 140PY-SBI or 140X-SBI (if a joint return)	Spouse's Social Security Number

NOTE: For the year in which the credit is available, you must file your return claiming the credit by the original due date or the extended due date of your return. If you fail to claim this credit for the taxable year on a timely filed return, the credit for that taxable year expires and no carryover will be allowed.

Part 1 Current Year's Credit

1 Amount of credit for taxable year 2021 shown on the Arizona Commerce Authority's Authorization of Tax Credits	1		00
To be eligible for the credit, you must include a copy of the Arizona Commerce Authority's Authorization of Tax Credits with your return.			
2 Amount of pass-through credit from <i>Partnerships</i> : Enter the amount from Form 338-P, Part 2, line 4	2		00
3 Amount of pass-through credit from <i>S Corporations</i> : Enter the amount from Form 338-S, Part 2, line 4	3		00
4 Total Credit: Add lines 1, 2, and 3. Enter the total.	4		00

Part 2 Partnership: Individual Partner's Share of Credit

- Partnerships:
- Complete a separate Form 338-P for each partner.
 - Furnish each partner with a copy of the completed Form 338-P and copy of Arizona Commerce Authority's Authorization of Tax Credits.

Part 3 S Corporation: Individual Shareholder's Share of Credit

- S Corporations:
- Complete a separate Form 338-S for each individual shareholder.
 - Furnish each individual shareholder with a copy of the completed Form 338-S and copy of Arizona Commerce Authority's Authorization of Tax Credits.

Part 4 Available Credit Carryover

	(a) Taxable Year from which you are carrying the credit	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).	
5	2018	00	00	00	
6	2019	00	00	00	
7	2020	00	00	00	
8	Total Available Carryover: Add lines 5 through 7, column (d)			8	00

Part 5 Total Available Credit

9 Current Year's Credit: Enter the amount from Part 1, line 4	9		00
<ul style="list-style-type: none"> • If you did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 17, column (a). • If you made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 13, column (a)..... 			
10 Available credit carryover from Part 4, line 8, column (d).	10		00
<ul style="list-style-type: none"> • If you did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 17, column (b). • If you made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 13, column (b)..... 			
11 Total Available Credit: Add lines 9 and 10. Enter the total.	11		00
<ul style="list-style-type: none"> • If you did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 17, column (c). • If you made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 13, column (c)..... 			

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For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Partnership:

- Complete Form 338-P for each individual partner in the partnership. A partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form and authorization received from the Arizona Commerce Authority to each partner.
- Include a copy of Form 338 and a copy of each Form 338-P with your partnership return.
- Keep a copy of each completed 338-P for your records.

Partner:

- Use this form to complete *your own* Form 338.
- Include this completed form and a copy of the authorization from the Arizona Commerce Authority with your return.
- Keep a copy of this form and authorization for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Part 1 Partnership and Partner Information

1	(a) Partnership Name	(b) Employer Identification Number (EIN)	
2	(a) Partner Name	(b) Taxpayer Identification Number (TIN)	(c) Partner Ownership % %

Part 2 Distribution of the Credit

3 Enter the amount of the partnership's credit from Form 338, Part 1, line 4.....	3		00
4 Multiply line 3 by the percentage on line 2(c). Enter the result..... This is the partner's <i>pro rata</i> share of the credit. <i>Partners:</i> Enter this amount on <i>your own</i> Form 338, Part 1, line 2.	4		00

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For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

S Corporation:

- Complete Form 338-S for each individual shareholder in the S Corporation. An S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form and authorization received from the Arizona Department of Revenue to each shareholder.
- Include a copy of Form 338 and a copy of each Form 338-S with your S Corporation return.
- Keep a copy of each completed 338-S for your records.

Shareholder:

- Use this form to complete *your own* Form 338.
- Include this completed form and a copy of the authorization from the Arizona Commerce Authority with your return.
- Keep a copy of this form and authorization for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Part 1 S Corporation and Shareholder Information

1	(a) S Corporation Name	(b) Employer Identification Number (EIN)	
	(a) Shareholder Name	(b) Taxpayer Identification Number (TIN)	(c) Shareholder Ownership % %

Part 2 Distribution of the Credit

3 Enter the amount of the S Corporation's credit from Form 338, Part 1, line 4.....	3		00
4 Multiply line 3 by the percentage on line 2(c). Enter the result..... This is the shareholder's <i>pro rata</i> share of the credit.	4		00

Shareholders: Enter this amount on *your own* Form 338, Part 1, line 3.

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CONTACTS FOR QUALIFIED SMALL BUSINESS CAPITAL INVESTMENT TAX CREDIT PROGRAM

Arizona Commerce Authority (ACA)

•Application forms •Program guidelines

Website: www.azcommerce.com

Program Manager: (602) 845-1200

Arizona Department of Revenue

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To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

General Instructions

NOTE:

Individual taxpayers that did not make the Small Business Income election, complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR, or 140X).

Individual taxpayers that made the Small Business Income election, complete this credit form and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI and 140X-SBI. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).

Partnerships passing the credit through to its partners must also complete and include a separate Form 338-P for each partner receiving a pass-through credit.

S Corporations passing the credit through to its shareholders must also complete and include a separate Form 338-S for each shareholder receiving a pass-through credit.

For taxable years beginning from and after December 31, 2006 through December 31, 2034, Arizona law allows a credit for investments made in qualified small businesses. The amount of the credit is the amount determined and authorized by the Arizona Commerce Authority (ACA).

To claim this credit, you must include a copy of the ACA's *Authorization of Tax Credits* with your income tax return.

You must claim the credit on a timely filed return filed for the tax year in which the credit is available. A timely filed return is a return that you file by the return's original or extended due date. If you fail to timely file a return claiming the credit for a taxable year, the credit expires for that taxable year and there is no carryforward of the expired credit.

If the allowable tax credit is more than your tax liability or if you have no tax liability, you may carry the unused credit forward for up to the next three consecutive tax years.

NOTE: *The maximum amount of credit established for the current taxable year does not include any unused valid carryover amount(s) from prior taxable years. Because this is a nonrefundable tax credit, the total amount of available credit [current year plus any valid carryover amount(s)] that a taxpayer may use for the taxable year cannot be greater than the tax liability shown.*

This credit is available to individuals only. A corporation, including an S Corporation, may not claim this credit. However, an S Corporation may pass the credit through to its individual shareholders.

A partnership may pass the credit through to its individual partners. The total of the credits allowed all such owners may not exceed the amount that would have been allowed a sole owner.

The basis of any investment with respect to which you claim a credit must be reduced by the amount of the credit claimed with respect to the investment.

Qualified Small Business Capital Investment Program

The ACA administers the Qualified Small Business Capital Investment program. Tax credits are authorized on a first come, first served basis.

To seek a tax credit under this program, you must submit an application for an *Authorization of Tax Credits* to the ACA. To obtain an *Authorization of Tax Credits*, you must document that each investment and the small business meet the eligibility requirements. The ACA will issue an *Authorization of Tax Credits* after determining eligibility of the investor. For more information about this credit, visit the ACA's website at www.azcommerce.com.

Line-by-Line Instructions

Enter the names and taxpayer identification numbers (TIN) as shown on Arizona Forms 140, 140PY, 140NR, 140X, 120S or 165. Fiscal year basis taxpayers must indicate the period covered by the taxable year. Include the completed form with the tax return.

All returns, statements, and other documents filed with the Department of Revenue require a TIN. The TIN is either a correct Social Security Number (SSN) or an Internal

Revenue Service (IRS) individual taxpayer identification number (ITIN), or for a business, the employer identification number (EIN). Taxpayers who fail to include a TIN may be subject to a penalty. Be sure that all required identification numbers are written clearly. Missing, incorrect, or unclear identification numbers may cause delays in processing.

NOTE: Complete Parts 1 and 5, if you are claiming a new credit for the current tax year. If you are passing-through this credit, complete Parts 1 through 3, and Form 338-P or Form 338-S.

If you are **only** claiming a carryover amount available from a previous credit, complete Parts 4 and 5.

Part 1 - Current Year's Credit

Line 1

Enter the amount of credit shown for the taxable year on the ACA's *Authorization of Tax Credits*. On line 1, enter only the credit available for the current taxable year. You must include a copy of each ACA's *Authorization of Tax Credits* with Form 338 when you file.

Line 2

If you received a pass-through credit from a partnership, enter the amount from Form 338-P, Part 2, line 4. If you received more than one Form 338-P, add all amounts from Part 2, line 4 and enter the total.

Line 3

If you received a pass-through credit from an S Corporation, enter the amount from Form 338-S, Part 2, line 4. If you received more than one Form 338-S, add all amounts from Part 2, line 4 and enter the total.

Line 4

Add lines 1, 2, and 3. Enter the total.

Part 2 - Partnership: Individual Partner's Share of Credit

A partnership cannot claim this credit, but it may pass the credit through to its individual partners. A partnership passing the credit through to its individual partners must do the following:

- Complete Part 1, line 1 of Form 338.
- Complete a separate Form 338-P for each individual partner. Form 338-P is available on the department's website. Instructions for completing Form 338-P begin on page 4 of these instructions.

Each individual partner may claim only a *pro rata* share of the credit based on the partner's ownership interest in the partnership.

- The partnership must furnish each individual partner with a copy of the completed Form 338-P **and** a copy of the ACA's *Authorization of Tax Credits*.

Part 3 - S Corporation: Individual Shareholder's Share of Credit

An S Corporation cannot claim this credit, but it may pass the credit through to its individual shareholders. An S Corporation passing the credit through to its individual shareholders must do the following:

- Complete Part 1, line 1 of Form 338.
- Complete a separate Form 338-S for each individual shareholder. Form 338-S is available on the department's website. Instructions for completing Form 338-S begin on page 4 of these instructions.

Each individual shareholder may claim only a *pro rata* share of the credit based on the shareholder's ownership interest in the S Corporation.

The S Corporation must furnish each individual shareholder with a copy of the completed Form 338-P **and** a copy of the ACA's *Authorization of Tax Credits*.

Part 4 - Available Credit Carryover

Lines 5 through 8

Use Part 4 to figure your total available credit carryover from taxable years 2018 through 2020. Complete lines 5 through 8 if you claimed this credit on one of these returns and the credit was more than your tax liability.

- In column (b), enter the credit originally computed for the taxable year listed in column (a).
- In column (c), enter the amount of the credit from that taxable year which you have already used.
- In column (d), subtract the amount in column (c) from the amount in column (b) and enter the difference.
- Add the amounts on lines 5 through 7 in column (d).

Enter the total on line 8, column (d).

Part 5 - Total Available Credit

Line 9

Enter the amount from Part 1, line 4.

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 17, column (a).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 13, column (a).

Line 10

Enter the amount from Part 4, line 8, column (d).

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 17, column (b).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 13, column (b).

Line 11 - Total Available Credit

Add the amounts on line 9 and line 10. Enter the total.

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 17, column (c).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 13, column (c).

Form 338-P, Credit for Investment in Qualified Small Business - Distribution to Partners

NOTE: Form 338-P is available on the department's website.

Instructions for Partnerships Passing the Credit to Individual Partners

Part 1 – Partnership and Partner Information

Line 1 (a) and (b) -

In the space provided, enter the name of the partnership and EIN.

Line 2 (a), (b) and (c) -

In the space provided, enter the partner's name, SSN or EIN, and ownership percentage.

Each individual partner is entitled to a *pro rata* share of the credit, based on its ownership percentage.

Part 2 - Distribution of Credit

Line 3 -

Enter the partnership's current year's credit from Form 338, Part 1, line 4.

Line 4 -

Multiply line 3 by the partner's ownership percentage on line 2c and enter the result.

Instructions for Individual Partners Receiving Form 338-P

- Enter the amount from Form 338-P, line 4, on *your own* Form 338, in Part 1, on line 2.
If you are claiming a pass-through credit from more than one partnership, add all amounts from Forms 338-P, line 4, and enter the total on Form 338, in Part 1, on line 2.
- If the partner is another partnership, it must complete a separate Form 338-P for each individual partner identifying the partner's *pro rata* share of the pass-through credit amount and qualifying wage expense.
- If the partner is an S Corporation, it must also complete a separate Form 338-S for each individual shareholder identifying the shareholder's *pro rata* share of credit amount and qualifying wage expense.

Form 338-S, Credit for Investment in Qualified Small Business - Distribution to Shareholders

NOTE: Form 338-S is available on the department's website.

Instructions for S Corporations Passing the Credit to Individual Shareholders

Part 1 – S Corporation and Shareholder Information

Line 1 (a) and (b) -

In the space provided, enter the name of the S Corporation and EIN.

Line 2 (a), (b) and (c) -

In the space provided, enter the shareholder's name and SSN, and ownership percentage.

Each individual shareholder is entitled to a *pro rata* share of the credit, based on its ownership percentage.

Part 2 - Distribution of Credit

Line 3 -

Enter the S Corporation's current year's credit from Form 338, Part 1, line 4.

Line 4 -

Multiply line 3 by the shareholder's ownership percentage on line 2c and enter the result.

Instructions for Individual Shareholders Receiving Form 338-S

- Enter the amount from Form 338-S, line 4, on *your own* Form 338, in Part 1, on line 3.
If you are claiming a pass-through credit from more than one S Corporation, add all amounts from Forms 338-S, line 4, and enter the total on Form 338, in Part 1, on line 3.

NOTE: If you file your income tax return on a calendar year basis (January 1, 2021 – December 31, 2021) but the partnership or S Corporation passing the credit files its return on a fiscal year basis, claim the pass-through credit on your income tax return for the year in which the partnership or S Corporation's fiscal year ends. For example, if the entity's tax year ends in February 2022, claim this credit on your 2022 tax return.

Include with your return.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Your Name as shown on Form 140, 140NR, 140PY, or 140X	Your Social Security Number
Spouse's Name as shown on Form 140, 140NR, 140PY, or 140X (if a joint return)	Spouse's Social Security Number

1 Did you receive a receipt from the Arizona Department of Veterans' Services that indicates that your contribution qualifies for this credit?..... 1 **YES** **NO**
If you answered "No," STOP! You do not qualify for this credit.

NOTE: If your receipt does not show which account (pre-9/11 or post-9/11) your donation was deposited into, enter the amount of the donation on line 3 (post-9/11 donation).

2 Qualified donations made to the pre-9/11 veterans subaccount during 2021	2		00
3 Qualified donations made to the post-9/11 veterans subaccount during 2021	3		00
4 Total qualified donations made during 2021. Add lines 2 and 3. Enter the total	4		00
5 Single taxpayers or heads of household, enter \$200 here. Married taxpayers filing a joint return, enter \$400 here. Married taxpayers filing a separate return, enter \$200.	5		00
6 Current year's credit before tax: Enter the smaller of line 4 or 5. Also, enter this amount on <i>Arizona Form 301, Part 1, line 18, columns (a) and (c)</i>	6		00

Instructions

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and click on *Reports and Legal Research* then click on *Legal Research* and select a *document* and *category* type from the drop down menus.

Publications

To view or print the department's publications, go to our website and click on *Reports and Legal Research* then click on *Publications*.

For more information about the Military Family Relief Fund, visit the Arizona Department of Veterans' Services (ADVS) website at www.azdvs.gov.

General Instructions

NOTE: You **must** also complete *Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture, and include Forms 301 and 340 with your tax return to claim this credit.*

Arizona law allowing for a tax credit for cash donations made to the Military Family Relief Fund was extended to taxable year 2026.

The ADVS established two subaccounts (pre-9/11 and post-9/11) for which a donor must designate which account the donor wishes the donation to be deposited into. If your donation qualifies for the credit, your credit will be the smaller of 1 through 4.

1. The amount you donated to the fund during the taxable year.
2. If you are a single taxpayer or a head of household, \$200.
3. If you are married filing a joint return, \$400. If you are filing separate returns, you each may claim only 1/2 of the credit that would have been allowed on a joint return (up to a maximum of \$200 each).
4. Your tax liability for the taxable year.

There is no carry forward for this credit. You must claim and use this credit on the tax return filed for the taxable year for which you made your donation.

This credit is available **only** to individuals. Corporations may not claim this credit. A partnership may not pass the credit through to its partners. An S Corporation may not pass the credit through to its shareholders.

You cannot claim both a tax credit and an itemized deduction for your donation.

Before you claim this credit, you must have received a receipt from the ADVS. Your receipt must show **all** of the following:

- your full name and address,
- the last four digits of your Social Security Number (SSN),
- the amount you donated,
- the amount designated to each fund (pre-9/11 and/or post-9/11), and
- your donation qualifies for the tax credit.

Military Family Relief Fund

The ADVS administers the Military Family Relief Fund. Donations deposited into the pre-9/11 veterans subaccount will be used to provide financial assistance. The service member of an applying family must have been deceased, wounded or injured or become seriously ill on or before September 11, 2001, been deployed from a military base in this state, claimed this state as the service member's home of record, or been a member of the Arizona National guard at the time of deployment. If discharged from

military service, the service member must have been discharged under honorable conditions. The assistance shall be based on financial need up to twenty thousand dollars per family.

Donations deposited into the post-9/11 veterans subaccount will be used to provide financial assistance. The service member of an applying family must have been deceased, wounded or injured or become seriously ill after September 11, 2001, been deployed from a military base in this state, claimed this state as the service member's home of record, or been a member of the Arizona National Guard at the time of deployment. If discharged from military service, the service member must have been discharged under honorable conditions. The assistance shall be based on financial need up to twenty thousand dollars per family.

Your donations may qualify for this income tax credit. Donations will qualify for the credit if the total amount donated during the calendar year has not exceeded one million dollars.

Donations made once the total donations for the calendar year reach one million dollars will not qualify for the credit. The determination of whether a donation will qualify for the credit is made on a first come, first served basis by the ADVS.

The ADVS will provide you with a receipt that will let you know if your donation qualifies for the credit. The ADVS will also send a copy of that receipt to the Arizona Department of Revenue.

Line-by-Line Instructions

Enter your name and SSN as shown on Arizona Forms 140, 140PY, 140NR, or 140X.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for an individual is the taxpayer's SSN or an Internal Revenue Service (IRS) individual taxpayer identification number (ITIN). Taxpayers that fail to include their identification number may be subject to a penalty.

Line 1

To claim this credit, you must have received a receipt from the ADVS that indicates that your donation qualifies for the credit. Answer the question on line 1.

- If your answer to this question is "No", STOP, you do not qualify for the credit.
- If your answer to this question is "Yes", complete lines 2 through 6.

Line 2

Enter the amount of qualified donations that you (and if married, your spouse) made to the pre-9/11 veterans subaccount during 2021.

Line 3

Enter the amount of qualified donations that you (and if married, your spouse) made to the post-9/11 veterans subaccount during 2021.

Line 4

Enter the total qualified donations you (and if married, your spouse) made during 2021. Add lines 2 and 3. Enter the total.

Line 5

Single taxpayers or head of household, enter \$200. Married taxpayers filing a joint return, enter \$400. Married taxpayers filing a separate return, enter \$200.

Line 6

Current year's credit before tax: Enter the smaller of line 4 or 5. If you and your spouse are filing separate returns, you each may claim only 1/2 of the credit that would have been allowed on a joint return (up to a maximum of \$200 each).

Also, enter this amount on Arizona Form 301, Part 1, line 18, columns (a) and (c).

Include with your return.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Name as shown on Form 99T, 120, 120A, 120S, 120X or 165

Employer Identification Number

Part 1 Current Taxable Year's Credit Calculation

	(a) School Tuition Organization Name and Address	(b) Credit Approval Number	(c) Contribution Amount
1			00
2			00
3			00
4			00
5			00
6			00
7			00
8			00
9			00
10			00
11	Current year's contributions: Add lines 1 through 10 and any amounts on additional schedules. Enter the total		11 00
12	Flow-through from a partnership from Form 341-P, line 13.....		12 00
13	Total Current Year's Contributions: Add lines 11 and 12. Enter the total		13 00

Name (as shown on page 1)	EIN
---------------------------	-----

Part 2 Available Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
14		00	00	00
15		00	00	00
16		00	00	00
17		00	00	00
18		00	00	00
19	Total Available Carryover: Add lines 14 through 18 in column (d). Enter the total.....			00

Part 3 Total Available Credit

C Corporations, S Corporations claiming the credit at the corporate level, and exempt organizations with UBTI:

20 Total current year's contributions: <ul style="list-style-type: none"> • Partnerships passing through this credit: Enter "0". • Qualified S Corporations electing to pass through this credit: Enter "0". (Complete Part 4 to determine if qualified.) • All others: Enter the amount from line 13. • Also enter this amount on Form 300, Part 1, line 12, column (a)..... 	20	00
21 Available credit carryover from Part 2, line 19, column (d). <ul style="list-style-type: none"> • Also enter this amount on Form 300, Part 1, line 12, column (b)..... 	21	00
22 Total available credit: Add lines 20 and 21. Enter the total. <ul style="list-style-type: none"> • Also enter this amount on Form 300, Part 1, line 12, column (c)..... 	22	00

NOTE: Partnerships proceed to the instruction box at the bottom of this page. S Corporations, continue to Part 4.

Part 4 S Corporation Credit Election

S Corporations may elect to pass this credit through to its shareholders if its combined contributions to School Tuition Organizations and School Tuition Organizations for Displaced Students or Students With Disabilities, Forms 335 and 341, are greater than, or equal to, \$5,000.00.

23 Total contributions from line 11	23	00	
24 Total contributions from Form 335, line 11.....	24	00	
25 Total contributions: Add lines 23 and 24. Enter the total.....	25	00	

26 Is line 25 greater than or equal to \$5,000.00?..... **Yes** **No**
 If "Yes", you qualify and may elect to pass this credit through to the individual shareholders of the S Corporation.
 To do this, complete the authorization below.
 If "No", STOP, the S Corporation cannot pass this credit through to its individual shareholders.

27 The S Corporation has made an irrevocable election for the taxable year ending [M, M, D, D, Y, Y, Y, Y] to:
(check only one box):

- 27a Pass the credit as shown on line 13, for the taxable year indicated above, through to its individual shareholders.
OR
 27b Claim this credit as shown on line 13, for the taxable year indicated above, at the corporate level.

 Signature Title Date

S Corporations making the election to pass on this credit to its shareholders, proceed to the instructions below.

INSTRUCTIONS:

- Partnerships passing this credit through to its corporate partners, complete Form 341-P for each corporate partner, and include a copy of this form with your return. Provide a copy of Form 341-P to each corporate partner.
- S Corporations passing this credit through to its individual shareholders, complete Form 341-S for each shareholder, and include a copy of this form with your return. Provide a copy of Form 341-S to each shareholder.

For the calendar year 2021 or fiscal year beginning MM|DD|2021 and ending MM|DD|YYYY.

Partnership Name	Employer Identification Number
------------------	--------------------------------

Partnerships:

- Complete Form 341-P for each corporate partner in the partnership.
- Include a copy of this form with your return.
- Provide a copy of this form to the partner.
- Keep one copy for your records.

Corporate Partners:

- Use this form to complete your Form 341.
- Include a copy of this completed form with your Form 341.

Corporate Partner's Name	Employer Identification Number	Ownership Percentage
--------------------------	--------------------------------	----------------------

	(a) School Tuition Organization Name	(b) Credit Approval Number
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

11	Total contributions to school tuition organizations from Form 341, Part 1, line 13	11		00
12	Corporate partner's ownership percentage	12		%
13	Corporate partner's portion of credit: Multiply line 11 by line 12. Enter the result here and on Form 341, Part 1, line 12. This is the amount of credit available to the corporate partner	13		00

NOTE: The amount on line 13 is the corporate partner's portion of the charitable deduction to be excluded. Add back this amount in the calculation of Arizona taxable income. See instructions for more details.

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For the calendar year 2021 or fiscal year beginning MM|DD|2021 and ending MM|DD|YYYY.

S Corporation Name	Employer Identification Number
--------------------	--------------------------------

S Corporations:

- Complete Form 341-S for each individual shareholder in the S Corporation.
- Include a copy of this form with your return.
- Provide a copy of this form to each individual shareholder.
- Keep one copy for your records.

Individual Shareholders:

- Use this form to complete your Form 341-I.
- If you file your tax return on a calendar year basis but the corporation files a return for a fiscal year, claim this credit on your tax return for the year in which the corporation's fiscal year ends. For example, if the corporation's tax year ends in February 2021, claim this credit on your 2021 tax return.

Individual Shareholder's Name	Social Security Number	Ownership Percentage
		%

	(a) School Tuition Organization Name	(b) Credit Approval Number
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

11	Total contributions to school tuition organizations from Form 341, Part 1, line 13	11		00
12	Individual shareholder's ownership percentage	12		%
13	Individual shareholder's portion of credit: Multiply line 11 by line 12. Enter the result here and on Form 341-I, Part 1, line 11. This is the amount of credit available to the individual shareholder	13		00

NOTE: If you claim the credit and itemize deductions on federal Schedule A, add back the lesser of the amount on line 13 or the amount that was deducted on Arizona Schedule A. See instructions for more details.

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2021 Credit for Corporate Contributions to School Tuition Organizations for Displaced Students or Students with Disabilities

**Arizona Form
341**

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

General Information

This credit provides a nonrefundable corporate income tax credit for contributions made to a school tuition organization (STO) authorized to receive corporation donations that provides scholarships or grants to displaced students or students with disabilities. This credit must be pre-approved by the Arizona Department of Revenue. The STO must be certified pursuant to Chapter 15 of Title 43 at the time of donation.

Contributions designated for the direct benefit of a specific student will not qualify for the credit.

This credit is in lieu of any deduction taken under Internal Revenue Code § 170 for state tax purposes.

A taxpayer cannot claim this credit and the credit claimed on Form 335 for the same contribution.

The tax credit is equal to the amount the department has pre-approved. Once pre-approved, the taxpayer has 20 days in which to make the contribution to the STO.

The tax credit is available only to corporate taxpayers, corporate partners, exempt organizations subject to corporate income tax on unrelated business taxable income (UBTI), or S Corporation individual shareholders.

- A partnership may pass this credit through only to its corporate partners, each of which may claim a *pro rata* share of the credit based on their ownership interest.
- An exempt organization may utilize this credit only if it results from activities that generate UBTI.
- An S Corporation may claim this credit against income Arizona is taxing at the corporate level, or it may make an irrevocable election to pass this credit through to its individual shareholders.
 - To pass this credit through to its individual shareholders, the S Corporation must make minimum contributions of \$5,000 to School Tuition Organizations or to School Tuition Organizations for Displaced Students or Students With Disabilities in a taxable year.

- Each individual shareholder may claim only a *pro rata* share of the credit based on the individual's ownership interest in the S Corporation.

Any *pro rata* shares that would be distributed to non-eligible partners (individual partners in a partnership), or estates or trusts (shareholders in an S Corporation) is lost.

The total of the credits allowed to all owners may not exceed the amount that would have been allowed to a sole owner of the business.

If the allowable tax credit exceeds the taxes otherwise due, or if there are no taxes due, the amount of the credit not used to offset taxes may be carried forward for not more than five consecutive taxable years as a credit against subsequent years' income tax liability.

Claiming the Credit

This credit must be pre-approved by the Arizona Department of Revenue before it can be claimed. The process for obtaining pre-approval for the credit is available on our website: www.azdor.gov. Click on "Tax Credits", then click on "Corporate Tuition Tax Credits."

Before claiming the credit, obtain a copy of the STO's pre-approved application. Include a copy of the pre-approved application with Form 341. Failure to do so could result in a disallowance of this credit.

The department will preapprove the credits on a first-come, first-served basis. The pre-approval process works as follows:

- Before making the contribution, the taxpayer notifies the STO of the intended amount.
- The STO requests pre-approval from the Arizona Department of Revenue.
- The Arizona Department of Revenue preapproves or denies the request within twenty days after it has received the request, and notifies the STO.
- If the request is pre-approved, the STO notifies the taxpayer immediately.
- The taxpayer must make the contribution within twenty days of receiving notice from the STO.

QUALIFIED SCHOOL TUITION ORGANIZATION REQUIREMENTS

The school tuition organization receiving contributions under this program must be certified pursuant to Chapter 15 of Title 43 at the time of donation

A listing of certified School Tuition Organizations is available at www.azdor.gov. Click on "Tax Credits", then click on "Corporate Tuition Tax Credits", and then click on "School Tuition Organizations Certified to Receive Corporate Donations."

Completing the Form

Complete the name and employer identification number (EIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the tax return.

NOTE: If the entity passing this credit through has a different tax year-end than the taxpayer, the taxpayer may only claim this credit on its tax return for that year. For example, if the entity passing this credit through has a tax year end of February 2021, claim this credit on the taxpayer's 2021 return.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for a corporation, an exempt organization with UBTI, an S Corporation, or a partnership is the taxpayer's EIN. Taxpayers that fail to include their TIN may be subject to a penalty.

NOTE – To claim this credit:

- **Individual taxpayers that did not make the Small Business Income election,** complete Form 341-I and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your tax return.
- **Individual taxpayers that made the Small Business Income election,** complete Form 341-I-SBI and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI. Include both completed forms with your tax return
- **C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI,** complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. Include both completed forms with your tax return.
- **S Corporations electing to pass this credit through to its shareholders,** complete this credit form. Also complete Form 341-S for each individual shareholder of the S Corporation. Provide each individual shareholder a copy of his or her completed Form 341-S. Include Form 341 and one copy of each completed Form 341-S with your tax return.
- **Partnerships,** complete this credit form. Also, complete Form 341-P for each corporate partner of the partnership. Provide each corporate partner a copy of its completed Form 341-P. Include Form 341 and one copy of each completed Form 341-P with your tax return.

Part 1 – Current Taxable Year's Credit Calculation

Lines 1 through 10

- List each STO's name and address in column (a).
- List the credit approval number(s) in column (b).
- List the approved contribution amount in column (c).

Line 11

Add the amounts in column (c) on lines 1 through 10 and enter that amount on line 11.

If contributions are made to more than ten organizations, complete and include additional schedules.

Line 12

Corporate partners (only), enter the amount from Form 341-P, line 13. If none, enter "0".

Line 13

Add the amounts entered on lines 11 and 12. Enter the total.

Part 2 – Available Credit Carryover

Use Part 2 to calculate the taxpayer's total available credit carryover from prior taxable years.

S Corporations, if this credit was claimed at the corporate level in a prior taxable year and there is a carryover amount available, complete Part 2.

Lines 14 through 18

- In column (a), enter the taxable year(s) from which the taxpayer is carrying over the credit
- In column (b), enter the credit originally computed for the taxable year listed in column (a)
- In column (c), enter the amount of the credit from the taxable year which was already used
- In column (d), subtract the amount in column (c) from column (b), enter the difference

Line 19

Add the amounts entered on lines 14 through 18. Enter the total in column(d).

Part 3 – Total Available Credit

Use Part 3 to calculate the taxpayer's total available credit for this tax year.

Line 20

- Partnerships passing through this credit to corporate partners, enter "0".
- Qualified S Corporations electing to pass this credit through to individual shareholders, enter "0". To determine if the S Corporation qualifies to pass this credit through to its individual shareholders, complete Part 4. If the S Corporation's total contributions to STOs from Form 335 and/or Form 341 exceed \$5,000, the S Corporation qualifies, and may elect, to pass this credit through to its individual shareholders.
- All other corporate entities, (C Corporations, exempt organizations subject to corporate income tax on UBTI, or S Corporations claiming this credit at the corporate level), enter the amount from line 13.
- Also, enter this amount on Form 300, Line 12, column (a).

Line 21

Enter the amount on line 19, column (d). If the amount is zero, enter "0". Also, enter this amount on Form 300, line 12, column (b).

Line 22

Add lines 20 and 21. Enter the total. This is the taxpayer's total credit for this tax year. Also, enter this amount on Form 300, line 12, column (c).

Partnerships: skip Part 4 and proceed to the instructions for completing Form 341-P on page 4.

S Corporations making the election to pass through this credit, proceed to Part 4.

Part 4 – S Corporation Credit Election

An S Corporation may elect to pass this credit through to its individual shareholders.

NOTE: *Trusts and estates which are shareholders of S Corporations, are not eligible to claim this credit. However, as S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. If the grantor is an individual, he or she may claim his or her share of the credit.*

To pass this credit through to its individual shareholders, the S Corporation must have made an aggregate contribution of \$5,000 or more on Forms 335 and 341 during the tax year.

Line 23

Enter the total contributions from line 11.

Line 24

Enter the total contributions from Form 335, line 11.

Line 25

Add lines 23 and 24. Enter the total.

Line 26

Is the amount on line 25 greater than, or equal to, \$5,000? If yes, check the “Yes” box and continue to line 27. If no, STOP, the S Corporation cannot pass this credit to its individual shareholders.

Line 27

If the S Corporation wishes to make an irrevocable election to pass this credit through to its individual shareholders, enter the ending date for this tax year, check the box indicating the S Corporation is passing this credit through to its individual shareholders, and have this form signed by an officer of the S Corporation who is also a signatory to Arizona Form 120S.

Proceed to the instructions on page 4 to complete Form 341-S.

Form 341-P, Distribution to Corporate Partners of a Partnership

Enter the name of the partnership and EIN at the top of Form 341-P. Enter the corporate partner's name, EIN, and ownership percentage on the next line. (Each corporate partner is entitled to a *pro rata* share of the credit, based on its ownership percentage.)

Complete Form 341-P for *each* corporate partner of the partnership.

Lines 1 through 10

- Enter the names of the STO(s) in column (a).
- Enter the Credit Approval Number(s) received in column (b).

If contributions are made to more than ten organizations, complete and include additional schedules.

Line 11

Enter the amount of the total current year's contributions from Form 341, Part 1, line 13.

Line 12

Enter the corporate partner's ownership percentage of the S Corporation.

Line 13

Multiply line 11 by line 12. Enter the result. This is the corporate partner's portion of this credit.

The partnership must furnish each corporate partner with its completed copy of Form 341-P, including additional schedules as needed.

The corporate partner will enter the amount on Form 341-P, line 13 on its own Form 341, line 12.

Form 341-S, Distribution to Individual Shareholders of an S Corporation

Enter the S Corporation name and TIN at the top of Form 341-S. Enter the individual shareholder's name, Social Security Number, and ownership percentage on the next line. (Each individual shareholder of the S Corporation is entitled to a *pro rata* share of the credit based on his/her ownership percentage.)

Complete Form 341-S for *each* shareholder except for trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. If the grantor is an individual, he or she may claim his or her share of the credit.

Lines 1 through 10

- Enter the names of the STO(s) in column (a).
- Enter the Credit Approval Number(s) received in column (b).

If contributions are made to more than ten organizations, complete and include additional schedules.

Line 11

Enter the amount of the total current year's contributions from Form 341, Part 1, line 13.

Line 12

Enter the shareholder's ownership percentage of the S Corporation.

Line 13

Multiply line 11 by line 12. Enter the result. This is the individual shareholder's portion of this credit.

The S Corporation must furnish each shareholder with their copy of Form 341-S, including additional schedules as needed.

The individual shareholder will use this form to complete Form 341-I.

Include with your return.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Your Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140NR-SBI, 140PY-SBI or 140X-SBI	Your Social Security Number
Spouse's Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140NR-SBI, 140PY-SBI or 140X-SBI (if a joint return)	Spouse's Social Security Number

Part 1 School Tuition Organization Information

Check if you are claiming a pro rata credit from more than one S Corporation. Complete and include a separate Part 1 for each additional S Corporation.

I am claiming a credit for my pro rata share of contributions made by the S Corporation named below to the following school tuition organizations:

S Corporation name: _____ EIN: _____

If you need more space to list all school tuition organizations for which contributions were made by the S Corporation identified above, complete an additional schedule and include it with the credit form.

	(a) School Tuition Organization Name	(b) Credit Approval Number
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11	Amount of individual shareholder's pro rata share of qualified contributions made to school tuition organizations from the S Corporation listed above.....	11

00

Continued on page 2 →

Your Name (as shown on page 1)	Your Social Security Number
--------------------------------	-----------------------------

Part 2 Current Year's Credit

12 Current year's credit: Enter the amount from Part 1, line 11. If you are claiming a current year's credit from more than one S Corporation, include the amount(s) on line 11 from each additional Part 1 schedule and enter the total	12		00
--	-----------	--	----

Part 3 Available Credit Carryover

	(a) Taxable Year from which you are carrying the credit	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
13	2016	00	00	00
14	2017	00	00	00
15	2018	00	00	00
16	2019	00	00	00
17	2020	00	00	00
18	Total Available Carryover: Add lines 13 through 17, column (d).....			18 00

Part 4 Total Available Credit

19 Current year's credit: Enter the amount from Part 2, line 12. <ul style="list-style-type: none"> • If you did not make the Small Business Income election: Enter this amount on <i>Arizona Form 301, Part 1, line 19, column (a)</i>. • If you made the Small Business Income election: Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 14, column (a)</i> 	19		00
20 Available credit carryover from Part 3, line 18. <ul style="list-style-type: none"> • If you did not make the Small Business Income election: Enter this amount on <i>Arizona Form 301, Part 1, line 19, column (b)</i>. • If you made the Small Business Income election: Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 14, column (b)</i> 	20		00
21 Total Available Credit: Add lines 19 and 20. <ul style="list-style-type: none"> • If you did not make the Small Business Income election: Enter this amount on <i>Arizona Form 301, Part 1, line 19, column (c)</i>. • If you made the Small Business Income election: Enter this amount on <i>Arizona Form 301-SBI, Part 1, line 14, column (c)</i>..... 	21		00

2021 Credit for Business Contributions by an S Corporation to School Tuition Organizations for Displaced Students or Students with Disabilities - Individual

**Arizona Form
341-I**

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus. **Publications**

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

General Instructions

NOTE:

- **Individual taxpayers that did not make the Small Business Income election**, complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR or 140X).
- **Individual taxpayers that made the Small Business Income election**, complete this credit form and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI and 140X-SBI. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI or 140X-SBI).

Arizona law allows an individual shareholder to claim a nonrefundable tax credit for the *pro rata* share of contributions made by an S Corporation to a school tuition organization (STO).

The S Corporation must make an irrevocable election on Arizona Form 341, *Credit for Contributions to School Tuition Organization for Displaced Students or Students with Disabilities*, to pass-through the credit to its individual shareholder(s). The S Corporation making the election should give you Arizona Form 341-S, *Credit for Corporate Contributions to School Tuition Organizations for Displaced Students or Students with Disabilities - Distribution to Shareholders of an S Corporation*, showing your *pro rata* share of the available credit for the taxable year. The amount of the allowable credit you may claim is reported on Form 341-S.

An individual shareholder may claim a corporate STO credit passed through from an S Corporation even if the individual is claiming the maximum amount allowed under the two individual private school tuition credits (Arizona Forms 323 and 348).

The corporate STO credit passed through from the S Corporation is a different credit that is not subject to the limitations under the two individual private school tuition credits.

Individual Shareholders of an S Corporation with a Fiscal Year-End - If you file your tax return on a calendar year basis, but the corporation files a return for a fiscal year, claim the credit on your tax return for the year in which the corporation's fiscal year ends. For example, if the corporation's tax year ends in February 2022, claim the credit on your 2022 tax return.

Co-owners of the S Corporation may each claim the *pro rata* share of the credit allowed based on the taxpayers ownership interest. The total of the credits allowed all owners of the corporation may not exceed the amount that would have been allowed a sole owner of the business.

If the allowable tax credit exceeds the taxes otherwise due, or if there are no taxes due, you may carry the unused credit forward for a period not to exceed the next five consecutive taxable years' income tax liability.

NOTE: *The maximum amount of credit established for the current taxable year does not include any unused valid carryover amount(s) from prior taxable years. Because this is a nonrefundable tax credit, the total amount of available credit [current year plus any valid carryover amount(s)] that a taxpayer may use for the taxable year cannot be greater than the tax liability shown.*

You cannot claim both a tax credit and an Arizona itemized deduction for the amount of contributions made to a STO for which you are claiming a credit.

NOTE: *This tax credit is not allowed if the S Corporation or a shareholder designates the contribution to the STO for the direct benefit of any dependent of a shareholder of the corporation claiming a credit under this section or if the corporation or a shareholder designates a student beneficiary as a condition of the contribution to the STO.*

The tax credit is not allowed if the S Corporation or a shareholder, with the intent to benefit a shareholder's dependent, agrees with one or more other taxpayers to designate reciprocal contributions to school tuition organizations for the direct benefit of the other taxpayer's dependent.

For Arizona purposes, "dependent" has the same meaning provided in section § 152 of the Internal Revenue Code. For the purpose of this credit, it does not matter if the shareholder qualifies to take the dependent deduction.

Line-by-Line Instructions

Enter your name and taxpayer identification number (TIN) as shown on Arizona Forms 140, 140NR, 140PY, or 140X. Indicate the period covered by the taxable year. Include the completed form with the income tax return.

All returns, statements, and other documents filed with the department require a TIN. The TIN for an individual is the taxpayer's Social Security Number (SSN) or for a business, the employer identification number (EIN). Taxpayers that fail to include their identification number may be subject to a penalty.

NOTE: Complete Parts 1, 2 and 4 if you are claiming a new credit for the current tax year.

If you are **only** claiming a carryover amount from a previous credit, complete Parts 3 and 4.

Part 1 - School Tuition Organization Information

NOTE: If you are claiming a pro rata credit from more than one S Corporation, check the box in Part 1. Complete and include a separate Part 1 for each S Corporation.

In the space provided, enter the S Corporation's name and EIN for which you are claiming a pro rata share of credit for contributions made during the taxable year.

Lines 1 through 10

On lines 1 through 10, enter the name and credit approval number for **all** STOs the S Corporation made a contribution to for which you are claiming a pro rata share of credit for the current taxable year.

This information is shown on page 1 of the S Corporation's Arizona Form 341-S.

If you need additional space to list **all** STOs for which contributions were made by a specific S Corporation, include a separate schedule showing the names and credit approval number for each and include with the form.

Line 11 - Taxpayer's Pro Rata Share of Contributions Made by the S Corporation named in Part 1

Enter the amount from the S Corporation's Arizona Form 341-S, line 13.

Part 2 - Current Year's Credit

Line 12

Enter the amount of your pro rata share of the contributions made to the STOs listed in Part 1.

If you are claiming a pro rata share of credit from more than one S Corporation, add all amounts on line 11 from each separate Part 1, and enter the total.

Part 3 - Available Credit Carryover

Lines 13 through 18

Complete Part 3, lines 13 through 18 to figure your available credit carryover from taxable years 2016 through 2020 if you claimed this credit and the credit was more than your tax.

- In column (b) enter the credit originally computed for that taxable year listed in column (a).
- In column (c) enter the amount of the credit from that taxable year which you have already used.
- Subtract the amount in column (c) from column (b) and enter the difference in column (d).
- Add lines 13 through 17, column (d).

Enter the total on line 18, column (d).

Part 4 - Total Available Credit

Line 19

Enter the amount from Part 2, line 12.

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 19, column (a).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 14, column (a).

Line 20

Enter the amount from Part 3, line 18, column (d).

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 19, column (b).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 14, column (b).

Line 21 - Total Available Credit

Add line 19 and line 20. Enter the total.

Individuals that did not make the Small Business Income election: Also enter this amount on Form 301, Part 1, line 19, column (c).

Individuals that made the Small Business Income election: Also enter this amount on Form 301-SBI, Part 1, line 14, column (c).

Include with your return.

For the calendar year 2021 or fiscal year beginning MM, DD, 2021 and ending MM, DD, YYYY.

Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140PY-SBI, 140NR-SBI, 140X-SBI, 99T, 120, 120A, 120S, 120X, or 165	Social Security or Employer Identification Number
--	---

Part 1 Qualification for and Current Taxable Year's Credit

1 Did you receive a Certificate from the Arizona Department of Revenue? <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes", include a copy of the Certificate. If "No", skip line 2.			
2 Enter the credit amount on the Certificate from the Arizona Department of Revenue for this taxable year	2		00
3 Did an entity from which you are claiming a pass through renewable energy production tax credit receive a Certificate from the Arizona Department of Revenue?..... <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes", include a copy of the certificate and Form(s) 343-P and/or Form(s) 343-S. If "No", skip lines 4 and 5. If you checked "No" for both line 1 and line 3, do not file this form unless you have carryovers from prior years.			
4 Enter the amount of this credit passed through from partnerships on Form 343-P, line 3c.....	4		00
5 Enter the amount of this credit passed through from S Corporations on Form 343-S, line 3c.....	5		00
6 Add lines 2, 4, and 5. Enter the total. This is your current taxable year's Renewable Energy Production Tax Credit	6		00

Part 2 Partnerships

A partnership claiming this credit must pass it through to its partners.

- Complete Form 343-P for each partner.
- Provide a completed copy of Form 343-P to each partner.
- Include a copy of each completed Form 343-P with your tax return.
- Keep a copy of each completed Form 343-P for your records.
- Do not complete Parts 3 through 5 of this form.

Part 3 S Corporation Credit Election and Shareholder's Share of Credit

- 7 The S Corporation has made an irrevocable election for the taxable year ending MM, DD, YYYY to **(check only one box):**
- 7a Claim the renewable energy production tax credit as shown on Part 1, line 6 (for the taxable year indicated above);
- OR**
- 7b Pass the renewable energy production tax credit as shown on Part 1, line 6 (for the taxable year indicated above) through to its shareholders.

Signature Title Date

If passing the credit through to the shareholders, complete Form 343-S for each shareholder.

- Provide a copy of the completed Form 343-S to each shareholder.
- Include a copy of each completed Form 343-S with your tax return.
- Keep a copy of each completed Form 343-S for your records.

Continued on page 2 →

Name (as shown on page 1)	EIN
---------------------------	-----

Part 4 Available Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
8		00	00	00
9		00	00	00
10		00	00	00
11		00	00	00
12		00	00	00
13	Total Available Carryover: Add lines 8 through 12 in column (d). Enter the total.....			13 00

Part 5 Total Available Credit

14	Current year's credit: <ul style="list-style-type: none"> • <i>Individuals, C Corporations, S Corporations claiming this credit at the corporate level, or exempt organizations with UBTI:</i> Enter the amount from Part 1, line 6. • <i>Individuals that did not make the Small Business Income election:</i> Also, enter this amount on Form 301, Part 1, line 20, column (a). • <i>Individuals that made the Small Business Income election:</i> Also enter this amount on Form 301-SBI, Part 1, line 15, column (a) • <i>C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI:</i> Also, enter this amount on Form 300, Part 1, line 13, column (a) 	14	00
15	Available credit carryover from Part 4, line 13, column (d): <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election:</i> Also, enter this amount on Form 301, Part 1, line 20, column (b). • <i>Individuals that made the Small Business Income election:</i> Also, enter this amount on Form 301-SBI, Part 1, line 15, column (b) • <i>C Corporations, S Corporations claiming this credit at the corporate level, or exempt organizations with UBTI:</i> Also, enter this amount on Form 300, Part 1, line 13, column (b)..... 	15	00
16	Total available credit: Add lines 14 and 15 and enter the total. <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election:</i> Also, enter this amount on Form 301, Part 1, line 20, column (c). • <i>Individuals that made the Small Business Income election:</i> Also, enter this amount on Form 301-SBI, Part 1, line 15, column (c). • <i>C Corporations, S Corporations claiming this credit at the corporate level, or exempt organizations with UBTI:</i> Also, enter this amount on Form 300, Part 1, line 13, column (c)..... 	16	00

For the calendar year 2021 or fiscal year beginning MM,MM,DD,2021 and ending MM,MM,DD,YYYY.

Partnerships:

- Complete Form 343-P for each partner in the partnership **except for** trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form and the Certificate of Renewable Energy Production Tax Credit received from the Arizona Department of Revenue to each partner.
- Keep a copy of each completed Form 343-P for your records.
- Include a copy of each completed Form 343-P with your partnership return.

Partners:

- Use this form to complete your own Form 343.
- Include this completed form and a copy of the Certificate of Renewable Energy Production Tax Credit received from the Arizona Department of Revenue with your return.
- Keep a copy of this form and Certificate for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Distribution of the Credit

Complete this section to distribute the credit to each partner in the partnership.

1	(a) Partnership Name	(b) Employer Identification Number (EIN)
2	(a) Partner Name	(b) Taxpayer Identification Number (TIN)
3a	Partnership credit amount from Form 343, Part 1, line 6.....	3a \$ 00
3b	Partner's ownership percentage.....	3b %
3c	Multiply the amount on line 3a by the percentage on line 3b. Enter the result. This is the partner's portion of the credit	3c \$ 00

Partners:

The amount reported on line 3c is your portion of this credit. Enter the amount from line 3c on Part 1, line 4 of your own Form 343 to claim this credit.

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For the calendar year 2021 or fiscal year beginning [M, M | D, D | 2, 0, 2, 1] and ending [M, M | D, D | Y, Y, Y, Y].

S Corporations:

- Complete Form 343-S for each shareholder of the S Corporation **except for** trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form and the Certificate of Renewable Energy Production Tax Credit received from the Arizona Department of Revenue to each shareholder.
- Keep a copy of each completed Form 343-S for your records.
- Include a copy of each completed Form 343-S with your S Corporation return.

Shareholders:

- Use this form to complete your own Form 343.
- Include this completed form and a copy of the Certificate of Renewable Energy Production Tax Credit received from the Arizona Department of Revenue with your return.
- Keep a copy of this form and Certificate for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Distribution of the Credit

Complete this section to distribute the credit to shareholders of the S Corporation.

1	(a) S Corporation Name	(b) Employer Identification Number (EIN)	
	(a) Shareholder Name	(b) Taxpayer Identification Number (TIN)	
3a	S Corporation credit amount from Form 343, Part 1, line 6.....	\$	00
	3b Shareholder's ownership percentage.....	3b	%
	3c Multiply the amount on line 3a by the percentage on line 3b. Enter the result. This is the shareholder's portion of the credit.....	3c	\$

Shareholder:

The amount reported on line 3c is your portion of this credit. Enter the amount from line 3c on Part 1, line 5 of your Form 343 to claim this credit.

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2021 Renewable Energy Production Tax Credit

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

General Instructions

This credit provides nonrefundable individual and corporate income tax credits for production of electricity by a qualified energy generator that produces electricity using a qualified energy resource.

The taxpayer must hold title to a qualified energy generator that begins producing electricity from and after December 31, 2010, and before January 1, 2021. The credit is effective for taxable years beginning from and after December 31, 2010.

“Qualified energy generator” means a facility that has at least five megawatts generating capacity, that is located on land in Arizona owned or leased by the taxpayer, that produces electricity using a qualified energy resource and that sells electricity to an unrelated entity, unless the electricity is sold to a public service corporation.

“Qualified energy resource” means a resource that generates electricity through the use of only: solar light, solar heat, wind or biomass.

The Department of Revenue (Revenue) will certify credits on a first-come, first-served basis. The entity that holds title to the qualified energy generator must apply between January 2 and January 31 of the year following the calendar year of production. Fiscal year taxpayers will claim the credit on the return for the taxable year in which the calendar year ends.

The amount of total credits Revenue may allow cannot exceed \$20 million in any calendar year. The amount of credit per facility is limited to \$2 million per calendar year, for up to 10 consecutive calendar years. The amount of the credit is based on electricity produced, the qualified energy resource used, the year of production, and Revenue certification.

Revenue will issue a Certificate of Renewable Energy Production Tax Credit (Certificate) to the applicant if it is certified to claim the tax credit. Each taxpayer must include a copy of the Certificate with the return.

Co-owners of a business, including partners in a partnership and shareholders of an S Corporation, may each claim only the *pro rata* share of the credit allowed based on the ownership interest. The total of the credits allowed all such owners may not exceed the amount that would have been allowed for a sole owner of the business.

The credit is available to an exempt organization that is subject to corporate income tax on unrelated business taxable income (UBTI). The credit must result from the activities that generate UBTI.

The unused portion of this tax credit may be carried forward for five succeeding taxable years.

For more information regarding this credit, review the program guidelines developed by Revenue, available at www.azdor.gov on the Tax Credits page.

Specific Instructions

Complete the name and taxpayer identification number (TIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the tax return.

All returns, statements, and other documents filed with the department require a TIN. The TIN for a corporation, an exempt organization with UBTI, an S Corporation, or a partnership is the taxpayer's employer identification number (EIN). The TIN for an individual is the taxpayer's Social Security Number (SSN) or an Internal Revenue Service Individual Taxpayer Identification Number (ITIN). A taxpayer that fails to include its TIN may be subject to a penalty.

NOTE – To claim this credit:

- **Individual taxpayers that did not make the Small Business Income election**, complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. *Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR, or 140X).*
- **Individual taxpayers that made the Small Business Income election**, complete this credit form and Arizona Form 301SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI, and 140S-SBI. *Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).*
- **C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI**, complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. *Include both completed forms with your tax return.*
- **S Corporations electing to pass this credit through to its shareholders**, complete this credit form. *Also complete Form 343-S for each shareholder of the S Corporation. Provide each shareholder a copy of his or her completed Form 343-S. Include Form 343 and one copy of each completed Form 343-S with your tax return.*

- **Partnerships**, complete this credit form. Also, complete Form 343-P for each partner of the partnership. Provide each partner a copy of his or her completed Form 343-P. Include Form 343 and one copy of each completed Form 343-P with your tax return.

Part 1 - Qualification for and Current Taxable Year's Credit

Line 1

If the taxpayer received a Certificate from Revenue, check the "Yes" box. Otherwise, check the "No" box and skip line 2.

Line 2

If you checked the "Yes" box on line 1, enter the amount of credit for calendar year 2021 on your Certificate received from Revenue. Fiscal year taxpayers will claim the credit on the return for the taxable year in which the calendar year ends. Be sure to include a copy of your Certificate.

Line 3

If an entity from which you are claiming a pass through renewable energy production tax credit received a Certificate from Revenue, check the "Yes" box. Otherwise, check the "No" box, and skip line 4 and line 5.

If you checked the "No" box for both line 1 and line 3, do not file Form 343, unless you have carryovers from prior years.

Line 4

Enter the amount of this credit passed through from partnerships on Form(s) 343-P, line 3(c).

Line 5

Enter the amount of this credit passed through from S Corporations on Form(s) 343-S, line 3(c).

Line 6

Add lines 2, 4, and 5. Enter the total. This is the current taxable year's Renewable Energy Production Tax Credit.

Part 2 - Partnerships

A partnership claiming this credit *must* pass it through to its partners. Proceed to the instructions for completing Form 343-P on page 4.

- Complete Form 343-P for each partner.
- Provide a completed copy of Form 343-P to each partner.
- Provide a copy of the Certificate of Renewable Energy Production Tax Credit received from Commerce to each partner.
- Include a copy of each completed Form 343-P with your tax return.
- Keep a copy of each completed Form 343-P for your records.
- Do not complete the remainder of this form.

Each partner is entitled to only a *pro rata* share of each credit based on the partner's ownership interest in the partnership. The total of each credit allowed to all partners may not exceed the amount that would have been allowed for a sole owner.

NOTE: Trusts and estates which are partners in a partnership are not eligible to claim these credits. However, the share of a partnership owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of these credits.

Part 3 - S Corporation Credit Election and Shareholder's Share of Credit

Lines 7, 7a, & 7b - S Corporation Credit Election

The S Corporation must complete line 7 and line 7a or line 7b. The S Corporation must make an irrevocable election to either claim the current taxable year credit at the corporate level, or pass the credit through to its shareholders. The S Corporation election is made by:

- Checking the box on line 7a electing to claim the current taxable year credit at the corporate level; or,
- Checking the box on line 7b to pass the current taxable year credit through to its shareholders.

The election statement must be signed by an officer of the S Corporation who is also a signatory to Arizona Form 120S.

If the S Corporation elects to claim the credit itself, it must complete Part 4 and Part 5 as necessary.

If the S Corporation elects to pass this credit through to its shareholders, proceed to the instructions for completing Form 343-S on page 4.

If passing this credit through to the shareholders:

- Complete Form 343-S for each shareholder.
- Provide a copy of completed Form 343-S to each shareholder.
- Provide a copy of the Certificate of Renewable Energy Production Tax Credit received from Commerce to each partner.
- Include a copy of each completed Form 343-S with your tax return.
- Keep a copy of each completed Form 343-S for your records.

Each S Corporation shareholder is entitled to only a *pro rata* share of pass through credit based on ownership interest in the S Corporation. The total of the credit allowed to all shareholders may not exceed the amount that would have been allowed for a sole owner.

NOTE: Trusts and estates which are shareholders of an S Corporation are not eligible to claim these credits. However, the share of an S Corporation owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of these credits.

Part 4 - Available Credit Carryover

S Corporations, if this credit was claimed at the corporate level in a prior taxable year and there is a carryover amount available, complete Part 4.

Lines 8 through 12

Use Part 4 to figure your total available credit carryover from prior taxable years. Complete lines 8 through 12, columns (a) through (d), if you claimed the credit on a prior year's return and the credit exceeded your tax liability.

Enter the taxable year(s) from which you are carrying over the credit in column (a) on lines 8 through 12. In column (b), enter the credit originally computed for that taxable year. In column (c), enter the amount of the credit from that taxable year which you have already used. Subtract the amount in column (c) from the amount in column (b) and enter the difference in column (d).

Line 13

Add the amounts entered on lines 8 through 12 in column (d). Enter the total. This is the total credit carryover available for the current taxable year.

Part 5 - Total Available Credit**Line 14**

Enter the current year's credit.

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter the amount from Part 1, line 6.

Partnerships: Enter "0".

S Corporations that passed the current year credit through to shareholders: Enter "0".

*Individuals that **did not make the Small Business Income election:*** Enter the total. Also, enter this amount on Form 301, Part 1, line 20, column (a).

*Individuals that **made the Small Business Income election:*** Enter the total. Also, enter this amount on Form 301-SBI, Part 1, line 15, column (a).

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter the total. Also, enter this amount on Form 300, Part 1, line 13, column (a).

Line 15

Enter the available credit carryover from prior years.

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter the amount from Part 4, line 13, column (d).

*Individuals that **did not make the Small Business Income election:*** Enter the total. Also, enter this amount on Form 301, Part 1, line 20, column (b).

*Individuals that **made the Small Business Income election:*** Enter the total. Also, enter this amount on Form 301-SBI, Part 1, line 15, column (b).

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter the total. Also, enter this amount on Form 300, Part 1, line 13, column (b).

Line 16

Add line 14 and line 15. Enter the total. This is the total available renewable energy production tax credit that may be applied to the current year's tax liability.

*Individuals that **did not make the Small Business Income election:*** Enter the total. Also, enter this amount on Form 301, Part 1, line 20, column (c).

*Individuals that **made the Small Business Income election:*** Enter the total. Also, enter this amount on Form 301-SBI, Part 1, line 15, column (c).

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter the total. Also, enter this amount on Form 300, Part 1, line 13, column (c).

**Form 343-P,
Distribution to Partners of a
Partnership**

Enter the taxable year for which this credit is being passed through to your partners.

Complete Form 343-P for each partner of the partnership, *except for* trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The partnership must furnish each partner with their completed copy of Form 343-P, including additional schedules as needed.

NOTE: *Form 343-P is used to distribute the partnership's share of this credit to its partners.*

Distribution of the Credit

To distribute the credit to the partners of the partnership (complete lines 1 through 3):

Line 1

Enter the partnership's name and EIN in the spaces provided.

Line 2

Enter the partner's name and TIN in the spaces provided.

Line 3a

Enter the amount of this credit from Form 343, Part 1, line 6.

Line 3b

Enter the partner's ownership percentage.

Line 3c

Multiply line 3a by line 3b and enter the result.

This is the partner's portion of this credit.

**Form 343-S, S Corporation
Distribution to Shareholders of an S
Corporation**

Enter the taxable year for which this credit is being passed through to your shareholders.

Complete Form 343-S for each shareholder of the S Corporation, *except for* trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The S Corporation must furnish each shareholder with a completed copy of Form 343-S, including additional schedules as needed.

NOTE: *Form 343-S is used to distribute the S Corporation's share of this credit to its shareholders.*

Distribution of the Credit

To distribute the credit to the S Corporation shareholders (complete lines 1 through 3):

Line 1

Enter the S Corporation's name and EIN in the spaces provided.

Line 2

Enter the shareholder's name and TIN in the spaces provided.

Line 3a

Enter the amount of this credit from Form 343, Part 3, line 6.

Line 3b

Enter the shareholder's ownership percentage.

Line 3c

Multiply line 3a by line 3b and enter the result.

This is the shareholder's portion of this credit.

Include with your return.

For the calendar year 2021 or fiscal year beginning M M D D 2 0 2 1 and ending M M D D Y Y Y Y .

Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140PY-SBI, 140NR-SBI, 140X-SBI, 99T, 120, 120A, 120S, 120X, or 165	Social Security or Employer Identification Number
--	---

Part 1 Business Information

1	Business Name
2	Business Location Address — Street
	City State ZIP Code
3	Employer Identification Number

- 4a** What type of entity is the business?
 C Corporation Exempt Organization Limited Liability Company (LLC)
 Partnership S Corporation Sole Proprietorship
- 4b** If the business is an LLC, what is the federal tax classification? Check only one box:
 C Corporation Disregarded Entity Partnership S Corporation

If the business is an LLC, a partnership or an S Corporation, include a schedule that lists ownership information including: name, address, TIN, and ownership percentage at the end of the tax year.

Part 2 Qualification for Credit

- 5** Did you receive certification from the Arizona Commerce Authority? Yes No
 If "Yes", include a copy of the Certification.
- 6** Are you claiming a pass through of this credit from a partnership and/or an S Corporation? Yes No
 If "Yes", include a copy of Form(s) 345-P and/or Form(s) 345-S.
- 7** If you answered "Yes" to the question on line 5 or on line 6, go to Part 3.
 If you answered "No" to the questions on line 5 **and** on line 6, **STOP!**
YOU ARE NOT ELIGIBLE TO CLAIM THIS CREDIT.

Part 3 Current Taxable Year's Credit Calculation

	(a) Number of Employees	(b) Available Credit: Multiply column (a) by \$3,000.
8 Credit for employees in first year or partial year of employment in a qualified employment position	8	00
9 Credit for employees in the second year of continuous employment in a qualified employment position.....	9	00
10 Credit for employees in the third year of continuous employment in a qualified employment position.....	10	00
11 Enter the credit passed through from partnerships on Form(s) 345-P, line 3c		00
12 Enter the credit passed through from S Corporations on Form(s) 345-S, line 3c.....		00
13 Add lines 8 through 12 in column (b). Enter the total. This is your total current year's credit for New Employment.	13	00

Continued on page 2 →

Name (as shown on page 1)	TIN
---------------------------	-----

Part 4 Partnerships

A partnership claiming this credit must pass the credit through to its partners.

- Complete Form 345-P for each partner.
- Provide a completed copy of Form 345-P to each partner.
- Include a copy of each completed Form 345-P with your tax return.
- Keep a copy of each completed Form 345-P for your records.
- Do not complete Parts 5 through 7 of this form.

Part 5 S Corporation Credit Election and Shareholder's Share of Credit

14 The S Corporation has made an irrevocable election for the taxable year ending M, M, D, D, Y, Y, Y to
(check only one box):

14a Claim the credit for new employment as shown on Part 3, line 13 (for the taxable year indicated above);
OR

14b Pass the credit for new employment as shown on Part 3, line 13 (for the taxable year indicated above) through to its shareholders.

Signature Title Date

If passing the credit through to the shareholders, complete Form 345-S for each shareholder.

- Provide a copy of completed Form 345-S to each shareholder.
- Include a copy of each completed Form 345-S with your tax return.
- Keep a copy of each completed Form 345-S for your records.

Part 6 Available Credit Carryover

		(a)	(b)	(c)	(d)	(e)
15	Taxable year					
16	Original credit amount	00	00	00	00	00
17	Amount previously used.....	00	00	00	00	00
18	Tentative carryover: Subtract line 17 from line 16.....	00	00	00	00	00
19	Amount disallowed: See instructions.....	00	00	00	00	00
20	Available carryover: Subtract line 19 from line 18.....	00	00	00	00	00
21	Total Available Carryover.....				21	00

Continued on page 3 →

Part 7 Total Available Credit

22 Current year's credit for new employment: <ul style="list-style-type: none"> • <i>Individuals, C Corporations, S Corporations claiming this credit at the corporate level, or exempt organizations with UBTI:</i> Enter the amount from Part 3, line 13, column (b). • <i>Individuals that did not make the Small Business Income election:</i> Also, enter this amount on Form 301, Part 1, line 21, column (a). • <i>Individuals that made the Small Business Income election:</i> Also, enter this information on Form 301-SBI, Part 1, line 16, column (a). • <i>C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI:</i> Also, enter this amount on Form 300, Part 1, line 14, column (a).. 	22	00
23 Available credit carryover from Part 6, line 21, column (e): <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election:</i> Also, enter this amount on Form 301, Part 1, line 21, column (b). • <i>Individuals that made the Small Business Income election:</i> Also, enter this amount on Form 301-SBI, Part 1 line 16, column (b) • <i>C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI:</i> Also, enter this credit on Form 300, Part 1, line 14, column (b). 	23	00
24 Total available credit: Add lines 22 and 23 and enter the total. <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election:</i> Also, enter total here and on Form 301, Part 1, line 21, column (c). • <i>Individuals that made the Small Business Income election:</i> Also, enter this information on Form 301-SBI, Part 1, line 16, column (c). • <i>C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI:</i> Also, enter this credit on Form 300, Part 1, line 14, column (c)..... 	24	00

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Form 345-1

Employees at Business Location

2021

Complete a Form 345-1 for each employee, whether or not the employee is in a qualified employment position. See instructions

1 Employee name: _____

2 Employee's Social Security Number (SSN)..... _____

3a What credit year are you claiming for this employee? First Second Third Not qualified for credit, or fourth year or more

3b Is this employee a replacement of another employee who left a qualified employment position in the second or third year? See instructions Yes No

3c If the answer to line 3b is "Yes", did the total time the position was vacant from the date the employment position was originally filled to the end of the current tax year total 90 days or less? See instructions Yes No

3d If the answer to line 3c is "Yes", enter the name of the replaced employee, his or her Social Security Number, and termination date:

Employee Name	Social Security Number	Termination Date
		M M D D Y Y Y Y

4a Current date of employment | M M | D D | Y Y Y Y |

4b Termination date, if the employee was terminated before the end of the taxable year | M M | D D | Y Y Y Y |

4c If the employee was terminated, is he or she replaced by a new hire in the same qualified employment position? Yes No

If the answer is "Yes", enter the name of the new hire, his or her Social Security Number, and hire date:

Employee Name	Social Security Number	Hire Date
		M M D D Y Y Y Y

5a If employee was previously employed by the business, list the previous date of employment. See instructions..... | M M | D D | Y Y Y Y |

5b If employee was previously employed by the business, list the date of separation..... | M M | D D | Y Y Y Y |

5c Did the employee relocate to this state from out of state? Yes No

5d If the employee relocated from out of state, enter date of relocation | M M | D D | Y Y Y Y |

6a Is the employee in a permanent position that consists of at least 1750 hours per year? Yes No

6b If the answer to line 6a is "Yes", list the number of hours the employee actually worked during the taxable year. _____

7 Are the employee's job duties performed primarily at the location(s) of the business?..... Yes No

8a Employee's annual compensation for the taxable year \$ _____ .00

8b Employee's HOURLY wage in dollars and cents \$ _____ .

9a Total cost of health insurance provided by employer for employee. See instructions. \$ _____ .00

9b Total cost of health insurance for employee paid by employer. See instructions..... \$ _____ .00

10 Is this employee in a new qualified employment position? Yes No

11a Has this employee been substituted for another employee in a qualified employment position? Yes No

11b If answer on line 11a is "Yes", list the date of substitution | M M | D D | Y Y Y Y | and indicate whether the individual is a second year employee or a third year employee. See instructions for the qualification before answering this question.

Check only one box: Second year employee Third year employee

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Form 345-2

Employees in Qualified Employment Positions

2021

	(a) Employee's Name	(b) Social Security Number	(c) Type of Employee			(d) Limitation on Total Number of Credits
			Check the appropriate box. This employee is a:			
			(c1) 1 st Year Employee	(c2) 2 nd Year Employee	(c3) 3 rd Year Employee	See instructions before checking this box.
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24	TOTAL: Add lines 1 through 23 including only lines with check marks. Enter the total for each column.....					

If you are claiming more than 23 employees in qualified employment positions, complete additional schedules.

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For the calendar year 2021 or fiscal year beginning MM,MM,DD,2021 and ending MM,MM,DD,YYYY.

Partnerships:

- Complete Form 345-P for each partner in the partnership **except for** trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form and the Certification of Qualification received from the Arizona Commerce Authority to each partner.
- Keep a copy of each completed Form 345-P for your records.
- Include a copy of each completed Form 345-P with your partnership return.

Partners:

- Use this form to complete your own Form 345.
- Include this completed form and a copy of the Certification of Qualification received from the Arizona Commerce Authority with your return.
- Keep a copy of this form and certificate for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Distribution of the Credit

Complete this section to distribute the credit to each partner in the partnership.

1	(a) Partnership Name	(b) Employer Identification Number (EIN)
	(a) Partner Name	(b) Taxpayer Identification Number (TIN)
2		
3a	Partnership credit amount from Form 345, Part 3, line 13.....	3a \$ 00
3b	Partner's ownership percentage.....	3b %
3c	Partner's portion of the credit	3c \$ 00

Partners:

The amount reported on line 3c is your portion of this credit. Enter the amount from line 3c on Part 3, line 11 of your own Form 345 to claim this credit.

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For the calendar year 2021 or fiscal year beginning MM, DD, DD 2021 and ending MM, DD, DD Y, Y, Y, Y.

S Corporations:

- Complete Form 345-S for each shareholder of the S Corporation **except for** trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form and the Certification of Qualification received from the Arizona Commerce Authority to each shareholder.
- Keep a copy of each completed Form 345-S for your records.
- Include a copy of each completed Form 345-S with your S Corporation return.

Shareholders:

- Use this form to complete your own Form 345.
- Include this completed form and a copy of the Certification of Qualification received from the Arizona Commerce Authority with your return.
- Keep a copy of this form and certificate for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Distribution of the Credit

Complete this section to distribute the credit to shareholders of the S Corporation.

1	(a) S Corporation Name	(b) Employer Identification Number (EIN)	
	(a) Shareholder Name	(b) Taxpayer Identification Number (TIN)	
3a	S Corporation credit amount from Form 345, Part 3, line 13.....	\$	00
	3b Shareholder's ownership percentage.....	%	
	3c Shareholder's portion of the credit	\$	00

Shareholder:

The amount reported on line 3c is your portion of this credit. Enter the amount from line 3c on Part 3, line 12 of your Form 345 to claim this credit.

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2021 Credit for New Employment

CONTACTS FOR CREDIT FOR NEW EMPLOYMENT

Arizona Commerce Authority

•Application forms •Program guidelines

Website: www.azcommerce.com

Program Manager (602) 845-1200

Arizona Department of Revenue

•Tax forms and instructions •Information and assistance

Website: www.azdor.gov

Taxpayer assistance (602) 255-3381

From area codes 520 and 928, toll-free (800) 352-4090

General Instructions

Arizona Revised Statutes (A.R.S.) §§ 43-1074 and 43-1161 provide nonrefundable individual and corporate income tax credits for net increases in qualified employment positions in Arizona at a business location in Arizona.

This credit is available to individuals, corporate taxpayers, partners in a partnership (except trust and estate partners), and to shareholders of an S Corporation (except trust and estate shareholders). Exempt organizations subject to unrelated business taxable income (UBTI) may claim this credit if the credit results from activities that generate UBTI.

Trusts and estates, with the exception of grantor trusts, cannot claim this credit either directly or as a pass through. A grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. As a result, the grantor may claim the credit. The total of the credits may not exceed the amount that would have been allowed for a sole owner of the business.

Co-owners of a business, including partners in a partnership and shareholders of an S Corporation, may each claim only the *pro rata* share of the credit allowed based on the ownership interest. The total of the credits allowed all such owners may not exceed the amount that would have been allowed for a sole owner of the business.

Note for Form 120 filers: *Taxpayers filing on a combined or consolidated basis are considered to be a single taxpayer for the purposes of the credit for new employment.*

If the documents required to be filed with the Arizona Commerce Authority (Commerce) or the Arizona Department of Revenue (ADOR) are not timely filed or contain materially false information, the taxpayer is ineligible for the Credit for New Employment (including second and third year credits, and carryovers) and is subject to recovery of the amount of tax credits allowed in preceding taxable years based on the false information, plus penalties and interest.

The Credit for New Employment is in lieu of the employment credit for Healthy Forest Enterprises, claimed on Form 332.

To qualify for the Credit for New Employment:

- *Businesses in an urban location must meet at least one of the following:*

- Invest at least \$5 million of capital investment and create at least 25 new qualified employment positions that pay compensation at least equal to 100% of the county median wage as computed annually by Commerce.
- Invest at least \$2.5 million of capital investment and create at least 25 new employment positions that pay compensation at least equal to 125% of the county median wage as computed annually by Commerce.
- Invest at least \$1 million of capital investment and create at least 25 new employment positions that pay compensation at least equal to 150% of the county median wage as computed annually by Commerce.
- Invest at least \$500,000 of capital investment and create at least 25 new employment positions that pay compensation at least equal to 200% of the county median wage as computed annually by Commerce.
- *Businesses in a rural location must meet at least one of the following:*
 - Invest at least \$1 million of capital investment and create at least 5 new employment positions that pay compensation at least equal to 100% of the county median wage as computed annually by Commerce.
 - Invest at least \$500,000 of capital investment and create at least 5 new employment positions that pay compensation at least equal to 125% of the county median wage as computed annually by Commerce.
 - Invest at least \$100,000 of capital investment and create at least 5 new employment positions that pay compensation at least equal to 150% of the county median wage as computed annually by Commerce.

The capital investment and the new qualified employment positions requirements listed above must be accomplished within 12 months after the start of the required capital investment. No credit may be claimed until both requirements are met.

In addition, the qualified employment positions must meet the following requirements:

- Consist of at least 1,750 hours per year of permanent employment.
- The job duties are performed primarily at the location or locations of the business in Arizona.
- The employment provides health insurance coverage for the employee where the employer pays 65% of the premium or membership cost.

The Credit for New Employment for Qualified Employment positions is equal to:

- \$3,000 for each Arizona employee in a qualified employment position in the first year or partial year of employment;
- \$3,000 for each Arizona employee in a qualified employment position for the full taxable year, in the second year of continuous employment;
- \$3,000 for each Arizona employee in a qualified employment position for the full taxable year, in the third year of continuous employment.

The credit is allowed for second and third year employees only for qualified employment positions for which a credit was claimed and allowed in the first year.

NOTE: *If a full-time employee in a qualified employment position left during the second or third taxable year that a credit for that position is being claimed, the employee may be replaced with another new full-time employee in the same employment position. That new employee will be treated as being in their second or third full year of continuous employment if: (1) the total time the qualified employment position was vacant from the date the position was originally filled to the end of the current tax year totals 90 days or less; and (2) the new employee meets all of the same requirements the original employee was required to meet. However, only one credit can be claimed for one employee for each qualified employment position, even if there was more than one replacement for the same position during the taxable year.*

If the allowable tax credit exceeds the taxes otherwise due on the claimant's income, or if there are no taxes due, the amount of the credit not used to offset taxes may be carried forward for not more than five taxable years as a credit against subsequent years' income tax liabilities.

Reporting requirements: Include a copy of the Certification you received from Commerce. The Certification will state you complied with their reporting requirements and will indicate the number of positions for which you are certified for the taxable year. To claim this credit, you must timely comply with the reporting requirements of both ADOR and Commerce. Do not use the 2021 Form 345 and 345-1 to claim this credit for previous taxable years.

Aggregate summary: Complete Form 345, 345-1, and 345-2 for each business location for which you are claiming this credit. If you claim this credit for multiple business locations, complete an aggregated summary Form 345. Do not complete aggregate summaries of Forms 345-1 and 345-2.

If you complete an aggregated Form 345, do NOT complete Part 1 - Business Information.

Include the Forms 345, 345-1, and 345-2 for each business location with the aggregated Form 345.

Specific Instructions

Complete the taxpayer name and taxpayer identification number (TIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form and all supporting documentation with the tax return.

All returns, statements, and other documents filed with the department require a TIN. The TIN for a corporation, an exempt organization with UBTI, an S Corporation, or a partnership is the taxpayer's employer identification number (EIN). The TIN for an individual is the taxpayer's Social Security Number (SSN) or an Internal Revenue Service Individual Taxpayer Identification Number (ITIN). Taxpayers that fail to include their taxpayer identification number may be subject to a penalty.

NOTE – To claim this credit:

- **Individual taxpayers that did not make the Small Business Income election,** complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR, or 140X).

- **Individual taxpayers that made the Small Business Income election,** complete this credit form and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI and 140X-SBI. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).
- **C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI,** complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. Include both completed forms with your return.
- **S Corporations electing to pass this credit through to its shareholders,** complete this credit. Also complete Form 345-S for each shareholder of the S Corporation. Provide each shareholder a copy of his or her completed Form 345-S. Include Form 345 and one copy of each completed Form 345-S with your return.
- **Partnerships** complete this credit form. Also, complete Form 345-P for each partner of the partnership. Provide each partner a copy of his or her completed Form 345-P. Include Form 345 and one copy of each completed Form 345-P with your return.

Part 1 - Business Information

Lines 1 through 3

On lines 1, 2, and 3, enter the name, address, and EIN of the business location.

Line 4a and Line 4b

Check the boxes to answer the questions on line 4a and line 4b. If the business is an LLC, a partnership, or an S Corporation, be sure to include a schedule that lists ownership information including: name, address, TIN, and ownership percentage as of the end of the tax year. Include the schedule immediately after Form 345.

NOTE: *If you are claiming only a carryover of this credit from previous taxable years, DO NOT complete Forms 345-1 and 345-2. Complete ONLY Form 345.*

If you are claiming a credit for the current taxable year, complete Forms 345-1 and 345-2 before completing the rest of Form 345.

- Please refer to page 5 for the instructions to complete Form 345-1.
- Please refer to page 6 for the instructions to complete Form 345-2.

Part 2 - Qualification for Credit and Credit Calculation

Line 5

If you received a Certification from the Arizona Commerce Authority (Commerce) for this credit, check the "Yes" box. Otherwise, check the "No" box.

Line 6

If you are claiming a pass through of this credit from a partnership and/or an S Corporation, check the "Yes" box. Otherwise, check the "No" box.

Line 7

- If you answered “Yes” to the question on line 5 or on line 6, go to Part 3. Include a copy of all Form(s) 345-P and/or Form(s) 345-S with this form.
- If you answered “No” to the question on line 5 or on line 6, **STOP! YOU ARE NOT ELIGIBLE TO CLAIM THIS CREDIT.**

Part 3 - Current Taxable Year’s Credit Calculation**Line 8**

Enter the total number of employees in their first year or partial year of employment in a qualified employment position from Form 345-2, line 24, column (c1), in column (a). Multiply the number in column (a) by \$3,000 and enter the result in column (b).

Line 9

Enter the total number of employees in their second year of continuous employment in a qualified employment position from Form 345-2, line 24, column (c2), in column (a). Multiply the number in column (a) by \$3,000 and enter the result in column (b).

Line 10

Enter the total number of employees in their third year of continuous employment in a qualified employment position from Form 345-2, line 24, column (c3), in column (a). Multiply the number in column (a) by \$3,000 and enter the result in column (b).

Line 11

Enter the amount of this credit passed through from partnerships on Form(s) 345-P, line 3(c). If you received a pass through of this credit from more than one partnership, include a schedule indicating the amount of the credit passed through from each partnership.

Line 12

Enter the credit passed through from S Corporations on Form(s) 345-S, line 3(c). If you received a pass through of this credit from more than one S Corporation, include a schedule indicating the amount of the credit passed through from each S Corporation.

Line 13

Add lines 8 through 12 in column (b). Enter the total. This is the current year’s Credit for New Employment.

Part 4 - Partnerships

A partnership claiming this credit *must* pass it through to its partners. Proceed to the instructions for completing Form 345-P on page 7.

- Complete Form 345-P for each partner.
- Provide a completed copy of Form 345-P to each partner.
- Include a copy of each completed Form 345-P with your tax return.
- Keep a copy of each completed Form 345-P for your records.
- Do not complete the remainder of this form.

Each partner is entitled to only a *pro rata* share of each credit based on the partner’s ownership interest in the partnership. The total of each credit allowed to all partners may not exceed the amount that would have been allowed for a sole owner.

NOTE: *Trusts and estates which are partners in a partnership are not eligible to claim these credits. However, the share of a partnership owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of these credits.*

Part 5 - S Corporation Credit Election and Shareholder’s Share of Credit**Lines 14, 14a, & 14b**

The S Corporation must complete line 14, and line 14a, or line 14b. The S Corporation must make an irrevocable election either to claim the current taxable year credit at the corporate level, or to pass the credit through to its shareholders. The S Corporation election is made by:

- Entering the date the S Corporation taxable year ends in the box provided.
- Checking the box on line 14a electing to claim the current year taxable credit at the corporate level; or,
- Checking the box on line 14b electing to pass the current taxable year credit through to its shareholders.
- The election statement must be signed by an officer of the S Corporation who is also a signatory to Arizona Form 120S.

If the S Corporation elects to claim the credit at the corporate level, continue to Part 6.

If the S Corporation elects to pass this credit through to its shareholders, proceed to the instructions for completing Form 345-S on page 7.

If passing this credit through to the shareholders:

- Complete Form 345-S for each shareholder.
- Provide a copy of completed Form 345-S to each shareholder.
- Include a copy of each completed Form 345-S with your tax return.
- Keep a copy of each completed Form 345-S for your records.

Each S Corporation shareholder is entitled to only a *pro rata* share of pass-through credit based on ownership interest in the S Corporation. The total of the credit allowed to all shareholders may not exceed the amount that would have been allowed for a sole owner.

NOTE: *Trusts and estates which are shareholders of an S Corporation are not eligible to claim these credits. However, the share of an S Corporation owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of these credits.*

Part 6 - Available Credit Carryover

S Corporations, *if this credit was claimed at the corporate level in a prior taxable year and there is a carryover amount available, complete Part 6.*

Use Part 6 to figure your total available credit carryover from prior taxable years. Complete lines 15 through 20 if you claimed the credit on a prior year’s return and the credit exceeded your tax liability.

Line 15

Enter the taxable years from which you are carrying over the credit in columns (a) through (e).

Line 16

Enter the credit originally computed for the taxable year indicated in columns (a) through (e).

Line 17

Enter the amount of the credit from the taxable year indicated in columns (a) through (e) that was used in a prior taxable year.

Line 18

Subtract columns (a) through (e) of line 17 from columns (a) through (e) of line 16. Enter the difference in each column. This is your tentative credit carryover amount.

Line 19

Enter the amount of the credit from the taxable year indicated in columns (a) through (e) that is disallowed because the business changed ownership.

Line 20

Subtract columns (a) through (e) of line 19 from columns (a) through (e) of line 18. Enter the difference in each column.

Line 21

Add the amounts from columns (a) through (e) on line 20. Enter the total. This is the total credit for new employment carryover from prior taxable years.

Part 7 - Total Available Credit**Line 22**

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI - enter the amount from Part 3, line 13, column (b).

Partnerships - enter "0".

S Corporations that elected to pass the current year credit through to shareholders - enter "0".

This is the current year's credit for new employment.

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 21, column (a).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 16, column (a).

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter this amount on Form 300, Part 1, line 14, column (a).

Line 23

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI - enter the amount from Part 6, line 21. This is the total available credit carryover for new employment.

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 21, column (b).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 16, column (b).

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter this amount on Form 300, Part 1, line 14, column (b).

Line 24

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI - add line 22 and line 23. Enter the total. This is the total available credit for new employment for qualified employment positions that may be applied to the current year's tax liability.

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 21, column (c).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 16, column (c).

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter this amount on Form 300, Part 1, line 14, column (c).

FORM 345-1
Employees at Business Location

Complete Form 345-1 for each employee at the business location, WHETHER OR NOT THE EMPLOYEE IS IN A QUALIFIED EMPLOYMENT POSITION.

NOTE: A.R.S. § 41-1525(E)(2) provides for the information requested in Form 345-1 to be submitted in a manner prescribed by ADOR, including electronic media. ADOR will accept a hard copy spreadsheet that contains all the requested information or the information may be submitted on electronic media as a Microsoft Excel spreadsheet on a CD-ROM or DVD (CD/DVD).

The information must be filed on or before the due date of the tax return, including any extensions. Taxpayers submitting the information on CD/DVD should secure the CD/DVD in a hard case and include it with the tax return. Forms 345-1 submitted on CD/DVD are part of the income tax return and are subject to the sworn statement on the return that they are true and correct to the best of the signer's knowledge and belief.

The CD/DVD should be labeled as Form 345-1 with the taxpayer's name, EIN, and taxable year.

Taxpayers may password protect the CD/DVD and email the password separately to MediaLibrarian@azdor.gov. Include "Form 345-1" in the subject line of the email. In the body of the email, include the same information that is on the CD/DVD label. ADOR **will not** return or copy any media.

CAUTION: The taxpayer substitutes the CD/DVD at its own risk and understands that the information may need to be provided to ADOR again at a later date if it is not accessible by ADOR for any reason.

Line 1

Enter the employee's first and last name.

Line 2

Enter the employee's SSN.

Line 3a

Check the box to indicate the credit year for which you are claiming this employee: "First"; "Second"; "Third"; or "Not qualified for credit, or fourth year or more."

Line 3b

If this employee replaced another employee who left a qualified employment position during the second or third year that you are claiming the credit, check the "Yes" box. If not, check the "No" box.

Line 3c

If you answered "Yes" to the question on line 3b, and the total time this position was vacant from the date the position was originally filled to the end of the current taxable year was 90 days or less, check the "Yes" box. If the position was vacant for more than 90 days, check the "No" box.

Line 3d

If the answer to the question on line 3c is "Yes", enter the name of the replaced employee, his or her SSN, and termination date.

Example: XYZ Company began operations on January 1, 2019 and hired Employee A, B, and C at a different time period for the same qualified employment position that qualifies for the credit for new employment. XYZ Company is a calendar year filer.

Employee	Hire Date	Termination Date
Employee A	May 1, 2020	January 31, 2021
Employee B	March 1, 2021	October 31, 2021
Employee C	December 1, 2021	December 31, 2022

Tax year 2020 (credit year 1): XYZ Company was eligible to claim a credit for Employee A for the qualified employment position.

Tax year 2021 (credit year 2): XYZ Company is eligible to claim only one credit for one employee (Employee A, Employee B, **OR** Employee C) for the same qualified employment position. The total time the position was vacant from the date the position was originally filled to the end of the current taxable year totals 58 days (28 days in February plus 30 days in November), which is less than 90 days.

Tax year 2022 (credit year 3): XYZ Company is eligible to claim a credit for Employee C.

Line 4a

Enter the date the employee was hired. If the employee was previously employed, enter the date the employee was re-hired.

Line 4b

If the employee was terminated before the end of the taxable year, enter the employee's termination date.

Line 4c

If the employee was terminated and replaced by a new hire in the same qualified employment position, check the "Yes" box and enter the name of the new hire, his or her SSN and hire date.

Complete these lines 5a and 5b if the employee was previously employed by the business (prior to the current employment).

Line 5a

If the employee was previously employed by the business, enter the date the employee was previously hired.

Line 5b

If the employee was previously employed by the business, enter the employee's date of separation.

NOTE: Complete line 5c and line 5d if the employee relocated from out-of-state.

Line 5c

If the employee relocated from out of state, check the "Yes" box. If not, check the "No" box.

Line 5d

If the employee relocated from out of state, enter the date the employee relocated.

Line 6a

Check the "Yes" box if this employee is in a permanent position consisting of at least 1750 hours per year. If this employee is not in a permanent position consisting of at least 1750 hours per year, check the "No" box.

Line 6b

If you checked the “Yes” box on line 6a, enter the number of hours worked by this employee. Include paid time off for holidays, vacation, or sick. Do not include bonuses or overtime.

Line 7

If this employee’s job duties are performed primarily at the location(s) of your business, check the “Yes” box. If not, check the “No” box.

Line 8a

Enter this employee’s annual compensation for the taxable year.

Line 8b

Enter this employee’s hourly wage rounded to the nearest cent.

Line 9a

Enter the total cost of this employee’s insurance premium or membership cost. If your business is self-insured, enter the predetermined fixed cost for this employee’s insurance coverage.

NOTE: *The predetermined fixed cost must be payable whether this employee files a claim or not.*

Line 9b

Enter the total amount of the insurance premium or membership cost you paid as the employer.

Line 10

If this employee is in a new qualified employment position, check the “Yes” box. If not, check the “No” box.

Line 11a

If this employee was substituted for another employee in a qualified employment position, check the “Yes” box. If not, check the “No” box.

Line 11b

If the “Yes” box on line 11a is checked, enter the date of substitution. Also, check either the box “Second year employee”, or “Third year employee” to indicate this employee is a second year employee or a third year employee.

NOTE: *Arizona law does not require that the employee who is claimed in the second or third year of continuous employment be the same employee who was claimed in the first or second year of employment. Therefore, if one of the originally claimed new employees leaves employment, the business can claim the subsequent years’ credits for another employee in a qualified employment position who is in the same year of continuous employment as the departed employee.*

FORM 345-2

Employees in Qualified Employment Positions

List each employee in a qualified employment position. Do not list employees that are not in a qualified employment position.

Lines 1 through 23

Complete lines 1 through 23 as follows:

- a) Enter the employee’s name in column (a);
- b) Enter the employee’s SSN in column (b);
- c) If the employee is:
 - A first year employee, check box (c1);
 - A second year employee, check box (c2);
 - A third year employee, check box (c3);
- d) Check box (d) if the employee’s position is included in the count for the credit for Qualified Employment Positions.

NOTE:

- *The number of employees for which you are claiming second year credits for this taxable year cannot exceed the number of employees for whom you claimed first year credits in the prior taxable year.*
- *The number of employees for which you are claiming third year credits for this taxable year cannot exceed the number of employees for whom you claimed second year credits in the prior taxable year.*

Line 24

Count the checkmarks on lines 1 through 23 for each column, (c1) through (c3), only if there is a checkmark in column (d) for that column and line. Enter the count in the corresponding column (c1) through (c3).

- Enter the amount in column (c1) on Form 345, Part 3, line 8, column (a).
- Enter the amount in column (c2) on Form 345, Part 3, line 9, column (a).
- Enter the amount in column (c3) on Form 345, Part 3, line 10, column (a).

NOTE: *If you are claiming this credit for more than 23 employees in qualified employment positions for this business location, include additional schedules.*

Form 345-P, Distribution to Partners of a Partnership

Enter the taxable year for which this credit is being passed through to your partners.

Complete Form 345-P for each partner of the partnership, *except for* trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The partnership must furnish each partner with their completed copy of Form 345-P, including additional schedules as needed.

Distribution of the Credit

Line 1

Enter the partnership name and EIN in the spaces provided.

Line 2

Enter the partner's name and TIN in the spaces provided.

Line 3a

Enter the amount of this credit from Form 345, Part 3, line 13.

Line 3b

Enter the partner's ownership percentage.

Line 3c

Multiply line 3(a) by line 3(b) and enter the result.

This is the partner's portion of this credit.

Form 345-S, S Corporation Distribution to Shareholders of an S Corporation

Enter the taxable year for which this credit is being passed through to your shareholders.

Complete Form 345-S for each shareholder of the S Corporation, *except for* trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The S Corporation must furnish each shareholder with a completed copy of Form 345-S, including additional schedules as needed.

Distribution of the Credit

Line 1

Enter the S Corporation name and EIN in the spaces provided.

Line 2

Enter the shareholder's name and TIN in the spaces provided.

Line 3a

Enter the amount of this credit from Form 345, Part 3, line 13.

Line 3b

Enter the shareholder's ownership percentage.

Line 3c

Multiply line 3(a) by line 3(b) and enter the result.

This is the shareholder's portion of this credit.

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Include with your return.

For the calendar year 2021 or fiscal year beginning M / M / D , 2 / 0 / 2 / 1 and ending M / M / D , Y / Y / Y .

All businesses must be certified by the Arizona Commerce Authority and the Department of Revenue before applying for this credit.

Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140PY-SBI, 140NR-SBI, 140X-SBI, 99T, 120, 120A, 120S, 120X, or 165	Social Security or Employer Identification Number
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Part 1 Qualification for Additional Credit

<p>1 Did you receive a Letter of Approval from the Arizona Department of Revenue (Revenue) for this credit? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">a If "Yes", include a copy of the letter.</p> <p style="margin-left: 20px;">b If "No", go to line 3.</p>				
2 Enter the credit amount from the Letter of Approval from Revenue	2			00
<p>3 Are you claiming this credit as a pass through from a partnership or S Corporation and you received Form(s) 346-P from the partnership(s) and/or Form(s) 346-S from the S Corporation(s)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">a If "Yes", include a copy of each Form 346-P or Form 346-S you received.</p> <p style="margin-left: 20px;">b If "No", skip to line 4.</p>				
4 If you answered "Yes" to the question on line 1 and/or the question on line 3, go to Part 2.				
5 If you answered "No" to the question on line 1 and to the question on line 3, STOP! YOU ARE NOT ELIGIBLE TO CLAIM THIS CREDIT.				

Part 2 Current Taxable Year's Credit Calculation

Portion Earned by the Taxpayer				
6 Basic research payments paid to qualified organizations: See instructions	6		00	
7 Qualified organization base period amount	7		00	
8 Subtract line 7 from line 6. If less than zero, enter "0"		8		00
9 Multiply line 8 by 10% (.10). Enter the result. The result cannot exceed the amount on line 2		9		00
Portion Passed Through From Partnerships or S Corporations				
10 Enter the total amount of this credit passed through from partnerships on Form 346-P, Part 2, line 4		10		00
11 Enter the total amount of this credit passed through from S Corporations on Form 346-S, Part 2, line 4		11		00

Part 3 Total Current Year's Credit

12 Total Credit: Add lines 9 through 11. Enter the total. This is the current year's Additional Credit for Increased Research Activities for Basic Research Payments				00
	12			00

Part 4 Partnerships

A partnership claiming this credit must pass it through to its partners.

- Complete Form 346-P for each partner.
- Provide a completed copy of Form 346-P to each partner.
- File a copy of each completed Form 346-P with your tax return.
- Keep a copy of each completed Form 346-P for your records.

Continued on page 2 →

Name (as shown on page 1)	TIN
---------------------------	-----

Part 5 S Corporation Credit Election and Shareholder's Share of Credit

13 The S Corporation has made an irrevocable election for the taxable year ending MM,MM,DD,YY,YY to
(check only one box):

- 13a Claim the additional credit for increased research activities for basic research payments as shown on Part 3, line 12 (for the taxable year indicated above) at the corporate level;
OR
 13b Pass the additional credit for increased research activities for basic research payments as shown on Part 3, line 12 (for the taxable year indicated above) through to its shareholders.

 Signature Title Date

Shareholders:
 If passing the credit through to the shareholders, complete Form 346-S for each shareholder.

- Provide a copy of the completed Form 346-S to each shareholder.
- File a copy of each completed Form 346-S with your tax return.
- Keep a copy of each completed Form 346-S for your records.

Part 6 Available Credit Carryover

	(a) Taxable Year	(b) Original Credit Amount	(c) Amount Previously Used or Expired	(d) Available Carryover: Subtract column (c) from column (b).
14		00	00	00
15		00	00	00
16		00	00	00
17		00	00	00
18		00	00	00
19	Total Available Carryover: Add lines 14 through 18 in column (d). Enter the total.....			00

Continued on page 3 →

Name (as shown on page 1)	TIN
---------------------------	-----

Part 7 Total Additional Available Credit for Increased Research Activities for Basic Research Payments

<p>20 Current year's credit: Enter the amount from Part 3, line 12.</p> <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election: Also, enter this amount on Form 301, Part 1, line 22, column (a).</i> • <i>Individuals that made the Small Business Income election: Also, enter this amount on Form 301-SBI, Part 1, line 17, column (a)</i> • <i>Partnerships: Enter "0".</i> • <i>S Corporations that passed the credit through to shareholders: Enter "0".</i> • <i>C Corporations, S Corporations electing to claim this credit at the corporate level, and exempt organizations with UBTI: Also, enter this amount on Form 300, Part 1, line 15, column (a)</i> 	20	00
<p>21 Available credit carryover: Enter the amount from Part 6, line 19.</p> <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election: Also, enter this amount on Form 301, Part 1, line 22, column (b).</i> • <i>Individuals that made the Small Income Business election: Also, enter this amount on Form 301-SBI, Part 1, line 17, column (b)</i> • <i>C Corporations, S Corporations electing to claim this credit at the corporate level, and exempt organizations with UBTI: Also, enter this amount on Form 300, Part 1, line 15, column (b)</i> 	21	00
<p>22 Total available credit: Add lines 20 and 21 and enter the total.</p> <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election: Also, enter this amount on Form 301, Part 1, line 22, column (c).</i> • <i>Individuals that made the Small Business Income election: Also, enter this amount on Form 301-SBI, Part 1, line 17, column (c)</i> • <i>C Corporations, S Corporations electing to claim this credit at the corporate level, and exempt organizations with UBTI: Also, enter this amount on Form 300, Part 1, line 15, column (c).....</i> 	22	00

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For the calendar year 2021 or fiscal year beginning [M,M|D,D|2,0,2,1] and ending [M,M|D,D|Y,Y,Y,Y].

Partnership:

- Complete Form 346-P for each partner of the partnership **except for** trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Include a copy of this form with your return.
- Provide a copy of the completed form and the Letter of Approval received from the Arizona Department of Revenue to each partner.
- Keep a copy of each completed Form 346-P for your records.

Partner:

- Use this form to complete your own Form 346.
- Include this completed form and a copy of the Letter of Approval received from the Arizona Department of Revenue with your return.
- Keep a copy of this form and letters for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Part 1 Partnership and Partner Information

1	(a) Partnership Name	(b) Employer Identification Number (EIN)	
2	(a) Partner Name	(b) Taxpayer Identification Number (TIN)	(c) Proportionate Share %

Part 2 Distribution of the Credit Passed Through

3	Enter the total amount of the partnership's credit from Part 3, line 12 of the partnership's Form 346	3	\$		00
4	Partner's portion of the partnership research and development credit: Multiply line 3 by the partner's proportionate share shown on line 2(c). Enter the result.....	4	\$		00

Partners: Enter the amount from line 4 on your Form 346, Part 2, line 10.

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For the calendar year 2021 or fiscal year beginning [M,M|D,D|2,0,2,1] and ending [M,M|D,D|Y,Y,Y,Y].

S Corporation:

- Complete Form 346-S for each shareholder of the S Corporation **except for** trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Include a copy of this form with your return.
- Provide a copy of the completed form and the Letter of Approval received from the Arizona Department of Revenue to each shareholder.
- Keep a copy of each completed Form 346-S for your records.

Shareholder:

- Use this form to complete your own Form 346.
- Include this completed form and a copy of the Letter of Approval received from the Arizona Department of Revenue with your return.
- Keep a copy of this form and certificate for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Part 1 S Corporation and Shareholder Information

1	(a) S Corporation Name	(b) Employer Identification Number (EIN)	
2	(a) Shareholder Name	(b) Social Security Number (SSN)	(c) Proportionate Share %

Part 2 Distribution of the Credit Passed Through

3	Enter the total amount of the S Corporation's credit from Part 3, line 12 of the S Corporation's Form 346	3	\$		00
4	Shareholder's portion of the S Corporation research and development credit: Multiply line 3 by the shareholder's proportionate share shown on line 2(c). Enter the result.	4	\$		00

Shareholders: Enter the amount from line 4 on your Form 346, Part 2, line 11.

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2021 Additional Credit for Increased Research Activities for Basic Research Payments

CONTACTS FOR FURTHER INFORMATION REGARDING THE ADDITIONAL CREDIT FOR INCREASED RESEARCH ACTIVITIES FOR BASIC RESEARCH PAYMENTS

Arizona Commerce Authority

Website: www.azcommerce.com

Program Manager (602) 845-1200

Arizona Department of Revenue

•Tax forms and instructions •Information and assistance

Website: www.azdor.gov

Taxpayer assistance (602) 255-3381

From area codes 520 and 928, toll-free (800) 352-4090

General Instructions

Arizona Revised Statutes §§ 43-1074.01(A)(1)(c) and 43-1168(A)(1)(d) provide an additional income tax credit for increased research activities for basic research payments made to a university under the jurisdiction of the Arizona Board of Regents.

You may be eligible for this credit if you made cash payments in excess of your base period amount to a qualified Arizona university for research conducted in Arizona.

This credit is available to:

- Individuals,
- Corporations,
- Exempt organizations with unrelated business taxable income (UBTI),
- S Corporations using this credit to offset tax incurred at the corporate level.
- S Corporations or partnerships may pass the credit through to their shareholders or partners.

NOTE: For an exempt organization to claim this credit against its UBTI, the credit must result from the activities generating UBTI.

CLAIMING THE CREDIT

To claim this credit, the taxpayer must first apply for certification from the Arizona Commerce Authority (ACA) that the taxpayer's basic research payments meet the requirements established by statute. Once the taxpayer receives certification from the ACA, the taxpayer then applies to the Arizona Department of Revenue (Revenue) for determination of the amount of the credit the taxpayer is eligible to claim.

IMPORTANT INFORMATION/CREDIT SUMMARY

- The credit is limited to \$10 million in total credits in a calendar year.
- This credit is in addition to the credit for increased research activities:
 - Claimed by corporations on Arizona Form 308;
 - Claimed by individuals on Arizona Form 308-I.
- This tax credit is allowed in an amount computed pursuant to Internal Revenue Code (IRC) § 41(e), except for:
 - Only basic research payments [defined in IRC § 41(e)] which are made to a university under the jurisdiction of the Arizona Board of Regents are included.
 - The taxpayer must make basic research payments during the taxable year to a university under the jurisdiction of the

Arizona Board of Regents, for research completed by the same university.

- The terms "basic research payments" and "qualified organization base period amount" have the same meanings prescribed by IRC § 41(e), without regard to whether the taxpayer is, or is not, a corporation.
- The amount of the credit is based on the federal regular credit computation method for basic research payments. Taxpayers cannot use the federal alternative credit computation method. The allowable current taxable year credit is 10% of the excess, if any, of the basic research payments over the qualified organization base period amount for the taxable year.
- If two or more taxpayers, including shareholders of an S Corporation and partners in a partnership, share in the eligible expenses, each taxpayer is eligible to receive a proportionate share of the credit.
 - The termination provisions of IRC § 41 do not apply.
- If the current taxable year's credit exceeds the taxpayer's tax liability for the taxable year, the taxpayer may carry forward the unused credit to the next five consecutive taxable years.
- **This credit is not refundable.**

CORPORATE TAXPAYERS: If two or more members of a unitary group, or an Arizona affiliated group incur qualifying basic research payments, the individual members of the group are not considered separate taxpayers. When a combined return, or a consolidated return is filed, the unitary group, or the Arizona affiliated group is considered a single taxpayer.

Specific Instructions

Complete the name and taxpayer identification number (TIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the tax return.

NOTE:

- All returns, statements, or other documents filed with the department must have the taxpayer's Employer Identification Number (EIN) or TIN indicated on them.
- Taxpayers who fail to include their EIN or TIN may be subject to a penalty.

NOTE – To claim this credit:

- **Individual taxpayers that did not make the Small Business Income election,** complete this credit form and Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture. Include both completed forms with your Individual Income Tax Return, (Form 140, 140PY, 140NR, or 140X).
- **Individual taxpayers that made the Small Business Income election,** complete this credit form and Arizona Form 301-SBI, Nonrefundable Individual Tax Credits and Recapture for Form 140-SBI, 140PY-SBI, 140NR-SBI and 140X-SBI. Include both completed forms with your SBI Tax Return (Form 140-SBI, 140PY-SBI, 140NR-SBI, or 140X-SBI).
- **C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI,** complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. Include both completed forms with your tax return.

- *S Corporations electing to pass this credit through to its shareholders*, complete this credit form. Also complete Form 346-S for each shareholder of the S Corporation. Provide each shareholder a copy of his or her completed Form 346-S. Include Form 346 and one copy of each completed Form 346-S with your tax return.
- *Partnerships*, complete this credit form. Also, complete Form 346-P for each partner of the partnership. Provide each partner a copy of his or her completed Form 346-P. Include Form 346 and one copy of each completed Form 346-P with your tax return.

Part 1 - Qualification for Additional Credit

Line 1

If you received a letter of approval from Revenue for this credit, check the "Yes" box. If you did not, check the "No" box and skip line 2.

Line 2

If you checked the "Yes" box on line 1, enter the credit amount shown on your Letter of Approval from Revenue for taxable year 2021.

Line 3

If you received a pass through of this credit from a partnership or S Corporation on Form 346-P or Form 346-S, check the "Yes" box and include a copy of each form you received. If you did not, check the "No" box.

Line 4

If you answered "Yes" to the question on line 1 and/or the question on line 3, go to Part 2. Otherwise, go to line 5.

Line 5

If you answered "No" to the question on line 1 and to the question on line 3, **STOP! YOU ARE NOT ELIGIBLE TO CLAIM THIS CREDIT.**

Part 2 - Current Taxable Year's Credit Calculation

Portion Earned by the Taxpayer

Line 6

Enter the basic research payments paid to qualified organizations.

Taxpayers may be eligible for an additional credit for basic research if their payments made in cash to a qualified university under the jurisdiction of the Arizona Board of Regents (pursuant to a written contract) for research conducted in Arizona exceeds their base period amount.

Line 7

Enter the qualified organization base period amount as defined by IRC § 41(e) that is based on qualified basic research payments.

NOTE: *The amount on line 7 (but not more than the amount on line 6), although not eligible for the additional basic research credit, may be eligible for the basic research credit for corporations on Form 308 and may be eligible to be treated as contract research expenses on Form 308 or Form 308-I.*

Line 8

If line 6 is greater than line 7, subtract line 7 from line 6 and enter the difference. If line 7 is greater than line 6, enter "0".

Line 9

Enter the lesser of 10% of line 8 or the amount on line 2.

Portion Passed Through From Partnerships or S Corporations

NOTE: *If you received a pass through of this credit from more than one partnership and/or S Corporation, total the amounts received from all Form(s) 346-P and/or Form(s) 346-S on a separate schedule and include it with this form. Include a copy of each Form 346-P and/or Form 346-S as well as copies of each Letter of Approval you received with your return.*

Line 10

Enter the total amount of this credit passed through from partnerships on Form 346-P, Part 2, line 4

Line 11

Enter the total amount of this credit passed through from S Corporations on Form 346-S, Part 2, line 4.

Part 3 – Total Current Year's Credit

Line 12

Add the amounts on lines 9 through 11. Enter the total. This is your total current year additional credit for increased research activities for basic research payments.

Part 4 - Partnerships

A partnership claiming this credit *must* pass it through to its partners. Skip to the instructions for completing Form 346-P on page 5.

- Complete Form 346-P for each partner.
- Provide a completed copy of Form 346-P to each partner.
- Provide a copy of the Certificate of Renewable Energy Production Tax Credit received from Commerce to each partner.
- Include a copy of each completed Form 346-P with your tax return.
- Keep a copy of each completed Form 346-P for your records.
- Do not complete the remainder of this form.

Each partner is entitled to only a *pro rata* share of each credit based on the partner's ownership interest in the partnership. The total of each credit allowed to all partners may not exceed the amount that would have been allowed for a sole owner.

NOTE: *Trusts and estates that are partners in a partnership are not eligible to claim this credit. However, the share of a partnership owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.*

Part 5 - S Corporation Credit Election and Shareholder's Share of the Credit

Lines 13, 13a, & 13b – S Corporation Credit Election

The S Corporation must complete line 13 and line 13a or line 13b. The S Corporation must make an irrevocable election either to claim the current taxable year credit at the corporate level or to pass the credit through to its shareholders. The S Corporation election is made by:

- Entering the date the S Corporation taxable year ends.
- Checking the box on line 13a electing to claim the current taxable year credit at the corporate level; or,
- Checking the box on line 13b electing to pass the current taxable year credit through to its shareholders.
- The election statement must be signed by an officer of the S Corporation who is also a signatory to Form 120S.

If the S Corporation elects to claim the credit at the corporate level, continue to Part 6.

If the S Corporation elects to pass this credit through to its shareholders, proceed to the instructions for completing Form 346-S on page 5.

If passing this credit through to the shareholders:

- Complete Form 346-S for each shareholder.
- Provide a copy of completed Form 346-S to each shareholder.
- Include a copy of each completed Form 346-S with your tax return.
- Keep a copy of each completed Form 346-S for your records.

Each S Corporation shareholder is entitled to only a *pro rata* share of pass-through credit based on ownership interest in the S Corporation. The total of the credit allowed to all shareholders may not exceed the amount that would have been allowed for a sole owner.

NOTE: Trusts and estates that are shareholders of an S Corporation are not eligible to claim these credits. However, the share of an S Corporation owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of these credits.

Part 6 – Available Credit Carryover

S Corporations, if this credit was claimed at the corporate level in a prior taxable year and there is a carryover amount available, complete Part 6.

Lines 14 through 18

The unused additional credit for increased research activities for basic research payments may be carried forward to the next five consecutive taxable years.

Use Part 6 to calculate the available credit carryover. Complete lines 14 through 18 if you claimed the additional credit on a prior year return and your credit was more than your tax.

If you claimed this credit on a prior year income tax return and your credit was more than your tax, enter this information in the columns provided for lines 14 through 18:

- (a) Taxable year from which you are carrying over the additional credit.
- (b) The amount of the credit originally computed for that taxable year.
- (c) The amount of the credit from that taxable year you have already used.
- (d) Subtract the amount in column (c) from the amount in column (b) and enter the difference.

Line 19

Add the amounts entered on lines 14 through 18 in column (d). Enter the total. This is the available credit carryover available for the current taxable year.

Part 7 – Total Additional Available Credit for Increased Research Activities for Basic Research Payments

Complete this section to compute the total available additional credit for the taxable year. The total available credit is the sum of the credit for the current taxable year and the available credit carryover(s).

Line 20

Enter the additional credit for the current taxable year from Part 3, line 12.

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI - enter the amount from Part 3, line 12.

Partnerships - enter "0".

S Corporations that elected to pass the current year credit through to its shareholders - enter "0".

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 22, column (a).

Individuals that made the Small Business election: Enter this amount on Form 301-SBI, Part 1, line 17, column (a).

C Corporations, S Corporations that elected to claim this credit at the corporate level, and exempt organizations with UBTI: Enter this amount on Form 300, Part 1, line 15, column (a).

Line 21

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI - enter the credit carryover amount from Part 6, line 19, column (d).

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 22, column (b).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 17, column (b).

C Corporations, S Corporations that elected to claim this credit at the corporate level, and exempt organizations with UBTI: Enter this amount on Form 300, Part 1, line 15, column (b).

Line 22

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI - add line 20 and line 21. Enter the total. This is the total available additional credit for increased research activities for basic research payments that may be applied to the current taxable year's tax liability.

Individuals that did not make the Small Business Income election: Enter this amount on Form 301, Part 1, line 22, column (c).

Individuals that made the Small Business Income election: Enter this amount on Form 301-SBI, Part 1, line 17, column (c).

C Corporations, S Corporations that elected to claim this credit at the corporate level, and exempt organizations with UBTI - enter the total available credit on Arizona Form 300, Part 1, line 15, column (c).

Form 346-P, Distribution to Partners of a Partnership

Enter the taxable year from which this credit is being passed through to your partners.

Complete a separate Form 346-P for each partner of the partnership, *except for* trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The partnership must furnish each partner with their completed copy of Form 346-P, including additional schedules as needed.

Part 1 – Partnership and Partner Information

Line 1

Enter the partnership name and EIN in the spaces provided.

Line 2

Enter the partner's name, EIN, TIN, or Social Security Number (SSN), and proportionate share of the credit in the spaces provided.

Part 2 – Distribution of the Credit

Line 3

Enter the total amount of the partnership's credit for increased research and development from Form 346, Part 3, line 12.

Line 4

Multiply line 3 by the percentage reported on line 2, column (c). Enter the result. This is the partner's proportionate share of the credit.

Each partner will use this form to complete his or her own Form 346.

Form 346-S, S Corporation Distribution to Shareholders of an S Corporation

Enter the taxable year from which this credit is being passed through to your shareholders.

Complete a separate Form 346-S for each shareholder of the S Corporation, *except for* trust or estate partners. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The S Corporation must furnish each shareholder with his or her completed copy of Form 346-S, including additional schedules as needed.

Part 1 - S Corporation and Shareholder Information

Line 1

Enter the S Corporation name and EIN in the spaces provided.

Line 2

Enter the shareholder's name, EIN, TIN, or SSN, and proportionate share of the credit in the spaces provided.

Part 2 – Distribution of the Credit

Line 3

Enter the total amount of the S Corporation's credit for increased research and development on Form 346, Part 3, line 12.

Line 4

Multiply line 3 by the percentage reported on line 2, column (c). Enter the result. This is the shareholder's proportionate share of the credit.

The shareholder will use this form to complete his or her own Form 346.

For contributions that exceed the maximum allowable credit on Arizona Form 323. **Include with your return.**

For the calendar year 2021 or fiscal year beginning [M, M, D, D] 2, 0, 2, 1 and ending [M, M, D, D] Y, Y, Y, Y.

Your Name as shown on Form 140, 140NR, 140PY, or 140X	Your Social Security Number
Spouse's Name as shown on Form 140, 140NR, 140PY, or 140X (if joint return)	Spouse's Social Security Number

Before you can claim this credit, you must claim the maximum allowable credit on Arizona Form 323, Credit for Contributions to Private School Tuition Organizations. If you made cash contributions totaling more than the maximum allowable credit on Form 323, you may claim a credit on Form 348 for some or all of those cash contributions that exceed the maximum allowable credit on Form 323.
If you have a carryover amount(s) from a credit claimed on Form 348 from prior tax year(s), you do not have to claim the maximum allowable credit on Form 323 to **only** claim a carryover amount available on Form 348. See instructions under "Notice to All Taxpayers".

Part 1 Eligibility YES NO

- 1a** Are you claiming a current year's credit on your 2021 Form 323 for cash contributions to private school tuition organizations? **1a**
- If you answered, "No", skip line 1b and go to line 1c.
 - If you answered, "Yes", complete line 1b.
- 1b** Did you make cash contributions in excess of the allowable credit claimed on Form 323? See Form 323, Part 4, line 25..... **1b**
- If you answered, "No", go to line 1c.
 - If you answered, "Yes", complete this form to claim an allowable credit for the amount of cash contributions that exceed the amount of the allowable credit claimed on Form 323.
- 1c** Are you claiming only a carryover from Form 348 from prior tax year? **1c**
- If you answered, "No", to lines 1a, 1b, and 1c, **STOP**, do not complete this form.
 - If you answered, "Yes", to line 1c, skip Part 2 and complete Part 3 and Part 4.

Part 2 Current Year's Credit

A. Cash contributions made January 1, 2021 through December 31, 2021. You must list all contributions claimed on Form 323.

- If you are married and filing separate returns, be sure to include **all** cash contributions made by you and your spouse.
- Do **not** include those contributions for which you or your spouse claimed a credit on the 2020 tax return.
- If you made cash contributions to more than three certified school tuition organizations, complete the Continuation Sheet on page 3 and include it with the credit form.

	(a) Contribution Date MM/DD/2021	(b) Name of Certified School Tuition Organizations to which you made cash contributions	(c) Street Address	(d) City, State	(e) Cash Contribution Made
2	[] [] [] [] 2, 0, 2, 1				00
3	[] [] [] [] 2, 0, 2, 1				00
4	[] [] [] [] 2, 0, 2, 1				00
5	If you made contributions to more than three certified school tuition organizations, enter the amount from line 5h of the Continuation Sheet, otherwise enter "0"				5 00
6	Total contributions made to certified school tuition organizations during 2021: Add lines 2 through 5, column (e).....				6 00

B. Cash contributions made January 1, 2022 through April 18, 2022, for which you or your spouse are claiming a credit on the 2021 tax return. You must list all contributions claimed on Form 323.

- If you are married and filing separate returns, be sure to include **all** cash contributions made by you and your spouse.
- If you made cash contributions to more than three certified school tuition organizations, complete the Continuation Sheet on page 3 and include it with the credit form.

	(a) Contribution Date MM/DD/2022	(b) Name of Certified School Tuition Organizations to which you made cash contributions	(c) Street Address	(d) City, State	(e) Cash Contribution Made
7	[] [] [] [] 2, 0, 2, 2				00
8	[] [] [] [] 2, 0, 2, 2				00
9	[] [] [] [] 2, 0, 2, 2				00

Your Name (as shown on page 1)	Your Social Security Number
--------------------------------	-----------------------------

Part 2 (Continued)

10 If you made contributions to more than three certified school tuition organizations, enter the amount from line 10h of the Continuation Sheet, otherwise enter "0".....	10		00
11 Total contributions made to certified school tuition organizations January 1, 2022 through April 18, 2022, for which you are claiming a credit on your 2021 return: Add lines 7 through 10, column (e).....	11		00
12 All Taxpayers: Add lines 6 and 11. Enter the total.....	12		00
13 Maximum allowable credit claimed on Form 323 for the current taxable year: • Single taxpayer, and heads of household, enter \$611 • All married taxpayers, enter \$1,221.....	13		00
14 Potential credit: Subtract line 13 from line 12, and enter the difference	14		00
15 Maximum allowable credit on Form 348 for the current taxable year: • Single taxpayers or heads of household, enter \$608. • All married taxpayers, enter \$1,214.....	15		00
16 Current year's credit to claim on Form 348: Enter the smaller of line 14 or line 15. In most cases, if you are married and filing a separate return, enter <i>one-half</i> of the smaller of line 14 or line 15	16		00

Part 3 Available Credit Carryover

	(a) Taxable Year from which you are carrying the credit	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
17	2016	00	00	00
18	2017	00	00	00
19	2018	00	00	00
20	2019	00	00	00
21	2020	00	00	00
22	Total Available Carryover: Add lines 17 through 21 in column (d)		22	00

Part 4 Total Available Credit

23 Current year's credit: Enter the amount from Part 2, line 16. Also, enter this amount on <i>Arizona Form 301, Part 1, line 23, column (a)</i>	23		00
24 Available credit carryover from Part 3, line 22, column (d). Also, enter this amount on <i>Arizona Form 301, Part 1, line 23, column (b)</i>	24		00
25 Total Available Credit: Add line 23 and line 24. Also, enter this amount on <i>Arizona Form 301, Part 1, line 23, column (c)</i>	25		00

Your Name (as shown on page 1)	Your Social Security Number
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AZ Form 348 - Credit for Contributions to Certified School Tuition Organizations - Individuals Continuation Sheet

Part 2 - Continued **Current Year's Credit**

If you need more space to list all certified school tuition organizations, complete additional sheets and enter those totals on the appropriate line(s) on page 1.

A. Cash contributions made January 1, 2021 through December 31, 2021.

	(a) Contribution Date MM/DD/2021	(b) Name of Certified School Tuition Organizations to which you made cash contributions	(c) Street Address	(d) City, State	(e) Cash Contribution Made
5a	_ _ 2,0,2,1				00
5b	_ _ 2,0,2,1				00
5c	_ _ 2,0,2,1				00
5d	_ _ 2,0,2,1				00
5e	_ _ 2,0,2,1				00
5f	_ _ 2,0,2,1				00
5g	_ _ 2,0,2,1				00
5h	Add all amounts in column (e) and enter the total. Also, enter this amount on page 1, line 5.....				00

B. Cash contributions made January 1, 2022 through April 18, 2022.

	(a) Contribution Date MM/DD/2022	(b) Name of Certified School Tuition Organizations to which you made cash contributions	(c) Street Address	(d) City, State	(e) Cash Contribution Made
10a	_ _ 2,0,2,2				00
10b	_ _ 2,0,2,2				00
10c	_ _ 2,0,2,2				00
10d	_ _ 2,0,2,2				00
10e	_ _ 2,0,2,2				00
10f	_ _ 2,0,2,2				00
10g	_ _ 2,0,2,2				00
10h	Add all amounts in column (e) and enter the total. Also, enter this amount on page 1, line 10				00

2021 Credit for Contributions to Certified School Tuition Organizations - Individuals

(For contributions that exceed the maximum allowable credit on Arizona Form 323)

**Arizona Form
348**

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

NOTE: You *must* also complete Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture, and include Forms 301 and 348 with your tax return to claim this credit.

Notice to All Taxpayers

NOTE: To claim a current year's credit on Form 348, you *must* first claim the maximum current year's credit allowed on Arizona Form 323, Credit for Contributions to Private School Tuition Organizations. The amount of credit you must claim on Form 323 depends on your filing status. See Form 323 for these amounts.

If you have a carryover amount from a credit claimed on Form 348 from prior tax years, you do not have to claim the maximum allowable credit on Form 323 to only use a carryover amount on Form 348. If you are claiming only a carryover amount on Form 348, and are not claiming any current year's credit on Form 323, submit only Forms 301 and 348.

For an example of how to calculate the current year credit and carryover credit, if any, see the last page of these instructions.

Arizona Form 348 Credit Carryover Amount from Prior Tax Years

If you claimed an allowable credit on Form 348 on your 2016 through 2020 tax returns and your tax liability was less than your allowable credit, you may have a carryover amount available.

You may use the available credit carryover amount to reduce your 2021 tax liability even if you do not claim a credit on Form 323 for 2021.

General Instructions

Arizona law provides an individual income tax credit for the voluntary cash contributions made to a certified School Tuition Organization (STO) in order to improve education by raising tuition scholarships for children in Arizona.

This credit is available **only** to individuals. Corporations may not claim this credit. A partnership may not pass the credit through to its partners. An S Corporation may not pass the credit through to its shareholders.

The amount of current year's contributions that may be claimed on Form 348 is computed **after** the maximum credit is claimed on Form 323 and is based on the excess amount of contributions shown on Form 323, Part 4, line 25.

For 2021, the maximum amount of credit on Form 348 that a taxpayer can establish for the current taxable year is \$608 for single taxpayers or heads of household. For married taxpayers that file a joint return, the maximum amount of credit that a taxpayer can establish for the current taxable year is \$1,214. In most cases, for married taxpayers who file separate returns, each spouse may claim only **one-half** (½) of the credit that would have been allowed on a joint return.

NOTE: The maximum amount of credit established for the current taxable year does **not** include any unused valid carryover amount(s) from prior taxable years. Because this is a nonrefundable credit, the total amount of available credit [current year plus any valid carryover amount(s)] that a taxpayer may use for the taxable year cannot be greater than the tax liability shown.

A cash contribution for which a credit is claimed that is made on or before the fifteenth day of the fourth month following the close of the taxable year may be applied to either the current or preceding taxable year and is considered to have been made on the last day of that taxable year.

FOR CALENDAR YEAR FILERS: Credit eligible cash contributions made to a certified STO from January 1, 2022, to April 18, 2022, may be claimed as a tax credit on either the 2021 or 2022 Arizona income tax return.

If you claim this credit in 2021 for a contribution made from January 1, 2022, to April 18, 2022, you must make an adjustment on your 2022 Arizona Form 140 Schedule A, Form 140PY Schedule A(PY) or A(PYN), or Form 140NR Schedule A(NR).

If the allowable credit is more than your tax or if you have no tax, you may carry the unused credit forward for up to the next five consecutive taxable years' income tax liability.

A certified STO is an organization that meets **all** of the following.

- The organization is tax exempt under Section 501(c)(3) of the Internal Revenue Code.
- The organization allocates at least 90% of its annual revenue for educational scholarships or tuition grants.
- The organization makes its scholarships or grants available to students of more than one qualified school.

A “qualified school” means a preschool that offers services to students with disabilities, nongovernmental primary or a secondary school that is located in Arizona. The school cannot discriminate on the basis of race, color, handicap, familial status, or national origin and requires all teaching staff and personnel that have unsupervised contact with students to be fingerprinted.

A qualified school does not include a charter school or programs operated by a charter school. The primary school must begin with kindergarten and the secondary school must end with grade 12.

In the case of a preschool that offers services to students with disabilities, a “student with disabilities” is a student who has any of the following conditions:

- hearing impairment or visual impairment;
- developmental delay;
- preschool severe delay; or
- speech and/or language impairment.

NOTE: The Arizona Department of Revenue is required to certify STOs. The department maintains a list of currently certified STOs on its website at www.azdor.gov.

To qualify for the credit, all contributions must be made to a certified STO. To determine if your contributions made in 2021 and/or 2022, qualify for this credit, you should verify that the STO you made a contribution to is certified. For a list of STOs certified to receive contributions for the individual income tax credit, see the department’s website.

Your cash contribution to the STO will not qualify for the credit if you designate the contribution for the direct benefit of your dependent. For Arizona purposes, “dependent” has the same meaning provided in section § 152 of the IRC. For purpose of this credit, it does not matter if you qualify to take the dependent deduction.

NOTE: Your contribution will also not qualify if you designate a student beneficiary as a condition of your contribution to the STO. Additionally, the tax credit is not allowed if you agree with another person to designate each other’s contributions to the STO for the direct benefit of each other’s dependent, a practice commonly known as swapping.

You **cannot** claim both a tax credit and itemized deduction for the amount of contributions made to a certified STO for which you are claiming an Arizona tax credit.

Before claiming this credit, make sure the STO issues you a receipt for the contributions. The receipt should show **all** of the following:

- the name and address of the STO,
- the name of the taxpayer,
- the amount paid, and
- the date paid.

Please keep this receipt with your tax records. For more information on the school tax credits, see the department’s publication, Pub 707, *School Tax Credits*.

NOTE: You may be able to make credit eligible contributions to a certified STO through payroll withholding. Check with your employer to see if your employer has agreed to withhold contributions that qualify for this credit from your pay.

Line-by-Line Instructions

Enter your name and Social Security Number (SSN) as shown on Arizona Forms 140, 140PY, 140NR, or 140X.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for an individual is the taxpayer’s SSN or an Internal Revenue Service (IRS) individual taxpayer identification number (ITIN). Taxpayers that fail to include their identification number may be subject to a penalty.

NOTE: Complete Parts 1, 2, 3, and 4 if you are claiming a new credit for the current tax year.

If you are **only** claiming a carryover amount available from a previous credit, complete Parts 3 and 4

Part 1 – Eligibility

Lines 1a through 1c

For lines 1a through 1c, answer the questions and follow the instructions on the form.

Part 2 - Current Year’s Credit

A. Cash contributions made January 1, 2021 through December 31, 2021

NOTE: If you are married and filing separate returns, be sure to include all cash contributions made by you and your spouse. You must also include **all** STOs to which you and your spouse, if married, made contributions to and for which you or your spouse are claiming a 2021 credit on Form 323.

Lines 2, 3 and 4

Enter the following for each certified STO to which you made contributions from January 1, 2021 through December 31, 2021, and for which you are claiming a current year’s credit on your return:

- Column (a): the date you made the contribution (MM/DD/2021);
- Column (b): name of the certified STO;
- Column (c): street address of the certified STO;
- Column (d): location (city and state) of the certified STO; and
- Column (e): the amount of cash contributions made from January 1, 2021, through December 31, 2021.

NOTE: Do **not** include those cash contributions that you made from January 1, 2021 through April 15, 2021, for which you or your spouse claimed a credit on the 2020 tax return.

If you made cash contributions to more than three certified STOs, complete the Continuation Sheet on page 3, and include it with the credit form.

Line 5

Enter the amount from line 5h of the Continuation Sheet; otherwise enter "0".

Line 6

Add lines 2 through 5, column (e) and enter the total.

B. Cash contributions made January 1, 2022 through April 18, 2022, for which you or your spouse are claiming a credit on the 2021 tax return

NOTE: If you are married and filing separate returns, be sure to include all cash contributions made by you and your spouse. You must also include **all** STOs to which you and your spouse, if married, made contributions to and for which you or your spouse are claiming a 2021 credit on Form 323.

Lines, 7, 8, and 9

Enter the following for each certified STO to which you made contributions from January 1, 2022 through April 18, 2022 for which you are claiming a current year's credit on your return:

- Column (a): the date you made the contribution (MM/DD/2022)
- Column (b): name of the certified STO;
- Column (c): street address of the certified STO;
- Column (d): location (city and state) of the certified STO; and
- Column (e): the amount of cash contributions made from January 1, 2022 through April 18, 2022.

If you made cash contributions to more than three certified STOs, complete the Continuation Sheet on page 3 of the form, and include it with the credit form.

Line 10

Enter the amount from page 3, line 10h, of the Continuation Sheet; otherwise enter "0".

Line 11

Add lines 7 through 10, column (e). Enter the total.

Line 12

Add lines 6 and 11. Enter the total.

Line 13 - Maximum Credit Claimed on Form 323

- Single taxpayers and taxpayers filing as heads of household enter \$611.
- All married taxpayers enter \$1,221.

Line 14 - Potential Credit

Subtract line 13 from line 12, and enter the difference.

Line 15 - Maximum Allowable Credit on Form 348

- Single taxpayers and taxpayers filing as heads of household enter \$608.
- All married taxpayers enter \$1,214.

Line 16 - Current Year's Credit to Claim on Form 348

Enter the smaller of line 14 or line 15. If you are married filing a separate return but could have filed a joint return, you may take only one-half (½) of the total credit that would have been allowed on a joint return, up to a maximum of \$608. In this case, enter one-half (½) of the smaller of line 14 or line 15.

Part 3 - Available Credit Carryover

NOTE: Arizona law requires that a taxpayer must claim the maximum credit amount allowed on Arizona Form 323 before claiming a credit for excess contributions on Form 348.

However, you do not have to claim a current year credit on Form 323 to **only** claim a credit carryover amount from prior taxable years on Form 348.

Lines 17 through 22

Complete lines 17 through 22 to figure your available credit carryover from taxable years 2016 through 2020. Complete lines 17 through 22 if you claimed this credit on a return for one of these years and the credit was more than your tax.

NOTE: You may carry over only that portion of the credit that you do not apply to tax. You cannot carry over any amount that you gave that was more than the amount allowed as a credit. See the example at the end of these instructions.

- In column (b), enter the credit originally computed for that taxable year listed in column (a).
- In column (c), enter the amount of the credit from that taxable year which you have already used.
- In column (d), subtract the amount in column (c) from column (b) and enter the difference.
- Add the amounts on lines 17 through 21 in column (d).

Enter the total on line 22, column (d).

Part 4 - Total Available Credit**Line 23**

Enter the amount from Part 2, line 16. Also, enter this amount on Form 301, Part 1, line 23, column (a).

Line 24

Enter the amount from Part 3, line 22, column (d). Also, enter this amount on Form 301, Part 1, line 23, column (b).

Line 25

Add line 23 and line 24. Enter the total. Also, enter this amount on Form 301, Part 1, line 23, column (c).

REMINDER: To claim this credit, you **must** first claim the maximum credit allowed on Arizona Form 323, Credit for Contributions to Private School Tuition Organizations.

The amount of credit you must claim on Form 323 depends on your filing status. See Form 323 for these amounts.

EXAMPLE: During 2021, Mary, a single person, gave \$1400 to a certified STO. Mary’s tax liability for 2021 is \$400. Mary claimed the maximum credit amount of \$611 allowed on Arizona Form 323.

Since Mary made a contribution that totaled more than the allowable credit on Arizona form 323, she may claim a credit, on Form 348, up to the maximum amount allowed, (for 2021, \$608 for single or head of household; or \$1,214 for married filing joint.)

For 2021, Mary would compute her **available current year’s credit** for Form 348 as follows:

2021 total contributions made	\$ 1,400
Credit claimed on Form 323 for tax year 2021	<u>(\$ 611)</u>
Contributions eligible to use for computing Form 348 credit	\$ 789
Maximum credit on Form 348 that Mary may claim	<u>\$ 608</u>
Contributions exceeding the allowable credit. Mary may not use the amount of the gift, \$181, which was more than the allowable \$608 credit (\$789 minus \$608) to figure her credit on Form 348.	\$ 181

Once Mary computes her credit, she must then determine how much of that credit may be applied to the current year’s tax and how much, if any, may be carried over to a future year.

In this case, Mary has already applied a credit (from Arizona Form 323) against her total tax liability of \$400. Therefore, Mary will have a \$608 carryover on Form 348 for the next taxable year.

Mary will compute her **2021 carryover credit** amount as follows:

Current Year’s Credit	\$ 608
Mary’s 2021 tax liability	\$ 400
Tax credit used – from Arizona Form 323	<u>(\$ 400)</u>
Balance of tax	<u>\$ 0</u>
Amount of current year credit used from Form 348 to off-set taxes	<u>\$ 0</u>
Amount of current year credit from Form 348 available to carryover to next year.	<u>\$ 608</u>

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Include this completed form and the Certification of Qualification from the Arizona Commerce Authority with your return.

For the calendar year 2021 or fiscal year beginning MM|DD|2021 and ending MM|DD|YYYY.

Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140PY-SBI, 140NR-SBI, 140X-SBI, 99T, 120, 120A, 120S, 120X, or 165

Social Security or Employer Identification Number

Part 1 Listing of Post-Approved Qualified Facilities and Apportioned Credit Amount

List qualified facilities for which you are entitled to claim a credit during this taxable year. If you have more than two facilities, include additional schedules. See instructions.

(a) Arizona Commerce Authority Post-Approval Information			(b) Apportioned Credit Amount	
(a)1 Allocation Year	(a)2 First Installment Tax Year Ending	(a)3 Post-Approval Number		
1	YYYY	MM DD YYYY		00
2	YYYY	MM DD YYYY		00
3	Enter the total from all additional schedules.....		3	00
4	Enter the total amount of this credit passed through from partnerships on Form 349-P, Part 1, line 3c.....		4	00
5	Enter the total amount of this credit passed through from S Corporations on Form 349-S, Part 1, line 3c.....		5	00
6	Subtotal: Add lines 1 through 5, column (b). Enter the total. This is your total apportioned credit amount.....		6	00

Part 2 Full-Time Employment Positions Vacant More Than 150 Days

List the number of full-time employment positions which were vacant for more than 150 days since the credit was approved. If positions were vacant at more than two facilities, include additional schedules. See instructions.

(a) Allocation Year	(b) Post-Approval Number	(c) Number of Employees	(d) Reduction	(e) Total	
7	YYYY		\$4,000.00		00
8	YYYY		\$4,000.00		00
9	Total from all additional schedules.....			9	00
10	Subtotal: Add lines 7 through 9, column (e). Enter the total. This is the amount of your credit reduction.			10	00

Part 3 Net Credit

11	Subtract the amount on line 10 from the amount on line 6. Enter the difference. If less than zero, enter "0".....	11		00
----	---	----	--	----

Part 4 Credit Recapture

12	Date on which the certification of the business as a qualified facility was terminated or revoked.....	12	MM DD YYYY	
13	Total recapture of apportioned credit for qualified facilities: Enter the total amount(s) of the credit(s) previously claimed for the facility(ies) whose certification was terminated or revoked. If more than one certification has been terminated or revoked, enter the total amount.....	13		00
14	Enter the partner's portion of this credit to be recaptured from Form 349-P, Part 2, line 7.....	14		00
15	Enter the S Corporation shareholder's portion of this credit to be recaptured from Form 349-S, Part 2, line 7.....	15		00
16	Add lines 13 through 15. Enter the total. This is your total recapture amount.....	16		00

Continued on page 2 →

Name (as shown on page 1)	EIN
---------------------------	-----

Part 5 S Corporation Credit Election

17 The S Corporation has made an irrevocable election for the taxable year ending to (check only one box):

17a Claim the credit for qualified facilities as shown in Part 3, line 11 (for the taxable year indicated above);

OR

17b Pass the credit for qualified facilities as shown in Part 3, line 11 (for the taxable year indicated above), through to its shareholders.

Signature _____ Title _____ Date _____

If passing the credit through to the shareholders, complete Form 349-S for each shareholder.

- Provide a completed copy of Form 349-S to each shareholder.
- Include a copy of each completed Form 349-S with your tax return.
- Keep a copy of each completed Form 349-S for your records.

Part 6 Partnerships

Partnerships passing the credit through to its partners, complete Form 349-P for each partner.

- Provide a completed copy of Form 349-P to each partner.
- Include a copy of each completed Form 349-P with your tax return.
- Keep a copy of each completed Form 349-P for your records.

Part 7 Credit Recapture Summary

18 Enter the taxable year(s) in which you took a credit for a business as a qualified facility whose certification has been terminated or revoked:

19 Total amount of credit recaptured:

- *Individuals, C Corporations, S Corporations, and exempt organizations with UBTI:* Enter the amount from Part 4, line 16.
- *Individuals that did not make the Small Business Income election:* Also, enter this amount on Form 301, Part 2, line 29.
- *Individuals that made the Small Business Income election:* Also, enter this amount on Form 301-SBI, Part 2, line 22
- *C Corporations, S Corporations that claimed this credit at the corporate level, and exempt organizations with UBTI:* Also, enter this amount on Form 300, Part 2, line 23.....

19		00

Part 8 Total Apportioned Credit Claimed This Taxable Year

20 Total apportioned credit for qualified facilities:

- *Individuals, C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI:* Enter the amount from Part 3, line 11.
- *Partnerships:* Enter "0".
- *S Corporations electing to pass this credit through to individual shareholders:* Enter "0".
- *Individuals that did not make the Small Business Income election:* Also, enter this amount on Form 140, line 58; or Form 140NR, line 65; or Form 140PY, line 67; or Form 140X, line 45.
- *Individuals that made the Small Business Income election:* Also, enter this amount on Form 140-SBI, line 57; or Form 140NR-SBI, line 55; or Form 140PY-SBI, line 55; or Form 140X-SBI, line 56.
- *C Corporations:* Also, enter this amount on Form 120, line 22; or Form 120A, line 14; or Form 120X, line 22(c).
- *Exempt organizations with UBTI:* Also, enter this amount on Form 99T, line 12.
- *S Corporations that claimed this credit at the corporate level:* Also, enter this amount on Form 120S, line 18.....

20		00

For the calendar year 2021 or fiscal year beginning MM,MM,DD,2021 and ending MM,MM,DD,YYYY.

Partnerships:

- Complete Form 349-P for each partner in the partnership **except for** trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form and the Certification of Qualification received from the Arizona Commerce Authority to each partner.
- Keep a copy of each completed Form 349-P for your records.
- Include a copy of each completed Form 349-P with your partnership return.

Partners:

- Use this form to complete your own Form 349.
- Include this completed form and a copy of the Certification of Qualification received from the Arizona Commerce Authority with your return.
- Keep a copy of this form and certificate for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Part 1 Distribution of the Credit

Complete Part 1 to distribute the credit to each partner in the partnership.

1	(a) Partnership Name	(b) Employer Identification Number (EIN)	(c) Post-Approval Number
2	(a) Partner Name	(b) Taxpayer Identification Number (TIN)	
3a	Partnership credit amount from Form 349, Part 3, line 11		3a \$ <input type="text"/> 00
3b	Partner's ownership percentage.....		3b <input type="text"/> %
3c	Multiply the amount on line 3a by the percentage on line 3b. Enter the result. This is the partner's portion of the credit.....		3c \$ <input type="text"/> 00

Partners:

The amount reported on line 3c is your portion of this credit. Enter the amount from line 3c on Part 1, line 4 of your own Form 349 to claim this credit.

Part 2 Notification of Credit Recapture

Complete Part 2 to notify each partner in the partnership of their share of the credit to be recaptured.

4	(a) Partnership Name	(b) Employer Identification Number (EIN)	
5	(a) Partner Name	(b) Taxpayer Identification Number (TIN)	
6	(a) Post-Approval Number	(b) Date the Certification was Terminated or Revoked <u>MM,MM,DD,YYYY</u>	
7	Partner's portion of the credit to be recaptured		7 \$ <input type="text"/> 00

Partners:

The amount reported on line 7 is your portion of this credit to be recaptured. Enter the amount from line 7 on Part 4, line 14 of your own Form 349.

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2021 Credit for Qualified Facilities

CONTACTS FOR QUALIFIED FACILITY TAX INCENTIVES PROGRAM

Arizona Commerce Authority

•Application forms •Program guidelines

Website: www.azcommerce.com

Program Manager (602) 845-1200

Arizona Department of Revenue

•Tax forms and instructions •Information and assistance

Website: www.azdor.gov

Taxpayer assistance (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

General Instructions

Arizona Revised Statutes (A.R.S.) §§ 43-1083.03 and 43-1164.04 provide refundable individual and corporate income tax credits for expanding or locating a qualified facility in this state.

NOTE: Only capital investments in a qualified facility that are made not more than thirty-six months before submitting an application for preapproval are included in the computation of the credit.

A “qualified facility” means a facility in this state that devotes at least 80% of the property and payroll at the facility to one or more of the following:

- Qualified manufacturing,
- Qualified headquarters,
- Qualified research.

This credit is effective for taxable years beginning from and after December 31, 2012, through December 31, 2030, and is limited to 10% of the lesser of:

- The taxpayer's total capital investment in the qualified facility, or,
- If the total qualifying investment is less than \$2,000,000,000, \$200,000 for each net new full-time employment position(s) with job duties associated with the qualified facility.
- If the total qualifying investment is \$2,000,000,000 or more, \$300,000 for each net new full-time employment position that has job duties associated with the qualified facility.

The credit is apportioned and claimed in five equal annual installments in each of five consecutive taxable years and is in lieu of the credit for New Employment claimed on Form 345, with respect to the same employment positions.

To claim this credit a business must apply for, and receive pre-approval from the Arizona Commerce Authority (Commerce). Commerce cannot pre-approve income tax credits for any one taxpayer in excess of \$30 million in any calendar year. Commerce cannot pre-approve income tax credits in excess of \$70 million annually.

Once pre-approval is received, the business must incur at least \$250,000 in qualifying investment within 12 months of pre-approval.

The tax year of pre-approval determines the “allocation year.” The allocation year is the calendar year to which the credit was applied to the annual credit cap.

The business must enter into a managed review with Commerce prior to applying for post-approval. The business must obtain post-approval from Commerce prior to claiming the credit. The first fifth of the apportioned credit is claimed on the tax return that includes the post-approval date.

For example, Company A, is a calendar year filer. Company A received pre-approval from Commerce for a qualified facility on March 11, 2020, and received its post-approval on March 14, 2021. Because Company A completed everything necessary to earn the credit in calendar year 2021, the first fifth of the credit must be claimed on the tax return for calendar year 2021.

NOTE: Each fifth of the credit for qualified facilities must be claimed on a timely filed original income tax return, including extensions. If you do not claim this credit on a timely filed original return, you cannot claim this credit on an amended return. Failing to claim this credit on a timely filed return will result in loss of this credit for that taxable year.

The taxpayer may claim all five annual installments of a credit that was preapproved before January 1, 2031 by the Arizona Commerce Authority notwithstanding any intervening repeal or other termination of the credit.

The amount of the credit for qualified facilities a taxpayer may claim can never exceed the amount indicated on the post-approval from Commerce.

NOTE: The business must submit a copy of the Certification of Qualification (Certification) from Commerce with Form 349 when claiming the credit.

Co-owners of a business, including partners in a partnership and shareholders of an S Corporation, may each claim only the *pro rata* share of the apportioned credit based on ownership interest. The total of the apportioned credits allowed to all such owners may not exceed the amount that would have been allowed for a sole owner of the business.

The credit is available to an exempt organization that is subject to corporate income tax on unrelated business taxable income (UBTI). The credit must result from the activities that generate UBTI.

Credit Recapture

During the pre-approval process with Commerce, the applicant must consent to adjustment or recapture of the income tax credit in the case of noncompliance with A.R.S. § 41-1512.

If, within five taxable years after first receiving the credit for qualified facilities, the Certification is rescinded by Commerce, the taxpayer is disqualified from the apportioned credits for subsequent taxable years and may be subject to recapture.

On a determination that the taxpayer has committed fraud or relocated outside of this state within five taxable years of first receiving a credit, all credits previously allowed are subject to recapture.

The recapture of the credit is computed by increasing the amount of taxes imposed in the year following the year of termination or revocation by the full amount of all credits previously allowed.

Specific Instructions

Complete the name and taxpayer identification number (TIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form with the tax return.

All returns, statements, and other documents filed with the department require a TIN. The TIN for a corporation, an S Corporation, an exempt organization with UBTI, or a partnership is the taxpayer's employer identification number (EIN). The TIN for an individual is the taxpayer's Social Security Number or an Internal Revenue Service individual taxpayer identification number. A taxpayer that fails to include its TIN may be subject to a penalty.

Part 1 - Listing of Post-Approved Qualified Facilities and Apportioned Credit Amount

List the qualified facilities for which you are entitled to claim a credit for this taxable year. The first fifth of the credit(s) for qualified facilities must be claimed on the tax return that includes the post-approval date and must be filed timely, including any extensions.

Lines 1 and 2

Enter the following information in the columns indicated on lines 1 and 2:

- (a)1 Allocation Year – the calendar year to which the credit was applied to the annual credit cap. This date will be noted on the post-approval document received from Commerce.
- (a)2 First Installment Tax Year Ending – the tax year the first installment of the credit may be claimed. This date is found on the post-approval letter received from Commerce. Enter the date in MMDDYYYY format.
- (a)3 Post-Approval Number – the priority placement number issued to each facility by Commerce.
- (b) Apportioned Credit Amount – list the apportioned credit amount (one-fifth per year for 5 years) indicated on the Post-Approval for the qualified facility.

Line 3

If you received this credit from more than two qualified facilities, include a separate schedule providing the same information required for lines 1 and 2. Total the credit(s) on a separate schedule, and include it with this form. Enter that total on line 3.

Note to lines 4 and 5: *If you received a pass through of this credit from more than one partnership and/or S Corporation, total the amounts received from all Forms 349-P and/or Forms 349-S and enter the amount. Include a copy of each Form 349-P and/or Form 349-S you received with your return.*

Line 4

Enter the total amount of this credit passed through from partnerships on Form 349-P, line 3c

Line 5

Enter the total amount of this credit passed through from S Corporations on Form 349-S, line 3c.

Line 6

Add the amounts in column (b) of lines 1 through 5. Enter the total.

Part 2 - Full-Time Employment Positions Vacant More than 150 Days

Lines 7 and 8

If you had full-time employment positions that were vacant for more than 150 days since this credit was approved, enter the requested information in the columns provided for lines 7 and 8:

- (a) Allocation Year – the calendar year to which the credit was originally applied to the annual credit cap.
- (b) Post-Approval Number – the priority placement number issued to the facility by Commerce.
- (c) Number of Employees – the total number of employees at the facility for which the position(s) was vacant for more than 150 days since the credit was approved.
- (d) Reduction – \$4,000.
- (e) Total – multiply the amount in column (c) by \$4,000 [column (d)]. Enter the result.

Line 9

If you had more than two facilities with full-time employment positions vacant for more than 150 days, include a separate schedule providing the same information required for lines 7 and 8. Total the amounts on the included schedule. Enter that total.

Line 10

Add the amounts in column (e) of lines 7 through 9. Enter the total.

Part 3 - Net Credit

Line 11

Subtract the amount on line 10 from the amount on line 6. Enter the difference. If less than zero, enter "0".

Part 4 - Credit Recapture

Line 12

Enter the date on which the certification of the business as a qualified facility was terminated or revoked.

Line 13

Enter the total amount(s) of the credit(s) previously claimed by you for the facility(ies) whose certification was terminated or revoked. If more than one certification was terminated or revoked, enter the total amount. Include a schedule providing the detailed amount(s) of credit being recaptured.

Note to lines 14 and 15: *If you received a credit recapture from more than one partnership and/or S Corporation, total the amount(s) of credit recapture passed through from all Forms 349-P and/or Forms 349-S and enter the total. Include a copy of each Form 349-P and/or Form 349-S you received with your return.*

Line 14

Enter the partner's portion of this credit to be recaptured from Form 349-P, Part 2, line 7.

Line 15

Enter the S Corporation shareholder's portion of this credit to be recaptured from Form 349-S, Part 2, line 7.

Line 16

Add lines 13 through 15. Enter the total. This is your total recapture amount.

Part 5 - S Corporation Credit Election and Shareholder's Share of Credit and Credit Recapture

Lines 17, 17a, & 17b – S Corporation Credit Election

The S Corporation must complete line 17 and line 17a or line 17b. The S Corporation must make an irrevocable election either to claim the current taxable year credit at the corporate level or to pass the credit through to its shareholders. The S Corporation election is made by:

- Entering the date the S Corporation taxable year ends in the box provided.
- Checking the box on line 17a electing to claim the current taxable year credit at the corporate level; or,
- Checking the box on line 17b electing to pass the current taxable year credit through to its shareholders.
- The election statement must be signed by one of the officers of the S Corporation who is also a signatory to Arizona Form 120S.

If the S Corporation elects to claim the credit at the corporate level, continue to Part 7.

If the S Corporation elects to pass this credit through to its shareholders, proceed to the instructions for completing Form 349-S on page 5.

If passing this credit through to the shareholders:

- Complete Form 349-S for each shareholder.
- Provide each shareholder with a copy of his or her completed Form 349-S.
- Include a copy of each completed Form 349-S with your tax return.
- Keep a copy of each completed Form 349-S for your records.

Each S Corporation shareholder is entitled to only a *pro rata* share of pass-through credit based on ownership interest in the S Corporation. The total of the credit allowed to all shareholders may not exceed the amount that would have been allowed for a sole owner.

NOTE: *Trusts and estates that are shareholders of S Corporations, are not eligible to claim this credit. However, the share of an S Corporation owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.*

Part 6 - Partner's Share of Credit and Credit Recapture

A partnership claiming this credit *must* pass it through to its partners. Skip to the instructions for completing Form 349-P on page 4.

- Complete Form 349-P for each partner.
- Provide a completed copy of Form 349-P to each partner.
- Provide a copy of the Certificate of Renewable Energy Production Tax Credit received from Commerce to each partner.
- Include a copy of each completed Form 349-P with your tax return.
- Keep a copy of each completed Form 349-P for your records.

- Do not complete the remainder of this form.

Each partner is entitled to only a *pro rata* share of each credit based on the partner's ownership interest in the partnership. The total of each credit allowed to all partners may not exceed the amount that would have been allowed for a sole owner.

NOTE: *Trusts and estates that are partners in a partnership are not eligible to claim this credit. However, the share of a partnership owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.*

Part 7 - Credit Recapture Summary

Line 18

Enter the taxable year(s) for which you claimed a credit for a business as a qualified facility whose certification has been terminated or revoked.

Line 19

Enter the total amount of this credit originally claimed on prior returns.

Individuals, C Corporations, S Corporations that claimed the credit at the corporate level, and exempt organizations with UBTI: Enter the amount from Part 4, line 16.

Individuals that did not make the Small Business Income election - Also, enter this amount on Form 301, Part 2, line 29.

Individuals that made the Small Business Income election - Also, enter this amount on Form 301-SBI, Part 2, line 22.

C Corporations, S Corporations that claimed the credit at the corporate level, and exempt organizations with UBTI: Also, enter this amount on Form 300, Part 2, line 23.

Part 8 - Total Apportioned Credit Claimed This Taxable Year

Line 20

Enter the current year's apportioned credit for qualified facilities.

Individuals, C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI: Enter the amount from Part 3, line 11.

Partnerships: Enter "0".

S Corporations that passed the credit through to individual shareholders: Enter "0".

Enter this amount and check the box for Form 349 on your tax return as instructed below:

Individuals that did not make the Small Business Income election: Also, enter the amount on Form 140, line 58; or Form 140NR, line 65; or Form 140PY, line 67; or Form 140X, line 45.

Individuals that made the Small Business Income election: Also, enter this amount on Form 140-SBI, line 57; or Form 140NR-SBI line 55; or Form 140PY-SBI, line 55; or Form 140X-SBI, line 56.

C Corporations: Also, enter the amount on Form 120, line 22; or Form 120A, line 14; or Form 120X, line 22(c).

Exempt organizations with UBTI: Also, enter the amount on Form 99T, line 12.

S Corporations that elected to claim the credit at the corporate level: Also, enter the amount on Form 120S, line 18.

Form 349-P, Distribution to Partners of a Partnership

Enter the taxable year for which this credit is being passed through to your partners.

Complete Form 349-P for each partner of the partnership, *except for* trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The partnership must furnish each partner with their completed copy of Form 349-P, including additional schedules as needed.

NOTE: *Form 349-P can be used to distribute the partnership's share of this credit to its partners, or it can be used to notify the partners of the amount of the credit to be recaptured.*

Part 1 - Distribution of the Credit

To distribute the credit to the partners of the partnership (complete lines 1 through 3):

Line 1

Enter the partnership name, EIN, and the post-approval received from Commerce in the spaces provided.

Line 2

Enter the partner's name and TIN in the spaces provided.

Line 3a

Enter the amount of this credit from the partnership's Form 349, Part 3, line 11.

Line 3b

Enter the partner's ownership percentage.

Line 3c

Multiply line 3a by line 3b and enter the result.

This is the partner's portion of the credit.

Part 2 - Notification of Credit Recapture

To notify the partners of the amount of the credit that must be recaptured (complete lines 4 through 7):

Line 4

Enter the partnership's name and EIN in the spaces provided.

Line 5

Enter the partner's name and TIN in the spaces provided.

Line 6

Enter the post-approval number received from Commerce and the date the certification was terminated or revoked in the spaces provided.

Line 7

Enter the total amount of the credit(s) previously passed through to the partner for the facility(ies) whose certification was terminated or revoked. This is the partner's portion of the credit to be recaptured.

This is the partner's portion of the credit to be recaptured.

Form 349-S, Distribution to Shareholders of an S Corporation

Enter the taxable year for which this credit is being passed through to your shareholders.

Complete Form 349-S for each shareholder of the S Corporation, *except for* trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.

The S Corporation must furnish each shareholder with a completed copy of Form 349-S, including additional schedules as needed.

NOTE: *Form 349-S can be used to distribute the S Corporation's share of this credit to its shareholders, or it can be used to notify the shareholders of the amount of the credit to be recaptured.*

Part 1 - Distribution of the Credit

To distribute the credit to the S Corporation shareholders (complete lines 1 through 3):

Line 1

Enter the S Corporation name, EIN, and the post-approval number received from Commerce in the spaces provided.

Line 2

Enter the shareholder's name and TIN in the spaces provided.

Line 3a

Enter the amount of this credit from the S Corporation's Form 349, Part 3, line 11.

Line 3b

Enter the shareholder's ownership percentage.

Line 3c

Multiply line 3a by line 3b and enter the result.

This is the shareholder's portion of the credit.

Part 2 Notification of Credit Recapture

To notify the shareholders of the amount of the credit that must be recaptured (complete lines 4 through 7):

Line 4

Enter the S Corporation name and EIN in the spaces provided.

Line 5

Enter the shareholder's name and TIN in the spaces provided.

Line 6

Enter the post-approval number received from Commerce and the date the certification was terminated or revoked in the spaces provided.

Line 7

Enter the total amount of the credit(s) previously passed through to the shareholder for the facility(ies) whose certification was terminated or revoked. This is the shareholder's portion of the credit to be recaptured.

This is the shareholder's portion of the credit to be recaptured.

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Include this completed form and the certification from the Arizona Department of Revenue with your return.

For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Name as shown on Form 99T, 120, 120A, 120S, 120X, or 16S	Social Security or Employer Identification Number
--	--

Part 1 Qualification for and Current Taxable Year's Credit

1 Did you receive a certificate from the Arizona Department of Revenue for this credit? <input type="checkbox"/> Yes <input type="checkbox"/> No a If "Yes", proceed to line 2. Include a copy of the certificate. b If "No", skip to line 4.				
2 Enter the facility code				
3 Enter the credit amount authorized on the certificate	3		00	
4 Did you receive a Form 351-P? <input type="checkbox"/> Yes <input type="checkbox"/> No a If "Yes", include a copy of Form 351-P and proceed to line 5. b If "No", skip to Part 2.				
5 Enter the facility code on Form 351-P				
6 Enter the name of the pass-through entity and its EIN: a Name: b EIN:				
7 Enter your portion of the credit from Form 351-P, line 3(c)	7		00	
8 Add lines 3 and 7 and enter the total	8		00	
9 Enter the lesser of line 8 or \$5,000,000.00. This is the current year's amount of your credit		9		00

Part 2 Credit Recapture

NOTE: If you are a partnership that passed the credit through to its corporate partners, do not complete Part 2. You will report the recapture to the corporate partners on Form 351-P.

10 Did you receive a notice from the Arizona Department of Revenue during the year that your credit is subject to recapture..... <input type="checkbox"/> Yes <input type="checkbox"/> No a If "Yes", proceed to line 11. Include a copy of the notice. b If "No", skip to line 17.				
11 Enter the facility code				
12 Enter the tax year(s) you claimed the credit:				
13 Enter the total credit amount subject to recapture as shown on the notice from the Arizona Department of Revenue	13		00	
14 Enter the amount of credit carryover that remains unused.....	14		00	
15 Subtract line 14 from line 13 and enter the difference. If line 15 is less than zero, see instructions	15		00	
16 Enter the greater of line 15 or "0". This is the amount of your direct recapture		16		00

Continued on page 2 →

For the calendar year 2021 or fiscal year beginning MM|DD|2021 and ending MM|DD|YYYY.

Partnerships:

- Complete Form 351-P for each corporate partner in the partnership.
- Provide a copy of the completed form and the certificate received from the Arizona Department of Revenue to each partner.
- Keep a copy of each completed Form 351-P for your records.

Corporate Partners:

- Use this form to complete your own Form 351.
- Include this completed form and a copy of the certificate received from the Arizona Department of Revenue with your return.
- Keep a copy of this form and certificate for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Part 1 Distribution of the Credit

Complete this portion to distribute the credit to each partner in the partnership.

1	(a) Partnership Name	(b) Employer Identification Number (EIN)	(c) Facility Code
2	(a) Corporate Partner Name	(b) Taxpayer Identification Number (TIN)	
3a	Partnership credit amount from Form 351, Part 1, line 9.....	3a	\$ 00
3b	Corporate Partner's ownership percentage.....	3b	%
3c	Multiply the amount on line 3a by the percentage on line 3b. Enter the result. This is the partner's portion of the credit.....	3c	\$ 00

Partners: Enter the amount from line 3c on your Form 351, Part 1, line 7.

Part 2 Distribution of the Credit Recapture

Complete this portion to notify each corporate partner in the partnership of their share of the credit to be recaptured.

4	(a) Partnership Name	(b) Employer Identification Number (EIN)	
5	(a) Corporate Partner Name	(b) Taxpayer Identification Number (TIN)	
6	(a) Facility Code	(b) Tax Year(s) Passed Through to This Partner	
7	Corporate Partner's portion of the credit subject to recapture.....	7	\$ 00

Corporate Partners: Enter the amount from line 7 on your Form 351, Part 2, line 20.

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2021 Credit for Renewable Energy Investment and Production for Self-Consumption by International Operations Centers

Arizona Form 351

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
 From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

- Invest \$1.25 billion in the IOC within 10 years after being certified by the Arizona Commerce Authority (ACA).
- The energy produced must be used for self-consumption
- By the fifth year the facility is in operation, at least 51 percent of the energy produced must be used for self-consumption in Arizona.

NOTE: A taxpayer that is initially authorized as an International Operations Center after December 31, 2018 may not claim this tax credit.

This credit is available to corporate taxpayers, exempt organizations subject to unrelated business taxable income (UBTI), and corporate partners in a partnership. The total of the credits may not exceed the amount that would have been allowed for a sole owner of the business.

If the current taxable year's credit exceeds the taxpayer's tax liability for the taxable year, the taxpayer may carry forward the unused credit to the next five consecutive taxable years. No credit, other than carryovers generated properly, may be claimed for any taxable year beginning after December 31, 2025.

General Information

This credit provides nonrefundable corporate income tax credits for investment in new renewable energy facilities that produce energy for self-consumption using renewable energy resources if the power will be used primarily for an International Operations Centers. The credit authorized is \$5 million per year for five years. The initial credit is claimed in the year the facility becomes operational.

NOTE: For taxable years beginning from and after December 31, 2018, this credit is no longer available to individual taxpayers. It is available only to corporate taxpayers.

Credit Recapture

If an IOC taxpayer fails to make the \$1.25 billion investment in the center within the 10 years after certification, this credit is recaptured in inverse proportion to the total capital investment made in the IOC by the \$1.25 billion. The recapture must be made on the taxpayer's income tax return for the taxable year in which it is first known that the required investment would not be made within the required time or the taxable year in which the certification was revoked.

Claiming this Credit

To claim this credit, a taxpayer must apply to the Arizona Department of Revenue (Department) for certification. The department reviews and pre-approves the taxpayer for the credit on a first-come, first-served basis. The maximum amount of this credit a taxpayer can receive is \$5,000,000 per tax year. The department may not authorize tax credits under A.R.S. § 43-1164.05 that exceed, in the aggregate, a total of \$10 million for any calendar year.

The taxpayer must submit a request for final certification to the department within 30 days after the renewable energy facility for which authorization was given becomes operational. See the program guidelines at www.azdor.gov under the "Tax Credits" section.

The taxpayer must qualify for this credit as an International Operations Center (IOC).

To qualify, a taxpayer must:

- Invest at least \$100 million in one or more renewable energy facilities in Arizona.
- The minimum investment of \$100 million must be completed within a 3-year period beginning on the date the initial application is received by the department or by December 31, 2018, whichever is earlier.

Example:

Ten years after its certification, an IOC taxpayer invested \$900 million in its center and claimed \$25 million for this credit (\$5,000,000 per year for 5 years.) The IOC taxpayer will determine its credit recapture by subtracting its total investment (\$900 million) from the required investment (\$1.25 billion) and dividing that amount by the required investment.

IOC taxpayer invests \$900 million in 10 years.

Required investment amount is \$1.25 billion.

Required Investment	\$1,250,000,000
Total Investment	\$ 900,000,000
Amount not invested	\$ 350,000,000
Amount not invested	\$ 350,000,000
Required Investment	\$1,250,000,000
Percentage not invested	28%

Calculate Credit Recapture

Total Credit Claimed	<u>\$25,000,000</u>
Percentage (above)	28%
Amount to Recapture	<u>\$ 7,000,000</u>

The IOC taxpayer will report a credit recapture on its income tax return of \$7 million.

Specific Instructions

Complete the name and taxpayer identification number (TIN) section at the top of the form. Indicate the period covered by the taxable year. Include the completed form and all supporting documentation with the tax return.

All returns, statements, and other documents filed with the department require a TIN. The TIN for a corporation, an exempt organization with UBTI, an S Corporation, or a partnership is the taxpayer's employer identification number (EIN). Taxpayers that fail to include their TIN may be subject to a penalty.

NOTE – To claim this credit:

- *C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBTI, complete this credit form and Arizona Form 300, Nonrefundable Corporate Tax Credits and Recapture. Include both completed forms with your tax return.*
- *Partnerships, complete this credit form. Also, complete Form 351-P for each corporate partner of the partnership. Provide each corporate partner a copy of his or her completed Form 351-P. Include Form 351 and one copy of each completed Form 351-P with your tax return.*

Part 1 – Qualification for and Current Taxable Year's Credit

Line 1

If you received any certificate(s) directly from the department, check the "Yes" box and include a copy of the certificate. If you did not, check the "No" box and skip to line 4.

Line 2

Enter the facility code for which you received the credit.

Line 3

Enter the total amount of the credit authorized by the certificate.

Line 4

If you received a Form 351-P, check the "Yes" box and include a copy of the form. If you did not, check the "No" box and skip to Part 2.

Line 5

Enter the facility code indicated on Form 351-P.

Line 6

Enter the name and EIN of the company passing the credit through to you.

Line 7

Enter your portion of the credit indicated on Form 351-P. If you receive this credit from more than one partnership, enter the total of all credits passed through from partnerships.

NOTE: *If you are a partner in multiple entities receiving this tax credit, total the amounts received from all partnerships on Form(s) 351-P and enter the total. Include a copy of each Form 351-P you received with your return.*

Line 8

Add lines 3 and 7 and enter the total.

Line 9

Enter the lesser of line 8 or \$5,000,000. This is your current year's total tax credit. This amount cannot exceed \$5 million.

NOTE: *The maximum credit allowed per taxpayer per taxable year is \$5 million.*

Part 2 – Credit Recapture

NOTE: *If you are a partnership that passed the credit through to corporate partners, do not complete Part 2. You will report the recapture to the partners Form 351-P.*

Line 10

If you received a notice from the department that your credit is subject to recapture, check the "Yes" box, and include a copy of the notice. If you did not, check the "No" box and skip to line 17.

Line 11

Enter the facility code indicated on the certificate.

Line 12

Enter the taxable year(s) in which you took a credit or credit carryover as an IOC.

Line 13

Enter the credit amount previously authorized by the department.

Line 14

Enter the amount of credit carryover that remains unused.

Line 15

Subtract line 14 from line 13 and enter the amount.

Is line 15 less than zero?

If you subtract line 14 from line 13 and your result is less than zero, you may be eligible to use a portion of your credit carryforward.

To determine the amount of credit carryforward you can use, subtract line 13 from line 14. The difference is the amount of this credit you can carry forward.

EXAMPLE:

On your Form 351, line 13 is \$5,000,000 and line 14 is \$4,000,000. If you subtract line 14 from line 13, the result is negative (\$1,000,000).

As instructed above, line 13, \$5,000,000, from line 14, \$4,000,000. The difference is \$1,000,000.

This is the amount of this credit you can carry forward.

Line 16

Enter the greater of line 15 or "0". This is the amount of your direct recapture.

NOTE: *If you are a corporate partner in multiple entities receiving this tax credit, total the amounts received from all partnerships on Form(s) 351-P and enter the total. Include a copy of each Form 351-P you received with your return.*

Line 17

If you received a notice of recapture on Form 351-P, check the "Yes" box and include a copy of the form. If you did not, check the "No" box and skip to Part 3.

Line 18

Enter the name and EIN of the partnership who sent you the notice of recapture.

Line 19

Enter the tax year(s) you claimed the credit.

Line 20

Enter the total amount of the credit subject to recapture passed through to you on Form 351-P, Part 2, line 7.

Line 21

Enter the amount of the credit carryover that remains unused.

Line 22

Subtract line 21 from line 20 and enter the difference.

Is line 22 less than zero?

If you subtract line 21 from line 20 and the difference is less than zero, you may be eligible to use a portion of your credit carryforward.

To determine the amount of credit carryforward you can use, subtract line 20 from line 21. The difference is the amount of this credit you can carry forward.

EXAMPLE:

On your Form 351, line 21 is \$5,000,000 and line 20 is \$4,000,000. If you subtract line 21 from line 20, the difference is negative (\$1,000,000).

As instructed above, you then subtract line 20, \$5,000,000, from line 21, \$4,000,000. The result is \$1,000,000.

This is the amount of credit you can carry forward.

Line 23

Enter the greater of line 22 or "0". This is the amount of the credit recapture passed through to you from a partnership.

Line 24

Add lines 16 and 23 and enter the total.

This is your total recapture amount.

C Corporations, S Corporations that elected to claim this credit at the corporate level, and exempt organizations with UBTI, enter this amount on Form 300, Part 2, line 24.

Part 3 – Available Credit Carryover

Use Part 3 to figure your total available credit carryover from prior taxable years. Columns (a) through (c) represent the tax years for which you claimed this credit. Complete lines 25 through 29, columns (a) through (c), if you claimed the credit on a prior year's return and the credit exceeded your tax liability.

NOTE: *This credit has a five year carryforward. You have five years in which to apply this credit to your Arizona taxes.*

Line 25

Enter the amount of the credit originally computed for the first year you claimed the credit.

Line 26

Enter the amount of the credit you previously claimed on an earlier tax return.

Line 27

Subtract line 26 from line 25 and enter the difference. This is your net available credit carryover.

Line 28

Enter the amount of this credit carryover that was disqualified.

Line 29

Subtract line 28 from line 27 and enter the difference.

Line 30

Add lines 29(a) through (c) and enter the total. **This is your total available credit carryover.**

Part 4 – Total Available Credit

Line 31

Enter the amount from Part 1, line 9.

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI:

- Enter the amount from line 9. This is your total current year's credit. It is the sum of the current year's credit that you established and also the pass-through credit you received in the current year.
- Also, enter this amount on Form 300, Part 1, line 16, column (a).

Line 32

Enter the amount from Part 3, line 30.

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI:

- Enter the amount from Part 3, line 30. This is your total available credit carryover for renewable energy investment and production for international operations centers.
- Also, enter this amount on Form 300, Part 1, line 16, column (b).

Line 33

Add lines 31 and 32. Enter the total.

C Corporations, S Corporations that elected to claim the credit at the corporate level, and exempt organizations with UBTI:

- Add line 31 and line 32, enter the total. This is the total available credit that may be applied to the current year's tax liability.
- Also, enter this amount on Form 300, Part 1, line 16, column (c).

Part 5 – Corporate Partner’s Portion of Credit

PASSING THIS CREDIT THROUGH TO CORPORATE PARTNERS OF A PARTNERSHIP

Partnerships must pass this credit through to its corporate partners. Partnerships claiming this credit that have individual partners lose the individual partner’s combined ownership percentage of the credit.

A partnership must complete its own Form 351, Parts 1 through 4 (as necessary) to pass this credit through to its partners.

NOTE: *If you have more than 10 corporate partners, create a similar worksheet to pass through the credit amount. Include that amount with your return.*

To pass this credit amount through to your corporate partners - enter the Tax Year(s) on the notice you received from the Department or from Forms 351-P you received.

Using the table below, complete lines 1 – 10 as follows:

- Enter each corporate partner’s name in column (a)
- Enter the corporate partner’s corresponding ownership percentage of the partnership in column (b)
- Enter the total credit amount from the certificate or Form 351 you received in each line of the worksheet in column (c).

- Multiply column (b) by column (c) enter the result in column (d) for each corporate partner

The amounts indicated in column (d) are the respective corporate partner’s portion of this credit.

Enter the amount(s) from column (d) in each respective corporate partner’s Form 351-P, line 3(c).

Total:

Add the amounts in column (d) and enter the total. This amount will equal the credit amount on the certificate you received from the Department.

To complete the pass through of this credit, the partnership must complete Form 351-P for each corporate partner, and:

- Provide each corporate partner with their respective copy of Form 351-P,
- Include a copy of each completed Form 351-P with its tax return, and
- Keep a copy of each completed Form 351-P for its records.

The corporate partner will then complete its own Form 351 to claim this credit.

NOTE: *Each corporate partner is entitled to only a pro rata share of the credit based on the corporate partner’s ownership interest in the partnership. The total of the credit allowed to all partners may not exceed the amount that would have been allowed for a sole owner.*

Use this worksheet to figure the amount of the credit to be passed through to each partner.

Tax Year	(a) Corporate Partner	(b) Ownership %	(c) Credit Amount	(d) Corporate Partner’s Portion
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
Total				\$

RECAPTURE OF THIS CREDIT PASSED THROUGH TO CORPORATE PARTNERS OF A PARTNERSHIP

If you passed this credit through to your corporate partners in a previous tax year and then received a notice from the Arizona Department of Revenue that your credit is subject to recapture during this year, you must pass the amount(s) subject to recapture through to your corporate partners that received the credit.

This credit was passed through to your corporate partners based on their ownership percentage (per year). The recapture amount is based on a percentage of the total credit passed through to all partners. You will receive a notice of recapture from the Department indicating the percentage of this credit that is subject to recapture. You must notify your shareholders of their portion of this amount.

To notify your corporate partners of their respective amount(s) of this credit that is subject to recapture from them:

- A. Determine the amount of credit passed through to each partner for all years of the credit
- B. Multiply the amount in A (above) by the recapture percentage (provided by Arizona Department of Revenue)
- C. Complete Part 2 of Form 351-P for each partner informing him/her of the amount of this credit subject to recapture.

Example:

Partnership claimed this credit for five years, 1 through 5. Each year, Partnership claimed the maximum amount, \$5M. The total credit claimed was \$25M.

During the time Partnership claimed this credit, it had 5 corporate Partners:

- Corporate Partner A owned 20% of Partnership for each year, 1 through 5
- Corporate Partner B owned 20% of Partnership for each year 1 through 5
- Corporate Partner C owned 20% of Partnership for years 1 through 3; in year 4, Partner C sold its ownership percentage of Partnership to Corporate Partner D
- Corporate Partner D owned 20% of Partnership for years 1 through 3; for years 4 and 5, Corporate Partner D owned 40% of Partnership
- Corporate Partner E owned 20% of Partnership for each year 1 through 5.

During year 7, Partnership received a notice from the Department indicating 40%, or \$10Million of its credit is subject to recapture.

Using the 351-P Forms it completed for years 1 through 5, Partnership determined it passed through the following amounts of credits to each of its partners for these years:

Corporate Partner	Total Credit Passed Through
Corporate Partner A	\$ 5,000,000
Corporate Partner B	\$ 5,000,000
Corporate Partner C	\$ 3,000,000
Corporate Partner D	\$ 7,000,000
Corporate Partner E	\$ 5,000,000
Total Credit	\$25,000,000

Multiplying each partner's amount of credit "passed through" by the recapture percentage, 40%, Partnership determined the credit amount(s) subject to recapture for each partner is:

Partner:	Credit Amount	Recapture %	Subject to Recapture
Corporate Partner A	\$ 5,000,000	40%	\$ 2,000,000
Corporate Partner B	\$ 5,000,000	40%	\$ 2,000,000
Corporate Partner C	\$ 3,000,000	40%	\$ 1,200,000
Corporate Partner D	\$ 7,000,000	40%	\$ 2,800,000
Corporate Partner E	\$ 5,000,000	40%	\$ 2,000,000
Total Credit	\$25,000,000	40%	\$10,000,000

Partnership completed Form 351-P for each corporate partner above informing it of the amount of this credit that is subject to recapture.

Form 351-P, Distribution to Corporate Partners of a Partnership

Indicate the taxable year for which this credit is being passed through to your corporate partners.

Complete Form 351-P for each corporate partner.

NOTE:

Partnerships use Form 351-P to notify each corporate partner of their share of:

- *The credit to be claimed, or*
- *The credit subject to recapture.*

To distribute the credit to the corporate partners of the partnership (complete lines 1 through 3c):

Line 1

- a) Enter the partnership name
- b) Enter the partnership's EIN
- c) Enter the facility code for which this credit was received.

Line 2

- a) Enter the corporate partner's name
- b) Enter the corporate partner's TIN

Line 3a, 3b, and 3c

- a) Enter the amount of this credit for which the partnership was approved from Part 1, line 9.
- b) Enter the corporate partner's ownership percentage
- c) Multiply line 3(a) by line 3(b) and enter the result.

This is the corporate partner's portion of this credit.

To distribute the recapture amount to the corporate partners of the partnership (complete lines 4 through 7):

Line 4

- a) Enter the partnership name
- b) Enter the partnership EIN

Line 5

- a) Enter the corporate partner's name
- b) Enter the corporate partner's TIN

Line 6

- a) Enter the facility code for which this credit was originally approved
- b) Enter the tax year(s) for which this credit was originally approved

Line 7

Enter the corporate partner's portion of the credit subject to recapture from the worksheet in the instructions.

This is the corporate partner's portion of the credit subject to recapture.

Include with your return.

For the calendar year 2021 or fiscal year beginning MM/DD/2021 and ending MM/DD/YYYY.

Your Name as shown on Form 140, 140NR, 140PY or 140X	Your Social Security Number
Spouse's Name as shown on Form 140, 140NR, 140PY or 140X (if joint return)	Spouse's Social Security Number

Part 1 Current Year's Credit

A. Cash contributions made January 1, 2021 through December 31, 2021.

- The foster care charitable organization must be certified by the department **for 2021** to claim the contributions listed in Part A. *For more information, see page 1 of the instructions.*
- If you are married and filing separate returns, be sure to include **all** cash contributions made by you and your spouse.
- Do **not** include those cash contributions for which you or your spouse claimed a credit on the 2020 tax return.
- If you made cash contributions to more than three qualifying foster care charitable organizations, complete the Continuation Sheet on page 3 and include it with the credit form.

(a) Contribution Date MM/DD/2021	(b) Qualifying Foster Care Charity Code	(c) Name of Qualifying Foster Care Charity (Contributions to qualifying non-foster care charitable organizations are claimed on AZ Form 321)	(d) Cash Contribution
1 2,0,2,1			00
2 2,0,2,1			00
3 2,0,2,1			00
4	If you made contributions to more than three qualifying foster care charitable organizations, enter the amount from line 4h of the Continuation Sheet, otherwise enter "0"		4 00
5	Total contributions made to qualifying foster care charitable organizations during 2021: Add lines 1 through 4, column (d)		5 00

B. Cash contributions made January 1, 2022 through April 18, 2022, for which you or your spouse are claiming a credit on the 2021 tax return.

- The foster care charitable organization must be certified by the department **for 2022** to claim the contributions listed in Part B. *For more information, see page 1 of the instructions.*
- If you are married and filing separate returns, be sure to include **all** cash contributions made by you and your spouse.
- If you made cash contributions to more than three qualifying foster care charitable organizations, complete the Continuation Sheet on page 3 and include it with the credit form.

(a) Contribution Date MM/DD/2022	(b) Qualifying Foster Care Charity Code	(c) Name of Qualifying Foster Care Charity (Contributions to qualifying non-foster care charitable organizations are claimed on AZ Form 321)	(d) Cash Contribution
6 2,0,2,2			00
7 2,0,2,2			00
8 2,0,2,2			00
9	If you made contributions to more than three qualifying foster care charitable organizations, enter the amount from line 9h of the Continuation Sheet, otherwise enter "0"		9 00
10	Total contributions made to the qualifying foster care charitable organizations January 1, 2022 through April 18, 2022, for which you are claiming a credit on your 2021 return: Add lines 6 through 9, column (d)		10 00
11	Add lines 5 and 10. Enter the total.		11 00
12	Single taxpayers or heads of household, enter \$500. Married taxpayers, enter \$1,000.		12 00
13	Total current year's credit: Enter the smaller of line 11 or 12. In most cases, if you are married filing a separate return, enter one-half of the smaller of line 11 or line 12. See instructions.		13 00

Your Name (as shown on page 1)	Your Social Security Number
--------------------------------	-----------------------------

Part 2 Available Credit Carryover

	(a) Taxable Year from which you are carrying the credit	(b) Original Credit Amount	(c) Amount Previously Used	(d) Available Carryover: Subtract column (c) from column (b).
14	2016	00	00	00
15	2017	00	00	00
16	2018	00	00	00
17	2019	00	00	00
18	2020	00	00	00
19	Total Available Carryover: Add lines 14 through 18, column (d).....			19 00

Part 3 Total Available Credit

20	Current year's credit: Enter the amount from Part 1, line 13. Also, enter this amount on <i>Arizona Form 301, Part 1, line 24, column (a)</i>	20	00
21	Available credit carryover from Part 2, line 19, column (d). Also, enter this amount on <i>Arizona Form 301, Part 1, line 24, column (b)</i>	21	00
22	Total Available Credit: Add line 20 and line 21. Also, enter this amount on <i>Arizona Form 301, Part 1, line 24, column (c)</i>	22	00

Your Name (as shown on page 1)

Your Social Security Number

AZ Form 352- Credit for Contributions to Qualifying Foster Care Charitable Organizations Continuation Sheet

Part 1 - Continued Current Year's Credit

If you need more space to list all qualifying foster care charitable organizations, complete additional sheets and enter those totals on the appropriate line(s) on page 1.

A. Cash contributions made January 1, 2021 through December 31, 2021.

	(a) Contribution Date MM/DD/2021	(b) Qualifying Foster Care Charity Code	(c) Name of Qualifying Foster Care Charity (Contributions to qualifying non-foster care charitable organizations are claimed on AZ Form 321)	(d) Cash Contribution
4a	_ _ _ 2,0,2,1	_ _ _ _ _		00
4b	_ _ _ 2,0,2,1	_ _ _ _ _		00
4c	_ _ _ 2,0,2,1	_ _ _ _ _		00
4d	_ _ _ 2,0,2,1	_ _ _ _ _		00
4e	_ _ _ 2,0,2,1	_ _ _ _ _		00
4f	_ _ _ 2,0,2,1	_ _ _ _ _		00
4g	_ _ _ 2,0,2,1	_ _ _ _ _		00
4h	Add all amounts in column (d) and enter the total. Also, enter this amount on page 1, line 4.....			00

B. Cash contributions made January 1, 2022 through April 18, 2022.

	(a) Contribution Date MM/DD/2022	(b) Qualifying Foster Care Charity Code	(c) Name of Qualifying Foster Care Charity (Contributions to qualifying non-foster care charitable organizations are claimed on AZ Form 321)	(d) Cash Contribution
9a	_ _ _ 2,0,2,2	_ _ _ _ _		00
9b	_ _ _ 2,0,2,2	_ _ _ _ _		00
9c	_ _ _ 2,0,2,2	_ _ _ _ _		00
9d	_ _ _ 2,0,2,2	_ _ _ _ _		00
9e	_ _ _ 2,0,2,2	_ _ _ _ _		00
9f	_ _ _ 2,0,2,2	_ _ _ _ _		00
9g	_ _ _ 2,0,2,2	_ _ _ _ _		00
9h	Add all amounts in column (d) and enter the total. Also, enter this amount on page 1, line 9.....			00

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2021 Credit for Contributions To Qualifying Foster Care Charitable Organizations

Arizona Form 352

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

General Instructions

NOTE: You *must* also complete Arizona Form 301, Nonrefundable Individual Tax Credits and Recapture, and include Forms 301 and 352 with your tax return to claim this credit.

Arizona law provides a *separate* credit for cash contributions made to qualifying foster care charitable organizations (QFCO).

CAUTION: Cash Contributions made after December 31, 2015, to a QFCO do not qualify for, and cannot be included in, a credit claimed on Arizona Form 321 for cash contributions made to a qualifying charitable organization (QCO).

If you made cash contributions to a **non-foster care qualifying charitable organization**, you *must* complete Arizona Form 321 to claim a credit for those contributions. Do **not** use Form 352 to claim a credit for contributions made to non-foster care charitable organizations.

This credit is available **only** to individuals. Corporations may not claim this credit. A partnership may not pass the credit through to its partners. An S Corporation may not pass the credit through to its shareholders.

What is a QFCO?

A QFCO is a qualifying charitable organization that each operating year provides services to at least two hundred qualified individuals in Arizona. The charity must spend at least 50% of its budget on services to qualified individuals in this state.

"Qualified individual" means a child placed in a foster home or child welfare agency or a person who is under 21 years of age and who is participating in a transitional independent living program.

"Foster home" means a home maintained by any individual or individuals having the care or control of minor children, other than those related to each other by blood or marriage, or

related to such individuals, or who are legal wards of such individuals.

NOTE: For more information on what is a qualifying charitable organization, see the instructions for Form 321.

How Can I Tell if a Foster Care Charity Qualifies?

To qualify, a foster care charity must provide the department with written certification that it meets the criteria necessary to be considered a qualifying foster care charity.

To see a list of qualifying foster care charities, visit our website and click on *Tax Credits* and select *Contributions to QCOs and QFCOs*.

- For donations made in 2021 - use the 2021 list.
- For donations made from January 1, 2022 to April 18, 2022 - use the 2022 list.

A cash contribution for which a credit is claimed and that is made on or before the fifteenth day of the fourth month following the close of the taxable year may be applied to either the current or preceding taxable year and is considered to have been made on the last day of that taxable year.

For calendar year filers, credit eligible cash contributions made to a QFCO from January 1, 2022, through April 18, 2022, may be used as a tax credit on either your 2021 or 2022 Arizona income tax return.

IMPORTANT: To claim a credit on your 2021 tax return for contributions made January 1, 2022, through April 18, 2022, the charitable organization must be certified by the department for the 2022 tax year.

If you claim this credit in 2021 for a cash contribution made from January 1, 2022, through April 18, 2022, you must make an adjustment on your 2022 Arizona Form 140 Schedule A, Form 140PY Schedule A(PY) or A(PYN), or Form 140NR Schedule A(NR).

NOTE: You cannot claim both a tax credit and an itemized deduction for the amount of contributions made to a QFCO for which you are claiming a credit.

You cannot claim an increased standard deduction for the amount of contributions made to a QFCO for which you are claiming a credit.

The maximum amount of credit that a taxpayer can establish for the current taxable year is \$500 for single taxpayers or heads of household. For married taxpayers filing a joint return, the maximum amount of credit that a taxpayer can establish for the current taxable year is \$1,000. In most cases, for married taxpayers who file separate returns, each spouse may claim only **one-half** (½) of the total credit that would have been allowed on a joint return up to \$500.

NOTE: *The maximum amount of credit established for the current taxable year does **not** include any unused valid carryover amount(s) from prior taxable years. Because this is a nonrefundable credit, the total amount of available credit [current year plus any valid carryover amount(s)] that a taxpayer may use for the taxable year cannot be greater than the tax liability shown.*

If the allowable tax credit is more than your tax or if you have no tax, you may carry the unused credit forward for up to the next five consecutive taxable years' income tax liability.

You may qualify for this credit if you make cash contributions to a qualified foster care charity through an Umbrella Charitable Organization (UCO). An UCO is a charitable organization that collects contributions on behalf of member charities and directs that contribution as designated by the taxpayer to a QFCO that is certified by the Department.

In this case, 100% of the contribution to a specific qualifying foster care charitable organization or to a specific fund of the UCO must be distributed to a QFCO that is certified by the Department.

The UCO will need to provide you with a receipt for your contribution that specifies the QFCO or fund to whom the contribution is designated and certifies that 100% of the contribution will be distributed to the named QFCO. If a fund is designated then the receipt should certify that 100% of the fund is distributed to a QFCO that is certified by the Department.

NOTE: *You may be able to make contributions to these charities through your payroll withholding. Contact your employer and ask if they can withhold contributions for this credit from your pay.*

For more information, see the department's publication, Pub 710, *Credit for Contributions to Qualifying Charitable Organizations*.

What is a Qualifying Foster Care Charitable Organization Code?

For Arizona tax credit purposes, the department assigns a code (a 5 digit identification number) to each QFCO and the UCO fund (for example: 12345). If your donation receipt did not include the foster care charity's code, the department's list of qualifying charities includes the code assigned to each charity and the UCO fund code.

Be sure to enter the code number, in column (a), for each qualifying foster care charity for which you and your spouse made cash contributions.

Line-by-Line Instructions

Enter your name and Social Security Number (SSN) as shown on Arizona Forms 140, 140PY, 140NR, or 140X.

All returns, statements, and other documents filed with the department require a taxpayer identification number (TIN). The TIN for an individual is the taxpayer's SSN or an Internal Revenue Service (IRS) individual taxpayer identification

number (ITIN). Taxpayers that fail to include their identification number may be subject to a penalty.

NOTE: *Complete Parts 1 and 3 **only** if you are claiming a new credit for the current tax year.*

If you are only claiming a carryover amount available from a previous credit, complete Parts 2 and 3.

Part 1 - Current Year's Credit

A. Cash contributions made January 1, 2021, through December 31, 2021

NOTE: *If you are married and filing separate returns, be sure to include all cash contributions made by you and your spouse.*

Lines 1, 2, and 3

Enter the following for each QFCO you or your spouse made cash contributions or paid fees from January 1, 2020 through December 31, 2021, for which you or your spouse are claiming a credit on the 2021 tax return:

- Column (a): the date you made the contribution (MM/DD/2021);
- Column (b): the five digit code number of the qualifying QFCO or the UCO fund code (example: 23456);
- Column (c): the name of the QFCO or the UCO fund name; and
- Column (d): the amount of cash contributions made during 2020.

*Do **not** include those cash contributions that you or your spouse made from January 1, 2021 through April 15, 2021, for which you or your spouse claimed a credit on the 2020 tax return.*

NOTE: *For contributions made to an Umbrella Charitable Organization, the Qualifying Charitable Organization Code and name of the qualifying charity are reported on the tax form. If a fund is designated, the Umbrella Charitable Organization Fund Code and the name of the fund are reported on the tax form.*

If you made cash contributions to more than three QFCOs, complete the Continuation Sheet on page 3 of the form and include it with the credit form

Line 4

Enter the amount from line 4h of the continuation Sheet; otherwise enter "0".

Lines 5

Add lines 1 through 4, column (d). Enter the total.

B. Cash contributions made January 1, 2022 through April 18, 2022

Lines 6, 7, and 8

NOTE: *If you are married and filing separate returns, include all cash contributions made by you and your spouse.*

Enter the following for each QFCO you or your spouse made cash contributions from January 1, 2022 through

April 18, 2022, for which you or your spouse are claiming a credit on the 2021 tax return.

- Column (a): the date you made the contribution (MM/DD/2022);
- Column (b): the five digit code number of the QFCO or UCO fund code (example: 23456);
- Column (c): the name of the QFCO or the UCO fund name; and
- Column (d): the amount of cash contributions made from January 1, 2022, through April 18, 2022.

NOTE: *For contributions made to an Umbrella Charitable Organization, the Qualifying Charitable Organization Code and name of the qualifying charity are reported on the tax form. If a fund is designated, the Umbrella Charitable Organization Fund Code and the name of the fund are reported on the tax form.*

If you made cash contributions to more than three QFCOs, complete the Continuation Sheet on page 3 of the form and include it with the credit form.

Line 9

Enter the amount from line 9h of the Continuation Sheet; otherwise enter "0".

Line 10

Add lines 6 through 9, column (d). Enter the total.

Line 11

Add lines 5 and 10. Enter the total.

Line 12

Single taxpayers and taxpayers filing as head of household enter \$500. Married taxpayers enter \$1,000.

Line 13 - Current Year's Credit

Enter the smaller of line 11 or line 12.

If you are married filing a separate return, but you could have filed a joint return, you may take only $\frac{1}{2}$ of the total credit that you and your spouse would have been allowed to take on a joint return, up to a maximum of \$500. In this case, enter $\frac{1}{2}$ of the smaller of line 11 or line 12.

Part 2 - Available Credit Carryover

Lines 14 through 19

Use lines 14 through 19 to figure your total available credit carryover from taxable years 2016 through 2020 if you claimed this credit on these returns and the credit was more than your tax.

NOTE: *You may carry over only that portion of the credit that you do not apply to tax. You cannot carry over any amount that you gave that was more than the maximum amount allowed as a credit.*

For example: During 2021, Mary, a single person, gave \$600 to a qualified foster care charity. For 2021, Mary is allowed a maximum credit of \$500. Mary's 2021 tax is \$250. Mary can apply \$250 of the credit to her 2021 tax liability and carryover \$250 of the unused \$500 credit to 2022.

Mary cannot claim any credit for the \$100 gift that was more than the allowable credit (\$600 minus allowable credit of \$500).

- In column (b), enter the credits originally computed for the tax years listed in column (a).
- In column (c), enter the amount of the credit which you have already used.
- In column (d), subtract the amount in column (c) from column (b) and enter the difference in column (d).
- Add the amounts entered on lines 14 through 17 in column (d)

Enter the total on line 19, column (d).

Part 3 - Total Available Credit

Lines 20 through 22

Use lines 20 through 22 to figure your total available credit for the taxable year.

Line 20

Enter the amount from Part 1, line 13. Also, enter this amount on Arizona Form 301, Part 1, line 24, column (a).

Line 21

Enter the amount from Part 2, line 19, column (d). Also enter this amount on Form 301, Part 1, line 24, column (b).

Line 22 - Total Available Credit

Add line 20 and line 21. Enter the total. Also, enter this amount on Form 301, Part 1, line 24, column (c).

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Include with your return.

For the calendar year 2021 or fiscal year beginning M M D D 2 0 2 1 and ending M M D D Y Y Y Y .

Name as shown on Form 140, 140PY, 140NR, 140X, 140-SBI, 140PY-SBI, 140NR-SBI, 140X-SBI, 99T, 120, 120A, 120S, 120X, or 165	Social Security or Employer Identification Number
--	---

Part 1 Qualification for and Current Taxable Year's Credit

- 1 Do you have a current Healthy Forest Enterprise Incentive Certification and Memorandum of Understanding with the Arizona Department of Commerce? Yes No
If "Yes", include a copy of the Certification and continue to line 2. If "No", STOP! You do not qualify for this credit.
- 2 Did you receive Certification from the Arizona Department of Revenue? Yes No
If "Yes", include a copy of the Certification and continue to line 3. If "No", skip to line 4.
- 3 Enter the amount of this credit from the Certification from the Arizona Department of Revenue for this taxable year ..
- 4 Did an entity from which you are claiming a pass through Healthy Forest Production Tax Credit receive Certification from the Arizona Department of Revenue? Yes No
If "Yes" include a copy of the certification and Form(s) 353-P and/or 353-S, continue to line 5.
If "No", skip lines 5 and 6.
If you checked "No" on lines 2 and 4, do not file file this form unless you have carryovers from prior years.
- 5 Enter the amount of this credit passed through from partnerships on Form 353-P, line 3c.....
- 6 Enter the amount of this credit passed through from S Corporations on Form 353-S, line 3c.....
- 7 Add lines 3, 5, and 6. Enter the total.
This is your current taxable year's Healthy Forest Production Tax Credit.....

3		00
5		00
6		00
7		00

Part 2 Partnerships

A partnership must pass this credit through to its partners.

- Complete Form 353-P for each partner.
- Provide a completed copy of Form 353-P to each partner.
- Include a copy of each completed Form 353-P with your tax return.
- Keep a copy of each completed Form 353-P for your records.
- Do not complete Parts 4 and 5 of this form.

Part 3 S Corporation Credit Election and Shareholder's Share of Credit

S Corporations may elect to pass this credit through to its shareholders, or it may choose to keep it and apply it to its tax liability generated at the S Corporation level.

8 The S Corporation has made an irrevocable election for the taxable year ending M M D D Y Y Y Y to:
(check only one box):

- 8a Claim the Healthy Forest Production Tax Credit as shown on line 7 (for the taxable year indicated above);
OR
8b Pass this credit as shown on line 7 (for the taxable year indicated above) through to its shareholders.

Signature Title Date

If passing the credit through to the shareholders:

- Complete Form 353-S for each individual shareholder.
- Provide a copy of each completed Form 353-S to each shareholder.
- Include a copy of each completed Form 353-S with your tax return.
- Keep a copy of each completed Form 353-S for your records.
- If the S Corporation passed the current year credit through to its shareholders, AND it has carryovers of this credit from prior years, complete Parts 4 and 5 of this form as appropriate.

Continued on page 2 →

Name (as shown on page 1)	EIN
---------------------------	-----

Part 4 Total Available Credit

<p>9 Current year's credit:</p> <ul style="list-style-type: none"> • <i>Individuals, C Corporations, S Corporations claiming this credit at the corporate level, or exempt organizations with UBT:</i> Enter the amount from Part 1, line 7. • <i>Individuals that did not make the Small Business Income election:</i> Also, enter this amount on Form 301, Part 1, line 25, column (a). • <i>Individuals that made the Small Business Income election:</i> Also, enter this amount on Form 301-SBI, Part 1, line 18, column (a). • <i>C Corporations, S Corporations claiming this credit at the corporate level, and exempt organizations with UBT:</i> Also, enter this amount on Form 300, Part 1, line 17, column (a) 	9	<u>00</u>
<p>10 Total available credit: Enter the amount from line 9.</p> <ul style="list-style-type: none"> • <i>Individuals that did not make the Small Business Income election:</i> Also, enter this amount on Form 301, Part 1, line 25, column (c). • <i>Individuals that made the Small Business Income election:</i> Also, enter this amount on Form 301-SBI, Part 1, line 18, column (c). • <i>C Corporations, S Corporations that claimed this credit at the corporate level, and exempt organizations with UBT:</i> Also, enter this amount on Form 300, Part 1, line 17, column (c)..... 	10	<u>00</u>

For the calendar year 2021 or fiscal year beginning MM,MM,DD,2021 and ending MM,MM,DD,YYYY.

Partnerships:

- Complete Form 353-P for each partner in the partnership **except for** trust or estate partners. However, a partnership ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form and the certification received from the Arizona Department of Revenue to each partner.
- Keep a copy of each completed Form 353-P for your records.
- Include a copy of each completed Form 353-P with your partnership return.

Partners:

- Use this form to complete your own Form 353.
- Include this completed form and a copy of the certification received from the Arizona Department of Revenue with your return.
- Keep a copy of this form and certificate for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Distribution of the Credit

Complete this section to distribute the credit to each partner in the partnership.

1	(a) Partnership Name	(b) Employer Identification Number (EIN)
2	(a) Partner Name	(b) Taxpayer Identification Number (TIN)
3a	Partnership credit amount from Form 353, Part 1, line 7.....	3a \$ 00
3b	Partner's ownership percentage.....	3b %
3c	Multiply line 3a by line 3b. Enter the result, this is the Partner's portion of the credit	3c \$ 00

Partners:

The amount reported on line 3c is your portion of this credit. Enter the amount from line 3c on Part 1, line 5 of your own Form 353 to claim this credit.

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For the calendar year 2021 or fiscal year beginning MM, DD, DD 2021 and ending MM, DD, DD YYYY.

S Corporations:

- Complete Form 353-S for each shareholder of the S Corporation **except for** trust or estate shareholders. However, an S Corporation ownership share that is owned by a grantor trust that is disregarded for federal income tax purposes is treated as owned by the grantor. The grantor may claim his or her share of the credit.
- Provide a copy of the completed form and the certification received from the Arizona Department of Revenue to each shareholder.
- Keep a copy of each completed Form 353-S for your records.
- Include a copy of each completed Form 353-S with your S Corporation return.

Shareholders:

- Use this form to complete your own Form 353.
- Include this completed form and a copy of the certification received from the Arizona Department of Revenue with your return.
- Keep a copy of this form and certificate for your records.

NOTE: If you file your tax return on a calendar year basis but this entity files a return on a fiscal year basis (see above), claim this credit on your tax return for the year in which this entity's fiscal year ends.

Distribution of the Credit

Complete this section to distribute the credit to shareholders of the S Corporation.

1	(a) S Corporation Name	(b) Employer Identification Number (EIN)	
	(a) Shareholder Name	(b) Taxpayer Identification Number (TIN)	
3a	S Corporation credit amount from Form 353, Part 1, line 7	\$	00
	Shareholder's ownership percentage	3b	%
	Multiply line 3a by line 3b. Enter the result. This is the shareholder's portion of the credit ...	3c	\$

Shareholder:

The amount reported on line 3c is your portion of this credit. Enter the amount from line 3c on Part 1, line 6 of your Form 353 to claim this credit.

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2021 Fiduciary Income Tax - Highlights

Due date for 2021 Calendar Year Filers

The 2021 Fiduciary tax return (Form 141AZ) is due by midnight on April 15, 2022. **Because April 15, 2022 is a federal holiday, you have until April 18, 2022 to file a timely Form 141AZ.**

If you file under a valid extension, your extended due date will allow an additional 5 ½ months to September 30, 2022 to file the fiduciary income tax return.

NOTE: A Qualified Funeral Trust (QFT) using a federal extension (Form 7004) will be allowed the same extension period (6-months) to file form 141AZ. For Calendar year filers, the return due date will be October 15, 2022. **Because October 15, 2022 falls on a weekend, you have until October 17, 2022 to timely file the QFT tax return.**

Fiduciary Returns

Recent Legislation amended Arizona Revised Statutes (A.R.S.) § 43-304, *Fiduciary Returns*, providing the following requirements.

A. Every fiduciary, except a receiver appointed by authority of law in possession of only part of the property of an individual, shall make a return for any of the following taxpayers for whom the fiduciary acts:

- Every individual who is required to file an individual income tax return under section 43-301.
- Every estate or trust that has Arizona taxable income for the taxable year.
- Every estate or trust of which the gross income for the taxable year is \$5,000 or over, regardless of the amount of the Arizona taxable income.
- Every decedent, for the year in which death occurred and for prior years, if returns for such years should have been filed but have not been filed by the decedent, under such rules as the department may prescribe.

B. Any fiduciary required to make a return for an individual is subject to the provisions of this title that apply to individuals.

Estates and Trusts Tax Rates

A.R.S. § 43-1311 (*Tax Imposed on Estates and Trusts*) was amended to provide to following:

1. Removes the requirement that the taxable income of estates and trusts is subject to the tax rates imposed on single individuals.
2. Establishes new tax brackets for TYs beginning January 1, 2021, which apply to the income of estates, property held in trust, the taxable income of resident trusts and the taxable income of nonresident trusts derived from sources with Arizona:

NOTE: Beginning with tax year 2021, the Tax Table for Estates and Trusts is no longer provided with the instructions for completing Form 141AZ. The tax table is available on the department's website at: www.azdor.gov/forms/fiduciary-forms

New Fiduciary Adjustments Available:

Line references are for the 2021 Form 141AZ.

1. Adjustment Increasing Federal Taxable Income:

Estate Loss of an Arizona Nonprofit Medical Marijuana Dispensary (NMMD) included in Federal Adjusted Gross Income. See the instructions for line B3, *Other Additions to Federal Taxable Income*, item "H".

2. Adjustments Decreasing Federal Taxable Income:

Estate Income of an Arizona Nonprofit Medical Marijuana Dispensary (NMMD) included in Federal Adjusted Gross Income. See the instructions for line B9, *Other Subtractions from Federal Taxable Income*, item "K".

Estates and Trusts: Marijuana Establishments and Dual Licensees That Elected to Operate on a For-Profit Basis. See the instructions for line B9, *Other Subtractions from Federal Taxable Income*, item "L".

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DO NOT STAPLE ANY ITEMS TO THE RETURN.

For the [] calendar year 2021 or [] fiscal year beginning [M, M, D, D, 2, 0, 2, 1] and ending [M, M, D, D, Y, Y, Y, Y] [66]

82E [] Check box 82E if filing under extension

1 Name of Estate or Trust EIN (If this is a Grantor Trust, see instructions)
2 Name and Title of Fiduciary
3 Address of Fiduciary - number and street, or rural route REVENUE USE ONLY. DO NOT MARK IN THIS AREA. 88
4 City, Town or Post Office State ZIP Code
Daytime Phone Number of Fiduciary/Representative - include area code

Check ONLY ONE box:

- 5a [] Resident Estate 5c [] Resident Trust
5b [] Nonresident Estate 5d [] Nonresident Trust

Check applicable box(es). For boxes A through H, check ONLY ONE box:

- 6 1 [] Amended Return A [] Decedent's Estate D [] Simple Trust G [] Qualified Funeral Trust - Separate Return
2 [] Final Return B [] Bankruptcy Estate E [] Complex Trust H [] Qualified Funeral Trust - Composite Return
3 [] Initial Return C [] Grantor Trust F [] Charitable Remainder Trust Number of QFTs participating in Composite Return []

Table with 3 columns: Line number, Description, Amount. Rows include Federal taxable income (7), Net fiduciary adjustment (8), Arizona taxable income (16), Balance of tax (19), and Balance of refund/overpayment (30).

Direct Deposit of Refund: Check box 30A if your deposit will be ultimately placed in a foreign account; see instructions. 30A []
98 C [] Checking or S [] Savings
ROUTING NUMBER [] ACCOUNT NUMBER []

SCHEDULE A Nonresident Estate or Trust Source Income Schedule

Only nonresident estates and nonresident trusts complete Schedule A. Arizona resident estates and Arizona resident trusts should not complete Schedule A.

A1 Income (specify type):

		FEDERAL COLUMN		ARIZONA COLUMN	
A1(a)	_____	A1(a)	00		00
A1(b)	_____	A1(b)	00		00
A1(c)	_____	A1(c)	00		00
A1(d)	_____	A1(d)	00		00
A1(e)	_____	A1(e)	00		00
A1(f)	_____	A1(f)	00		00
A1(g)	_____	A1(g)	00		00
A2	Total Income: Add lines A1(a) through A1(g)	A2	00		00
A3	Deductions (specify):				
A3(a)	_____	A3(a)	00		00
A3(b)	_____	A3(b)	00		00
A3(c)	_____	A3(c)	00		00
A3(d)	_____	A3(d)	00		00
A3(e)	_____	A3(e)	00		00
A3(f)	_____	A3(f)	00		00
A3(g)	_____	A3(g)	00		00
A4	Total deductions: Add lines A3(a) through A3(g).....	A4	00		00
A5	Federal Taxable Income: Subtract line A4 from line A2 in the Federal column	A5	00		
A6	Arizona Gross Income: Subtract line A4 from line A2 in the Arizona column. Enter the difference here and also on Form 141AZ, page 1, line 7	A6			00

SCHEDULE B Fiduciary Adjustment

Fiduciary adjustment increasing federal taxable income			
B1	Positive Arizona fiduciary adjustment from another estate or trust	B1	00
B2	Non-Arizona municipal bond interest	B2	00
B3	Other additions to federal taxable income. See instructions	B3	00
B4	Total: Add lines B1 through B3.....	B4	00
Fiduciary adjustment decreasing federal taxable income			
B5	Negative Arizona fiduciary adjustment from another estate or trust	B5	00
B6	Interest received on U.S. obligations	B6	00
B7	Refunds from other states.....	B7	00
B8	Reserved.....	B8	
B9	Other subtractions from federal taxable income. See instructions	B9	00
B10	Total: Add lines B5 through B9.....	B10	00
B11	Net adjustment: Subtract line B10 from line B4 and enter the difference. Also, enter the difference on Form 141AZ, page 1, line 8 and on Schedule C, line C14.....	B11	00

SCHEDULE C Fiduciary Adjustment Allocation

The Arizona fiduciary adjustment is allocated among the beneficiaries and the fiduciary in proportion to their share of the federal distributable net income.

	(a) Beneficiary	(b) Share of Federal Distributable Net Income		(c) Percent
C1		\$	00	%
C2		\$	00	%
C3		\$	00	%
C4		\$	00	%
C5		\$	00	%
C6		\$	00	%
C7		\$	00	%
C8		\$	00	%
C9		\$	00	%
C10		\$	00	%
C11	Subtotal: If more than 10 beneficiaries, include an additional schedule.....	\$	00	%
C12	Fiduciary.....	\$	00	%
C13	Total: Add lines C11 and C12. This should total the federal distributable net income.....	\$	00	100 %
C14	Enter the fiduciary adjustment from Form 141AZ, Schedule B, line B11 here and also on Form 141AZ Schedule K-1, line 1 or Form 141AZ Schedule K-1(NR), line 3			00
C15	Multiply the amount on line C14 by the percentage on line C11. Enter the result here and also on Form 141AZ, page 1, line 9			00
C16	Multiply the amount on line C14 by the percentage on line C12. Enter the result here and also on Form 141AZ, page 1, line 10.....			00

SCHEDULE D Federal Distributable Net Income From Arizona Sources

Complete Schedule D **only** if the estate or trust has nonresident beneficiaries. Use the information in Schedule D to complete 141AZ Schedule K-1(NR). Do not complete Schedule D if all of the beneficiaries are Arizona residents.

	(a)	(b) FEDERAL		(c) ARIZONA	
D1	Dividends.....	D1	00		00
D2	Interest.....	D2	00		00
D3	Partnership/fiduciary income	D3	00		00
D4	Net rents and royalties.....	D4	00		00
D5	Net profit (loss) business	D5	00		00
D6	Other income.....	D6	00		00
D7	Total: Add lines D1 through D6.....	D7	00		00
D8	Expenses.....	D8	00		00
D9	Federal distributable income: Subtract line D8 from line D7 and enter the difference here. Also, enter the amount from column (c) on Form 141AZ Schedule K-1(NR), line 1.....	D9	00		00

2021 Arizona Fiduciary Income Tax Return

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website and click on *Reports, Statistics and Legal Research* from the main menu then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website and click on *Reports, Statistics and Legal Research* on the main menu then click on *Publications* in the left side column.

e-file

Leave the Paper Behind - e-file!

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Get your refund quicker with direct deposit.

E-file today, pay by April 18, 2022, to avoid penalties and interest.

E-file through an authorized IRS/DOR **e-file** provider or by using your personal computer and the Internet.

Visit our website at www.azdor.gov for a listing of approved **e-file** providers and on-line filing sources.

** For free **e-file** requirements, go to our website at www.azdor.gov.

NOTE: You can **e-file** Form 141AZ **only** if you **e-file** federal Form 1041 or Form 1041-QFT. If you mail your federal Form 1041 or Form 1041-QFT, you **must** also mail Form 141AZ to the address on the form.

If you are filing an amended Form 141AZ and are **not** filing an amended federal Form 1041 or Form 1041-QFT, you **must** mail the amended Form 141AZ to the address on the form.

General Information

All taxpayers: you must round dollar amounts to the nearest whole dollar. If 50 cents or more, round up to the next dollar. If less than 50 cents, round down. Do not enter cents.

NOTE: Beginning with tax year 2021, the tax table for estates and trusts will no longer be provided as part of these instructions.

The tax table is available on the department's website at: www.azdor.gov/forms/fiduciary-forms

Estates

An Arizona resident estate is the estate of a decedent who was a resident of Arizona at the time of death. The starting point for the Arizona income tax computation for a resident estate is the estate's federal taxable income.

A nonresident estate is an estate that is not a resident estate. The starting point for a nonresident estate is that portion of the estate's federal taxable income derived from Arizona sources.

Trusts

An Arizona resident trust is a trust of which the fiduciary is a resident of Arizona. If the trust has more than one fiduciary, the trust is a resident trust if at least one of the fiduciaries is a resident of Arizona. If a corporate fiduciary engaged in interstate trust administration is the sole fiduciary of a trust, or is a co-fiduciary with a nonresident, the trust is a resident trust only if the corporate fiduciary conducts the administration of the trust in Arizona. The starting point for the Arizona income tax computation for a resident trust is the trust's federal taxable income.

A nonresident trust is a trust that is not a resident trust. The starting point for a nonresident trust is that portion of the trust's federal taxable income derived from Arizona sources.

Payment of tax by Electronic Funds Transfer (EFT)

NOTE: For tax year 2021, fiduciaries are not able to make electronic payments through AZTaxes.gov or ACH Credit. All Estate and Trust tax payments including extension and estimated payments must be mailed to the department.

If the fiduciary electronically files Form 141AZ and is mailing a payment separately for taxes due, complete Form 141AZ V, and mail the voucher form with your tax payment to the address shown on voucher form.

A Fiduciary is required to pay the estate or trust tax liability by electronic funds transfer (EFT) if the estate or trust owes:

- \$10,000 or more for any taxable year beginning from and after December 31, 2018, through December 31, 2019;
- \$5,000 or more for any taxable year beginning from and after December 31, 2019, through December 31, 2020; or
- \$500 or more for any taxable year beginning from and after December 31, 2020.

The fiduciary may apply to the director for an annual waiver from the electronic payment requirement. The application must be received by December 31 of each year. The director may grant the waiver if any of the following applies.

- The fiduciary has no computer.
- The fiduciary has no internet access.
- Any other circumstance considered to be worthy by the director exists, including:
 - The fiduciary has a sustained record of timely payments; and,
 - No delinquent tax account with the department.

To request a waiver, submit Form 292, *Electronic Filing and Payment Waiver Application*, to the department. Form 292 is available at azdor.gov/forms/other-forms.

NOTE: A corporation who is required to pay by EFT but who fails to do so is subject to a penalty of 5% of the amount of the payment not made by EFT. See A.R.S. § 42-1125(O).

For additional information on electronic funds transfer, refer to A.R.S. § 42-1129 and the related Arizona Administrative Code rules (A.A.C. R15-10-301 through R15-10-307) for detailed information.

How to Make EFT Payments

Fiduciaries making EFT payments must register with the department before their EFT payments may be accepted. *The Fiduciary must complete the initial registration.*

Taxpayers may use www.AZTaxes.gov to make EFT payments:

- Electronic payment from checking or savings account/e-check/ACH Debit.

Payments can be made electronically from a checking or savings account. Go to www.AZTaxes.gov and choose the e check option. Follow the prompts to complete your registration.

There is no fee to use this method. This payment method will debit the amount from the specified checking or savings account on the date specified. If an electronic payment is made from a checking or savings account, a confirmation number will be generated. Please keep this confirmation number as proof of payment.

- Online credit card payment

American Express, Discover, MasterCard, or Visa credit cards can make payments. Go to www.AZTaxes.gov and choose the credit card option. This will take you to the website of the credit card payment service provider. Follow the prompts to make your payment.

The service provider will charge a fee based on the amount of the tax payment. The service provider will disclose the amount of the fee during the transaction and you will be given the option to continue or cancel. If you accept the fee and complete the credit card transaction, a confirmation number will be generated. Please keep this confirmation number as proof of payment.

Taxpayers may also make EFT payment by ACH Credit.

To register to make ACH Credit payments, go to the department's website www.azdor.gov. Click on "Forms", and then click "Other Forms." Click on Form number 10366, Electronic Funds Transfer (EFT) Disclosure

Agreement for ACH Credit filers. Click "Download." Complete the form as instructed. Submit the completed form at least five business days before the first anticipated transaction as it may take that long to process the application.

Fax the completed form to the department at (602) 771-9913. You may also email the completed form to the department at electronicfundstransfer@azdor.gov.

Once the application is processed, the corporation will receive additional information to present to its bank to make the ACH Credit payment.

The payment will be electronically transferred into the department's account, normally the next business day. The corporation should consult with its bank for the timeframe required to make timely payments. The corporation may be charged a service fee.

Who Must File

The fiduciary, or fiduciaries, must file a return for an estate or trust if:

1. The estate or trust has any Arizona taxable income for the tax year.
2. The estate or trust's gross income for the tax year is \$5,000 or more, regardless of the amount of the Arizona taxable income.

This also applies to bankruptcy estates.

Electronic Filing of Arizona Fiduciary Income Tax Returns

NOTE: You can only electronically file Form 141AZ if you electronically filed Form 1041 or 1041-QFT. If you were not required to electronically file the federal return and mailed the return to the IRS, you must also mail your Arizona return to the department at the address shown on Form 141AZ.

Fiduciary income tax returns shall be filed electronically for taxable years beginning from and after December 31, 2019. Any fiduciary who is required to file its tax return electronically may apply to the director for an annual waiver from the electronic filing requirement. The waiver may be granted if any of the following apply.

- The taxpayer has no computer.
- The taxpayer has no internet access; or
- Any other circumstance considered to be worthy by the director.

Waivers are granted on an annual basis and expire at the end of the requested tax year. Waivers must be renewed each calendar year. If a waiver is not renewed, you will be subject to statutory electronic filing and payment requirements at the expiration of your waiver.

To request a waiver, submit Form 292, *Electronic Filing and Payment Waiver Application*, to the department. Form 292 is available at azdor.gov/forms/other-forms/electronic-filing-and-payment-waiver-application.

A waiver is not required if the estate or trust income tax return cannot be electronically filed for reasons beyond the

fiduciary's control, including situations in which the fiduciary was instructed by either the Internal Revenue Service or the Arizona Department of Revenue to file by paper.

Contact the department at azefile@azdor.gov if you need assistance in electronically submitting your Arizona Fiduciary income tax return.

Fiduciary Filing Return on Arizona Form 140

Every fiduciary, except a receiver appointed by authority of law in possession of part only of the property of an individual, shall make a return for any of the following taxpayers for whom the fiduciary acts:

- Every individual who is required to file an individual income tax return under section 43-301.
- Every decedent, for the year in which death occurred and for prior years, if returns for such years should have been filed but have not been filed by the decedent, under such rules as the department may prescribe.

Any fiduciary required to make a return for an individual is subject to the provisions of this title that apply to individuals.

For individual filing purposes, gross income is gross income as defined under the Internal Revenue Code (IRC) less income included in gross income that is excluded from Arizona taxation.

For Example: *A taxpayer died on June 29, 2021. The decedent had wages of \$9,700 and interest income of \$920 received through the date of death. The personal representative files a final Arizona Form 140 for the period January 1, 2021, through June 29, 2021. The personal representative notes on the Form 140 that the taxpayer is deceased as of June 29, 2021. The personal representative reports the wage and interest income of \$10,620 on the Form 140. The personal representative reports all income that the estate receives from June 30, 2021, forward on the Form 141AZ.*

A fiduciary who has charge of the income of an individual must file a return of income on Form 140 if that individual's income meets the filing requirements. Such fiduciaries include guardians of minors and guardians or committees of legally incompetent persons. Where several fiduciaries exist, a return filed by one of two or more joint fiduciaries is sufficient.

NOTE: *The fiduciary must file a final return for an estate when the fiduciary is requesting a tax certificate required by the probate court. In this case, the fiduciary must file a final return regardless of the estate's income. See instructions for requesting a certificate on page 4.*

Filing for a Charitable Remainder Trust

Charitable remainder trusts should file on Form 141AZ. The fiduciary should indicate that the return is for a charitable remainder trust by checking the appropriate box on line 6.

The trustee should not enter any numerical figures on the face of the return. Go directly to the signature line. The trustee should not complete a Form 141AZ Schedule K-1 or Schedule K-1(NR) for any of its beneficiaries.

Grantor Trusts

Grantor trusts file only an information return since the income reverts to the grantor. The grantor reports this income on the individual income tax return (Arizona Form 140). The fiduciary should indicate that the return is for a grantor trust by checking the appropriate box on line 6. Do not enter any numerical figures on the face of the return. Go directly to the signature line.

Qualified Subchapter S Trusts (QSST)

A QSST that is treated as a grantor trust for federal purposes will be treated the same for Arizona purposes.

Qualified Funeral Trusts (QFT)

The trustee of a trust that has elected and qualified under federal law to be taxed as a qualified funeral trust files federal Form 1041-QFT. For Arizona purposes, the trustee should file using Form 141AZ.

If the trustee files a single, composite Form 1041-QFT for some or all of the QFTs of which he or she is a trustee, the trustee may also file a single, composite Form 141AZ. The trustee would check the appropriate boxes on line 6.

NOTE: *The trustee may e-file a composite Form 141AZ only if the trustee also e-files the federal Form 1041-QFT.*

The trustee is required to include a statement with the composite Form 141AZ that includes the following information for each QFT (or separate interest treated as a separate QFT):

- The name and owner or the beneficiary. If you list the name of the owner and the trust has more than one beneficiary, you must separate the trust into shares held by the separate beneficiaries;
- The type and gross amount of each type of income earned by the QFT for the tax year. For capital gains, identify separately the amount of (a) net short-term capital gain, (b) net long-term capital gain breaking out the amount of long-term gain for assets (1) acquired after December 31, 2011 and (2) before January 1, 2012;
- The type and amount of each Arizona deduction and, if claimed, each beneficiary's share of credit *for taxes paid to other state or country* allocable to the QFT;
- The tax and payments made for each QFT; and
- The termination date for each QFT that was terminated during the year.

Where Should You Mail the Return?

If you are **expecting a refund, or owe no tax, or owe tax but are not sending a payment**, mail the return to:

Arizona Department of Revenue
PO Box 52138
Phoenix, AZ 85072-2138

If you are **sending a payment** with this return, mail the return to:

Arizona Department of Revenue
PO Box 52016
Phoenix, AZ 85072-2016

When Should You File Form 141AZ?

Your 2021 calendar year tax return is due no later than midnight, April 18, 2022. You must file a return made on a fiscal year basis by the 15th day of the fourth month following the close of the fiscal year. Your original filing date must be the same for Arizona as it is for federal purposes.

You may request an extension if you know you will not be able to file on time. An extension does not extend the time to pay the income tax. Failure to pay at least 90% (.90) of the tax due by the original due date will result in a penalty.

NOTE: *Arizona will grant a 5½-month extension. For more information, see the department's ruling, FTR 17-1, Extension for Estates and Trusts Filing.*

Arizona charges interest on any unpaid tax. The extension underpayment penalty is ½ of 1% (.005) of the tax not paid for each 30-day period or fraction of a 30-day period. The extension underpayment penalty cannot exceed 25% of the unpaid tax.

To Get a Filing Extension, You Can Either

1. Apply for a state extension (Form 141AZ EXT). To apply for an automatic 5½-month state extension, file Form 141AZ EXT by April 18, 2022. See Form 141AZ EXT for details. You do not have to include a copy of the extension with your return when you file, but make sure that you check extension box **82E** (above the estate or trust name) on page 1 of the return. If you must make a payment, use Form 141AZ EXT.
2. Use your federal extension. File your Arizona return by the same due date. You do not have to include a copy of the extension with your return, but make sure that you check extension box **82E** (above the estate or trust name) on page 1 of the return.

A **Qualified Funeral Trust** using a federal extension (Form 7004) to file its federal Form 1041-QFT will be allowed the same extension period (6-months) to file Form 141AZ. For calendar year filers, the return due date will be October 17, 2022.

Does an Estate or Trust Have to Make Estimated Payments?

An estate or trust does not have to make estimated payments. An estate or trust may elect to make Arizona estimated tax payments on Form 141AZ ES.

What if You File or Pay Late?

If you file or pay late, we will charge you interest and penalties on the amount you owe. If the U.S. Post Office postmarks your 2021 calendar return by April 18, 2022, your return will not be late.

You may also use certain private delivery services designated by the Internal Revenue Service (IRS) to meet the "timely mailing as timely filed" rule.

Late Filing Penalty

If you file late, we will charge you a late filing penalty. This penalty is 4½% (.045) of the tax required to be shown on the return for each month or fraction of a month the return is late. This penalty cannot exceed 25% of the tax found to be remaining due.

Late Payment Penalty

If you pay your tax late, we will charge you a late payment penalty. This penalty is ½ of 1% (.005) of the amount shown as tax for each month or fraction of a month for which the failure continues. We charge this penalty from the original due date of the return until the date you pay the tax. This penalty cannot exceed a total of 10% of the unpaid tax.

Extension Underpayment Penalty

If you file your return under an extension, you must pay 90% of the tax shown on your return by the return's original due date. If you do not pay this amount, we will charge you a penalty. This penalty is ½ of 1% (.005) of the tax not paid for each 30-day period or fraction of a 30-day period. We charge this penalty from the original due date of the return until the date you pay the tax. This penalty cannot exceed 25% of the unpaid tax. If we charge you the extension underpayment penalty, we will not charge you the late payment penalty under Arizona Revised Statutes (A.R.S.) § 42-1125(D).

NOTE: *If you are subject to two or more of the above penalties, the total cannot exceed 25%.*

Interest

We charge interest on any tax not paid by the due date. We will charge you interest even if you have an extension. If you have an extension, we will charge you interest from the original due date until the date you pay the tax. The Arizona interest rate is the same as the federal rate.

Amended Returns

If you are filing an amended Form 141AZ, check the amended return box on line 6. Complete the entire return, correct the appropriate line(s) with the new information, and recompute your tax liability.

On a separate schedule, explain the reason(s) for the amendment(s) and identify the line(s) and amount(s) being changed on the amended return. Also, include a copy of the amended federal Form 1041.

NOTE: *You must plainly mark an amended return "Amended" by checking the appropriate box on line 6. The period covered by this return must be the same accounting period as covered by the original return. If you are amending a prior year return, use Form 141AZ for that taxable year.*

Copy of Will or Trust Instrument

Upon the department's request, the fiduciary must submit a copy of the will or trust instrument when the estate or trust's gross income is \$5,000 or more. The fiduciary must swear that the will or trust instrument is a true and complete copy.

Reporting Payments Made by Estate or Trust

An estate or trust that paid salaries or wages may have to report those payments to the department.

Request for Certificate of Payment of Taxes

IMPORTANT: Make requests for this income tax certificate separately. Do not include requests for the income tax certificate with Form 141AZ. The department can issue certificates only if required by the probate court.

Mail requests to:

Attention: Fiduciary Unit
 Arizona Department of Revenue
 Box B-06
 1600 West Monroe
 Phoenix, AZ 85007-2650

If an estate is in probate, the probate court may require a certificate from the department that shows no income tax is due. The probate court may require this before approving the fiduciary's final account. Arizona law requires a certificate only when **all** of the following apply.

1. The estate is subject to probate.
2. The value of the assets of the estate at the decedent's date of death exceeds \$20,000.
3. The estate has a beneficiary that is not an Arizona resident.

In order for the department to issue a certificate, **all** of the following must be met.

1. The fiduciary has filed Arizona Form 210 - *Notice of Assumption of Duties in a Fiduciary Capacity*.
2. A return was filed by, or on behalf of, the decedent and for the estate for each taxable year in which the respective incomes of the decedent or estate exceeded the requirements for filing returns.
3. A final Arizona fiduciary return is filed when the certificate is requested. This return must be filed regardless of the gross or net income for the year. If there is no income, submit a return with "0" on all lines.

If filing a final return and you are **sending a payment** with this return, mail the return to:

Arizona Department of Revenue
 PO Box 52016
 Phoenix, AZ 85072-2016

If filing a final return and **you are expecting a refund, or owe no tax, or owe tax but are not sending a payment**, mail the return to:

Arizona Department of Revenue
 PO Box 52138
 Phoenix, AZ 85072-2138

4. The request must contain a statement regarding the status of returns filed by, or on behalf of, the decedent, or for the estate for the four taxable years immediately preceding the date of the request. The fiduciary must make the statement under declaration of perjury. The statement must indicate the following:

- The years for which returns were filed; and
- The years for which the gross and Arizona taxable incomes were less than the amount necessary to require the filing of returns.

If you have any questions, call us at (602) 716-7809.

Additional Arizona Returns or Forms You May Have to File

- Arizona Forms 140, 140PY, or 140NR to report a decedent's income for the period to the date of death.
- Arizona Form 210 - Notice of Assumption of Duties in a Fiduciary Capacity. This form is filed for all estates.
- Form 141AZ EXT - Application for Filing Extension for Fiduciary Returns Only
- Form 141AZ ES - Estate or Trust Estimated Tax Payment

Line-by-Line Instructions

Period Covered

The accounting period for the return must be the same for Arizona as it is for federal purposes. If the period is for a fiscal year, it cannot exceed a 12-month period. A fiscal year period cannot end on the last day of December. If filing for a fiscal year, enter the beginning and ending dates.

For each return filed in the future, you must keep the same accounting period unless you receive written permission from the department to change it.

Lines 1 through 4

Enter the name of the estate or trust. Enter the name, title, address, and ZIP Code of the fiduciary. Enter the employer identification number (EIN) of the estate or the trust.

NOTE: For a Grantor Trust, enter the Social Security Number of the grantor, if not deceased.

Foreign Addresses

If the estate, trust or fiduciary has a foreign address, enter the information in the following order: city, province or state, and country. Follow the country's practice for entering the postal code. Do not abbreviate the country name.

Lines 5a through 5d – Check Box (*only one*)

If you are filing this return for a:	check box
resident estate	5a
nonresident estate	5b
resident trust	5c
nonresident trust	5d

Line 6

- Boxes 1, 2, and 3: Check the box(es) to identify the return type.
- Boxes A through H: Check **only** one box to identify the entity type.

NOTE: *If you check Box H (Qualified Funeral Trust – Composite Return), be sure to enter the number of QFTs participating in the composite return.*

Line 7 - Federal Taxable Income of Fiduciary

An Arizona resident estate or trust should enter the federal taxable income shown on page 1 of the federal fiduciary return, Form 1041 (or Form 1041-QFT).

A nonresident estate or trust must complete Form 141AZ, Schedule A, before entering an amount on line 7. For a nonresident estate or trust, the fiduciary should enter the amount from Form 141AZ; Schedule A, line A6 on line 7.

NOTE: *Before completing the rest of page 1 of Form 141AZ, complete Schedules A, B, C, D, and E, as necessary.*

Schedule A - Nonresident Estate or Trust Source Income Schedule

Use Schedule A to compute the federal taxable income of the **nonresident** estate or trust from Arizona sources. All nonresident estates and nonresident trusts must complete Schedule A.

Resident estates and resident trusts skip Schedule A.

Federal Column

Enter all items of income and deductions that correspond to those items listed on the federal fiduciary return.

Line A5 should equal the federal taxable income reported on the federal fiduciary return.

Arizona Column

Enter that part of each item of income and deductions reported in the federal column that is derived from Arizona sources. Intangible income will not be considered to be from Arizona sources except where it is part of a business, trade, or occupation carried on in Arizona.

Schedule B - Fiduciary Adjustment

Fiduciary adjustment increasing federal taxable income

Use Schedule B, lines B1 through B4, to figure the amount of fiduciary adjustment that increases federal taxable income.

Line B1 - Positive Arizona Fiduciary Adjustment From Another Estate or Trust

Use this adjustment only if the estate or trust's Form 141AZ Schedule K-1, indicates a difference between federal and state distributable income. If the amount shown on the Form 141AZ Schedule K-1 is a positive number, enter that amount.

Line B2 - Non-Arizona Municipal Bond Interest

Arizona taxes interest received from non-Arizona municipal bonds. Enter the amount of this type of interest income that you did not include on the federal return.

You may exclude any expenses incurred to purchase or hold the bond(s). Reduce the interest income by the amount of expenses that you could not deduct on your federal return.

Line B3 - Other Additions to Federal Taxable Income

Enter any other additions, including those shown below, to federal taxable income. Include your own schedule.

A. Total Depreciation Included in Arizona Gross Income

Include the amount of depreciation deducted on the federal return that is included in Arizona gross income. If you make an entry here, also see the instructions for line B9, "*Other Subtractions From Federal Taxable Income.*"

B. Net Operating Losses

Arizona does not have specific provisions for calculating the net operating loss of estates or trusts. Generally, the net operating loss deduction included in the federal taxable income is the amount allowable for Arizona purposes. There are, however, instances when the amount allowable for Arizona may be different.

You must adjust the net operating loss deduction included in the federal taxable income if the estate or trust has already deducted any amount of the net operating loss included in federal taxable income for Arizona purposes. Include on line B3, the amount of net operating loss included in federal taxable income that was previously deducted for Arizona purposes.

Usually, Arizona conforms to the federal net operating loss and the carryback provisions. Arizona, however, did not conform to the special federal net operating loss rules for 2008 and 2009. Under the special rules for 2008 and 2009, a taxpayer could have elected to carry the net operating loss back for 3, 4, or 5 years, instead of the normal 2 years.

This election would have been allowed under IRC § 172(b)(1)(H) as amended by the American Recovery and Reinvestment Act of 2009 or the Worker, Homeownership, and Business Assistance Act of 2009. If a taxpayer deducted a federal net operating loss carryback under the federal American Recovery and Reinvestment Act of 2009 or the federal Worker, Homeownership, and Business Assistance Act of 2009, see the instructions for line B9, (K).

For information on deducting a net operating loss carryback in cases where a taxpayer did not make an election under IRC § 172(b)(1)(H), see the department's procedure, ITP 13-1, *Procedure for Individuals Deducting a Net Operating Loss Carryback.*

C. Annuity Income in Excess of Contributions

Make this adjustment if both of the following apply.

1. The estate or trust received annuity income and the first payment received from the annuity was before December 31, 1978.
2. The sum of the proceeds received from the annuity in all taxable years prior to and including the current tax year exceeds the total consideration premiums paid.

D. Excess of a Partner's Share of Partnership Taxable Income or Loss**Resident Estates and Trusts:**

Make this adjustment if the Arizona Form 165 Schedule K-1 shows a difference between federal and state distributable income.

If the difference reported on line 3 of your Arizona Form 165 Schedule K-1 is a positive number, include that difference as an addition on line B3.

NOTE: *If the difference reported on line 3, of your Arizona Form 165 Schedule K-1 is a negative number, enter that difference as a subtraction on line B9.*

Amending Form 141AZ and Reporting Arizona Form 165PA K-1 Positive Adjustment

If the estate or trust received an Arizona Form 165PA Schedule K-1 include the positive adjustment amount reported on Form 165PA Schedule K-1, line 3, with the total amount of additions reported on line B3.

Nonresident Estates and Trusts

Make this adjustment if the Arizona Form 165 Schedule K-1(NR) shows a difference between federal and state distributable income.

If the difference reported on line 17, column (c), of your Arizona Form 165 Schedule K-1(NR) is a positive number, include that difference as an addition on line B3.

NOTE: *If the difference reported on line 17, column (c), of your Arizona Form 165 Schedule K-1(NR) is a negative number, enter that difference as a subtraction on line B9.*

Amending Form 141AZ and Reporting Arizona Form 165PA Schedule K-1(NR) Positive Adjustment

If the estate or trust received an Arizona Form 165PA Schedule K-1(NR) include the positive adjustment amount reported on Form 165PA Schedule K-1(NR), line 5, with the total amount of additions reported on line B3.

E. Claim of Right Adjustment for Amounts Repaid in 2021

You must make an entry here if **all** of the following apply.

1. During 2021, the estate or trust was required to repay amounts held under a claim of right.
2. The amount required to be repaid was subject to Arizona income tax in the year included in income.
3. The amount required to be repaid during 2021 was more than \$3,000.
4. The estate or trust took a deduction for the amount repaid on its 2021 federal income tax return.
5. The deduction taken on the estate or trust's federal income tax return is reflected in the Arizona taxable income.

If all of the above apply, include the amount deducted on the federal income tax return that is reflected in the Arizona taxable income.

For more information on the Arizona claim of right provisions, see the department's procedure, ITP 16-1, *Procedure for Individuals Who Restore Substantial Amounts Held Under a Claim of Right*.

F. Claim of Right Adjustment for Amounts Repaid in Prior Taxable Years

You must make an entry here if **all** of the following apply.

1. During a year prior to 2021, the estate or trust was required to repay amounts held under a claim of right.
2. The estate or trust computed its tax for that prior year under Arizona's claim of right provisions.
3. A net operating loss or capital loss was established due to the repayment made in the prior year.
4. The estate or trust is entitled to take that net operating loss or capital loss carryover into account when computing its 2021 Arizona taxable income.
5. The amount of the loss carryover included in the estate or trust's federal income is more than the amount allowed to be taken into account for Arizona purposes.

Include the amount by which the loss carryover included in the federal income is more than the amount allowed for the taxable year under Arizona law.

G. Nonqualified Withdrawals from 529 College Savings Plans

Make this adjustment if both of the following apply.

1. The estate or trust received a nonqualified withdrawal from a 529 college savings plan.
2. The amount of withdrawal was not included in the federal taxable income.

The amount that the fiduciary must add is the amount of withdrawal, but no more than the difference between the amount of contributions subtracted in prior years and the amount added in any prior years.

A nonqualified withdrawal is a withdrawal other than any of the following.

- A qualified withdrawal. A qualified withdrawal is a withdrawal from an account to pay the qualified higher education expenses of the designated beneficiary of the account.
- A withdrawal made as the result of the death or disability of the designated beneficiary of an account.
- A withdrawal that is made on the account of a scholarship, or the allowance or payment described in IRC § 135(d)(1)(B) or (C), and that is received by the designated beneficiary, but only to the extent of the amount of this scholarship, allowance, or payment.
- A rollover or change of designated beneficiary.

H. Estate Loss of an Arizona Nonprofit Medical Marijuana Dispensary (NMMD) included in Federal Adjusted Gross Income

If the NMMD was registered to an individual as a sole proprietorship and the NMMD becomes part of the individual's estate after the individual died, the estate is required to add the amount of the loss from the dispensary that

is included in the computation of the estate's federal adjusted gross income. Include the amount of the loss on line B3.

I. Americans with Disabilities Act Access Expenditures

If a subtraction is taken on Schedule B, line B9, for the full amount of eligible access expenditures paid or incurred during the taxable year to comply with the requirements of the Americans with Disabilities Act of 1990 or Title 41, Chapter 9, Article 8, any amount of eligible access expenditures that is recognized under the internal revenue code, including any amount that is amortized according to federal amortization schedules, and that is included in computing taxable income for the current taxable year must be added to Arizona gross income. (A.R.S. § 43-1021)

J. Other Adjustments

Other special adjustments may be necessary. You may need to make an addition for depreciation or amortization. Call one of the numbers listed on page 1 of these instructions if any of the following apply.

1. You sold or disposed of property that was held for the production of income and your basis was computed under the Arizona Income Tax Act of 1954.
2. You elected to amortize the basis of a pollution control device or the cost of a childcare facility under Arizona law in effect before 1990. You are still deducting amortization or depreciation for that device or facility on your federal income tax return.

Line B4 - Total Adjustments Increasing Federal Taxable Income

Add lines B1 through B3. Enter the total.

Lines B5 through B10 - Fiduciary Adjustment Decreasing Federal Taxable Income

Use Schedule B, lines B5 through B10, to figure the amount of fiduciary adjustment that decreases federal taxable income.

You may only subtract those items for which statutory authority exists. Without such authority, you cannot take a subtraction. If you have any questions concerning subtractions from income, call one of the numbers listed on page 1 of these instructions.

NOTE: *You cannot subtract any amount that is allocable to income excluded from Arizona taxable income.*

Enter the following other subtractions from federal taxable income. Include your own schedule.

Line B5 - Negative Arizona Fiduciary Adjustment From Another Estate or Trust

Use this adjustment only if the Form 141AZ Schedule K-1, indicates a difference between federal and state distributable income. If the amount shown on the Form 141AZ Schedule K-1 is a negative number, enter that amount here.

Line B6 - Interest Received on U.S. Obligations

Enter the amount of interest income from U.S. Government obligations included on page 1, line 7. U.S. Government obligations include obligations such as U.S. savings bonds and

treasury bills. You cannot deduct any interest or other related expenses incurred to purchase or carry the obligations. If such expenses are included in Arizona gross income, you must reduce the subtraction by such expenses. Reduce the subtraction only by the amount of such expenses included in your Arizona gross income.

NOTE: *Do not subtract interest earned on Fannie Mae (FNMA) or Ginnie Mae (GNMA) bonds since this interest is taxable by Arizona. For details, see the department's ruling, ITR 06-1, Obligations of the United States Government, Federal Agencies, and United States Territories.*

Do not subtract any amount received from a qualified pension plan that invests in U.S. Government obligations. Do not subtract any amount received from an IRA that invests in U.S. Government obligations. These amounts are not interest income.

For more information, see the department's rulings, ITR 96-2, *Pension Plan Distributions Derived from Investment in U.S. Government Obligations*; and ITR 96-3, *Distributions Comprised of Income Earned by the IRA*.

Line B7 - Refunds From Other States

Enter any state income tax refunds received from states other than Arizona. Enter an amount only to the extent it is included on page 1, line 7, of Form 141AZ.

Line B8 - Reserved

Do not enter an amount on line B8.

Line B9 - Other Subtractions from Federal Taxable Income

Enter any other subtractions, including those shown below, to federal taxable income. Include your own schedule.

A. Exclusion for U.S. Government, Arizona State, or Local Government Pensions

This subtraction does not apply to nonresident estates or trusts.

If the estate or trust received pension income from any of the sources listed below, subtract the amount received or \$2,500, whichever is less. Only include amounts which the estate or trust reported as income on the federal return.

Public Pensions From the Following Sources Qualify for This Subtraction:

- the United States Government Service Retirement and Disability Fund;
- the United States Foreign Service Retirement and Disability System;
- retired or retainer pay of the uniformed services of the United States; and
- any other retirement system or plan established by federal law;

NOTE: *This applies only to those retirement plans authorized and enacted into the U.S. Code. This does not apply to a retirement plan that is only regulated by federal law (i.e., plans that must meet certain federal criteria to be qualified plans).*

- the Arizona State Retirement System;

- the Arizona State Retirement Plan;
- the Corrections Officer Retirement Plan;
- the Public Safety Personnel Retirement Plan;
- the Elected Officials' Retirement Plan;
- a retirement plan established for employees of a county, city, or town in Arizona;
- an optional retirement program established by the Arizona Board of Regents under Arizona Revised Statutes; and
- an optional retirement program established by an Arizona community college district.

NOTE: *Public retirement pensions from states other than Arizona do not qualify for this subtraction.*

B. Qualified Wood Stove, Wood Fireplace, or Gas Fired Fireplace

Arizona allows a subtraction for converting an existing fireplace to one of the following:

- a qualified wood stove;
- a qualified wood fireplace; or
- a gas fired fireplace and non-optional equipment directly related to its operation.

You may subtract up to \$500 for converting an existing fireplace on property located in Arizona to a qualified wood stove, qualified wood fireplace, or gas fired fireplace.

C. Claim of Right Adjustment for Amounts Repaid in Prior Taxable Years

You must make an entry here if **all** of the following apply.

1. During a year prior to 2021, the estate or trust was required to repay amounts held under a claim of right.
2. The estate or trust computed its tax for that prior year under Arizona's claim of right provisions.
3. A net operating loss or capital loss was established due to the repayment made in the prior year.
4. The estate or trust is entitled to take that net operating loss or capital loss carryover into account when computing its 2021 Arizona taxable income.
5. The amount of the loss carryover allowed to be taken into account for Arizona purposes is more than the amount included in your federal income.

Include the amount by which the loss carryover allowed for the taxable year under Arizona law is more than the amount included in your federal income.

D. Certain Expenses Not Allowed For Federal Purposes

The estate or trust may subtract some expenses that it cannot deduct on its federal return when the estate or trust claims certain federal tax credits. These federal tax credits include the following:

- the federal work opportunity credit;
- the empowerment zone employment credit;
- the credit for employer-paid social security taxes on employee cash tips; and
- the Indian employment credit.

If the estate or trust claimed any of these federal tax credits for 2021, include the portion of wages or salaries it paid or incurred during the taxable year equal to the amount of those federal tax credits it received.

A nonresident estate or trust should include the amount of wages or salaries that it paid or incurred during the taxable year that is related to the income sourced to Arizona.

The subtraction is equal to the amount of the federal credits it received.

E. Agricultural Crops Given to Charitable Organizations

Arizona allows a subtraction for qualified crop gifts made during 2021 to one or more charitable organizations. To take this subtraction, **all** of the following must apply.

- The estate or trust must be engaged in the business of farming or processing agricultural crops.
- The crop must be grown in Arizona.
- The gift must be made to a charitable organization located in Arizona.
- The charitable organization must be exempt from Arizona income tax.

The subtraction is the greater of the wholesale market price or the most recent sale price for the crop given. The amount of the subtraction cannot include any amount deducted under IRC § 170 with respect to the crop contribution that exceeds the cost of producing the contributed crop.

To determine if the estate or trust's crop gift qualifies for this subtraction, see the department's procedure, ITP 12-1, *Establishing an Income Tax Subtraction for Agricultural Crops Contributed to Charitable Organizations*.

F. Installment Sale Income From Another State Taxed by the Other State in a Prior Taxable Year

This subtraction does not apply to nonresident estates or trusts.

The estate or trust may subtract any income from an installment sale that has been properly subjected to income tax in another state in a prior tax year. Include the amount of such income included in Arizona gross income in the current taxable year.

A nonresident estate or trust should include such payments only to the extent included in Arizona taxable income.

G. Recalculated Arizona Depreciation

Resident Estate or Trust

For assets placed in service in taxable years beginning before December 31, 2012, include the total amount of depreciation allowable pursuant to IRC § 167(a) for the taxable year calculated as if the taxpayer had elected not to claim bonus depreciation for eligible properties for federal purposes.

For assets placed in service during taxable years beginning from and after December 31, 2012, through December 31, 2013, include the amount of the subtraction for these assets depends on the method you used to compute the depreciation for these assets.

NOTE: For more information, see the department's procedure, ITP 16-2, Procedure for Individuals who Claim Federal and/or Arizona Bonus Depreciation.

For assets placed in service in taxable years beginning from and after December 31, 2013, through December 31, 2015, include the total amount of depreciation allowable pursuant to IRC § 167(a) for the taxable year calculated as if the bonus depreciation is 10% of the amount of federal bonus depreciation pursuant to IRC § 168(k).

For assets placed in service in taxable years beginning from and after December 31, 2015, through December 31, 2016, include the total amount of depreciation allowable pursuant to IRC § 167(a) for the taxable year calculated as if the bonus depreciation is 55% of the amount of federal bonus depreciation pursuant to IRC § 168(k).

For assets placed in service in taxable years beginning from and after December 31, 2016, include the total amount of depreciation attributable to assets used in an Arizona business allowable pursuant to IRC § 167(a) for the taxable year computed as if the bonus depreciation is the full amount of federal bonus depreciation pursuant to IRC § 168(k).

Add all amounts together and enter the total on line B9.

Nonresident Estate or Trust

For assets placed in service in taxable years beginning before December 31, 2012, include the total amount of depreciation attributable to assets used in an Arizona business allowable pursuant to IRC § 167(a) for the taxable year calculated as if the taxpayer had elected not to claim bonus depreciation for eligible properties for federal purposes.

For assets placed in service during taxable years beginning from and after December 31, 2012 through December 31, 2013, include the amount of the subtraction for these assets depends on the method you used to compute the depreciation for these assets. Enter the total amount of depreciation attributable to assets used in an Arizona business.

NOTE: For more information, see the department's procedure, ITP 16-2, Procedure for Individuals who Claim Federal and/or Arizona Bonus Depreciation.

For assets placed in service in taxable years beginning from and after December 31, 2013, through December 31, 2015, include the total amount of depreciation attributable to assets used in an Arizona business allowable pursuant to IRC § 167(a) for the taxable year calculated as if the bonus depreciation is 10% of the amount of federal bonus depreciation pursuant to IRC § 168(k).

For assets placed in service in taxable years beginning from and after December 31, 2015, through December 31, 2016, include the total amount of depreciation attributable to assets used in an Arizona business allowable pursuant to IRC § 167(a) for the taxable year calculated as if the bonus depreciation is 55% of the amount of federal bonus depreciation pursuant to IRC § 168(k).

For assets placed in service in taxable years beginning from and after December 31, 2016, include the total amount of depreciation attributable to assets used in an Arizona

business allowable pursuant to IRC § 167(a) for the taxable year computed as if the bonus depreciation is the full amount of federal bonus depreciation pursuant to IRC § 168(k).

Add all amounts together and enter the total on line B9.

H. Basis Adjustment for Property Sold or Otherwise Disposed of During the Taxable Year

With respect to property that is sold or otherwise disposed of during the taxable year by a taxpayer who has complied with the requirement to add back all depreciation with respect to that property on tax returns for all taxable years beginning from and after December 31, 1999, include the amount of depreciation that was allowed pursuant to IRC § 167(a), to the extent that the amount has not already reduced Arizona taxable income in the current or prior years. (Note: The practical effect of this is to allow a subtraction for the difference in basis for any asset for which bonus depreciation has been claimed on the federal return.) A nonresident estate or trust may make this adjustment for only property that was used in an Arizona business.

I. Federal Estate Taxes Paid by an Estate

An estate may subtract the amount of federal estate tax paid by the estate in the current taxable year. Include the amount of federal estate taxes paid in 2021.

J. Net Operating Loss Adjustment

This subtraction applies to only those estates or trusts that made an election under the special federal net operating loss rules for 2008 and 2009. Under these federal rules for 2008 and 2009, an estate or trust could have elected to carry the net operating loss back for 3, 4, or 5 years, instead of the normal 2 years.

This election would have been allowed under IRC § 172(b)(1)(H) as amended by the American Recovery and Reinvestment Act of 2009 or the Worker, Homeownership, and Business Assistance Act of 2009.

Arizona did not adopt the special federal net operating loss rules for losses incurred during 2008 or 2009. For Arizona purposes, estates or trusts must deduct a net operating loss as if the loss was computed under IRC § 172 in effect prior to the enactment of those special rules.

Resident Estate or Trust

If the estate or trust made an election to deduct a 2008 or 2009 federal net operating loss under IRC § 172(b)(1)(H), the estate or trust may have to enter an amount here. Figure how much of the net operating loss carry forward would have been allowed as a deduction on the estate or trust's 2021 federal income tax return, if the election described in IRC § 172(b)(1)(H) had not been made in the year of the loss. On line B9, include the amount that exceeds the actual net operating loss carry forward that was deducted in arriving at federal taxable income.

Nonresident Estate or Trust

Figure how much of the net operating loss carry forward would have been allowed as a deduction on the estate or trust's 2021 federal income tax return, if the election described

in IRC § 172(b)(1)(H) had not been made in the year of the loss. Then figure how much of the carry forward computed under that method was derived from Arizona source losses. The amount the estate or trust may take as a subtraction is the difference between the amount of Arizona source net operating loss carryover allowable as a deduction for federal purposes under the *as if* calculation and the amount of the Arizona source net operating loss deduction actually taken for federal purposes that the estate or trust included in its Arizona gross income. On line B9, include the amount of allowable Arizona source loss carry forward deduction that exceeds the actual amount of Arizona source net operating loss carry forward deduction that was deducted in arriving at Arizona gross income.

NOTE: *As an Arizona nonresident estate or trust, the estate or trust may have had a loss from prior year Arizona business operations. However, the loss cannot offset this year's income unless the as if calculation results in an Arizona source net operating loss deduction for federal purposes. The estate or trust can only take this subtraction if the as if federal net operating loss deduction for 2021 includes Arizona source losses that have not been absorbed by non-Arizona income in any intervening years. The estate or trust cannot subtract any amount of that net operating loss that has been absorbed by non-Arizona income in any intervening years. The estate or trust also cannot take a subtraction for any amount that has already been deducted for Arizona purposes.*

K. Estate Income of an Arizona Nonprofit Medical Marijuana Dispensary (NMMD) included in Federal Adjusted Gross Income

If the NMMD was registered to an individual as a sole proprietorship and the NMMD becomes part of the individual's estate after the individual died, the estate may subtract the amount of the income from the dispensary that is included in the computation of the estate's federal adjusted gross income. Include the amount of the income on line B9.

Income from an Arizona Nonprofit Medical Marijuana Dispensary (NMMD) and dual licensees that have not made the election to operate on a for-profit basis may subtract the income portion that is taxed at the trust or estate level.

L. Estates and Trusts: Marijuana Establishments and Dual Licensees That Elected to Operate on a For-Profit Basis

Enter the total amount of ordinary and necessary expenses related to the sales of recreational use products reported on Arizona Schedule DFE, *Disallowed Federal Expense Schedule for Marijuana Establishments*, line 16.

Do not include Cost of Goods Sold in the total amount of expenses reported on this line. Include the amount of the expense on line B9.

This adjustment either is passed through to beneficiaries as part of the fiduciary adjustment or stays at the trust or estate level to the extent income is not distributed.

NOTE: A Trust or Estate must contact the Arizona Department of Health Services (ADHS) to make the election to operate on a for-profit basis.

M. Excess of a Partner's Share of Partnership Taxable Income or Loss

Resident Estate or Trust

Make this adjustment if the Arizona Form 165, Schedule K-1 shows a difference between federal and state distributable income. If the difference reported on line 3, of your Arizona Form 165 Schedule K-1 is a negative number, include that difference as a subtraction on line B9.

NOTE: *If the difference reported on line 3, of your Arizona Form 165 Schedule K-1 is a positive number, enter that difference as an addition on line B3.*

Amending Form 141AZ and Reporting Arizona Form 165PA Schedule K-1 Negative Adjustment

If the estate or trust received an Arizona Form 165PA Schedule K-1 include the negative adjustment amount reported on Form 165PA Schedule K-1, line 3; with the total amount of subtractions reported on line B9.

Nonresident Estate or Trust

Make this adjustment if the Arizona Form 165, Schedule K-1(NR) shows a difference between federal and state distributable income.

If the difference reported on line 17, column (c), of your Arizona Form 165 Schedule K-1(NR) is a negative number, include that difference as a subtraction on line B9.

NOTE: *If the difference reported on line 17, column (c), of your Arizona Form 165 Schedule K-1(NR) is a positive number, enter that difference as an addition on line on B3.*

Amending Form 141AZ and Reporting Arizona Form 165PA Schedule K-1(NR) Negative Adjustment

If the estate or trust received an Arizona Form 165PA Schedule K-1(NR) include the negative adjustment amount reported on Form 165PA Schedule K-1(NR), line 5, with the total amount of subtractions reported on line B9.

N. Americans with Disabilities Act Access Expenditures

A subtraction is allowed for eligible business access expenditures paid or incurred during the taxable year to comply with the requirements of the Americans with disabilities act of 1990 or A.R.S. Title 41, chapter 9, article 8, by retrofitting developed real property that was originally placed in service at least ten years before the current taxable year. (A.R.S. §§ 43-1022 and 43-1024)

"Eligible business access expenditures" include reasonable and necessary amounts paid or incurred to do the following.

- Remove any barriers that prevent a business from being accessible to or usable by individuals with disabilities.
- Provide qualified interpreters or other methods of making audio materials available to hearing-impaired individuals.

- Provide qualified readers, taped texts and other effective methods of making visually delivered materials available to individuals with visual impairments.
- Acquire or modify equipment or devices for individuals with disabilities.
- Provide other similar services, modifications, materials or equipment.

NOTE: A taxpayer who has been cited for noncompliance with the Americans with Disabilities Act of 1990 or Title 41, Chapter 9, Article 8 by either federal or state enforcement officials is ineligible for a subtraction under this section for any expenditure required to cure the cited violation.

On line B9, include the amount of allowable expenses paid or incurred during the tax year.

O. Other Adjustments

Other special adjustments may be necessary. Call one of the numbers listed on page 1 of these instructions if any of the following apply:

- You sold or disposed of property that was held for the production of income and your basis was computed under the Arizona Income Tax Act of 1954.
- You deferred exploration expenses determined under IRC § 617 in a taxable year ending before January 1, 1990, and you have not previously taken a subtraction for those expenses.

Line B10 - Total Adjustments Decreasing Federal Taxable Income

Add lines B5 through B9. Enter the total.

Line B11 - Net Fiduciary Adjustment

Subtract the amount on line B10 from the amount on line B4 and enter the difference. Also, enter the difference on Form 141AZ, line 8.

Schedule C - Fiduciary Adjustment Allocation

Use Schedule C to determine the allocation of the shares of the Arizona fiduciary adjustment. This adjustment is divided among the beneficiaries and the fiduciary in proportion to their share of the federal distributable net income. If there is no federal distributable net income, each beneficiary's share of the adjustment is in proportion to each share of the estate or trust income distributed. Any balance of the adjustment not allocated to the beneficiaries is allocable to the fiduciary.

Lines C1 through C10 -

In column (a), enter the name of each beneficiary. In column (b), enter each beneficiary's share of the federal distributable net income. In column (c), enter the percentage of the estate or trust to be distributed to each beneficiary in accordance with the documents or laws controlling distribution of the estate or trust. If the estate or trust has more than 10 beneficiaries, complete an additional schedule. The schedule should show the same information required on lines C1 through C10.

Line C11

Add the amounts on lines C1 through C10 in column (b). Add the percent on lines C1 through C10 in column (c). If the fiduciary completed an additional schedule because there are more than 10 beneficiaries, include the amounts from the additional schedule on line C11.

Line C12

In column (b), enter the fiduciary's share of the federal distributable net income. In column (c), enter the percentage of the fiduciary's share of federal distributable net income computed in accordance with the documents or laws controlling distribution of the estate or trust.

Lines C13 through C16

Complete lines C13 through C16 as instructed on the form.

Schedule D - Federal Distributable Net Income From Arizona Sources

Use Schedule D to determine the net estate or trust income reportable to Arizona by **nonresident beneficiaries**. Use the information in Schedule D to complete Form 141AZ Schedule K-1(NR) for nonresident beneficiaries.

The fiduciary should complete Schedule D only if the trust or estate has Arizona nonresident beneficiaries. If the trust or estate does not have any nonresident beneficiaries, the fiduciary should skip Schedule D.

Lines D1 through D9

In column (b), enter an amount for each item from which federal distributable net income is comprised. The total entered on line D9, column (b), should equal the federal distributable net income.

In column (c), enter that portion of federal distributable net income derived from Arizona sources. Such income includes Arizona rental and business income, and gains on the sale of Arizona property.

Schedule E - Questions

Answer the questions on lines E1 through E7.

Tax Computation – Page 1

Lines 7 - Federal Taxable Income

- Resident estates or trusts enter federal taxable income from federal Form 1041.
- Nonresident estates or trusts enter the amount from Arizona Form 141AZ, Schedule A, line A6.

Line 8 - Net Fiduciary Adjustment

Enter the amount from Form 141AZ, Schedule B; line B11. If the difference is negative, **do not enter the amount in brackets**.

Line 9 - Net Fiduciary Adjustment Allocated to Beneficiaries

Enter the amount from Form 141AZ, Schedule C; line C15.

Line 10 - Net Fiduciary Adjustment Allocated to Fiduciary

Enter the amount from Form 141AZ, Schedule C; line C16

Line 11 - Subtotal

Complete line 11 as instructed on page 1 of the form.

Line 12a - Electing Small Business Trust (ESBT) Income

Enter the federal taxable income of Electing Small Business Trusts (ESBT) from the IRC § 641(c) worksheet included with your federal Form 1041.

Include a copy of the worksheet with the Arizona return.

A nonresident trust should enter the amount of ESBT income received from the S corporation that was derived from sources within Arizona.

Line 12b - Undistributed Net Capital (Loss) derived from Exchange of one Kind of Legal Tender for Another Kind of Legal Tender

To determine if you are required to make this addition to income, you must net **all** gains and (losses) from all exchanges of one kind of legal tender for another kind of legal tender including amounts shown on Form 165 Schedule K-1, Form 120S Schedule K-1, and Form 141AZ, Schedule K-1.

Enter the amount of any net capital (loss) included in Arizona gross income for the taxable year that is derived from the exchange of one kind of legal tender for another kind of legal tender.

NOTE: *If the amount from all sources results in a net capital gain from the exchange of one kind of legal tender for another kind of legal tender, enter that amount on line 14b.*

For the purposes of this subtraction:

(a) "Legal tender" means a medium of exchange, including specie, that is authorized by the United States Constitution or Congress for the payment of debts, public charges, taxes and dues.

(b) "Specie" means coins having precious metal content.

Line 13 -

Add lines 11, 12a, and 12b. Enter the total.

Line 14a - Undistributed Net Capital Gain derived from Investment in Qualified Small Business

The estate or trust may subtract the amount of any undistributed net capital gain included in federal adjusted gross income for the taxable year derived from investment in a qualified small business as determined by the Arizona Commerce Authority (ACA) pursuant to A.R.S. § 41-1518.

To qualify for this subtraction, the investment in the qualified small business must have been made after the ACA certified the company as a qualified small business and before the company's certification expiration date.

An investment made prior to certification or after the expiration of certification does not qualify for this subtraction.

See the ACA's website, *Small Business Incentives: Angel Investment*, for a list of certified businesses and their certification dates.

Line 14b - Undistributed Net Capital Gain derived from Exchange of one Kind of Legal Tender for Another Kind of Legal Tender

NOTE: *To take this subtraction you must net **all** gains and (losses) from all exchanges of one kind of legal tender for another kind of legal tender including amounts shown on Form 165 Schedule K-1, Form 120S Schedule K-1, and Form 141AZ, Schedule K-1.*

Enter the amount of any net capital gain included in Arizona gross income for the taxable year that is derived from the exchange of one kind of legal tender for another kind of legal tender.

NOTE: *If the amount from all sources results in a net capital (loss) from the exchange of one kind of legal tender for another kind of legal tender, enter that amount on line 12b.*

For the purposes of this subtraction:

(a) "Legal tender" means a medium of exchange, including specie, that is authorized by the United States Constitution or Congress for the payment of debts, public charges, taxes and dues.

(b) "Specie" means coins having precious metal content.

CAUTION: *If any amount entered on line 14a or line 14b includes a long-term capital gain from an investment made **after** December 31, 2011, you cannot include that portion in your computation of the allowable subtraction for any net long-term capital gain from assets acquired after December 31, 2011, and included in federal adjusted gross income.*

Lines 15a through 15e - Net Capital Gain or (Loss) and Net Long-Term Capital Gain Subtraction for Assets Acquired After December 31, 2011.

The estate or trust may subtract a percentage of any net long-term capital gain included in the federal taxable income of a resident estate or trust (or the Arizona gross income of a nonresident estate or trust) that is derived from an investment in an asset acquired after December 31, 2011. For 2020, the percentage is 25% (.25).

The estate or trust must complete the worksheet at the end of these instructions, *Worksheet for Net Long-Term Capital Gains Subtraction for Assets Acquired after December 31, 2011*, to take the allowable subtraction.

NOTE: *If the estate or trust does not have any capital gain or (loss) to report, enter "0" on lines 15a through 15c.*

Line 15a - Total Net Capital Gain or (Loss)

Enter the total net capital gain or (loss) reported on Form 1041 Schedule D. This amount should be reported in federal taxable income.

Line 15b - Total Net Short-Term Capital Gain or (Loss)

Enter the total amount of net short-term capital gain or (loss) reported on Form 1041 Schedule D. This amount should be reported in federal taxable income.

Line 15c - Total Net Long-Term Capital Gain or (Loss)

Enter the total amount of net long-term capital gain or (loss) reported on Form 1041 Schedule D. This amount should be reported in federal taxable income.

If the estate or trust's net long-term capital gain (loss) is limited to an amount reported on Form 1099-DIV and the estate or trust was not required to complete federal 1041 Schedule D, enter the amount shown on Form 1099-DIV on line 15c.

Line 15d - Net Long-Term Capital Gain From Assets Acquired After December 31, 2011

Only include net long-term capital gain on this line if it can be verified that the asset was acquired after December 31, 2011. If the date of acquisition cannot be determined, the asset is considered to be acquired before January 1, 2012.

For purposes of this line, an asset acquired by gift or inheritance is considered acquired on the date that it was acquired by the gift-giver or deceased individual.

If you did not complete the worksheet at the end of these instructions and the estate or trust does not have a net long-term capital gain from assets acquired after December 31, 2011, enter "0".

If you completed the worksheet at the end of these instructions, enter the amount from line 5 of the worksheet.

Line 15e - Net Long-Term Capital Gain Subtraction from Income

Multiply the amount on line 15d by 25% (.25) and enter the result on line 15e.

Line 16 - Arizona Taxable Income

Subtract lines 14a, 14b, and 15e from line 13. Enter the difference. If less than zero, enter "0".

Line 17 - Tax Amount

NOTE: Beginning with tax year 2021, the tax table for estates and trusts will no longer be provided as part of these instructions.

The tax table is available on the department's website at: www.azdor.gov/forms/fiduciary-forms

Compute the tax using the 2021 Tax Table for Estates and Trusts.

Line 18 - Credit for Taxes Paid to Another State or Country

If both Arizona and another state or country considers an estate or trust to be a resident, Arizona will allow the estate or trust a tax credit against the Arizona income tax liability for taxes paid to the other state or country.

The credit allowed on the Arizona fiduciary return is subject to the following conditions:

1. The credit is allowed only for the proportion of the taxes paid to the other state or country that the income taxable to Arizona and also subject to tax in the other state or country bears to the entire income on which the taxes paid to the other state or country are imposed.
2. The credit cannot exceed the proportion of the tax payable to Arizona that the income subject to tax in the other state or country and also taxable to Arizona bears to the entire income that is taxable to Arizona.
3. The credit is not allowed for taxes paid to the other state or country on income from sources within Arizona.

If claiming this tax credit, the estate or trust must include the following items with the Form 141AZ:

1. a copy of the other state or country's income tax return; and
2. a schedule showing how the credit was calculated.

Line 19 - Balance of Tax

Subtract line 18 from line 17 and enter the difference. If line 18 is more than line 17, enter "0."

Payments**Line 20 (Boxes a, b and c) - Arizona Estimated Tax Payments; Arizona Claim of Right**

Use this line if you did any of the following:

- made 2021 estimated tax payments to Arizona, or
- recomputed a prior year's tax under Arizona Claim of Right provisions. You must also complete and include the Arizona Claim of Right schedule with your income tax return. If you fail to complete and include the schedule, the amount of your claim may be denied. The schedule is available on the department's website at www.azdor.gov.

Box 20a: Enter the total amount of estimated taxes paid and/or applied to the estate or trust's 2021 taxes.

Box 20b: Enter the amount from your *Arizona Claim of Right* schedule, line 8.

If you completed more than one Claim of Right schedule for the current taxable year, add all amounts on line 8 and enter the total in box 20b.

NOTE: For more information on Arizona's Claim of Right provisions, see the department's procedure, ITP 16-1, Procedure for Individuals Who Restore Substantial Amounts Held under a Claim of Right.

Line 20c: Add the amounts in box 20a and box 20b and enter the total on line 20c.

Line 21 - Payment With Extension

Enter the amount of payment made with an extension request on Form 141AZ EXT.

Line 22 - Arizona Income Tax Withheld

Use line 22 to claim a credit for any Arizona income tax withheld (and not repaid) by:

1. an employer on wages and salaries of a decedent received by the decedent's estate,
2. a payer of certain gambling winnings (e.g., state lottery winnings), or
3. a payer of distributions from pensions, annuities, retirement, or profit-sharing plans received by a decedent's estate or trust.

Include a copy of each Form W-2, Form W-2G, or Form 1099-R with the return.

Line 23 - Payment With Original Return (if amending)

Enter the payment sent with the original Form 141AZ return. Also, include any additional tax payments made after the return was filed.

Line 24 - Total Payments

Add lines 20c through 23. Enter the total.

Line 25 - Refund From Original Return (if amending)

Enter any refunds received from your original filing.

Line 26 - Balance of Payments

Subtract line 25 from line 24. Enter the difference.

Overpayment or Balance Due**Line 27 - Balance Due**

If line 19 is greater than line 26, subtract line 26 from line 19. The estate or trust owes this amount. You may pay the balance due only with a check, money order, or electronic check.

Check or money order

Include your check or money order with your return. Please do not send cash. Make the check payable to the Arizona Department of Revenue. Write the estate or trust's EIN and tax year on the front of the check or money order. The department cannot accept checks or money orders in foreign currency. You must make payment in U.S. dollars.

Electronic Payment From Your Checking or Savings Account

You can make an electronic payment from your checking or savings account to pay your balance due for 2021. There is no fee to use this method. To make an electronic payment, go to www.AZTaxes.gov and click on the "Make a Payment" link.

Be sure to enter the correct routing number and account number for your checking or savings account. You will be charged a \$50 NSF (non-sufficient funds) fee if you provide an incorrect routing number or an incorrect account number. Check with your financial institution to get the correct account and routing numbers.

The "E-Check" option in the "Payment Method" drop-down box will debit the amount from the checking or savings account that you specify.

If you make an electronic payment from your checking or savings account, you will receive a confirmation number. **Please keep this confirmation number as proof of payment.**

NOTE: *You may not make an electronic payment from your checking or savings account if the payment will ultimately be coming from a foreign account. In this case, you must pay by check or money order.*

Line 28 - Refund Due

If line 26 is greater than line 19, subtract line 19 from line 26.

Line 29 - Amount of Line 28 to be Applied to 2022 Estimated Tax

If the estate or trust wants all or part of the refund applied to next year's Arizona estimated taxes, enter that amount.

Line 30 - Balance of Refund/Overpayment

Subtract line 29 from line 28. Enter the difference.

TAX TIP: *If the estate or trust's address changes before it receives its refund let the department, know. Write to: Refund Desk, Arizona Department of Revenue, PO Box 29216, Phoenix, AZ 85038-9216. Include the EIN in the letter.*

Direct Deposit of Refund

Complete the direct deposit line if you want us to directly deposit the amount shown on line 30 into your account at a bank or other financial institution (such as a mutual fund, brokerage firm or credit union) instead of sending you a check.

NOTE: *Check the box on line 30A if the direct deposit will ultimately be placed in a foreign account. If you check box 30A, do not enter your routing or account numbers. If this box is checked, we will not direct deposit your refund. We will send you a check instead.*

Why use Direct Deposit?

- You will get your refund fast – even faster if you e-file!
- Payment is more secure - there is no check to get lost.
- It is more convenient. No trip to the bank to deposit your check.
- It saves tax dollars. A refund by direct deposit costs less to process than a check.

NOTE: *We are not responsible for a lost refund if you enter the wrong account information. Check with your financial institution to get the correct routing and account numbers and to make sure your direct deposit will be accepted.*

Routing Number**MAKE SURE YOU ENTER THE CORRECT ROUTING NUMBER**

The routing number must be nine digits. The first 2 digits must be 01 through 12 or 21 through 32. Otherwise, the direct deposit will be rejected and a check sent instead. On the following sample check, the routing number is 250250025.

Sample Check

JOHN DOE OR JANE DOE
123 First Street
Sometown, AZ 00000

PAY TO THE ORDER OF SAMPLE \$ 1234 DOLLARS

THIS BANK Sometown, AZ 00000

For 250250025 20202086 1234

Do not include the check number.

Note: The routing and account numbers may be in different places on your check.

Your check may state that it is payable through a financial institution different from the one at which you have your checking account. If so, do not use the routing number on that check. Instead, contact your financial institution for the correct routing number to enter here.

Account Number**MAKE SURE YOU ENTER THE CORRECT ACCOUNT NUMBER.**

The account number can be up to 17 characters (both numbers and letters). DO NOT include hyphens, spaces or special symbols. Enter the number from left to right and leave any unused boxes blank. On the sample check, the account number is 20202086. Be sure not to include the check number.

NOTE: *If the direct deposit is rejected a check will be mailed instead.*

Declaration

The individual or authorized officer of the organization receiving or having custody, control, or management of the income of the estate or trust must sign the declaration.

If two or more individuals act jointly as fiduciaries, any one of them may sign the declaration.

Filing Reminder to Fiduciary Filers

1. **Do not staple the return. Do not staple any document, schedule or payment to the return.**
2. Be sure to use the correct year's form to file the return. Also, be sure to clearly mark the period covered by the return.
3. Enter the correct EIN on the return.
4. If the estate or trust is ready to file but has not yet received an EIN, it may file the return. Let us know what the number is as soon as it is received.

Mail the correspondence to:

Customer Care
Arizona Department of Revenue
PO Box 29086
Phoenix, AZ 85038-9086

5. Write the estate or trust's EIN and tax year on the front of all checks and correspondence. Include the check with the return.
6. Do **not** attach correspondence to the back of the return. Mail all correspondence separate from returns to:

Customer Care
Arizona Department of Revenue
PO Box 29086
Phoenix, AZ 85038-9086

7. When filing returns that generate a refund due to any previous payments (i.e., amount paid with extension, amount paid as estimated payment, amount paid with original returns), it may speed up the refund process if a copy of the canceled check of the previous payment accompanies the return generating the refund.
8. If the estate or trust is a fiscal year filer (for periods not ending on December 31), use the Tax Table for the prior year. Example: If filing for April 1, 2020, to March 31, 2021, use the 2020 Tax Table. If this return is for a short taxable year, use the 2021 Tax Table. Example: If filing for June 1, 2021, to November 30, 2021, use the 2021 Tax Table.
9. If the income is taxable but deductions bring the return to zero, make sure all necessary lines are filled in to support this declaration.
10. Grantor trusts file an information return using Form 141AZ showing no numerical figures for lines 7 through 30. Taxable income on a grantor trust reverts to the grantor. The grantor reports this income on the Arizona individual income tax return. The fiduciary should indicate that the return is for a grantor trust by checking the appropriate box on line 6.
11. When filing an amended Form 141AZ return, be sure the return is marked as an amended return. You must plainly mark an amended return "amended" by checking the appropriate box on line 6. If amending the 2021 return use the 2021 form. If amending a different tax year, use the Form 141AZ for that tax year.
12. File returns on time to avoid late filing and/or late payment penalties. Returns are due on the 15th day of the fourth (4th) month from the date the tax period ends.

Make Sure You Put Enough Postage on The Envelope

The U.S. Post Office or United States mail service must postmark your return or extension request by midnight April 18, 2022.

The term "United States mail" includes any private delivery service designated by the United States Secretary of the Treasury pursuant to IRC § 7502(f) and the term "postmark" includes any date recorded or marked by any such designated delivery service.

An income tax return that is mailed to the department is timely filed if it is delivered on or before its due date. Additionally, if the envelope or wrapper containing the return sent through the United States mail bears a postmark of the United States mail and that tax return is delivered to the department after its due date that return will be considered timely filed if all of the following apply:

1. The return was deposited in an official depository of the United States mail.

2. The date of the postmark is no later than the due date.
3. The return was properly addressed, and
4. The return had proper postage.

If the envelope or wrapper containing a return sent through the United States mail bears a private meter postmark made by other than the United States mail, the return is treated as timely filed if both of the following apply:

1. The private meter postmark bears a date on or before the due date for filing; and
2. The return is received no later than the time it would ordinarily have been received from the same point of origin by the same class of U.S. postage. If the return is received by the department within five business days of the private meter postmark date the department will consider this requirement satisfied.

You may also use certain private delivery services designated by the IRS to meet the “timely mailing as timely filed” rule.

For more information, see the department’s ruling, GTR 16-1, *Timely Filing of Income or Withholding Tax Returns Through the United States Mail*.

Taxpayer Identification Numbers

All returns, statements, and other documents filed with the Arizona Department of Revenue require a taxpayer identification number (TIN). The TIN for a trust or an estate is its employer identification number. The TIN for a grantor trust is the grantor’s SSN.

Taxpayers who fail to include the proper TIN may be subject to a penalty.

Please check the return to be sure that all required identification numbers are accurate and written clearly. Missing, incorrect, or unclear identification numbers may cause delays in processing the returns.

Paid Preparers Identification Number

If you pay someone else to prepare your return, that person must also include an identification number where requested.

A paid preparer may use any of the following

- his or her PTIN,
- his or her SSN, or
- the EIN for business.

A paid preparer who fails to include the proper numbers may be subject to a penalty.

Worksheet for Net Long-Term Capital Gain Subtraction for Assets Acquired After December 31, 2011

2021 Original return 2021 Amended return

IMPORTANT

- A fiduciary completes this worksheet to compute the allowable subtraction for **undistributed net long-term capital gain** from assets acquired after December 31, 2011, and included in the estate or trust’s federal taxable income.
- If you cannot determine the acquisition date of an asset, including mutual funds, the long-term capital gain from that asset does not qualify for the allowable subtraction. For the purpose of the allowable subtraction, these assets are considered to have been acquired before January 1, 2012.
- An asset acquired by gift or inheritance is considered acquired on the date it was acquired by gift-giver or the deceased individual.
- If you receive form(s) 165 Schedule K-1 from a partnership, 120S Schedule K-1 from an S corporation, or 141AZ Schedule K-1 from an estate or trust, be sure to include those qualifying net long-term capital gain amounts in your computation.

Do not include any short-term capital gains or (losses) in this worksheet.

1.	Enter the total net long-term capital gain or (loss) from assets acquired after December 31, 2011, and included in federal taxable income.....			00
2.	Enter the amount of net long-term capital (loss) derived from the exchange of one kind of legal tender for another kind of legal tender from assets acquired after December 31, 2011, and included in the addition on Arizona Form 141AZ, line 12b.....		00	
3.	Enter the amount of net long-term capital gain derived from investment in qualified small business from assets acquired after December 31, 2011, and included in the subtraction on Arizona Form 141AZ, line 14a.....		00	
4.	Enter the amount of net long-term capital gain derived from the exchange of one kind of legal tender for another kind of legal tender from assets acquired after December 31, 2011, and included in the subtraction on Arizona Form 141AZ, line 14b.....		00	
5.	(Line 1 + line 2) minus (line 3 + line 4). Enter the result.....			00

- If the amount on line 5 is positive, you have a net long-term capital gain from assets acquired *after* December 31, 2011. Enter the amount on Form 141AZ, line 15d.
- If the amount on line 5 is zero or negative, you do not qualify to take the allowable subtraction. Enter “0” on Form 141AZ, line 15d.

Example of the Computation of Arizona Fiduciary Income Tax, Resident Beneficiary's Arizona Fiduciary Adjustment, and Nonresident Beneficiary's Arizona Source Income.

The federal Form 1041 for the Judy Jones estate showed the following items of income and deduction:

Interest Income	\$ 32,614
Dividends	4,800
Net Rent Income (AZ)	<u>16,832</u>
Total Income	<u>\$ 54,246</u>
Less: Fiduciary Fees	6,000
Accountant's Fees	<u>1,500</u>
Total Fees	<u>(7,500)</u>
Adjusted Total Income	<u>\$ 46,746</u>
Less: Income Distribution Deduction	34,189
Exemption	<u>600</u>
Total Deductions	(\$ 34,789)
Taxable Income	<u>\$ 11,957</u>

The estate also had \$2,476 in non-Arizona municipal bond interest during the taxable year. \$24,000 was distributed to Jane Jones, an Arizona resident and \$12,000 to June Jones, a nonresident of Arizona. The estate had \$8,700 in U.S. Government interest.

The shares of federal distributable net income (DNI) are as follows:

Jane Jones	\$ 24,000	48.76%
June Jones	12,000	24.38%
Judy Jones Estate	<u>13,222</u>	<u>26.86%</u>
Total	\$ 49,222	100.00%

The estate's Arizona taxable income is figured as follows:

Federal taxable income	\$ 11,957
Modifications increasing federal taxable income: Non-Arizona municipal bond interest	\$ 2,476
Modifications decreasing federal taxable income: U.S. Government Interest	<u>\$ 8,700</u>

June Jones income reportable to Arizona is figured as follows:

Share of federal distributable net income	\$ 12,000
From Arizona sources @ 29.67%	3,561

Arizona source income is figured as follows:

Rental income (Arizona)	<u>\$16,832</u>	
Total income \$56,722 (\$54,246 + \$2,476)		= 29.67%

This can be verified as follows:

June's share of income \$12,000

DNI \$49,222 (\$46,746 + \$2,476)	= 29.67%
Share of rental income \$16,832 X 24.38%	= \$4,104
Share of fees \$7,500 X 24.38% X 29.67% *	= <u>(543)</u>
Net Arizona income	<u>\$3,561</u>

* Share of fees allocated to rental income

Net Modifications \$(6,224)

Jane Jones share of the Arizona fiduciary adjustment is figured as follows:

Share of non-Arizona municipal bond interest \$ 2,476 x 48.76%	\$ 1,207
Share of U.S. Government Interest \$ 8,700 x 48.76%	<u>4,242</u>
Net modification	<u>\$(3,035)</u>
Allocated to the estate @ 26.86%	<u>\$(1,672)</u>
Arizona taxable income	<u>\$ 10,285</u>

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For the calendar year 2021 or fiscal year beginning [M,M|D,D|2,0,2,1] and ending [M,M|D,D|Y,Y,Y,Y].

Name of Estate or Trust	Estate or Trust EIN (If this is a Grantor Trust, see instructions)
Beneficiary's Name	Fiduciary's Name
Beneficiary's EIN or SSN	Fiduciary's Address - number and street, or rural route
Beneficiary's Address - number and street, or rural route	Fiduciary's City, Town or Post Office State ZIP Code
Beneficiary's City, Town or Post Office State ZIP Code	Fiduciary's Phone Number – include area code
Contact's Daytime Phone Number – include area code	Check one: <input type="checkbox"/> Beneficiary <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Other _____

Part 1 Beneficiary's Share of Fiduciary Adjustment

1 Net fiduciary adjustment to be allocated: Enter the amount from Form 141AZ, Schedule C, line C14.....	1		00
2 Percent of beneficiary's share of federal distributable income from Form 141AZ, Schedule C	2		%
3 Multiply the amount on line 1 by the percent on line 2, and enter the result	3		00

Full-year Resident Individual Beneficiaries:

- If you **did not elect to file a Small Business Income tax return and the amount on line 3 is a positive number**, include this amount on Arizona Form 140, page 1, line 18, *Other Additions to Income*.
If you **elect to file a Small Business Income tax return**, enter the amount on Form 140-SBI, line 11.
- If you **did not elect to file a Small Business Income tax return and the amount on line 3 is a negative number**, include this amount on Arizona Form 140, page 2, line 37, *Other Subtractions from Income*.
If you **elect to file a Small Business Income tax return**, enter the amount on Form 140-SBI, line 32.

Part-year Resident Individual Beneficiaries:

- If you **did not elect to file a Small Business Income tax return and the amount on line 3 is a positive number**, include that portion of line 3 allocable to estate or trust income taxable by Arizona on Arizona Form 140PY, page 1, line 31, *Other Additions to Income*.
If you **elect to file a Small Business Income tax return**, enter the amount on Form 140PY-SBI, line 11.
- If you **did not elect to file a Small Business Income tax return and the amount on line 3 is a negative number**, include that portion of line 3 allocable to estate or trust income taxable by Arizona on Arizona Form 140PY, page 2, line 44, *Other Subtractions from Income*.
If you **elect to file a Small Business Income tax return**, enter the amount on Form 140PY-SBI, line 32.

Continued on page 2 →

Part 2 Net Long-Term Capital Gain Subtraction – Information Schedule

INSTRUCTIONS FOR THE FIDUCIARY:

Arizona requires individual taxpayers to make certain adjustments to their federal adjusted gross income in order to compute their Arizona taxable income.

- **Lines 4 and 5:** If the beneficiary's federal 1041 K-1 includes a **distributed share** of the entity's net short-term capital gain or net long-term capital gain, complete line 4, column (b); and line 5, columns (b) through (d).
- **Lines 6 and 7:** If this is the final return for the estate or trust and a capital loss carryover amount was distributed to the beneficiary, complete line 6, column (b); and line 7, columns (b) through (d).
- **Lines 8 and 9:** If any of the amounts reported on line 5, columns (c) and (d) include a net long-term gain or (loss) from (1) **an investment in an Arizona Qualified Small Business**; or (2) the **exchange of one kind of legal tender for another kind of legal tender**, complete lines 8 and 9, columns (b) through (e). *In column (b), enter only the net capital gain or (loss) from all short-term and long-term investments in the Arizona qualified small business and the exchange of legal tender.*

(a)	(b)	(c)	(d)	
Item	Amount reported on federal Schedule K-1	Net long-term capital gain or (loss) included in column (b) from assets acquired <i>before</i> January 1, 2012	Net long-term capital gain or (loss) included in column (b) from assets acquired <i>after</i> December 31, 2011	
4 Total net short-term capital gain or (loss) from Form 141AZ, page 1, line 15b distributed to the beneficiary.....	4			
5 Total net long-term capital gain or (loss) from Form 141AZ, page 1, line 15c distributed to the beneficiary.....	5			
6 Short-term capital loss carryover(s) distributed to the beneficiary upon termination of the estate or trust.....	6			
7 Long-term capital loss carryover(s) distributed to the beneficiary upon termination of the estate or trust.....	7			

(a)	(b)	(c)	(d)	
Item	Net Capital Gain or (loss)	Net long-term capital gain or (loss) included in column (b) from assets acquired <i>before</i> January 1, 2012	Net long-term capital gain or (loss) included in column (b) from assets acquired <i>after</i> December 31, 2011	
8 Net capital gain or (loss) from investment in an Arizona qualified small business.....	8			
9 Net capital gain or (loss) from the exchange of one kind of legal tender for another kind of legal tender.....	9			

INSTRUCTIONS FOR THE INDIVIDUAL BENEFICIARY:

The beneficiary **must** complete the *Worksheet for Net Long-Term Capital Gain Subtraction for Assets Acquired After December 31, 2011*, to determine the allowable subtraction. The worksheet is included in the instructions for the resident and part-year resident income tax return (Arizona Forms 140 and 140PY).

Full-year residents: The amounts entered in column (d) on lines 5, 8, and 9 are used to compute the allowable subtraction on the net long-term capital gain worksheet. For more information, see the worksheet instructions for Form 140.

- For an amount entered on line 8, column (b); see the instructions for line 24 on Form 140.
- For an amount entered on line 9, column (b); see the instructions for lines 18 and 36 on Form 140.

Part-year residents: The amounts entered in column (d) on lines 5, 8, and 9 that are included in your Arizona gross income are used to compute the allowable subtraction on the net long-term capital gain worksheet. For more information, see the worksheet instructions for Form 140PY.

- For an amount entered on line 8, column (b); see the instructions for line 38 on Form 140PY.
- For an amount entered on line 9, column (b); see the instructions for lines 31 and 44 on Form 140PY.

INSTRUCTIONS FOR THE FIDUCIARY BENEFICIARY:

If the net long-term capital gain or (loss) on line 5, is taxed at the estate or trust level, use the information above to complete the *Worksheet for Net Long-Term Capital Gain Subtraction for Assets Acquired After December 31, 2011*, included in the instructions of Form 141AZ for the estate or trust.

The amounts entered in column (d) on lines 5, 8, and 9 are used to compute the allowable subtraction on the net long-term capital gain worksheet. For more information, see the worksheet instructions for Form 141AZ.

- For an amount entered on line 8, column (b); see the instructions for line 14a on Form 141AZ.
- For an amount entered on line 9, column (b); see the instructions for lines 12b and 14b on Form 141AZ.

2021 Resident or Part-Year Resident Beneficiary's Share of Fiduciary Adjustment

Arizona Schedule 141AZ K-1

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website and click on *Reports and Legal Research* from the main menu then click on *Publications* in the left side column

General Instructions for Fiduciary

Complete Form 141AZ Schedule K-1, for each resident or part-year resident beneficiary.

File one copy of each Schedule K-1 with Form 141AZ.

Provide all beneficiaries with a copy of their Schedule K-1. Keep a copy for your records.

NOTE: For a Grantor Trust, enter the Social Security Number of the grantor, if not deceased

Foreign Addresses

If a beneficiary or the fiduciary has a foreign address, enter the information in the following order: city, province or state, and country. Follow the country's practice for entering the postal code. Do not abbreviate the country name.

Line-by-Line Instructions

Part 1 - Beneficiary's Share of Fiduciary Adjustment

Instructions for Fiduciary

Line 1

Enter the net fiduciary adjustment to be allocated to beneficiaries from Form 141AZ Schedule C, line C14. If this is a negative amount, enter the amount in brackets.

Line 2

Enter the percentage of the beneficiary's share of federal distributable net income from Form 141AZ Schedule C.

Line 3

Multiply line 1 by the percentage on line 2. Enter the result. If the result is a negative number, enter the number in brackets. This is the beneficiary's share of the fiduciary adjustment.

Instructions for Beneficiary

The fiduciary uses Form 141AZ Schedule K-1, to report to you your share of the fiduciary adjustment from the estate or trust. Do not file this Schedule K-1 with your return. Keep this Schedule K-1 with your records. The fiduciary filed a copy of this form with the department.

Resident Beneficiary

Line 3 shows your share of the fiduciary adjustment from the estate or trust. If the amount on line 3 is a positive number, you must report this amount as an *addition to income* on your Arizona return. If you are an individual, include this amount on your Arizona Form 140, line 18, *Other Additions to Income* or Form 140-SBI, line 11. If the amount on line 3 is a negative number, you must report this amount as a *subtraction from income* on your Arizona return. If you are an individual, include this amount on your Arizona Form 140, line 36, *Other Subtractions from Income* or Form 140-SBI, line 32.

Part-Year Resident Beneficiary

If you are a part-year resident individual, report estate or trust income received while you were an Arizona resident. Also, report estate or trust income received from Arizona sources while you were a nonresident. Report this income on Arizona Form 140PY, page 1, line 21 (ARIZONA column). The amount that you should report on your Form 140PY, line 21 (FEDERAL column) is the amount from your federal income tax return.

If the amount on line 3 is a positive number include that portion of line 3 that is allocable to estate or trust income taxable by Arizona on Form 140PY, line 30, *Other Additions to Income* or Form 140PY-SBI, line 11.

If the amount on line 3 is a negative number, include that portion of line 3 that is allocable to estate or trust income taxable by Arizona on Form 140PY, line 44, *Other Subtractions from Income* or Form 140PY-SBI, line 32.

Part 2 - Net Long-Term Capital Gain Subtraction (Information Schedule)

Arizona allows a subtraction from Arizona gross income for a percentage of any net long-term capital gain from assets acquired after December 31, 2011, and included in the individual taxpayer's federal adjusted gross income or the estate or trust's federal taxable income.

Instructions for Fiduciary

Lines 4 through 9

If the **individual** beneficiary's Form 1041 Schedule K-1 includes an amount for any net capital gain or (loss), complete lines 4 through 9 as instructed on page 2 of Form 141AZ Schedule K-1.

Instructions for Beneficiaries

Follow the instructions on page 2 of Form 141AZ Schedule K-1.

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For the calendar year 2021 or fiscal year beginning MM,DD,2021 and ending MM,DD,YYYY.

Name of Estate or Trust	Estate or Trust EIN (If this is a Grantor Trust, see instructions)
Beneficiary's Name	Fiduciary's Name
Beneficiary's EIN or SSN	Fiduciary's Address - number and street, or rural route
Beneficiary's Address - number and street, or rural route	Fiduciary's City, Town or Post Office State ZIP Code
Beneficiary's City, Town or Post Office State ZIP Code	Fiduciary's Phone Number – include area code
Contact's Daytime Phone Number – include area code	
Check one: <input type="checkbox"/> Beneficiary <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Other _____	

Part 1 Arizona Nonresident Beneficiary's Share of Federal Distributable Income From Arizona Sources

1 Federal distributable net income from Arizona sources: Enter the amount from Form 141AZ, Schedule D, line D9, column (c).....	1		00
2 Beneficiary's share of the amount entered on line 1: Nonresident individual beneficiaries, also enter this amount on Form 140NR, page 1, line 21, "ARIZONA" column	2		00

Part 2 Arizona Nonresident Beneficiary's Share of Fiduciary Adjustment Related to Arizona Source Income

3 Net fiduciary adjustment to be allocated: Enter the amount from Form 141AZ, Schedule C, line C14	3		00
4 Amount on line 3 related to Arizona source income allocated to all nonresident beneficiaries.....	4		00
5 Beneficiary's share of the amount entered on line 4	5		00

- If you **did not elect to file a Small Business Income tax return and the amount on line 3 is a positive number**, include this amount on Arizona Form 140NR, page 1, line 32, *Other Additions to Income*.
If you **elect to file a Small Business Income tax return**, enter the amount on Form 140NR-SBI, line 11.
- If you **did not elect to file a Small Business Income tax return and the amount on line 3 is a negative number**, include this amount on Arizona Form 140NR, page 2, line 45, *Other Subtractions from Income*.
If you **elect to file a Small Business Income tax return**, enter the amount on Form 140NR-SBI, line 31.

Continued on page 2 →

Name of Estate or Trust (as shown on page 1)	EIN (If this is a Grantor Trust, see instructions)
--	--

Part 3 Net Long-Term Capital Gain Subtraction – Information Schedule

INSTRUCTIONS FOR THE FIDUCIARY:

Arizona requires individual taxpayers to make certain adjustments to their federal adjusted gross income in order to compute their Arizona taxable income.

- **Lines 6 and 7:** If the beneficiary's federal 1041 K-1 includes a **distributed share** of the entity's net short-term capital gain or net long-term capital gain, complete line 6, columns (b) and (c); and line 7, columns (b) through (e).
- **Lines 8 and 9:** If this is the final return for the estate or trust and a capital loss carryover amount was distributed to the beneficiary, complete line 8, columns (b) and (c); and line 9, columns (b) through (e).
- **Lines 10 and 11:** If any of the amounts reported on line 7, columns (d) and (e) include a net long-term gain or (loss) from (1) **an investment in an Arizona Qualified Small Business**; or (2) the **exchange of one kind of legal tender for another kind of legal tender**, complete lines 10 and 11, columns (b) through (e). *In column (b), enter only the net capital gain or (loss) from all short-term and long-term investments in the Arizona qualified small business and the exchange of legal tender.*

(a) Item	(b) Amount reported on federal Schedule K-1	(c) Amount included in column (b) from Arizona sources	(d) Net long-term capital gain or (loss) included in column (c) from assets acquired <i>before</i> January 1, 2012	(e) Net long-term capital gain or (loss) included in column (c) from assets acquired <i>after</i> December 31, 2011
6 Total net short-term capital gain or (loss) from Form 141AZ, page 1, line 15b distributed to the beneficiary..... 6				
7 Total net long-term capital gain or (loss) from Form 141AZ, page 1, line 15c distributed to beneficiary..... 7				
8 Short-term capital loss carryover(s) distributed to the beneficiary upon termination of the estate or trust..... 8				
9 Long-term capital loss carryover(s) distributed to the beneficiary upon termination of the estate or trust..... 9				

(a) Item	(b) Net Capital Gain or (loss)	(c) Amount included in column (b) from Arizona sources	(d) Net long-term capital gain or (loss) included in column (c) from assets acquired <i>before</i> January 1, 2012	(e) Net long-term capital gain or (loss) included in column (c) from assets acquired <i>after</i> December 31, 2011
10 Net capital gain or (loss) from investment in an Arizona qualified small business..... 10				
11 Net capital gain or (loss) from the exchange of one kind of legal tender for another kind of legal tender..... 11				

INSTRUCTIONS FOR AN INDIVIDUAL BENEFICIARY:

The beneficiary **must** complete the *Worksheet for Net Long-Term Capital Gain Subtraction for Assets Acquired After December 31, 2011*, to determine the allowable subtraction. The worksheet is included in the instructions for the nonresident income tax return [Arizona Form 140(NR)].

Nonresidents: The amounts entered in column (e) on lines 7, 10, and 11 are used to compute the allowable subtraction on the net long-term capital gain worksheet. For more information, see the worksheet instructions for Form 140(NR).

- For an amount entered on line 10, column (b); see the instructions for line 39 on Form 140(NR).
- For an amount entered on line 11, column (b); see the instructions for lines 32 and 45 on Form 140(NR).

Name of Estate or Trust (as shown on page 1)	EIN (If this is a Grantor Trust, see instructions)
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INSTRUCTIONS FOR THE FIDUCIARY BENEFICIARY:

If the net long-term capital gain (loss) on Part 3, line 7, above, is taxed at the estate or trust level, use the information above to complete the *Worksheet for Net Long-Term Capital Gain Subtraction for Assets Acquired **After** December 31, 2011*, included in the instructions of Form 141AZ for the estate or trust.

If the net long-term capital gain (loss) on Part 3, line 7, above, is distributed to the beneficiary, use the information above to complete the *Worksheet for Net Long-Term Capital Gain Subtraction for Assets Acquired **After** December 31, 2011*, included in the instructions of Form 141AZ. The worksheet will assist the estate or trust in completing the *Net Long-Term Capital Gain Subtraction – Information Schedule* on Form 141AZ Schedule K-1 or Schedule K-1(NR) for each beneficiary.

The amounts entered in column (d) on lines 7, 10, and 11 are used to compute the allowable subtraction on the net long-term capital gain worksheet. For more information, see the worksheet instructions for Form 141AZ.

- For an amount entered on line 10, column (b); see the instructions for line 14a, Form 141AZ.
- For an amount entered on line 11, column (b); see the instructions for lines 12b and 14b, Form 141AZ.

INSTRUCTIONS FOR THE PARTNERSHIP OR S CORPORATION BENEFICIARY:

The information in Part 3, above, should be used to complete the *Worksheet for Net Long-Term Capital Gain Subtraction for Assets Acquired **After** December 31, 2011*, included in the instructions of Arizona Form 165 or Arizona Form 120S. The worksheet will assist the partnership or S Corporation in completing the *Net Long-Term Capital Gain Subtraction – Information Schedule* on Arizona Form 165, Schedule K-1 or Schedule K-1(NR) for each partner; or Arizona Form 120S Schedule, K-1 or Schedule K-1(NR) for each shareholder.

INSTRUCTIONS FOR THE C CORPORATION OR EXEMPT ORGANIZATION BENEFICIARY:

A subtraction is not allowed for a C Corporation or an exempt organization. The information in Part 3, above, is informational only, and not required to be reported by the C Corporation or exempt organization.

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2021 Nonresident Beneficiary's Share of Income and Share of Fiduciary Adjustment

Arizona Schedule 141AZ K-1 (NR)

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports and Legal Research from the main menu* then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website and click on *Reports and Legal Research from the main menu* then click on *Publications in the left side column*.

General Instructions for Fiduciary

Complete a Form 141AZ Schedule K-1(NR) for each nonresident beneficiary.

File one copy of each Schedule K-1(NR) with the fiduciary's Form 141AZ.

Provide all nonresident beneficiaries with a copy of their Schedule K-1(NR). Keep a copy for your records.

NOTE: For a Grantor Trust, enter the Social Security Number of the grantor, if not deceased

Foreign Addresses

If a beneficiary or the fiduciary has a foreign address, enter the information in the following order: city, province or state, and country. Follow the country's practice for entering the postal code. Do not abbreviate the country name.

Line-by-Line Instructions

Part 1 - Beneficiary's Share of Federal Distributable Net Income From Arizona Sources

Instructions for Fiduciary

Line 1

Enter the federal distributable net income from Arizona sources. Enter the amount from Form 141AZ Schedule D, line D9, column (c).

Line 2

Enter the beneficiary's share of federal distributable net income from Arizona sources.

Part 2 - Beneficiary's Share of Fiduciary Adjustment Related to Arizona Source Income

Line 3

Enter the net fiduciary adjustment to be allocated to the beneficiaries from Form 141AZ, Schedule C, line C14. If this is a negative amount, enter the amount in brackets.

Line 4

Enter the amount of line 3 related to Arizona source income that is allocated to **all** nonresident beneficiaries.

Line 5

Enter the amount of line 4 allocated to the beneficiary. If the result is a negative number, enter the number in brackets.

This is the beneficiary's share of the fiduciary adjustment.

Instructions for Nonresident Beneficiary

The fiduciary uses Form 141AZ Schedule K-1(NR), to report to you your share of the federal distributable income from Arizona sources and your share of fiduciary adjustment from the estate or trust.

Do not file this Schedule K-1(NR) with your return. Keep this Schedule K-1(NR) with your records. The fiduciary filed a copy of this form with the department.

Nonresident individual beneficiaries should enter the amount from Form 141AZ Schedule K-1(NR), line 2, on Arizona Form 140NR, line 21, in the ARIZONA column.

Line 5 shows your share of the fiduciary adjustment from the estate or trust. If the amount on line 5 is a positive number, you must report this amount as an *addition to income* on your Arizona return. If you are a nonresident individual, include this amount on your Arizona Form 140NR, line 32, *Other Additions to Income* or Form 140NR-SBI, line 11.

If the amount on line 5 is a negative number, you must report this amount as a *subtraction from income* on your Arizona return. If you are a nonresident individual, include this amount on your Arizona Form 140NR, line 45, *Other Subtractions from Income* or Form 140NR-SBI, line 31.

Part 3 - Net Long-Term Capital Gain Subtraction (Information Schedule)

Arizona allows a subtraction from Arizona gross income for a percentage of any net long-term capital gain from assets acquired after December 31, 2011, and included in the individual's Arizona gross income or the estate or trust's Arizona gross income.

Instructions for Fiduciary**Lines 6 through 11**

If the **individual** beneficiary's Form 1041 Schedule K-1 includes an amount for any net capital gain or (loss), complete lines 6 through 11 as instructed on pages 2 and 3 of Form 141AZ Schedule K-1(NR).

Instructions for Beneficiaries

Follow the instructions on pages 2 and 3 of Form 141AZ Schedule K-1 (NR).

DO NOT STAPLE ANY ITEMS TO THE FORM.

Arizona Form
141AZ ES

Estate or Trust Estimated Income Tax Payment

FOR CALENDAR YEAR
2022



- DO NOT USE THIS FORM TO MAKE DELINQUENT INCOME TAX PAYMENTS.
- Use this form only for making voluntary estimated payments.

This estimated payment is for tax year ending December 31, 2022, or for tax year ending:

1 Name of Estate or Trust			EIN (If this is a Grantor Trust, see instructions)					
2 Name and Title of Fiduciary								
3 Address of Fiduciary - number and street, or rural route			REVENUE USE ONLY. DO NOT MARK IN THIS AREA. 88					
4 City, Town or Post Office		State				ZIP Code		
Daytime Phone Number of Fiduciary/Representative – include area code								

1 **Payment:** You must round your estimated payment to a whole dollar (no cents).
 Enter the amount of **payment enclosed**..... \$ 00

81 PM	80 RCVD
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2 **Check only one box** for the quarter for which this payment is made.
 Do not select more than one quarter.
 You must submit a separate form for *each quarter* for which a payment is made.

Payment for **calendar year filers:** Check the box for which this payment is made.

<input type="checkbox"/> 1st Quarter – January to March
<input type="checkbox"/> 2nd Quarter – April to June
<input type="checkbox"/> 3rd Quarter – July to September
<input type="checkbox"/> 4th Quarter – October to December

Payment for **fiscal year filers:** Check the box for which this payment is made.

<input type="checkbox"/> 1st Quarter – First, second, and third month of the current fiscal year.
<input type="checkbox"/> 2nd Quarter – Fourth, fifth, and sixth month of the current fiscal year.
<input type="checkbox"/> 3rd Quarter – Seventh, eighth, and ninth month of the current fiscal year.
<input type="checkbox"/> 4th Quarter – Tenth, eleventh, and twelfth month of the current fiscal year.

IMPORTANT

To ensure proper application of this payment, be sure that you:

- ✓ Complete and submit this form in its entirety. Do not cut this page in half.
- ✓ Make your check payable to Arizona Department of Revenue.
- ✓ Write the estate's or trust's EIN and tax year on the payment.
- ✓ Include your payment with Form 141AZ ES.
- ✓ **Mail to** Arizona Department of Revenue, PO Box 29085, Phoenix, AZ 85038-9085.

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2022 Estate or Trust Estimated Income Tax Payment Instructions

Arizona Form 141AZ ES

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus. **Publications**

To view or print the department's publications, go to our website and select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

Who Should Use Form 141AZ ES

A fiduciary making a voluntary estimated payment on behalf of an estate or a trust should use Form 141AZ ES.

Voluntary Payments

Estates and trusts are not required to make Arizona estimated income tax payments. An estate or a trust may choose to make voluntary estimated income tax payments.

General Information

- Please type or print the estate or trust's employer identification number (EIN).

NOTE: *For a Grantor Trust, enter the social security number of the grantor, if not deceased*

- Complete Form 141AZ ES using black ink.
- Once you make an estimated payment, you must file a tax return for that year in order to claim the estimated payment.
- You must round each estimated payment to whole dollars (no cents).
- Check only **one** box for the quarter for which this payment is made. Do not select more than one quarter. You must submit a separate form for each quarter for which a payment is made.
- Use the 2021 fiduciary income tax table to help estimate this year's tax liability. The tax table is provided in the instructions for the 2021 Form 141AZ.
- If the fiduciary has a foreign address, enter the information in the following order: city, province or state, and country. Follow the country's practice for entering the postal code. Do not abbreviate the country name.

Sending Your Payment

Fiduciaries filing Form 141AZ ES making estimated payments must make those payments by check or money order.

Check or money order

Include the estate or trust's EIN and tax year on the check or money order. Make your check payable to Arizona Department of Revenue and include it with the return. Mail the check along with Form 141AZ ES to:

Arizona Department of Revenue
PO Box 29085
Phoenix, AZ 85038-9085

The department cannot accept checks or money orders in foreign currency. You must make payment in U.S. dollars.

Record of Estimated Income Tax Payments		
	Date Made	Amount
Amount of 2021 overpayment applied to 2022 estimated tax		
Payment # 1		
Payment # 2		
Payment # 3		
Payment # 4		
Total:		

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2021 Application for Filing Extension For Fiduciary Returns

Arizona Form 141AZ EXT

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

Purpose of Form

Fiduciaries use Form 141AZ EXT to apply for an automatic 5½-month extension to file an estate or trust income tax return (Form 141AZ). For calendar year filers, the extended due date is September 30, 2022.

Also use Form 141AZ EXT to remit an extension payment whether you are requesting an Arizona extension or using a valid federal extension.

Arizona will accept your federal extension for the period covered by the federal extension.

NOTE: A *Qualified Funeral Trust using a federal extension (Form 7004)* will be allowed the same extension period (6-months) to file Form 141AZ. For calendar year filers, the extended due date for the return is October 17, 2022.

Lines 1 through 4

Complete lines 1 through 4.

NOTE: For a *Grantor Trust*, enter the social security number of the grantor, if not deceased.

Foreign Addresses

If the fiduciary has a foreign address, enter the information in the following order: city, province or state, and country. Follow the country's practice for entering the postal code. Do not abbreviate the country name.

When to File

You must file Form 141AZ EXT by the original due date of the return. For 2021 calendar year filers, the due date is April 18, 2022.

Complete Form 141AZ EXT to request an automatic 5½-month extension (fiduciaries filing Form 141AZ). Mark your envelope "Extension Request."

An extension does not extend the time to pay your income tax. You must still pay your tax liability by April 18, 2022 (or by the original due date of your return). If you do not pay at least 90% (.90) of the tax liability disclosed by your return by the return's original due date, you will be subject to the extension underpayment penalty. We charge interest from the original due date to the date of payment.

Extension Underpayment Penalty: The estate or trust may be charged this penalty if it does not pay at least 90% of the tax liability shown on your return filed under an extension by the return's original due date. This penalty is ½ of 1% (.005) of the tax not paid for each 30-day period or fraction of a 30-day period. We impose this penalty from the original due date of the return until the tax is paid. This penalty cannot exceed 25% (.25) of the unpaid tax.

If we charge you the extension underpayment penalty, we will not charge you the late payment penalty under Arizona Revised Statutes § 42-1125(D).

Making Your Payment

Check or money order

Fiduciaries filing Form 141AZ EXT must make extension payments by check or money order.

Make your check or money order payable to Arizona Department of Revenue. Write the estate or trust's EIN and **2021 extension** on the **front** of the check or money order. Include the check or money order with Form 141AZ EXT.

Instructions Before Mailing

Make sure that you have completed all of the information requested on the **front** of the form.

To avoid an extension underpayment penalty, make sure you pay at least 90% (.90) of your Arizona tax liability.

Mailing Instructions

If you are **sending a payment** with this request, mail the request to:

Arizona Department of Revenue
Extension Request
PO Box 29085
Phoenix, AZ 85038-9085

If you are **not sending a payment** with this request, mail the request to:

Arizona Department of Revenue
Extension Request
PO Box 52138
Phoenix, AZ 85072-2138

The department will not return a copy of the Form 141AZ EXT to you.

Be sure to keep a copy of the completed Form 141AZ EXT for your record.

Use Form 141AZ V **only** if you electronically filed a 2021 Form 141AZ and are mailing a payment for taxes due.

For the calendar year 2021 or fiscal year beginning MM/DD/2021 and ending MM/DD/YYYY. **66**

Name of Estate or Trust 1		EIN (If this is a Grantor Trust, see instructions)		
Name and Title of Fiduciary 2		REVENUE USE ONLY. DO NOT MARK IN THIS AREA. 88		
Address of Fiduciary - number and street, or rural route 3				
City, Town or Post Office 4	State			ZIP Code
Daytime Phone Number of Fiduciary/Representative – include area code				
		81 PM	80 RCVD	

Enter the amount of payment enclosed..... \$ 00

To ensure proper application of this payment, be sure that you:

- ✓ Do **not** send cash.
- ✓ Make your check or money order payable to Arizona Department of Revenue.
- ✓ Write your EIN and "2021 Tax" on your payment.
- ✓ Include your payment with this form.
- ✓ **Mail to** Arizona Department of Revenue, PO Box 29085, Phoenix, AZ 85038-9085.

NOTE: To avoid interest and penalties you must pay the full amount of your tax by April 18, 2022. You will not receive an additional notice from the Arizona Department of Revenue unless an error exists with your return.

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**Notice of Assumption of Duties
in a Fiduciary Capacity**

Complete and mail to: Attention: Fiduciary Unit
Arizona Department of Revenue
Box B-06
1600 West Monroe
Phoenix, AZ 85007-2650

For Assistance:
• Call: (602) 716-7809 or
• Email: Fiduciary@azdor.gov.

Notice is hereby given of the assumption of duties in a fiduciary capacity in the estate named below pursuant to A.R.S. § 43-1366.

Section 1 Decedent Information			
Full Name of Decedent	Decedent's Social Security Number	Decedent's Date of Death M M D D Y Y Y Y	
	Estate's Employer I.D. Number	Decedent's Date of Birth M M D D Y Y Y Y	
Full Name of Spouse	Spouse's Social Security Number	If spouse is deceased, Date of Death M M D D Y Y Y Y	
Last known home address of decedent – number and street	City, Town or Post Office	State	ZIP Code
Date domicile was established in Arizona (If nonresident, describe Arizona property on a separate schedule): M M D D Y Y Y Y			
Mailing Address – if different from home address	City, Town or Post Office	State	ZIP Code

Section 2 Fiduciary Information			
Name of Fiduciary			Telephone Number (with area code)
Address – number and street	City, Town or Post Office	State	ZIP Code

Section 3 Probate Information			
County in which estate is being probated	Probate Number	Date of Fiduciary's Appointment M M D D Y Y Y Y	
Name of Attorney			Telephone Number (with area code)
Address – number and street	City, Town or Post Office	State	ZIP Code

Section 4 Estate Information			
Approximate Value of Entire Gross Estate \$	Approximate Value of Probate Estate \$		
Name of Beneficiary (Include additional sheet if necessary to list additional beneficiaries.)	Beneficiary's EIN or SSN		
Address of Beneficiary – number and street	City, Town or Post Office	State	ZIP Code

Section 5 Termination of Fiduciary Relationship	
Complete this section only if you are terminating a prior notice of a fiduciary relationship.	
If you are terminating a prior notice concerning fiduciary relationships on file with the Arizona Department of Revenue, check this box.....	<input type="checkbox"/>
Enter the date the fiduciary capacity was terminated: M M D D Y Y Y Y	

Signature		
_____	_____	_____
SIGNATURE OF FIDUCIARY	TITLE	DATE

NOTE: Tax information on file with the department is confidential. If the fiduciary wants the department to discuss tax matters with someone other than the fiduciary, the fiduciary must authorize the department to release confidential information to that person. If a fiduciary wishes to authorize an individual to represent or perform certain acts on behalf of the entity, a Power of Attorney must be filed and signed by the fiduciary acting in the position of the taxpayer. Use Arizona Form 285 for this purpose. Form 285 may be filed with Form 210. You may obtain Form 285 from our website at www.azdor.gov
ADOR 10124 (21)

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Notice of Assumption of Duties in a Fiduciary Capacity

Arizona Form 210

For information or help, call one of the numbers listed:

Phoenix	(602) 255-3381
From area codes 520 and 928, toll-free	(800) 352-4090
Department's Fiduciary Unit	(602) 716-7809

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column.

Purpose of Form

Use Form 210 to notify the Arizona Department of Revenue of a fiduciary relationship for a decedent's estate. A fiduciary for a decedent's estate may be any of the following:

- an executor;
- an administrator;
- a personal representative; or
- a person in possession of property of a decedent.

Who Should File

The fiduciary should file Form 210 to notify the department of either of the following:

- the creation of a fiduciary relationship for a decedent's estate, or
- the termination of a fiduciary relationship for a decedent's estate.

Instructions

Section 1: Decedent Information

Enter the decedent's name, address and Social Security Number (SSN).

Enter the estate's identification number, if applicable.

NOTE: For a Grantor Trust, enter the Social Security Number of the grantor, if not deceased

Enter the dates of the decedent's death and birth, and the date decedent established domicile in Arizona. If the decedent was a nonresident, describe the decedent's Arizona property on a separate schedule. If applicable, provide the name of the decedent's spouse, the spouse's SSN, and, if deceased, the spouse's date of death.

Foreign Addresses

If the decedent had a foreign address, enter the information in the following order: city, province or state, and country. Follow the country's practice for entering the postal code. Do not abbreviate the country name.

Section 2: Fiduciary Information

Enter the fiduciary's name, address, and telephone number.

If the fiduciary is an entity, include the name and phone number of an individual for contact purposes regarding non-confidential tax matters.

If a fiduciary wishes to authorize an individual to represent or perform certain acts on behalf of the entity, a Power of Attorney must be filed and signed by the fiduciary acting in the position of the taxpayer. Use Arizona Form 285 for this purpose. Form 285 may be filed with Form 210.

If the fiduciary has a foreign address, enter the information in the following order: city, province or state, and country. Follow the country's practice for entering the postal code. Do not abbreviate the country name.

Section 3: Probate Information

Complete this section only if the decedent's estate is being probated.

- Enter the name of the county in which probate proceedings are being conducted.
- Enter the probate number, the date of the fiduciary's appointment, and the name, address, and telephone number of the attorney for the estate.

If an estate is being probated, the fiduciary may have to obtain a Certificate of Payment of Taxes from the department that shows no income tax is due. The probate court may require this certificate before approving the fiduciary's final account. Arizona law requires a certificate only when **all** of the following apply.

1. The estate is subject to probate.
2. On the date of death, the value of the assets of the estate exceeded \$20,000.
3. The estate has a beneficiary that is not an Arizona resident.

To obtain a certificate from the department, **all** of the following must be met.

1. A written request for a certificate must be submitted. The request must contain a statement regarding the status of returns filed by or on behalf of the decedent or for the estate for the four taxable years immediately preceding the date of the request. The fiduciary must make the statement under declaration of perjury. The statement must indicate the following:
 - the years for which returns were filed; and
 - the years for which the gross and Arizona taxable incomes were less than the amount necessary to require the filing of returns.

2. A return was filed by or on behalf of the decedent and for the estate for each taxable year in which the respective incomes of the decedent or estate exceeded the requirements for filing returns.
3. A final return (Form 141AZ) is filed when the certificate is requested. This return must be filed regardless of the gross or net income for the year. If there is no income, file a return with zero "0" on all lines.
4. The fiduciary has filed Form 210.

Section 4: Estate Information

Enter the approximate gross value of the decedent's entire estate. If the estate is being probated, also enter the approximate value of the probate estate. Enter the name, address, and SSN of each individual beneficiary of the estate. If the beneficiary is an entity enter the name, address, and employer identification number (EIN). For a non-fillable form, enter the EIN using the format of an SSN. For example, if the beneficiary is a trust and the EIN is 12-3456789, enter the EIN as 123-45-6789. Include an extra sheet, if necessary.

Section 5: Termination of Fiduciary Relationship

Complete this section only if you are terminating a prior notice of assumption of duties in a fiduciary capacity on file with the department.

Signature of Fiduciary

Sign and date the completed Form 210. Include a title describing your role as a fiduciary (executor, administrator, personal representative, etc.)

Contacting the Department

Tax information on file with the department is confidential. If the fiduciary wants the department to discuss tax matters with someone other than the fiduciary, the fiduciary must authorize the department to release confidential information to that person. Use Arizona Form 285 to do the following.

- Authorize the department to release confidential information to your appointee.
- Authorize an individual to represent or perform certain acts on behalf of the entity.

Form 285 may be filed with Form 210.

Mailing Form 210

DO NOT STAPLE ANY DOCUMENTS, SCHEDULES OR PAYMENT TO THE FORM 210.

Mail your completed Form 210 to:

Attention: Fiduciary Unit
 Arizona Department of Revenue
 Box B-06
 1600 W Monroe
 Phoenix, AZ 85007-2650

Contacting the Department's Fiduciary Unit

If you have any questions or need help with Form 210, call the department at (602) 716-7809 or email the Fiduciary Unit at www.Fiduciary@azdor.gov.

OR FISCAL YEAR BEGINNING MM/DD/2021 AND ENDING MM/DD/YYYY 66F

Include this form with your return.

Print Name of Estate or Trust	EIN (Grantor Trust, see instructions)
Print Name and Title of Fiduciary	

If the fiduciary figures the estate or trust's current year's tax under Arizona's claim of right provisions, complete this form to figure the prior year's tax reduction and explain the amounts repaid. For more information on Arizona's claim of right provisions, see the department's procedure, ITP 16-1.

Part 1 General Information

<p>1 Enter the total amount of all income that was repaid during the 2021 tax year that was included in income under a claim of right <i>If the amount on line 1 is \$3,000 or less, STOP. The estate or trust does not qualify to compute a credit for amounts paid back under a claim of right.</i></p>	1		00												
<p>2 Was the total amount repaid in 2021 from income that was reported in more than one prior tax year? <i>If the answer is "Yes", you must complete and include with your 2021 tax return a separate Claim of Right form for each prior taxable year end. See instructions for completing more than one Claim of Right form.</i></p>	2	Yes <input type="checkbox"/> No <input type="checkbox"/>													
<p>3 List each prior taxable year end that included income that was included in line 1:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 12.5%; text-align: center;">3a</th> <th style="width: 12.5%; text-align: center;">3b</th> <th style="width: 12.5%; text-align: center;">3c</th> <th style="width: 12.5%; text-align: center;">3d</th> <th style="width: 12.5%; text-align: center;">3e</th> <th style="width: 12.5%; text-align: center;">3f</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">MM/DD/YYYY</td> <td style="text-align: center;">MM/DD/YYYY</td> <td style="text-align: center;">MM/DD/YYYY</td> <td style="text-align: center;">MM/DD/YYYY</td> <td style="text-align: center;">MM/DD/YYYY</td> <td style="text-align: center;">MM/DD/YYYY</td> </tr> </tbody> </table>	3a	3b	3c	3d	3e	3f	MM/DD/YYYY	MM/DD/YYYY	MM/DD/YYYY	MM/DD/YYYY	MM/DD/YYYY	MM/DD/YYYY			
3a	3b	3c	3d	3e	3f										
MM/DD/YYYY	MM/DD/YYYY	MM/DD/YYYY	MM/DD/YYYY	MM/DD/YYYY	MM/DD/YYYY										
<p>4 Did the estate or trust take a deduction instead of a credit for the claim of right on the 2021 federal income tax return?..... <i>If the answer is "Yes," you must include the amount on line 1 as an "Other Additions to federal Income" on Form 141AZ, Schedule B, line B3.</i></p>	4	Yes <input type="checkbox"/> No <input type="checkbox"/>													

Part 2 Decrease in Prior Year's Tax

5 Prior Taxable Year End	5	MM/DD/YYYY	
6 Enter the amount of tax from the Arizona tax return filed for the prior tax year. See instructions	6		00
7 For the year listed on line 5, refigure your tax for the prior tax year without including the income that you repaid in 2021	7		00
8 Subtract line 7 from 6. Enter the difference	8		00

This is the estate or trust's claim of right credit for the current tax year. Enter the amount shown on line 8 on the estate or trust's income tax return, Form 141AZ, line 20, box 20b.

Note: If you are completing more than one Claim of Right form, add all amounts on line 8 and enter the total on your tax return.

Part 3 Explanation of the estate or trust's claim of right for the prior tax year entered on line 5. Show how the fiduciary figured the amounts entered in Part 2. If more space is needed, continue on page 2 or provide your own schedule.

2021 Arizona Claim of Right - Fiduciary

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Income Tax Procedures and Rulings

These instructions may refer to the department's income tax procedures and rulings for more information. To view or print these, go to our website select *Reports, Statistics and Legal Research* from the main menu, then click on *Legal Research* and select a *Document Type* and *Category* from the drop down menus.

Publications

To view or print the department's publications, go to our website select *Reports, Statistics and Legal Research* from the main menu then click on *Publications* in the left hand column..

What is a Claim of Right?

Generally, a claim of right is when:

- a taxpayer received income during a prior tax year, and reported that income on the tax return filed for that prior tax year; *and*
- then has to repay that income back in a future tax year.

Example: An estate or trust received income during 2018. In 2021 the estate or trust received a letter from the business that paid the income stating there was a mistake and the income amount paid during 2018 was more than the estate or trust should have received. The estate or trust must now pay the overpaid amount back to the business.

For information regarding which types of income qualifies or does not qualify for a claim of right, see federal Publication 525 at www.irs.gov.

How Does the Claim of Right Work?

For federal income tax purposes, the estate or trust may take a deduction for the repayment of an amount included in income under a claim of right *or* claim a credit. When the amount repaid was \$3,000 or less, the estate or trust may be able to deduct the amount repaid from the income for the year in which it was repaid. Or, if the amount the estate or trust repaid is more than \$3,000, it may be able to claim a credit against the tax for the year in which it repaid it.

For Arizona income tax purposes, the Arizona claim of right provisions only apply in cases where the **total** amount repaid during the year was more than \$3,000. In this case, the estate or trust cannot take a deduction, but must claim a "credit."

When the estate or trust figures whether the amount it repaid was more or less than \$3,000, it must consider the **total** amount being repaid during the year. Each instance of repayment is not considered separately. The total re-payment amount may include income from just one prior tax year or multiple prior tax years.

Who Must Complete an Arizona Claim of Right Form?

If the estate or trust figures its 2021 income tax under Arizona's claim of right provisions, complete an Arizona Claim of Right form and include it with the estate or trust's 2021 income tax return.

The fiduciary **must** complete and include a separate form for each prior tax year for which the fiduciary figured a tax reduction (decrease).

For more information on Arizona's Claim of Right provisions and examples of how to compute the decrease in tax for a prior taxable year (or years), see the department's procedure, ITP 16-1, *Procedure for Individuals Who Restore Substantial Amounts Held Under a Claim of Right*.

How to Complete an Arizona Claim of Right Form

- If the total amount repaid during 2021 was from income that was reported in only **one prior tax year**, the fiduciary must file one form, completing Parts 1, 2 and 3.
- If the total amount repaid during 2021 was from income that was reported in **more than one prior tax year**, **file a separate form for each tax year listed on line 3, and complete each form as follows:**
 - For the earliest tax year, complete Parts 1, 2 and 3.
 - For all other years, only complete Parts 2 and 3.

For example, if the total amount repaid was from income reported in tax years 2018, 2019, and 2020, complete Parts 1, 2 and 3 for tax year 2018. *Be sure to enter the **total income** that was repaid for **all prior tax years** when completing Part 1, line 1, for taxable year 2018.*

For tax years 2019 and 2020, only complete Parts 2 and 3 on both of these separate claim of right forms.

Line-by-Line Instructions

Enter the name of the estate or trust. Enter the estate or trust employer identification number (EIN). Enter the name and title of the Fiduciary.

NOTE: *For a Grantor Trust, enter the Social Security Number of the grantor, if not deceased*

Part 1 - General Information

Line 1

Enter the **total** amount of **all income** that the estate or trust **repaid** during the 2021 tax year that was included in income under a claim of right.

CAUTION: *If the amount on line 1 is \$3,000 or less, **STOP**. The estate or trust does not qualify to figure a credit for amounts paid back under a claim of right.*

Line 2

Check “Yes” if the total amount repaid in 2021 was from income that was reported in **more** than one prior tax year.

If you checked “Yes” you **must** complete and include with the estate or trust’s 2021 tax return a separate Claim of Right form for **each** prior taxable year end. See the instructions under *How to complete an Arizona Claim of Right Form* for more than one tax year.

Line 3

Using the format, MM/DD/YYYY, list each prior taxable year end which included income that was repaid in 2020 and included in income under claim of right.

Line 4

If the estate or trust took a deduction on its 2021 federal return instead of claiming a credit, check the box, “Yes.”

The estate or trust cannot take both a deduction and claim a credit on its Arizona return for the amounts repaid and included in income under a claim of right. Because the deduction is included in the computation of its federal taxable income, it must add-back the amount of the income entered on line 1 as an “*Other Addition to Income*” on its income tax return, Form 141AZ, Schedule B, line B3.

Part 2 - Decrease in Prior Year’s Tax**Line 5**

Using the format, MM/DD/YYYY, enter the prior taxable year end date for which the estate or trust is completing this form. If the fiduciary is completing more than one form for the current tax year, complete Part 2 for each separate tax year.

Line 6

Enter the amount of tax from the Arizona return filed for the tax year listed on line 5.

Line 7

For the tax year listed on line 5, refigure the estate or trust’s tax for the tax year listed on line 5 without including the income that it repaid in 2021.

Line 8

Subtract line 7 from line 6 and enter the difference.

This is the estate or trust’s claim of right credit for the current tax year. Enter the amount shown on line 8 on its current year’s income tax return, Form 141AZ, line 20, box 20b.

If the estate or trust is completing more than one Claim of Right form, add all amounts on line 8 and enter the total on the tax return.

Part 3 - Explanation

Complete Part 3 explaining the estate or trust’s claim of right. Show how it figured the amounts in Part 2. If more space is needed, continue on page 2 of the form or provide its own schedule.

How Does the Estate or Trust file a Claim of Right form?

Complete and include the Arizona Claim of Right form with its tax return, when filed.

If it fails to complete and include this form with its tax return, the claim may be denied. Keep a copy for the estate or trust’s record.

If the estate or trust is completing more than one Claim of Right form include all forms with the estate or trust’s tax return.

2021 Tax Table for Estates or Trusts

(a)		(b)	(b)	(d)	(e)	(f)
If taxable income from Form 141AZ, page 1, line 16 is:		Enter the amount from Form 141AZ, page 1, line 16	Multiply the amount entered in column (b) by:	Enter the result	Plus	Tax Round the difference and enter this amount on Form 141AZ, page 1, line 17
Over	But not over					
\$0	\$27,272		X .0259	=	+ 0.00	=
\$27,272	\$54,544		X .0334	=	+ \$686	=
\$54,544	\$163,632		X .0417	=	+ \$1,571	=
\$163,632	and over		X .0450	=	+ \$5,991	=

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2021 WITHHOLDING HIGHLIGHTS

Electronic Filing of Withholding Tax Returns

Withholding returns shall be filed electronically for taxable years beginning from and after December 31, 2019, or when the department establishes an electronic filing program.

For 2021, the department has **three** methods by which employers may file Form A1-APR electronically. These methods are:

- An employer may register at <https://efile.aztaxes.gov/AZFSETPortal> [AZ Web File (AZFSET)] to bulk-file its return by uploading a .csv file.
- An employer may register at <https://aztaxes.gov/Home/Page> (AZTaxes) and use the data input method to submit its return.
- Registered transmitters of AZ Web File (AZFSET) can bulk-file using the transmission method.

Any employer who is required to file its withholding return electronically may apply to the director for an annual waiver from the electronic filing requirement pursuant to Arizona Revised Statutes (A.R.S) § 43-325(F). The waiver may be granted, which may be renewed for one subsequent year, if any of the following apply:

- The employer has no computer.
- The employer has no internet access.
- Any other circumstance considered to be worthy by the director.

A waiver is not required if the withholding return cannot be electronically filed for reasons beyond the employer's control, including situations in which the employer was instructed by the Internal Revenue Service (IRS), or the department to file by paper.

Please contact the department at azwebfilesupport@azdor.gov if you need assistance in electronically submitting your Arizona withholding return.

Submitting Federal Forms W-2, W-2c, W-2G and 1099 (with Arizona withholding) to the Department

Federal Forms W-2, W-2c, W-2G and 1099 are an integral part of the reconciliation process required for Arizona Form A1-APR.

- Submit all federal Forms W-2 and W-2c reporting Arizona wages paid and/or Arizona income tax withheld.
- Submit federal Forms W-2G and/or 1099 reporting Arizona income tax withheld. Federal Forms W-2G and 1099 NOT reporting Arizona income tax withheld are not required to be submitted to the department.

For calendar year 2021, an employer may submit federal Forms W-2, W-2c, W-2G, or 1099 to the department by:

- Logging into AZTaxes at <https://aztaxes.gov/Home/Page> to use the data input method, or to upload the supported federal forms as a .txt file.
- Logging into AZ Web File (AZFSET) at <https://efile.aztaxes.gov/AZFSETPortal> to upload the supported federal forms as a .txt file.
- Registered transmitters of AZ Web File (AZFSET) can bulk-file using the transmission method.
- Submitting the federal information on a CD, DVD or flash drive (Optical Media) or by paper. If submitting by Optical Media, see the Section below labeled, "Optical Media".

NOTE: *The department does not support the electronic filing of all federal withholding forms (e.g. W-2 series, 1099 series). See Pub 701 for a list of the required federal withholding forms that are currently supported by the department for electronic filing.*

Any unsupported federal forms reporting Arizona wages or Arizona income tax withheld must be filed as a paper copy or as Optical Media using Form A1-T.

Employers filing Form A1-APR or Form A1-R electronically must submit the supported federal forms electronically through AZTaxes, AZ Web File (AZFSET), or by a registered transmitter.

Federal forms not supported by the department must be submitted by CD, DVD, or flash drive (Optical Media), or as paper forms. To submit these forms, complete and mail Form A1-T to the address on the form. Include the Optical Media or the paper forms with your submission. When submitting Form A1-T, do not include a paper copy of the return. If submitting by Optical Media, see the Section below labeled, "Optical Media" for instructions.

Employers filing Form A1-APR or Form A1-R by paper may submit the required federal forms electronically through AZTaxes, or AZFSET. If the employer does not submit the supported federal forms electronically, ***all*** required federal forms ***must*** be attached to Form A1-APR as either Optical Media or as paper forms. If submitting by Optical Media, see the Section below labeled "Optical Media" for instructions. If submitting a paper return, mail the return to:

Arizona Department of Revenue
PO Box 29009
Phoenix, AZ 85038-9009

Electronic Funds Transfer

Employers are required to pay their tax liability by electronic funds transfer (EFT) if the employer owes \$500 or more for any taxable year beginning from and after December 31, 2020.

An employer may apply to the director for an annual waiver from the electronic payment requirement. The application must be received by December 31 of each year. The director may grant the waiver if any of the following applies:

- The employer has no computer.
- The employer has no internet access.
- Any other circumstance considered to be worthy by the director exists, including:
 - The employers has a sustained record of timely payments, and,
 - No delinquent tax account with the department.

To request a waiver, submit Form 292, *Electronic Filing and Payment Waiver Application*, to the department. Form 292 is available at: <https://azdor.gov/forms/other-forms/electronic-filing-and-payment-waiver-application>.

NOTE: *An employer who is required to pay by EFT but who fails to do so is subject to a penalty of 5% of the amount of the payment not made by EFT. See A.R.S. § 42-1125(O).*

For additional information on electronic funds transfer, refer to A.R.S. § 42-1129 and the related Arizona Administrative Code rules (A.A.C. R15-10-301 through R15-10-307) for detailed information.

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DO NOT FILE MORE THAN ONE ORIGINAL FORM A1-APR PER EIN PER YEAR.
Form A1-APR is due on or before January 31, 2022.
If you file Form A1-QRT, do not file this form.

Part 1 Taxpayer Information

Name	Employer Identification Number (EIN)
Number and street or PO Box	
City or town, state and ZIP Code	REVENUE USE ONLY. DO NOT MARK IN THIS AREA. 88
Business telephone number (with area code)	

Check box if:

A Amended Return **B** Address Change **C** Final Return (CANCEL ACCOUNT)

If this is your final return, the department will cancel your withholding account. Enter the date final wages were paid and complete Part 6 MM/DD/YYYY

D Check this box if return is an early-filed return for calendar year 2022 due to an account cancellation during Calendar Year 2022.

E Check this box if cancellation was due to a merger or acquisition and the surviving employer is filing Forms W-2.

81 PM	66 RCVD
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Part 2 Arizona Withholding Tax Liability

1 Total Annual Withholding Tax Liability from all sources: Enter the total amount withheld during the calendar year	1		
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Part 3 Tax Payments (See instructions.)

2 Withholding tax payments previously made for 2021	2		
3 Amount of tax paid when filing extension request	3		
4 Total payments.....	4		
5 Balance of tax due: If line 1 is larger than line 4, subtract line 4 from line 1. Enter the difference. This is the balance of tax due. Skip line 6. Non-EFT payment must accompany return.....	5		
6 Overpayment of tax: If line 4 is larger than line 1, subtract line 1 from line 4. Enter the difference. This is the overpayment of tax.....	6		

Part 4 Federal Form Transmittal Information

7 Total amount of Arizona income tax withheld as shown on federal Forms W-2, W-2c, W-2G, and 1099 for 2021	7		
8 Total Arizona wages paid to employees for 2021	8		
9 Total number of employees paid Arizona wages for 2021	9		
10 Total number of federal Forms W-2, W-2c, W-2G, and 1099 submitted to the department.....	10		

Instructions: If line 1 does not equal line 7, you have misreported your annual tax withholdings OR you have misreported your employee wage withholdings.

Declaration	Under penalties of perjury, I declare that I have examined this return and to the best of my knowledge and belief, it is a true, complete and correct return.		
	Please Sign Here		
Paid Preparer's Use Only	TAXPAYER'S SIGNATURE	DATE	BUSINESS PHONE NUMBER
	PAID PREPARER'S SIGNATURE	DATE	PAID PREPARER'S TIN
	FIRM'S NAME (OR PAID PREPARER'S NAME, IF SELF-EMPLOYED)		FIRM'S EIN
	FIRM'S STREET ADDRESS		FIRM'S PHONE NUMBER.
	CITY	STATE	ZIP CODE

Name (as shown on page 1)	EIN
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Part 5 Amended Form A1-APR

If you checked the box "Amended Return" in Part 1, explain why an amended Form A1-APR is being filed:

Part 6 Final Form A1-APR

If you checked the box "Final Return" in Part 1, check the box that indicates why this is a final return:

- 11 Reorganization or change in business entity (example: from corporation to partnership).
- 12 Business sold.
- 13 Business stopped paying wages and will not have any employees in the future.
- 14 Business permanently closed.
- 15 Business has only leased or temporary agency employees.
- 16 Other (specify reason): _____

- 17 Check this box if records will be kept at a location different from the address shown in Part 1.
 Name: _____
 Number and Street: _____
 City: _____ State: _____ ZIP Code: _____

- 18 Check this box if there is a successor employer.
 Name: _____ EIN: _____
 Number and Street: _____
 City: _____ State: _____ ZIP Code: _____

Part 7 Payment and Submission of Form A1-APR

- ▶ Taxpayers with a 2021 tax liability of more than \$500 must pay that tax liability by EFT. See instructions.
- ▶ Taxpayers with a 2021 tax liability of \$500 or less may pay that liability by EFT or by check. See instructions.
- ▶ This form must be e-filed unless the taxpayer has a waiver or is exempt from e-filing. See instructions.

2021 Arizona Annual Payment Withholding Tax Return

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Withholding Tax Procedures and Rulings

These instructions may refer to the department's withholding tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

General Information

Arizona law requires employers¹ to withhold Arizona income tax from:

- The payment of wages, salary, or bonus to any employee whose compensation is for services performed within Arizona, unless those wages are exempt from Arizona income tax withholding;
- The premature withdrawal of state and local retirement contributions; and,
- Payments of prize winnings subject to federal withholding under Internal Revenue Code (IRC) §§ 1441 or 3402(q) from:
 - The Arizona state lottery commission, or,
 - Arizona sanctioned horse or dog racing.

At the request of the individual receiving the payment, Arizona income tax may be withheld from the following:

- Retired or retainer pay for service in the military or naval forces of the United States;
- Payments under the United States civil service retirement system from the United States government service retirement and disability fund;
- Pensions;
- Traditional Individual Retirement Accounts;
- Any other annuity;
- Unemployment compensation; and
- Out-of-state wages earned by an Arizona resident, if the employer and the employee agree to withhold Arizona income tax.

For additional information on withholding requirements, refer to the Employer's Instructions for the Employee's Arizona Withholding Election (Form A-4 Instructions).

Each employer pays the tax withheld to the Arizona Department of Revenue (department) using the deposit schedule that applies to that employer.

Why is Form A1-APR Filed?

Employers and other entities that pay Arizona income tax withheld on an annual basis must file Form A1-APR to pay the income tax withheld and to reconcile their payments for the year. It may also be used as the written notice that the business is cancelling its withholding registration.

¹ Arizona law provides that all amounts withheld are to be treated as if the withholding was from wages paid to an employee. For ease of reading, "employer(s)" as used in these instructions refers to employers and to payers of

File one Form A1-APR per Employer Identification Number (EIN) per year regardless of the source of the withholding.

Unless the employer has been granted a waiver, Form A1-APR must be filed electronically. Federal Forms W-2 and W-2c reporting Arizona wages paid and/or Arizona tax withheld and federal Forms W-2G and/or 1099 reporting Arizona income tax withheld must be submitted with Form A1-APR. Refer to Pub 701, *Submitting Arizona Forms A1-R, or A1-APR, and Federal Forms W-2, W-2c, W-2G and 1099*, for information on submitting these federal forms with Form A1-APR.

NOTE: For details about other returns and forms that may be required, see the department's procedure WTP, 16-2, What Withholding Tax Forms and Returns to File and When to File Them.

What Withholding Payments are Reconciled Using This Form?

All Arizona withholding amounts averaging less than \$200 per quarter are reconciled using this form. Arizona law requires all amounts withheld to be treated as if the withholding was from wages paid to an employee.

Who May File Form A1-APR?

Only an employer that qualifies to use the annual deposit schedule may file Form A1-APR. If the employer does not qualify to use the annual deposit schedule, it must file Form A1-QRT and Form A1-R.

Who May Use the Annual Deposit Schedule?

To qualify to make its withholding payment on an annual basis, an employer must have been in business for at least a full calendar year, and must meet the following conditions:

- Established a history of withholding by filing quarterly returns for at least the 4 preceding calendar quarters.
- Had a withholding liability of more than zero ("0") for at least 1 of the previous 4 quarters.
- Had average quarterly Arizona tax withholding of \$200 or less in the last 4 quarters. This will be met if the total amount withheld in that period is \$800 or less.
- Timely filed Form A1-QRT and timely paid its Arizona withholding for at least 3 out of the last 4 preceding quarters.
- Filed Form A1-QRT for all preceding quarters.
- Filed the annual reconciliation tax return (Form A1-R) for all prior calendar years.
- Timely filed Form A1-R for the immediately preceding calendar year.
- Paid all amounts due [has no balance due (tax, penalty, or interest) for any prior quarter].

An employer may continue to make its Arizona withholding payments on an annual basis for the succeeding calendar year if all of the following conditions are met:

- The average amount of Arizona income taxes withheld by the employer in the four preceding calendar quarters does not exceed \$200.
- The employer has timely filed the annual payment tax return (Form A1-APR) and has timely made its annual Arizona withholding payment for the preceding calendar year.

If an employer does not meet all of the qualifying conditions to continue making its Arizona withholding payments on an annual basis for the

other nonpayroll payments that *withhold* Arizona income tax from payments to employees, beneficiaries or payees. Similarly, "employee(s)" includes employees, recipients, beneficiaries and payees.

succeeding calendar year, or, if that employer has an average withholding of greater than \$200 for the four preceding calendar quarters:

- That employer must determine its Arizona withholding payment schedule for succeeding calendar quarters according to the Arizona Withholding Liability/Payment Schedule section of Form A1-QRT instructions; and
- That employer shall file quarterly tax returns (Form A1-QRT) for the succeeding calendar quarters.

Electronic Filing of Withholding Tax Returns

Arizona Revised Statutes (A.R.S.) § 43-323(F) provides that withholding returns shall be filed electronically for taxable years beginning from and after December 31, 2019.

For 2021, the department has *three* methods by which employers may file Form A1-APR electronically. These methods are:

- An employer may register at <https://efile.aztaxes.gov/AZFSETPortal> [AZ Web File (AZFSET)] to bulk-file its return by uploading a .csv file.
- An employer may register at <https://aztaxes.gov/Home/Page> (AZTaxes) and use the data input method to submit its return.
- Registered transmitters of AZ Web File (AZFSET) can bulk-file using the transmission method.

Submitting Federal Forms W-2, W-2c, W-2G and 1099 to the Department

Federal Forms W-2, W-2c, W-2G and 1099 are an integral part of the reconciliation process required for Arizona Form A1-APR.

- Submit all federal Forms W-2 and W-2c reporting Arizona wages paid and/or Arizona income tax withheld.
- Submit all federal Forms W-2G and/or 1099 reporting Arizona income tax withheld. Federal Forms W-2G and 1099 NOT reporting Arizona income tax withheld are not required to be submitted to the department.

For calendar year 2021, an employer may submit federal Forms W-2, W-2c, W-2G, or 1099 to the department by:

- Logging into AZTaxes at <https://aztaxes.gov/Home/Page> to use the data input method, or to upload the supported federal forms as a .txt file.
- Logging into AZ Web File (AZFSET) at <https://efile.aztaxes.gov/AZFSETPortal> to upload the supported federal forms as a .txt file.
- Registered transmitters of AZ Web File (AZFSET) can bulk-file using the transmission method.
- Submitting the federal information on a CD, DVD or flash drive (Optical Media) or by paper. If submitting by Optical Media, see the Section below labeled, “Optical Media”.

NOTE: *The department does not support the electronic filing of all federal withholding forms (e.g. W-2 series, 1099 series). See Pub 701 for a list of the required federal withholding forms that are currently supported by the department for electronic filing.*

Any unsupported federal forms reporting Arizona wages or Arizona income tax withheld must be filed as a paper copy or as Optical Media using Form A1-T.

Employers filing Form A1-APR electronically, must submit the supported federal forms electronically through AZTaxes, AZ Web File (AZFSET), or by a registered transmitter.²

Federal forms not supported by the department must be submitted by CD, DVD, or flash drive (Optical Media), or as paper forms. To submit these forms, complete and mail Form A1-T to the address on the form. Include the Optical Media or the paper forms with your submission. When submitting Form A1-T, do not include a paper copy of Form A1-APR. If submitting by Optical Media, see the Section below labeled, “Optical Media” for instructions.

Employers filing Form A1-APR by paper, may submit the required federal forms electronically through AZTaxes, or AZFSET. If the employer does not submit the supported federal forms electronically, *all* required federal forms *must* be attached to Form A1-APR as either Optical Media or as paper forms. If submitting by Optical Media, see the Section below labeled “Optical Media” for instructions. If submitting a paper return, mail the return to:

Arizona Department of Revenue
PO Box 29009
Phoenix, AZ 85038-9009

Optical media

When submitting the federal attachments by Optical Media, label the CD, DVD or flash drive with the employer's name, EIN, preparer contact information, calendar year and Form W-2 or Form 1099 (or both, whichever applies). If the Optical Media is password protected, note that on the label and indicate the email address from which you will be sending the password to the department. Email the password separately to MediaLibrarian@azdor.gov. Include “Form W-2” or “Form 1099” (or both, whichever applies) in the subject line of the email. In the body of the email, include the same information that is on the label of the Optical Media.

The department will not return or copy any Optical Media submitted.

Employers submitting the information on Optical Media should secure the Optical Media in a hard case and include it with Form A1-APR or Form A1-T.

For more details on submitting the federal forms using optical media, see the department's publication, Pub. 701, *Submitting Arizona Forms A1-R or A1-APR, and Federal Forms W-2, W-2c, W-2G and 1099*.

CAUTION: *The employer submits the Optical Media at its own risk. If the department cannot access the information on the Optical Media for any reason, the employer may need to provide the information again.*

Filing Tips

- For layouts and business rules for electronically submitting federal Forms W-2, W-2c, W-2G and 1099, refer to the Department's Pub 701, or click here: <https://azdor.gov/e-services/e-services-withholding-and-w-2-1099>
- Each wage and information return reportable to Arizona must include the employer or payer's Employer Identification Number (EIN). Do not truncate the employer or payer EIN.
- Do not truncate the employee's Social Security Number (SSN).

² Required federal forms that are unsupported or rejected may be submitted as Optical Media or as paper forms.

Requesting a Waiver

Any employer who is required to file its withholding return electronically may apply to the director for an annual waiver from the electronic filing requirement. The waiver may be granted, which may be renewed for one subsequent year, if any of the following apply:

- The employer has no computer.
- The employer has no internet access.
- Any other circumstance considered to be worthy by the director.

To request a waiver, submit Form 292, Electronic Filing and Payment Waiver Application, to the department. Form 292 is available at: <https://azdor.gov/forms/other-forms/electronic-filing-and-payment-waiver-application>.

A waiver is not required if the withholding return cannot be electronically filed for reasons beyond the employer's control, including situations in which the employer was instructed by the Internal Revenue Service (IRS), or the department to file by paper.

Please contact the department at azwebfilesupport@azdor.gov if you need assistance in electronically submitting your Arizona withholding return.

When is Form A1-APR Due?

Form A1-APR is due on or before January 31 of the year following the close of the calendar year.

Timely Filing of Returns

- The department determines the timeliness of an electronically filed tax return by the date of the electronic postmark. If the taxpayer and the electronic return preparer or the electronic return transmitter are in different time zones, it is the taxpayer's time zone, as determined by the taxpayer's address, that controls the timeliness of the electronically filed return. When a return has been electronically received on the host system of more than one electronic return preparer or electronic return transmitter during its ultimate transmission to the department, the return shall be deemed filed and received by the department on the date of the earliest electronic postmark.
- The department determines the timeliness of a paper-filed tax return by the postmark or other official mark of the United States Mail stamped on the envelope in which the return is mailed. See the department's ruling, GTR 16-1, *Timely Filing of Income or Withholding Tax Returns Through the United States Mail*.
- The department will accept proof of mailing from a private delivery service included in the Internal Revenue Service (IRS) list of designated private delivery services. Contact the private delivery service for information regarding how to obtain written proof of mailing.
- If the due date for the return falls on a Saturday, Sunday, or a legal holiday, the return is considered timely filed if it is postmarked the next business day. See the department's ruling, GTR 16-2, *Timely Filing of Income or Withholding Tax Return – Holidays and Weekends*.

Extension of Time to File Form A1-APR

You may apply for a 30-day extension of time to file Form A1-APR. When asking for an extension, you must show good cause. You must file the extension request as soon as you know that you need an extension. The extension request must be mailed on or before January 31. For details on how to request an extension, see the

department's procedure, WTP 11-1, *Procedure for Requesting Extension of the Filing Deadline for Annual Withholding Tax Returns*.

If you are required to pay by EFT and are making a payment with your extension request, see the Section, *Payments by Electronic Funds Transfer*, for options to make your extension payment.

If you are not required to pay by EFT you may elect to pay by EFT. Or you may pay by check, e-check, money order, or credit card. If you are paying by check or money order complete Form A1-WP and include the check or money order with the form. Show that the payment is for the 4th Quarter of the year for which you requested the extension.

Filing Original Returns

File this form only on a calendar year basis. File one Form A1-APR per EIN regardless of the source of the withholding.

Submit Form A1-APR electronically unless the employer has been granted a waiver pursuant to A.R.S. § 43-325(F) or has been instructed to file a paper return by the IRS or by the department.

NOTE: Arizona law states that all amounts withheld are to be treated as if the withholding was from wages paid to an employee. If you file federal Form 941 or Form 944 to report federal withholding on Arizona wages and federal Form 945 to report federal withholding on Arizona non-wage payments for the same EIN AND your total Arizona withholding payments are less than \$200 per quarter, file one Form A1-APR to report and reconcile your total Arizona withholding for the year, regardless of the source of that withholding. Do not file more than one original A1-APR for the same EIN for the same calendar year.

What To Do If You Close Your Business

When your business is sold, discontinued, converted to a new form, or all your employees are dismissed, you must notify the department by filing a final return and request the department close your withholding account. Until you request the department close your withholding account, your withholding return(s) will continue to be due.

To file your final Form A1-APR

- Check box C "Final Return (CANCEL ACCOUNT)" to close your withholding account. Enter the date final wages were paid. Also complete Part 6.
- Check box D if this return is an "early-filed return for calendar year 2021 due to an account cancellation during 2021."
- Check box E if the cancellation was due to a merger or acquisition and the surviving employer is filing federal Forms W-2.

Filing Amended Returns

If this is an amended Form A1-APR, check Box A, "Amended Return" and complete the form using your corrected withholding information. Complete Part 5 to explain why you amended your return. Include amended federal Forms W-2, W-2c, W-2G, and 1099 with the amended return.

Unless the employer was granted a waiver to file its original return by paper, or was directed by the IRS or the department to file the original Form A1-APR as a paper return, amended Forms A1-APR shall be submitted electronically using either AZFSET or a registered transmitter. For additional information on either of these methods, see the preceding section labeled, Electronic Filing of Withholding Tax Returns.

NOTE: Amended Forms A1-APR cannot be submitted through AZTaxes. If the AZTaxes.gov data entry method was used for filing the original return, the amended return must be filed by paper.

Penalties and Interest

A. Late Filing Penalty

If you file late, a late filing penalty will be assessed. This penalty is 4½% (.045) of the tax required to be shown on the return for each month or fraction of a month the return is late. This penalty cannot exceed 25% (.25) of the tax found to be remaining due.

B. Late Payment Penalty

If the tax is paid late, a late payment penalty will be assessed. This penalty is ½ of 1% (.005) of the amount shown as tax for each month or fraction of a month for which the failure continues. We charge this penalty from the original due date of the return until the date you pay the tax. This penalty cannot exceed a total of 10% (.10).

NOTE – Amended Return Filers: *If you voluntarily file an amended return and pay the additional tax due when you file your amended return, the department will not assess the late payment penalty. Exceptions are:*

- *The taxpayer is under audit by the department.*
- *The amended return was filed on demand or requested by the department.*

NOTE: *If the penalties in both A and B apply, the maximum combined penalty cannot be more than 25%.*

C. Additional Failure to Pay Penalty

An additional penalty may be assessed if the amount of tax required to be withheld is not paid by the date set for its payment. This penalty is 25% (.25) of the amount of tax required to be withheld and paid to the department.

D. Payroll Service Company Penalty

A PSC **must** make withholding payments electronically. A PSC must also file Form A1-APR electronically. A PSC is subject to a \$25 penalty for each failure to make withholding payments electronically; and it is also subject to a \$25 penalty for each failure to file withholding returns electronically. Multiple \$25 penalties could apply to the same client on one return. For example, if Client A is required to make 4 payments in the 3rd quarter, and none of the payments are made electronically, the PSC would be subject to four \$25 penalties, totaling \$100. If the PSC files a paper Form A1-APR for Client A, the PSC will be charged another penalty of \$25. The PSC would owe a grand total of \$125 in penalties related to Client A for the 3rd quarter.

E. Interest

Interest is charged on any tax not paid by the due date. The Arizona interest rate is the same as the federal rate imposed on individual taxpayers.

Payment of Tax

The entire amount of tax must be paid by the original due date of Form A1-APR. The tax must be paid by the original due date even if the employer has been granted an extension of time to file Form A1-APR.

Payment by Electronic Funds Transfer

Employers are required to pay their tax liability by electronic funds transfer (EFT) if the employer owes \$500 or more for any taxable year beginning from and after December 31, 2020.

An employer may apply to the director for an annual waiver from the electronic payment requirement. The application must be received by December 31 of each year. The director may grant the waiver if any of the following applies:

- The employer has no computer.

- The employer has no internet access.
- Any other circumstance considered to be worthy by the director exists, including:
 - The employer has a sustained record of timely payments, and,
 - No delinquent tax account with the department.

To request a waiver, submit Form 292, *Electronic Filing and Payment Waiver Application*, to the department. Form 292 is available at: <https://azdor.gov/forms/other-forms/electronic-filing-and-payment-waiver-application>.

NOTE: *An employer who is required to pay by EFT but who fails to do so is subject to a penalty of 5% of the amount of the payment not made by EFT. See A.R.S. § 42-1125(O).*

For additional information on electronic funds transfer, refer to A.R.S. § 42-1129 and the related Arizona Administrative Code rules (A.A.C. R15-10-301 through R15-10-307) for detailed information.

How to Make EFT Payments

Employers making EFT payments must register with the department before their EFT payments may be accepted. **An officer of the employer must complete the initial registration.**

Once registered, employers may use www.AZTaxes.gov to make EFT payments:

- Electronic payment from checking or savings account/e-check/ACH Debit.

Payments can be made electronically from a checking or savings account. Login to your www.AZTaxes.gov account and choose the e-check option. Follow the prompts to complete your registration.

There is no fee to use this method. This payment method will debit the amount from the specified checking or savings account on the date specified. If an electronic payment is made from a checking or savings account, a confirmation number will be generated. Please keep this confirmation number as proof of payment.

- Online credit card payment

Payments can be made by American Express, Discover, MasterCard, or Visa credit cards. Login to your www.AZTaxes.gov account and choose the credit card option. This will take you to the website of the credit card payment service provider. Follow the prompts to make your payment.

The service provider will charge a fee based on the amount of the tax payment. The service provider will disclose the amount of the fee during the transaction and you will be given the option to continue or cancel. If you accept the fee and complete the credit card transaction, a confirmation number will be generated. Please keep this confirmation number as proof of payment.

Employers may also make EFT payment by ACH Credit.

To register to make ACH Credit payments, go to the department's website, www.azdor.gov. Click on "Forms," then click "Other Forms." Click on Form number 10366, Electronic Funds Transfer (EFT) Disclosure Agreement for ACH Credit filers. Click "Download." Complete the form as instructed. Submit the completed form at least five business days before the first anticipated transaction as it may take that long to process the application.

Fax the completed form to the department at (602) 771-9913. You may also email the completed form to the department at electronicfundstransfer@azdor.gov. Once the application is

processed, the employers will receive additional information to present to its bank to make the ACH Credit payment.

The payment will be electronically transferred into the department's account, normally the next business day. The employer should consult with its bank for the timeframe required to make timely payments. NOTE: The employer may be charged a service fee.

NOTE: *Employers using a foreign bank account to make EFT payments cannot make EFT payments by ACH Debit. **The department does not accept ACH Debit payments from a foreign bank account.** If the employer wishes to make payment from a foreign bank account by EFT, the payment **MUST** be made by ACH Credit. See the instructions above for ACH Credit to register and make ACH Credit payments.*

Specific Instructions

Submit Form A1-APR electronically unless you were granted a waiver pursuant to Arizona Revised Statutes (A.R.S.) § 43-325(F), or have been instructed by the Internal Revenue Service of the department to file a paper return.

Part 1 - Taxpayer Information

Name and Address

Enter the employer's name, address, and telephone number in the spaces provided.

If the employer has a foreign address, enter the information in the following order: city, province or state, and country. Follow the country's practice for entering the postal code. **Do not abbreviate the country's name.**

Employer Identification Number (EIN)

Enter the employer's EIN. If the employer does not have an EIN, it must get one from the Internal Revenue Service. Employers that fail to include their EIN may be subject to a penalty.

Check Boxes:

A. Amended Return

If this is an amended Form A1-APR, check Box A, "Amended Return." Complete Part 5 to explain why you amended your return. Include the corrected copies of Forms W-2, W-2c, W-2G and 1099 with your amended Form A1-APR.

B. Address Change

If you had an address change since you last filed Form A1-APR, check Box B, "Address Change" and enter your current address in Part 1.

C. Final Return

If this is a final return, check Box C, "Final Return (CANCEL ACCOUNT)" to request the department cancel your withholding account. Enter the date final wages were paid. Complete Part 6 to indicate the reason for cancelling your account. Complete the remainder of your return to report your Arizona income tax withheld for the year in which your account was closed. Include state copies of Form(s) W-2, W-2c reporting Arizona wages paid and/or Arizona income tax withheld, and federal Forms W-2G and 1099 reporting Arizona income tax was withheld.

D. Early-Filed Final Return

If you cancelled your withholding account during 2022, you may use the 2021 Form A1-APR to file your final reconciliation for 2022 before its normal due date of January 31, 2023. If you are filing an early return for 2022, check Box D to indicate that this is an early-filed return for 2022.

E. Cancellation Due to Merger or Acquisition

If you cancelled your withholding account because of a merger or acquisition and the surviving employer is filing Forms W-2 for the year, check Box E.

Part 2 - Arizona Withholding Tax Liability

Line 1

Enter the amount of Arizona income tax withheld for the calendar year. Include all amounts withheld, even though you have not yet paid those amounts. The total entered on line 1 should equal the amount entered on line 7.

Part 3 - Tax Payments

Line 2

Enter the amount of all payments made for 2021. Do not enter any amount paid with an extension request.

Line 3

Enter any payment made with an extension request. If filing with an extension, attach a copy of the extension request to the front of Form A1-APR.

Line 4

Add lines 2 and 3. Enter the total.

If you are amending Form A1-APR check Box A. Add lines 2 and 3. Subtract any previous amount that was refunded or for which you received a credit.

Line 5

If line 1 is more than line 4, subtract line 4 from line 1. Enter the difference. **This is the amount of tax due.**

If you owe any penalty or interest, the department will calculate these amounts and mail a billing notice after the return is processed.

If you are filing an amended return and that return shows a balance due, enclose the amount due with the amended return. You may also pay through www.AZTaxes.gov if you are registered. The department will send you a bill for any interest or penalty due once the amended return is processed.

Employers required to make payments by EFT, see the Section, *Payment by Electronic Funds Transfer*, for options to pay your tax liability by EFT.

Employers not required to make payments by EFT, may elect to pay by EFT. They may also pay by check or money order. Make the check or money order payable to Arizona Department of Revenue. Include the corporation's EIN on the front of the check or money order. *If paying by check or money order, include the check or money order with the return.*

Taxpayers that are required to electronically file Form A1-APR, but not pay their tax liability by EFT, mail the check and the Form A1-WP to:

Arizona Department of Revenue
PO Box 29009
Phoenix, AZ 85038-9009

Taxpayers that have a filing waiver or are exempt from electronic filing and are not required to pay their tax liability by EFT, mail the check and Form A1-APR to:

Arizona Department of Revenue
PO Box 29009
Phoenix, AZ 85038-9009

Line 6

If line 4 is more than line 1, subtract line 1 from line 4. Enter the difference.

This is the amount of overpayment. An overpayment will first be applied to any unpaid tax. This may include tax due for another tax type. If the overpayment is more than any unpaid tax, or if the employer does not have an unpaid balance of tax, a refund will be issued. A refund will not be issued once the overpayment is applied to a tax balance.

Part 4 - Federal Form Transmittal Information
--

Line 7

Enter the total amount of income tax withheld from Arizona wages paid to employees for 2021. This amount must be the same as shown on federal Forms W-2, W-2c, W-2G and 1099.

Line 8

Enter the total amount of Arizona wages paid to employees for 2021. This amount must be the same as shown on federal Forms W-2, W-2c, W-2G and 1099.

Line 9

Enter the total number of employees paid Arizona wages for 2021.

Line 10

Enter the total number of federal Forms W-2, W-2c, W-2G and 1099 submitted with this return.

Part 5 - Amended Form A1-APR

If this is an amended return, please explain why you are amending Form A1-APR.

Part 6 - Final Form A1-APR

Lines 11 through 16 -

If you checked Box C, "Final Return (CANCEL ACCOUNT)," check the box in Part 6 that explains why this is a final return. If the reason is not provided, check "Other" and enter your own explanation.

Line 17

Check the box and provide name and location of your records if they will be kept at a location different from the address you provided in Part 1.

Line 18

Check the box and provide the name and address of the successor employer, if any.

Part 7 - Payment and Submission of Return
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Filing Form A1-APR

Submit Form A1-APR and federal forms W-2, W-2c, W-2g and 1099 electronically unless the employer has been granted a waiver pursuant to A.R.S. § 43-325(F) or has been instructed by the IRS or by the department to file a paper return.

The entire amount of tax, penalties, and interest is due by the original due date of the return.

If payment is due, and the employer is required to pay by EFT, refer to the Section, "How to Make EFT Payments", for instructions on paying by EFT.

If payment is due, and the employer is not required to pay by EFT, you may elect to pay by EFT. Or you may pay by check or money order. If paying by check or money order, make the check or money order payable to the Arizona Department of Revenue. Include the employer's EIN on the front of the check or money order. ***Include the check or money order with your return.***

Who Must Sign Form A1-APR

The following persons are authorized to sign the return for each type of business entity.

- **Sole proprietorship** - The individual who owns the business.
- **Corporation (including a limited liability company (LLC) treated as a corporation)** - The president, vice president, or other principal officer duly authorized to sign.
- **Partnership (including an LLC treated as a partnership) or unincorporated organization** - A responsible and duly authorized member, partner, or officer having knowledge of its affairs.
- **Single member LLC treated as a disregarded entity for federal income tax purposes** - The owner of the LLC or a principal officer duly authorized to sign.
- **Trust or estate** - The fiduciary.

Form A1-APR may be signed by a duly authorized agent of the taxpayer if a valid power of attorney has been filed.

Paid Preparer Use Only

Paid preparers: Sign and date the return. Complete the firm name and address lines (the paid preparer's name and address, if self-employed).

Paid preparers must provide a Tax Identification Number (TIN). Paid preparers that fail to include their TIN may be subject to a penalty.

The TIN for a paid preparer may be one of the following:

- The preparer's PTIN,
- The EIN for the business,
- The individual preparer's social security number (SSN), if self-employed.

DO NOT file more than one original A1-QRT per EIN per quarter.

Part 1 Taxpayer Information

Name	Employer Identification Number (EIN)
Number and street or PO Box	QUARTER AND YEAR Q Y, Y, Y, Y
City or town, state and ZIP Code	↑ Enter Quarter (1, 2, 3 or 4) and four digits of year. See instructions.
Business telephone number (with area code)	REVENUE USE ONLY. DO NOT MARK IN THIS AREA. 88

Check box if:

A Amended Return **B** Address Change **C** Final Return (CANCEL ACCOUNT)

If this is your final return, the department will cancel your withholding account. Enter the date final wages were paid and complete Part 6 M, M, D, D | Y, Y, Y, Y

D Check this box if this form is being filed by the surviving employer and the periods covered by this return are for less than three (3) months. Also enter the following:

Predecessor Employer Name
Predecessor Employer EIN.....

81 PM	66 RCVD
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E Total Arizona payroll for this quarter..... \$

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F Total number of employees paid Arizona wages for this quarter.....

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Part 2 Tax Liability Schedule

Include all withholding amounts from all sources (i.e. wages & salary, pensions & annuities, gambling winnings, etc.). See instructions.

A. Quarterly Deposit Schedule: Complete if prior 4 quarter average was not more than \$1,500.

A1 Tax Liability. Enter the total amount withheld during the quarter. Also enter this amount on Part 3, line 1 **A1**

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Complete Section A above **OR** Section B below; **DO NOT COMPLETE BOTH.**

B. Monthly or Semi-Weekly/Next Day Deposit Schedule: Complete if prior 4 quarter average was greater than \$1,500.

Semi-weekly depositors and taxpayers with a next-day tax deposit obligation during the quarter, **CHECK THIS BOX** and complete Part 4.

For lines B1 through B3, enter the total amount withheld for each month in the quarter.

B1 Month 1 Liability.....	B1		
B2 Month 2 Liability.....	B2		
B3 Month 3 Liability.....	B3		
B4 Total. Enter this amount on Part 3, line 1.....	B4		

Part 3 Tax Computation (See instructions.)

1 Liability: Enter the amount from line A1 or line B4	1		
2 Payments made during this quarter.	2		
3 Total Amount Due: Subtract line 2 from line 1. Enter the difference. Use a minus sign to indicate a negative amount.	3		

Declaration	Under penalties of perjury, I declare that I have examined this return and to the best of my knowledge and belief, it is a true, complete and correct return.		
Please Sign Here	TAXPAYER'S SIGNATURE _____	DATE _____	BUSINESS TELEPHONE NUMBER _____
Paid Preparer's Use Only	PAID PREPARER'S SIGNATURE _____	DATE _____	PAID PREPARER'S PTIN _____
	FIRM'S NAME (OR PAID PREPARER'S NAME, IF SELF-EMPLOYED) _____		FIRM'S EIN _____
	FIRM'S STREET ADDRESS _____		FIRM'S TELEPHONE NUMBER _____
	CITY _____	STATE _____	ZIP CODE _____

▶ **Payment by EFT may be required. See instructions.**
▶ **This form must be e-filed unless the taxpayer has a waiver or is exempt from e-filing. See instructions**

Part 4 Semi-Weekly/Next Day Deposit Schedule

A. First Month of Quarter (Days of the Month)

1 <input type="checkbox"/>	8 <input type="checkbox"/>	15 <input type="checkbox"/>	22 <input type="checkbox"/>	29 <input type="checkbox"/>	Check a box only if you had a next-banking day deposit obligation.
2 <input type="checkbox"/>	9 <input type="checkbox"/>	16 <input type="checkbox"/>	23 <input type="checkbox"/>	30 <input type="checkbox"/>	
3 <input type="checkbox"/>	10 <input type="checkbox"/>	17 <input type="checkbox"/>	24 <input type="checkbox"/>	31 <input type="checkbox"/>	
4 <input type="checkbox"/>	11 <input type="checkbox"/>	18 <input type="checkbox"/>	25 <input type="checkbox"/>		
5 <input type="checkbox"/>	12 <input type="checkbox"/>	19 <input type="checkbox"/>	26 <input type="checkbox"/>		
6 <input type="checkbox"/>	13 <input type="checkbox"/>	20 <input type="checkbox"/>	27 <input type="checkbox"/>		
7 <input type="checkbox"/>	14 <input type="checkbox"/>	21 <input type="checkbox"/>	28 <input type="checkbox"/>		

Month 1 Liability: Enter total here and on Part 2, line B1..... \$

B. Second Month of Quarter (Days of the Month)

1 <input type="checkbox"/>	8 <input type="checkbox"/>	15 <input type="checkbox"/>	22 <input type="checkbox"/>	29 <input type="checkbox"/>	Check a box only if you had a next-banking day deposit obligation.
2 <input type="checkbox"/>	9 <input type="checkbox"/>	16 <input type="checkbox"/>	23 <input type="checkbox"/>	30 <input type="checkbox"/>	
3 <input type="checkbox"/>	10 <input type="checkbox"/>	17 <input type="checkbox"/>	24 <input type="checkbox"/>	31 <input type="checkbox"/>	
4 <input type="checkbox"/>	11 <input type="checkbox"/>	18 <input type="checkbox"/>	25 <input type="checkbox"/>		
5 <input type="checkbox"/>	12 <input type="checkbox"/>	19 <input type="checkbox"/>	26 <input type="checkbox"/>		
6 <input type="checkbox"/>	13 <input type="checkbox"/>	20 <input type="checkbox"/>	27 <input type="checkbox"/>		
7 <input type="checkbox"/>	14 <input type="checkbox"/>	21 <input type="checkbox"/>	28 <input type="checkbox"/>		

Month 2 Liability: Enter total here and on Part 2, line B2..... \$

C. Third Month of Quarter (Days of the Month)

1 <input type="checkbox"/>	8 <input type="checkbox"/>	15 <input type="checkbox"/>	22 <input type="checkbox"/>	29 <input type="checkbox"/>	Check a box only if you had a next-banking day deposit obligation.
2 <input type="checkbox"/>	9 <input type="checkbox"/>	16 <input type="checkbox"/>	23 <input type="checkbox"/>	30 <input type="checkbox"/>	
3 <input type="checkbox"/>	10 <input type="checkbox"/>	17 <input type="checkbox"/>	24 <input type="checkbox"/>	31 <input type="checkbox"/>	
4 <input type="checkbox"/>	11 <input type="checkbox"/>	18 <input type="checkbox"/>	25 <input type="checkbox"/>		
5 <input type="checkbox"/>	12 <input type="checkbox"/>	19 <input type="checkbox"/>	26 <input type="checkbox"/>		
6 <input type="checkbox"/>	13 <input type="checkbox"/>	20 <input type="checkbox"/>	27 <input type="checkbox"/>		
7 <input type="checkbox"/>	14 <input type="checkbox"/>	21 <input type="checkbox"/>	28 <input type="checkbox"/>		

Month 3 Liability: Enter total here and on Part 2, line B3..... \$

Part 5 Amended Form A1-QRT Return Information

If you checked the box "Amended Return" in Part 1, explain why an amended Form A1-QRT is being filed (include additional sheets, if necessary):

Part 6 Final Form A1-QRT

If you checked the box "Final Return" in Part 1, check the box that indicates why this is a final return:

- 1 Reorganization or change in business entity (example: from corporation to partnership).
- 2 Business sold.
- 3 Business stopped paying wages and will not have any employees in the future.
- 4 Business permanently closed.
- 5 Business has only leased or temporary agency employees.
- 6 Other (specify reason): _____

- 7 Check this box if records will be kept at a location different from the address shown in Part 1.
 Name: _____
 Number and Street: _____
 City: _____ State: _____ ZIP Code: _____

- 8 Check this box if there is a successor employer.
 Name: _____ EIN: _____
 Number and Street: _____
 City: _____ State: _____ ZIP Code: _____

Arizona Quarterly Withholding Tax Return

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Withholding Tax Procedures and Rulings

These instructions may refer to the department's withholding tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

Why is Form A1-QRT required?

An employer must withhold Arizona income tax from wages paid for services performed in Arizona. Income tax must be withheld, unless those wages are exempt from Arizona withholding tax. In addition, Arizona income tax may be withheld from pensions and gambling winnings.

The employer must remit the tax withheld to the department based on the deposit schedule that applies to that employer.

Employers must reconcile the amounts withheld during the quarter to the amounts paid during the quarter. Form A1-QRT is filed for this purpose.

Form A1-QRT is also used as:

- The payment transmittal form for payments made on a quarterly basis when those payments are made by check or money order; and,
- The written notification to the department that the business is cancelling its withholding registration.

NOTE: For details about other returns and forms that may be required, see Withholding Tax Procedure (WTP) 16-2, What Withholding Tax Forms and Returns to File and When to File Them.

Who Must File Form A1-QRT

All employers, except employers who remit Arizona income tax on an annual basis, must file Form A1-QRT. Employers that remit Arizona income tax on any of the following schedules must file Form A1-QRT to reconcile their withholding deposits for the calendar quarter:

- Quarterly
- Monthly
- Semi-weekly
- Next day

Form A1-QRT is also used as:

- The payment transmittal form for payments made on a quarterly basis when those payments are made by check or money order, and as,
- The written notification to the department that the business is cancelling its withholding registration.

NOTE: An employer must file Form A1-QRT for every quarter. This includes quarters in which the employer has not withheld any Arizona tax. For those quarters, the employer must file a Form A1-QRT that shows zero withholding liability. These returns must be filed until the employer cancels its withholding registration by filing a final Form A1-QRT. The only exception is for employers that qualify to file and pay on an annual basis (Form A1-APR).

Exception for annual payment return (Form A1-APR)

Certain employers may make their withholding payments on an annual basis and file an annual withholding tax return on Form A1-APR. These employers will not file Form A1-QRT or Form A1-R.

An employer may make its Arizona withholding payments on an annual basis if all of the following conditions are met:

- The employer has established a history of withholding activity by filing the quarterly tax return (Form A1-QRT) for at least the four preceding calendar quarters.
- The employer's withholding liability was an amount greater than zero for at least one of the four preceding calendar quarters.
- The average amount of Arizona income taxes withheld by the employer in the four preceding calendar quarters does not exceed \$200. The employer will meet this average withholding requirement if the total amount withheld in the four preceding calendar quarters is \$800 or less.
- The employer has timely filed Form A1-QRT and has timely made its Arizona withholding payments for at least three of the four preceding calendar quarters.
- The employer has filed Form A1-QRT for all preceding calendar quarters and does not have a balance due (tax, penalty, or interest) for any preceding calendar quarter.
- The employer has filed the annual reconciliation tax return (Form A1-R) for all preceding calendar years and has timely filed Form A1-R for the preceding calendar year.

An employer may continue to make its Arizona withholding payments on an annual basis for the succeeding calendar year if all of the following conditions are met:

- The average amount of Arizona income taxes withheld by the employer in the four preceding calendar quarters does not exceed \$200; and,
- The employer has timely filed the annual tax return and has timely made its annual Arizona withholding payment for the preceding calendar year.

If an employer does not meet all of the qualifying conditions to continue making its Arizona withholding payments on an annual basis for the succeeding calendar year, or, if that employer has an average withholding of greater than \$200 for the four preceding calendar quarters:

- The employer must determine its Arizona withholding payment schedule for succeeding calendar quarters according to the instructions in the Arizona Withholding Liability/Payment Schedule section; and,

- The employer shall file the quarterly tax return (Form A1-QRT) for succeeding calendar quarters.

What withholding payments are reconciled using this form?

All Arizona withholding amounts averaging more than \$200 per quarter are reconciled using this form. Arizona law requires all amounts withheld to be treated as if the withholding was from wages paid to an employee.

NOTE: Arizona law states that all amounts withheld are to be treated as if the withholding was from wages paid to an employee. If you file federal Form 941 to report federal withholding on Arizona wages and federal Form 945 to report federal withholding on Arizona non-wage payments for the same Employer Identification Number (EIN), file one A1-QRT to reconcile the total Arizona withholding for the quarter. Do not file more than one original A1-QRT for the same EIN for the same quarter.

File Form A1-QRT for every quarter. This includes quarters in which the employer has not withheld any Arizona income tax. For those quarters, file Form A1-QRT reporting zero (0) withholding liability.

Form A1-QRT must be filed until the employer cancels its withholding registration by filing a final Form A1-QRT. (See page 4 for instructions on filing a final Form A1-QRT.)

NOTE: Employers that qualify to file and pay on an annual basis (Form A1-APR) are not required to file Form A1-QRT.

Payroll Service Companies

You may use a Payroll Service Company (PSC) to file your Form A1-QRT. If you use a PSC, that company must file your A1-QRT electronically.

Arizona Withholding Deposit Schedules

For Arizona income tax withholding purposes, several deposit schedules may apply. The schedule that an employer must use depends on the amount of Arizona income tax withheld. These schedules are based on the average amount withheld during the prior 4 quarter period. The employer must compute this average at the start of each new quarter. The deposit schedule that may apply for one quarter may not be the same schedule that applies to the next quarter. Refer to A.A.C. R15-2B-101(A), OR, to the department’s procedure, WTP 16-1, [Procedure for Determining When an Employer Must Remit Arizona Withholding Tax](#), for information on determining your deposit schedule.

NOTE: Employers whose Arizona withholding tax liability for the 2021 calendar year is \$500 or more must make Arizona withholding tax payments using EFT. See the section “Payment by Electronic Funds Transfer” on page 5 for additional information.

Explanation of Deposit Schedules

The Arizona deposit schedules are as follows:

Previous 4 Quarter Arizona Withholding Average	Arizona Deposit Schedule
\$1,500 or less	Quarterly (May deposit on an annual basis if 4 quarter average is \$200 or less and other criteria met)
More than \$1,500	Same time as Federal (Monthly, Semi-weekly, Next Business Day)

NOTE: For help in figuring out your quarterly averages and which deposit schedule to use, see WTP 16-2, What Withholding Tax Forms and Returns to File and When to File Them.

Annual Deposit Schedule

NOTE: An employer that uses the annual deposit schedule does not file Form A1-QRT. This employer files Form A1-APR instead.

Some employers may qualify to make one annual Arizona withholding payment. The employer must have been in business for at least a year and must have established a specified filing and payment history. The employer must also have an average quarterly Arizona tax withholding of \$200 or less for the 4 preceding calendar quarters. For complete details, see the instructions for the *Annual Payment Withholding Tax Return, Arizona Form A1-APR*.

The payment due date for the annual deposit schedule is:

Period in Which Wages Paid	Arizona Payment Due By
January – December	January 31 of the following year
<i>If the due date falls on a Saturday, Sunday, or a legal holiday, the payment will be timely if made on the next banking day.</i>	

Quarterly Deposit Schedule

An employer that does not qualify to make one annual Arizona withholding payment and its income tax withheld during the prior 4 quarters was not greater than \$1,500, must use the quarterly deposit schedule.

The payment due dates for the quarterly deposit schedule are:

Quarter in Which Wages Paid	Arizona Payment Due By
1st	April 30
2nd	July 31
3rd	October 31
4th	January 31
<i>If the due date falls on a Saturday, Sunday, or a legal holiday, the payment will be considered timely if made on the next banking day.</i>	

Monthly or Semi-Weekly Deposit Schedule (Same Time as Federal Deposit Schedule)

When an employer’s prior 4 quarter average of Arizona income tax withheld is more than \$1,500, the employer must pay its Arizona income tax withheld at the same time it pays its federal tax.

For federal purposes, there are two deposit schedules, monthly and semi-weekly. Before the start of each calendar year, the employer must decide which of the two deposit schedules it must use. The terms “monthly deposit schedule” and “semi-weekly deposit schedule” do not refer to how often a business pays wages. These terms refer to which set of deposit rules the employer must use. The deposit rules are based on the dates when wages are paid (cash basis); not on when tax liabilities are accrued for accounting purposes.

Federal Monthly Deposit Schedule

For federal purposes, this schedule applies when the total federal tax reported for the federal lookback period was \$50,000 or less. Following the monthly deposit schedule, an employer must deposit its taxes for wages paid during the month by the 15th day of the following month. An Arizona employer whose prior 4 quarter average is more than \$1,500, who uses this schedule for federal purposes must also deposit the Arizona tax withheld by the 15th day of the following month.

NOTE: *If the due date falls on Saturday, Sunday, or a legal holiday, the payment is considered timely if made on the next banking day.*

Federal Semi-Weekly Deposit Schedule

This schedule applies when the employer’s total federal tax reported for the federal lookback period was more than \$50,000. An Arizona employer whose prior 4 quarter average is more than \$1,500, who uses semi-weekly deposit schedule for federal purposes must use this same schedule to pay its Arizona tax. Use the table below to determine when you must make your deposit(s).

Semi-Weekly Deposit Schedule

Day of the Week Wages Paid	Payment Due By
Wednesday, Thursday or Friday	The following Wednesday
Saturday, Sunday, Monday or Tuesday	The following Friday
<i>If the due date falls on a Saturday, Sunday, or a legal holiday, the withholding payment is timely if made on the next banking day.</i>	

Federal Next Business Day Deposit

When the employer accumulates a federal tax liability of \$100,000 or more on any day during a federal deposit period, the employer must deposit its tax by the close of the next business day. This applies whether the employer is a monthly or semi-weekly schedule depositor.

An Arizona employer whose prior 4 quarter average is more than \$1,500, that must deposit its federal tax by the close of the next business day, must also deposit its Arizona tax by the close of the next business day. If an employer is a monthly depositor, that employer will become a semi-weekly depositor when it

incurs a next day deposit obligation. The employer will remain a semi-weekly depositor for the remainder of the calendar year and for the following calendar year.

General Instructions

Electronic Filing of Withholding Tax Returns

Arizona Revised Statutes § 43-323(F) provides that all withholding returns shall be filed electronically for taxable years beginning from and after December 31, 2019.

For 2021, the department currently has three methods to file Form A1-QRT electronically. These methods are:

- An employer may register at <https://efile.aztaxes.gov/AZFSETPortal> [AZ Web File (AZFSET)] to bulk-file its return by uploading a .csv file.
- An employer may register at <https://aztaxes.gov/Home/Page> (AZTaxes) and use the data input method to submit its return.
- Registered transmitters of AZ Web File (AZFSET) can bulk-file using the transmission method.

Requesting a Waiver

Any employer who is required to file its withholding return electronically may apply to the director for an annual waiver from the electronic filing requirement. The waiver may be granted, which may be renewed for one subsequent year, if any of the following apply:

- The employer has no computer.
- The employer has no internet access.
- Any other circumstance considered to be worthy by the director.

To request a waiver, submit Form 292, Electronic Filing and Payment Waiver Application, to the department. Form 292 is available at: <https://azdor.gov/forms/other-forms/electronic-filing-and-payment-waiver-application>.

A waiver is not required if the withholding return cannot be electronically filed for reasons beyond the employer’s control, including situations in which the employer was instructed by the Internal Revenue Service (IRS), or the Arizona Department of Revenue (department) to file by paper.

Please contact the department at azwebfilesupport@azdor.gov if you need assistance in electronically submitting your Arizona withholding return.

What are the due dates for filing Form A1-QRT?

Form A1-QRT is due as follows:

Quarter	Form A1-QRT Due Date	*Form A1-QRT Extended Due Date
1 (January - March)	April 30	May 10
2 (April - June)	July 31	August 10
3 (July - September)	October 31	November 10
4 (October - December)	January 31	February 10
*Extended due dates for Form A1-QRT are available to employers who have made every payment on time during the prior quarter. These employers may have 10 additional days in which to file their A1-QRT.		

Timely Filing of Returns

- The department determines the timeliness of an electronically filed tax return by the date of the electronic postmark. If the taxpayer and the electronic return preparer or the electronic return transmitter are in different time zones, it is the taxpayer's time zone, as determined by the taxpayer's address, that controls the timeliness of the electronically filed return. When a return has been electronically received on the host system of more than one electronic return preparer or electronic return transmitter during its ultimate transmission to the department, the return shall be deemed filed and received by the department on the date of the earliest electronic postmark.
- The department determines the timeliness of a paper-filed tax return by the postmark or other official mark of the United States Mail stamped on the envelope in which the return is mailed. See the department's ruling, GTR 16-1, *Timely Filing of Income or Withholding Tax Returns Through the United States Mail*.
- The department will accept proof of mailing from a private delivery service included in the Internal Revenue Service (IRS) list of designated private delivery services. Contact the private delivery service for information regarding how to obtain written proof of mailing.
- If the due date for the return falls on a Saturday, Sunday, or a legal holiday, the return is considered timely filed if it is postmarked the next business day. See the department's ruling, GTR 16-2, *Timely Filing of Income or Withholding Tax Return – Holidays and Weekends*.

Filing an Original Return

File this form on a quarterly basis. File one Form A1-QRT per EIN per calendar quarter regardless of the source of the withholding.

Submit Form A1-QRT electronically unless the employer has been granted a waiver pursuant to A.R.S. § 43-325(F), or has been instructed to file a paper return by the IRS or by the department. If filing a paper return, mail the return to:

Arizona Department of Revenue
PO Box 29009
Phoenix, AZ 85038-9009

What to do if you close your business

When your business is sold, discontinued, converted to a new form, or all your employees are dismissed, you must notify the department by filing a final return and request the department close your withholding account. Until you request the department cancel your withholding account, your withholding return(s) will continue to be due.

To file your final Form A1-QRT

- Check box C "Final Return" to cancel your withholding account. Enter the date final wages were paid. Also complete Part 6.
- Check box D if this form is being filed by the surviving employer and the period(s) covered are for less than 3 months. Enter the Predecessor Employer Name and EIN in the spaces provided.

NOTE: To cancel your account, you must file a final Form A1-QRT and file a final Form A1-R for the year during which final wages were paid. Refer to the instructions for Form A1-R for assistance in filing your final Form A1-R.

Filing an Amended Return

If this is an amended Form A1-QRT, check Box A, "Amended Return" and complete the form using your corrected withholding information. Complete Part 5 to explain why you amended your return.

If you amend a return for a quarter in a prior calendar year, you must also file an amended Form A1-R for that year. Include the state copies of federal Forms W-2, W-2c, W-2G, and 1099 with the amended Form A1-R.

Unless the employer was granted a waiver to file its original return by paper or was directed by the IRS or the department to file the original Form A1-QRT as a paper return, amended Forms A1-QRT shall be submitted electronically using either AZFSET or a registered transmitter. For additional information on either of these methods, see the preceding section labeled, Electronic Filing of Withholding Tax Returns.

NOTE: Amended Forms A1-QRT cannot be submitted through AZTaxes. If the AZTaxes.gov data entry method is used to file the original return, the amended return must be filed by paper. Mail the amended return to the address indicated in the section, Filing an Original Return.

Penalties and Interest

Late Filing Penalty

If you file late, a late filing penalty will be assessed. This penalty is 4½% (.045) of the tax required to be shown on the return for each month or fraction of a month the return is late. This penalty cannot exceed 25% (.25) of the tax found to be remaining due.

Late Payment Penalty

If the tax is paid late, a late payment penalty will be assessed. This penalty is ½ of 1% (.005) of the amount shown as tax for each month or fraction of a month for which the failure continues. The department charges this penalty from the original due date of the return until the date you pay the tax. This penalty cannot exceed a total of 10% (.10) of the unpaid tax.

NOTE: If you voluntarily file an amended return and pay the additional tax due when you file your amended return, the department will not assess the late payment penalty. Exceptions are:

- The taxpayer is under audit by the department.
- The amended return was filed on demand or request by the department.

NOTE: If the penalties in both A and B apply, the maximum combined penalty cannot be more than 25%.

Additional Failure to Pay Penalty

An additional penalty may be assessed if the amount of tax required to be withheld is not paid by the date set for its payment. This penalty is 25% (.25) of the amount of tax required to be withheld and paid to the department.

Payroll Service Company Penalty

A PSC **must** make withholding payments electronically. A PSC must also file Form A1-QRT electronically. A PSC is subject to a \$25 penalty for each failure to make withholding payments electronically. A PSC is also subject to a \$25 penalty for each failure to file withholding returns electronically. Multiple \$25 penalties could apply to the same client on one return. For example, if Client A is required to make 4 payments in the 3rd quarter, and none of the payments are made electronically, the PSC would be subject to four \$25 penalties, totaling \$100. If the PSC files a paper Form A1-QRT for Client A, the PSC will be charged another penalty of \$25. The PSC would owe a grand total of \$125 in penalties related to Client A for the 3rd quarter.

Interest

The department charges interest on any tax not paid by the due date. The Arizona interest rate is the same as the federal rate imposed on individual taxpayers.

Payment of Tax

The entire amount of tax must be paid by the original due date of Form A1-QRT. The tax must be paid by the original due date even if the employer has been granted an extension of time to file Form A1-QRT.

Payment by Electronic Funds Transfer

Employers are required to pay their tax liability by electronic funds transfer (EFT) if the employer owes \$500 or more for any taxable year beginning from and after December 31, 2020.

NOTE: *If an employer was required to make its tax payments for taxable year 2021 by EFT, it must also pay any additional tax due from an amended return by EFT.*

An employer may apply to the director for an annual waiver from the electronic payment requirement. The application must be received by December 31 of each year. The director may grant the waiver if any of the following applies:

- The employer has no computer.
- The employer has no internet access.
- Any other circumstance considered to be worthy by the director exists, including:
 - The employer has a sustained record of timely payments, and,
 - No delinquent tax account with the department.

To request a waiver, submit Form 292, *Electronic Filing and Payment Waiver Application*, to the department. Form 292 is available at: <https://azdor.gov/forms/other-forms/electronic-filing-and-payment-waiver-application>.

NOTE: *An employer who is required to pay by EFT but who fails to do so is subject to a penalty of 5% (.05) of the amount of the payment not made by EFT. See A.R.S. § 42-1125(O).*

For additional information on electronic funds transfer, refer to A.R.S. § 42-1129 and the related Arizona Administrative Code rules (A.A.C. R15-10-301 through R15-10-307) for detailed information.

How to Make EFT Payments

Employers making EFT payments must register with the department before their EFT payments may be accepted. **An officer of the employer must complete the initial registration.**

Employers may use AZTaxes.gov to make EFT payments:

- Payments can be made electronically from a checking or savings account. Login to your account on www.AZTaxes.gov and choose the e-check option. Follow the prompts to complete your registration.

There is no fee to use this method. This payment method will debit the amount from the specified checking or savings account on the date specified. If an electronic payment is made from a checking or savings account, a confirmation number will be generated. Please keep this confirmation number as proof of payment.

- Payments can be made by American Express, Discover, MasterCard, or Visa credit cards. Login to your account on www.AZTaxes.gov and choose the credit card option. This will take you to the website of the credit card payment service provider. Follow the prompts to make your payment.

The service provider will charge a fee based on the amount of the tax payment. The service provider will disclose the amount of the fee during the transaction and you will be given the option to continue or cancel. If you accept the fee and complete the credit card transaction, a confirmation number will be generated. Please keep this confirmation number as proof of payment.

- EFT payments may also be made by ACH Credit. To register to make ACH Credit payments, go to the department's website, www.azdor.gov. Click on "Forms", then click "Other Forms." Click on Form number 10366, Electronic Funds Transfer (EFT) Disclosure Agreement for ACH Credit filers. Click "Download." Complete the form as instructed. Submit the completed application at least five business days before the first anticipated transaction as it may take that long to process the application.

Fax the completed form to the department at (602) 771-9913. You may also email the completed form to the department at electronicfundstransfer@azdor.gov. Once the application is processed, the employers will receive additional information to present to its bank to make the ACH Credit payment.

The payment will be electronically transferred into the department's account, normally the next business day. The employers should consult with its bank for the timeframe required to make timely payments. **NOTE:** The employers may be charged a service fee.

NOTE: *Employers using a foreign bank account to make EFT payments cannot make EFT payments by ACH Debit. **The department does not accept ACH Debit payments from a foreign bank account. If the employer wishes to make a payment from a foreign bank account by EFT, the payment MUST be made by ACH Credit. See the instructions for ACH Credit above to register and make ACH Credit payments.***

Specific Instructions**Part 1 - Taxpayer Information****Name, Address, Phone Number and Address Change Box**

Type or print the employer's name, address, and phone number in the spaces provided.

If the employer has a foreign address, enter the information in the following order: city, province or state, and country. Follow the country's practice for entering the postal code. **Do not abbreviate the country's name.**

Employer Identification Number (EIN)

Enter the employer's EIN. If the employer does not have an EIN, it must get one from the Internal Revenue Service. All returns, statements, or other documents filed with the department must have the employer's EIN indicated on them. Employers that fail to include their EIN may be subject to a penalty.

Quarter and Year

Enter the quarter and the year for which Form A1-QRT is being filed. For this purpose, the term "quarter" refers to a calendar quarter based on a calendar year. Each quarter is comprised of three months and each quarter contains the months shown in the following chart.

Quarter	Months in Quarter
1st	January through March
2nd	April through June
3rd	July through September
4th	October through December

Check Boxes:

A. Amended Return

If this is an amended Form A1-QRT, check Box A, "Amended Return" on page 1. Complete Part 5 to explain why you are amending this return.

If you amend a return for a quarter in a prior calendar year, you must also file an amended Form A1-R for that year. Include the state copies of the federal Forms W-2, W-2c, or corrected copies of Forms W-2G and 1099 with the amended Form A1-R.

NOTE: An amended Form A1-QRT can only be electronically filed through <https://efile.aztaxes.gov/AZFSETPortal> by a PSC or by an employer filing through a registered transmitter. All other employers required to file an amended Form A1-QRT must file a paper return.

B. Address Change

If you changed your address since you last filed Form A1-QRT, enter your current address in Part 1 and check Box B, "Address Change."

C. Final Return

If this is a final return, check Box C, "Final Return (CANCEL ACCOUNT)" to request that the department cancel your withholding account. Enter the date final wages were paid. Complete Part 6 to indicate the reason for the cancellation. Complete the remainder of your return to report your Arizona income tax withholding liability for the period(s) in which your account was closed.

NOTE: You must also file a final Form A1-R. Refer to the instructions for Form A1-R for assistance in filing your final Form A1-R.

D. Surviving Employer

If you file this return as the surviving employer and the period(s) covered by this return are for less than 3 months, check Box D. Also, enter the Predecessor Employer Name and EIN in the spaces provided.

Line E - Total Arizona Payroll for the Quarter

Enter the total gross Arizona payroll for this calendar quarter. Total Arizona gross wages means the amounts considered wages for federal income tax withholding purposes.

Line F - Total Number of Employees paid Arizona Wages for this Quarter

Enter the number of employees whose compensation for this calendar quarter was subject to Arizona withholding.

Include in this number:

- Employees who had Arizona withholding deducted from their compensation during this calendar quarter, and
- Employees whose compensation was for services performed in Arizona but the employee(s) filed an election to not have any Arizona withholding deducted from their compensation.

Do not include in this number:

- Annuity recipients,
- Independent contractors,
- Pension recipients, or,
- Employees whose Arizona compensation is excluded from withholding by Arizona law.

Part 2 - Tax Liability Schedule

Complete section A, Quarterly Deposit Schedule, or section B, Monthly or Semi-Weekly Deposit Schedule. **DO NOT complete both.**

Include all withholding amounts from all sources. Arizona law requires all amounts withheld from pensions and annuities, gambling winnings, unemployment compensation, etc., be treated as if the withholding was from wages paid to an employee. File one Form A1-QRT per EIN for the same quarter for all Arizona income tax withheld regardless of the source of the Arizona withholding.

Section A

Complete Section A if the average amount of your Arizona tax withheld for the prior 4 quarters was greater than \$200, but not more than \$1,500.

Line A1

Enter the tax amount withheld for the quarter on line A1. Also, enter this amount in Part 3, line 1. Do not complete Section B. Continue to Part 3. Do not complete Part 4.

NOTE: If you are a monthly depositor and incur a next-day deposit requirement during the quarter, you become a semi-weekly depositor for the remainder of the quarter, and for the following calendar year.

Section B

Complete Section B if the average amount of your Arizona tax withheld for the prior 4 quarters was greater than \$1,500.

Arizona employers whose prior 4 quarter average of Arizona income tax withheld is more than \$1,500 must pay its Arizona income tax withheld to the department at the same time it pays its federal income tax withheld: monthly, semi-weekly, or next day.

If you are a semi-weekly depositor, or you incurred a next-day liability, check the box and complete Part 4 before completing Part 2.

Complete Part 4 only for the months in which you had a semi-weekly deposit or had a next-day deposit requirement.

Lines B1 through B3

Enter the tax amount withheld for each month of the quarter. If you are a semi-weekly depositor, or had a next day liability, enter the amount(s) in Part 4, Schedules A, B, and C on lines B1 through B3.

Line B4

Total the amounts on lines B1 through B3. Enter the total. This is the total amount withheld for the quarter.

Part 3 - Tax Computation

Line 1 - Liability (Arizona Tax Withheld or Amount Required to be Withheld During the Quarter)

• Quarterly Depositors

Enter the amount from Part 2, Section A, line A1.

• Monthly and Semi-weekly Depositors

Enter the amount from Part 2, Section B, line B4.

Line 2 - Payments Made during the Quarter

Enter the total amount of payments made for this quarter. If no payments were made prior to filing this return, enter "0".

Do not include any payment that is made with this return (or for this return, if you are making a payment for an amount due for this return).

Line 3 - Total Amount Due

Subtract the amount on line 2 from the amount on line 1. Enter the difference.

If line 3 is a positive number, this is the amount of tax due. See the section, *Payment of Tax, Penalties, and Interest*, below for details on paying your tax due. If you owe any penalty or interest, the department will calculate these amounts and mail a billing notice after the return is processed. The entire amount of tax must be paid by the due date of Form A1-QRT.

If you are filing an amended return and that return shows a balance due, enclose the amount due with the amended return, unless your payment must be made by EFT. The department will send you a bill for any interest or penalty due once the amended return is processed.

If line 3 is a negative number (an amount less than zero), this is the overpayment for the quarter. Use a minus sign to indicate a negative amount. After the return is processed and payments are confirmed, the overpayment will be applied to any outstanding liabilities, possibly in another tax type. If the overpayment exceeds the outstanding liabilities or the employer has no outstanding liabilities, a refund check will be issued and mailed to the employer. A refund will not be issued once the overpayment is applied to a liability.

Payment of Tax, Penalties, and Interest

The entire amount of tax, penalties, and interest is due by the original due date of the return.

If payment is due, and the employer is required to pay by EFT, see the Section, *How to Make EFT Payments*, for instructions on paying your tax liability by EFT.

If payment is due, and the employer is not required to pay by EFT, you may elect to pay by EFT. Or you may pay by check or

money order. If paying by check or money order, make the check or money order payable to the Arizona Department of Revenue. Include the employer's EIN on the front of the check or money order. *Include the check or money order with your return.*

Taxpayers that are required to electronically file Form A1-QRT, but not pay their tax liability by EFT, mail the check and the Form A1-WP to:

Arizona Department of Revenue
PO Box 29009
Phoenix, AZ 85038-9009

Taxpayers that have a filing waiver or are exempt from electronic filing and are not required to pay their tax liability by EFT, mail the check and Form A1-QRT to:

Arizona Department of Revenue
PO Box 29009
Phoenix, AZ 85038-9009

NOTE: *If this is an amended Form A1-QRT and you were required to make 2021 withholding payments by EFT, you must also pay any additional withholding tax due from the amended return by EFT.*

Part 4 – Semi-Weekly/Next-Day Deposit Schedule

If you checked the box in Part 2, Schedule B, complete Part 4 for each month you are required to make withholding deposits on a semi-weekly schedule or you are required to make a federal next day deposit.

Enter the amount of Arizona withholding tax liability on the day (of the month) the liability was incurred. Do not enter the amount of the withholding payment(s). Enter the total withholding liability for the month on the line labeled "Month 1, 2, or 3."

EXAMPLE: *Taxpayer R is a semi-weekly depositor. It incurred an Arizona tax withholding liability on the following dates in January 2021: January 3 - \$1,500; January 17 - \$1,750; and January 31 - \$1,600. In Schedule A, R enters \$1,500 on line 3; R enters \$1,750 on line 17; and R enters \$1,600 on line 31. On the line labeled "Month 1 Liability." R enters the total tax liability for January 2021 - \$4,850. R also enters this amount on Part 2, Schedule B, line B1.*

Taxpayers with Next-Day Obligations: If you have a next-day obligation, check the box to the right of the day on which you incurred a next-day withholding obligation. If you do not have a next-day obligation, do not check the box.

EXAMPLE: *Taxpayer R incurred an Arizona withholding tax liability on the following dates in February 2021: February 14 - \$2,350, and February 28 - \$1,950. In addition, R incurred a federal next-day obligation on February 14. In Schedule B, R enters \$2,350 on line 14, and checks the box on line 14 to indicate it incurred a next-day liability. R enters its February 28 liability on line 28 and does not check the box on line 28 because it did not incur a next-day liability. R enters its liability for February 2021 - \$4,300 on the line labeled "Month 2 Liability". R also enters this amount on Part 2, Schedule B, line B2.*

Part 5 - Amended Return Information

If this is an amended return, explain why you are amending Form A1-QRT.

Part 6 – Final Form A1-QRT

Lines 1 through 6 -

If you checked the Box C, “Final Return (CANCEL ACCOUNT)”, check the box that explains why this is your final return. If the reason is not provided, check “Other” and enter your own explanation.

Line 7 –

Check the box and provide name and location of your records if they will be kept at a different location from the address you provided in Part 1.

Line 8 –

Check the box and provide the name and address of the successor employer, if any.

Who Must Sign Form A1-QRT

The following persons are authorized to sign the return for each type of business entity.

- **Sole proprietorship** - The individual who owns the business.
- **Corporation [including a limited liability company (LLC) treated as a corporation]** - The president, vice president, or other principal officer duly authorized to sign.
- **Partnership (including an LLC treated as a partnership) or unincorporated organization** - A responsible and duly authorized member, partner, or officer having knowledge of its affairs.
- **Single member LLC treated as a disregarded entity for federal income tax purposes** - The owner of the LLC or a principal officer duly authorized to sign.
- **Trust or estate** - The fiduciary.

Form A1-QRT may be signed by a duly authorized agent of the taxpayer if a valid power of attorney has been filed.

Paid Preparer Use Only

Paid preparers: Sign and date the return. Complete the firm name and address lines (the paid preparer’s name and address, if self-employed).

Paid preparers must provide a Tax Identification Number (TIN). Paid preparers that fail to include their TIN may be subject to a penalty.

The TIN for a paid preparer may be one of the following:

- The preparer’s PTIN,
- The EIN for the business, or,
- The individual preparer’s social security number (SSN), if self-employed.

Arizona Department of Revenue
 PO Box 29085
 Phoenix AZ 85038-9085

Employer Identification Number (EIN)		
Qtr	Year	Amount of Payment
Q	Y Y Y Y	Dollars Cents

Enter Quarter (1, 2, 3, or 4)
 Four digits of year for which payment is made.

Taxpayer Information
Name
Number and street or PO Box
City or town, state and ZIP Code
Business telephone number (with area code)

REVENUE USE ONLY. DO NOT MARK IN THIS AREA.	
<input type="checkbox"/> 88	
<input type="checkbox"/> 81 PM	<input type="checkbox"/> 66 RCVD

IMPORTANT: Arizona law requires certain taxpayers to make withholding tax payments at the same time as federal withholding deposits are due. Failure to make payment may result in a 25% penalty in addition to other penalties and interest required by law.

Return Top Portion with Payment

- Make check payable to: Arizona Department of Revenue and **include EIN on payment.**
- Mail top portion with payment to: Arizona Department of Revenue, PO Box 29085, Phoenix, AZ 85038-9085.

Instructions

Employers required to make more than one Arizona withholding payment per calendar quarter, but not required to pay by Electronic Funds Transfer (EFT), use Form A1-WP to transmit Arizona withholding payments to the department. *Employers making withholding payments by electronic funds transfer or on the Internet should not use this form. Employers required to make quarterly withholding payments should not use this form.*

Internet payments: Employers that register may make their withholding payments on the Internet with e-check or credit card. There is a fee to pay by credit card. Visit www.AZTaxes.gov for further information.

Electronic Funds Transfer (EFT)

Employers who anticipate their Arizona withholding tax liability for calendar year 2022 to be \$500 or more must make Arizona withholding payments via EFT. **If the employer makes its withholding payments by EFT, the employer should not submit Form A1-WP to the department.**

Participants in the Electronic Funds Transfer program must enroll online at www.AZTaxes.gov at least 30 days prior to the first applicable transaction.

NOTE: Employers required to make withholding payments via EFT that fail to do so will be subject to a penalty of 5% of the amount of the payment not made by EFT. See A.R.S. § 42-1125(O).

Employers who anticipate their Arizona withholding tax liability for calendar year 2022 to be less than \$500 may elect voluntary participation in the EFT program. Or they may elect to pay by check, money order, or credit card.

Refer to A.R.S. § 42-1129 and the related Arizona Administrative Code rules (A.A.C. R15-10-301 through R15-10-307) for detailed information regarding electronic funds transfer.

Taxpayer Information

Type or print the name, address, and phone number in the boxes in the Taxpayer Information section. If the taxpayer has a foreign address, enter the information in the following order: city, province or state, and country. Follow the country's practice for entering the postal code. **Do not abbreviate the country's name.**

Employer Identification Number (EIN)

Enter the EIN. An EIN can be obtained from the Internal Revenue Service.

Quarter and Year

The charts below identify which months or payments are included in each quarter:

For these months:	Enter this number for the quarter:
January, February, March	1
April, May, June	2
July, August, September	3
October, November, December	4

For this payment:	Enter this number for the quarter:
Extension payment for Form A1-APR	4

Enter the quarter from one of the charts above. Enter the four-digit year.

Amount of Payment

Enter the amount of payment enclosed.

NOTE: Do not submit Form A1-WP if the payment is zero or no payment is enclosed. Do not submit Form A1-WP to list prior payments made during the quarter. Do not submit Form A1-WP for a negative amount (to apply a credit as a payment or to claim a credit as an overpayment).

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Complete this form only if you file Form A1-QRT. Arizona Form A1-R is an information return. Do not submit any liability owed or try to claim refunds with this return. To submit additional liability or claim a refund, file amended quarterly withholding tax Form(s) A1-QRT. **Form A1-R is due on or before January 31, 2022. Do NOT submit more than one A1-R per EIN per year.**

Part 1 Taxpayer Information

Name	Employer Identification Number (EIN)		
Number and street or PO Box	REVENUE USE ONLY. DO NOT MARK IN THIS AREA. 88		
City or town, state and ZIP Code			
Business telephone number (with area code)			
<p>Check box if: A <input type="checkbox"/> Amended Return B <input type="checkbox"/> Address Change</p> <p>C <input type="checkbox"/> Check this box if return is an early-filed return for calendar year 2022 due to an account cancellation during Calendar Year 2022.</p> <p>D <input type="checkbox"/> Check this box if cancellation was due to a merger or acquisition and the surviving employer is filing Forms W-2.</p> <p>E <input type="checkbox"/> Check this box if this form is being filed by the surviving employer and the amount on line 10 is less than the amount on line 1 because the difference was remitted by the predecessor employer. Also enter the following: Predecessor Employer Name..... _____ Predecessor Employer EIN..... _____</p>			
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align:center;">81 PM</td> <td style="width:50%; text-align:center;">66 RCVD</td> </tr> </table>		81 PM	66 RCVD
81 PM	66 RCVD		

Part 2 Federal Transmittal Information

1 Total Arizona Tax Withheld per federal Forms W-2, W-2c, W-2G and 1099 for 2021	1		
2 Total Arizona wages paid to employees for 2021	2		
3 Total number of employees paid Arizona wages in 2021	3		
4 Total number of federal Forms W-2, W-2c, W-2G, and 1099 submitted to the department.....	4		
5 Information Return Penalty	5		00

Part 3 Annual Summary of Amounts Reported on 2021 Arizona Forms A1-QRT

		Liability Reported	
6 First Quarter	6		
7 Second Quarter	7		
8 Third Quarter	8		
9 Fourth Quarter	9		
10 Total Annual Withholding Reported	10		

Part 4 Explain Why an Amended Form A1-R is Being Filed (include additional sheet, if necessary)

Declaration	Under penalties of perjury, I declare that I have examined this return and to the best of my knowledge and belief, it is a true, complete and correct return.		
Please Sign Here	_____	_____	_____
	TAXPAYER'S SIGNATURE	DATE	BUSINESS TELEPHONE NUMBER
Paid Preparer's Use Only	_____	_____	_____
	PAID PREPARER'S SIGNATURE	DATE	PAID PREPARER'S PTIN
	_____		_____
	FIRM'S NAME (OR PAID PREPARER'S NAME, IF SELF-EMPLOYED)		FIRM'S EIN
	_____		_____
	FIRM'S STREET ADDRESS		FIRM'S TELEPHONE NUMBER
	_____	_____	_____
	CITY	STATE	ZIP CODE

This form must be e-filed unless the taxpayer has a waiver or is exempt from e-filing. See instructions for details.

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2021 Arizona Withholding Reconciliation Return

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Withholding Tax Procedures and Rulings

These instructions may refer to the department's withholding tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

General Instructions

Why is Form A1-R filed?

Form A1-R is an annual return filed to summarize the total compensation paid and income tax withheld for each employee during the calendar year.

Who Must File Form A1-R

Employers¹ that file Form A1-QRT must file Form A1-R to reconcile the amount of tax withheld during the year to the amount of tax liability reported during the year. In addition, Form A1-R is used to transmit federal Forms W-2 and W-2c reporting Arizona wages paid and/or Arizona income tax withheld, and federal Forms W-2G and 1099 reporting Arizona income tax withheld.

NOTE: Employers that file Form A1-APR, Arizona Annual Payment Withholding Tax Return, should not file Form A1-R.

IMPORTANT: Arizona Form A1-R is an information return. Do not submit any withholding tax amount(s) owed or try to claim a refund with this return. To pay additional withholding tax amounts, or to claim a refund, file amended quarterly withholding tax Forms A1-QRT.

Electronic Filing of Withholding Tax Returns

Arizona Revised Statutes (A.R.S.) § 43-323(F) provides that withholding returns shall be filed electronically for taxable years beginning from and after December 31, 2019.

For 2021, the department currently has three methods by which employers may file Form A1-R electronically:

- An employer may register at <https://efile.aztaxes.gov/AZFSETPortal> [AZ Web File (AZFSET)] to bulk-file its return by uploading a .csv file.
- An employer may register at <https://aztaxes.gov/Home/Page> (AZTaxes) and use the data input method to submit its return.
- Registered transmitters of AZ Web File (AZFSET) can bulk-file using the transmission method.

¹ Arizona law provides that all amounts withheld are to be treated as if the withholding was from wages paid to an employee. For ease of reading, "employer(s)" as used in these instructions refers to employers and to payers of other nonpayroll payments that withhold Arizona income tax from payments to

Submitting Federal Forms W-2, W-2c, W-2G and 1099 to the Department

Federal Forms W-2 and W-2c, W-2G and 1099 are an integral part of the reconciliation process for Arizona Form A1-R.

- Submit all federal Forms W-2 and W-2c reporting Arizona wages paid and/or Arizona income tax withheld.
- Submit all federal Forms W-2G and/or 1099 reporting Arizona income tax withheld. Federal Forms W-2G and 1099 NOT reporting Arizona income tax withheld are not required to be submitted to the department.

For calendar year 2021, an employer may submit federal Forms W-2, W-2c, W-2G, or 1099 to the department by:

- Logging into AZTaxes at <https://aztaxes.gov/Home/Page> to use the data input method, or to upload the supported federal forms as a .txt file.
- Logging into AZ Web File (AZFSET) at <https://efile.aztaxes.gov/AZFSETPortal> to upload the supported federal forms as a .txt file.
- Registered transmitters of AZ Web File (AZFSET) can bulk-file using the transmission method.
- Submitting the federal information by paper or on a CD, DVD or flash drive (Optical Media). If submitting by Optical Media, see the Section below labeled, "Optical Media".

NOTE: The department does not support the electronic filing of all federal withholding forms (e.g. W-2 series, 1099 series). See Pub 701, Submitting Arizona Forms A1-R, or A1-APR, and Federal Forms W-2, W-2c, W-2G and 1099, for a list of the required federal withholding forms that are currently supported by the department for electronic filing.

Any unsupported federal forms reporting Arizona wages or Arizona income tax withheld must be filed as Optical Media or as paper forms using Form A1-T.

Employers filing Form A1-R electronically, must submit the supported federal forms electronically through AZTaxes, AZ Web File (AZFSET), or by a registered transmitter.²

Federal forms not supported by the department must be submitted by CD, DVD, or flash drive (Optical Media), or as paper forms. To submit these forms, complete and mail Form A1-T to the address on the form. Include the Optical Media or the paper forms with your submission. When submitting Form A1-T, do not include a paper copy of Form A1-R. If submitting by Optical Media, see the Section below labeled, *Optical Media* for instructions.

Employers filing Form A1-R by paper, may submit the supported federal forms electronically through AZTaxes or AZFSET. If the employer does not submit the supported federal forms electronically, **all** required federal forms **must** be attached to Form A1-R as either Optical Media or as paper forms. If submitting by Optical Media, see the Section below labeled *Optical Media* for instructions.

employees, beneficiaries or payees. Similarly, "employee(s)" includes employees, recipients, beneficiaries and payees.

² Required federal forms that are unsupported or rejected may be submitted by Optical Media or as paper forms.

If submitting a paper return, mail the return to:
 Arizona Department of Revenue
 PO Box 29009
 Phoenix, AZ 85038-9009

Optical Media

When submitting the federal attachments by Optical Media, label the CD, DVD or flash drive with the employer's name, EIN, preparer contact information, calendar year and Form W-2 or Form 1099 (or both, whichever applies). If the Optical Media is password protected, note that on the label and indicate the email address from which you will be sending the password to the department. Email the password separately to MediaLibrarian@azdor.gov. Include "Form W-2" or "Form 1099" (or both, whichever applies) in the subject line of the email. In the body of the email, include the same information that is on the label of the Optical Media.

The department will not return or copy any Optical Media submitted.

Employers submitting the information on Optical Media should secure the Optical Media in a hard case and include it with Form A1-R or Form A1-T.

For more details on submitting the required federal forms using Optical Media, see the department's publication, Pub. 701, *Submitting Arizona Forms A1-R, or A1-APR, and Federal Forms W-c, W-2c, W-2G and 1099*.

CAUTION: *The employer submits the Optical Media at its own risk. If the department cannot access the information on the Optical Media for any reason, the employer may need to provide the information again.*

Filing Tips

- For layouts and business rules for electronically submitting Federal Forms W-2, W-2c, W-2G and 1099, refer to the Department's Pub 701, or click here: <https://azdor.gov/e-services/e-services-withholding-and-w-2-1099>
- Each wage and information return reportable to Arizona must include the employer or payer's Employer Identification Number (EIN). Do not truncate the employer or payer EIN.
- Do not truncate the employee's Social Security Number (SSN).

Requesting a Waiver

To request a waiver, submit Form 292, Electronic Filing and Payment Waiver Application, to the department. Form 292 is available at: <https://azdor.gov/forms/other-forms/electronic-filing-and-payment-waiver-application>.

Any employer who is required to file its withholding return electronically may apply to the director for an annual waiver from the electronic filing requirement. The waiver may be granted, which may be renewed for one subsequent year, if any of the following apply:

- The employer has no computer.
- The employer has no internet access.
- Any other circumstance considered to be worthy by the director.

A waiver is not required if the withholding return cannot be electronically filed for reasons beyond the employer's control, including situations in which the employer was instructed by

the Internal Revenue Service (IRS), or the Arizona Department of Revenue (department) to file by paper.

Please contact the department at azwebfilesupport@azdor.gov if you need assistance in submitting your Arizona withholding return electronically.

When is Form A1-R Due?

Form A1-R is due on or before January 31 of the year following the close of the calendar year.

Timely Filing of Returns

- The department determines the timeliness of an electronically filed tax return by the date of the electronic postmark. If the taxpayer and the electronic return preparer or the electronic return transmitter are in different time zones, it is the taxpayer's time zone, as determined by the taxpayer's address, that controls the timeliness of the electronically filed return. When a return has been electronically received on the host system of more than one electronic return preparer or electronic return transmitter during its ultimate transmission to the department, the return shall be deemed filed and received by the department on the date of the earliest electronic postmark.
- The department determines the timeliness of a paper-filed tax return by the postmark or other official mark of the United States Mail stamped on the envelope in which the return is mailed. See the department's ruling, GTR 16-1, *Timely Filing of Income or Withholding Tax Returns Through the United States Mail*.
- The department will accept proof of mailing from a private delivery service included in the Internal Revenue Service (IRS) list of designated private delivery services. Contact the private delivery service for information regarding how to obtain written proof of mailing.
- If the due date for the return falls on a Saturday, Sunday, or a legal holiday, the return is considered timely filed if it is postmarked the next business day. See the department's ruling, GTR 16-2, *Timely Filing of Income or Withholding Tax Return – Holidays and Weekends*.

Extension of Time to File Form A1-R

You may apply for a 30-day extension of time to file Form A1-R. When asking for an extension, you must show good cause. You must file the extension request as soon as you know that you need an extension. The extension request must be mailed on or before January 31. For details on how to request an extension, see Withholding Tax Procedure (WTP) 11-1, *Procedure for Requesting Extension of the Filing Deadline for Annual Withholding Tax Returns*.

If you are required to pay by EFT and are making a payment with your extension request, see the Section, *Payments by Electronic Funds Transfer*, for options to make your extension payment.

If you are not required to pay by EFT and are making a payment with your extension request, you must make that payment with a completed Form A1-WP. Show that the payment is for the 4th Quarter of the year for which you requested the extension.

Filing Original Returns

File this form only on a calendar year basis. File one Form A1-R per Employer Identification Number (EIN) per calendar year, regardless of the source of the withholding. Submit Form A1-R

electronically unless the employer has been granted a waiver, or has been instructed to file a paper return by the IRS or by the department.

A Payroll Service Company must submit Form A1-R electronically.

NOTE: *Arizona law states that all amounts withheld are to be treated as if the withholding was from wages paid to an employee. If you file federal Form 941 or Form 944 to report federal withholding on Arizona wages and federal Form 945 to report federal withholding on Arizona non-wage payments for the same EIN, file one A1-R to report and reconcile your total Arizona withholding for the year, regardless of the source of that withholding. Do not file more than one original A1-R for the same EIN for the same calendar year.*

What to Do If You Close Your Business

When your business is sold, discontinued, converted to a new form, or all your employees are dismissed, you must notify the department by filing a final return and request the department close your withholding account. Until you request the department close your withholding account, your withholding return(s) will continue to be due.

To file your final Form A1-R

- Check Box C if you are submitting this form during calendar year 2022 due to an account cancellation during 2022.
- Check Box D if you are cancelling your withholding account due to a merger or acquisition and the surviving employer is filing Forms W-2.
- Complete the remainder of the return to reconcile your Arizona income tax withholding liability for the year in which your account was closed.

Include state copies of Forms W-2, W-2c, W-2G, and 1099 with the final return.

NOTE: *To close your account, you must file a final Form A1-R and file a final Form A1-QRT for the calendar quarter during which final wages were paid. Refer to the instructions for Form A1-QRT for assistance in filing your final Form A1-QRT.*

Filing Amended Returns

If this is an amended Form A1-R, check the “Amended Return” box. Enter the amended amounts in all areas of the form. Complete Part 4 to explain why an amended return is being filed. Include amended federal Forms W-2, W-2c, W-2G and 1099.

Unless the employer was granted a waiver to file its original return by paper, or was directed by the IRS or the department to file the original Form A1-R as a paper return, amended Forms A1-R shall be submitted electronically using either AZFSET or a registered transmitter. For additional information on either of these methods, see the preceding section labeled, Electronic Filing of Withholding Tax Returns.

NOTE: *Amended Forms A1-R cannot be submitted through AZTaxes. If the AZTaxes.gov data entry method was used to file the original return, the amended return must be filed by paper.*

Penalties

This form is an information return. The penalty for failing to file, filing late (including extensions) or filing an incomplete return is \$100 for each month or fraction of a month that the failure continues, up to a maximum of \$500.

Specific Instructions

Part 1 – Taxpayer Information

All returns, statements, or other documents filed with the department must have the taxpayer’s EIN indicated on them. Employers who fail to include their EIN may be subject to a penalty.

Employer Information

Enter the employer’s name, EIN, address, and telephone number in the spaces provided.

If the employer has a foreign address, enter the information in the following order: city, province or state, and country. Follow the country’s practice for entering the postal code. **Do not abbreviate the country’s name.**

Check Boxes:

A. Amended Return

Check Box A, “Amended Return” if this is an amended Form A1-R. Explain why you are amending the return in Part 4. Include the corrected copies of Forms W-2, W-2c, W-2G and 1099 (with Arizona withholding) with your amended Form A1-R.

B. Address Change

Check Box B, “Address Change” if you had an address change since you last filed Form A1-R. Enter your current address in Part 1.

C. Early-Filed Final Return

Check Box C if you cancelled your withholding account during 2021 and are filing your final reconciliation during 2021.

D. Cancellation Due to Merger or Acquisition

Check Box D if you cancelled your withholding account due to a merger or acquisition and the surviving employer is filing Forms W-2.

E. Surviving Employer is Filing Form A1-R

Check Box E if Form A1-R is being filed by the *surviving employer and the amount on line 1 is less than the amount on line 10* because the difference was remitted by the predecessor employer. Also, enter the predecessor employer name and EIN in the spaces provided.

NOTE: *If you cancelled your withholding account during 2021, you may use the 2021 Form A1-R to file your final reconciliation for 2022 before its normal due date of January 31, 2023. If you are filing an early return for 2022, check box C to indicate that this is an early-filed return for 2022.*

Part 2 – Federal Transmittal Information

Line 1

Enter the total Arizona income tax withheld from wages paid to employees for 2021. This amount must be the same as shown on federal Forms W-2, W-2c, W-2G, or 1099.

Line 2

Enter the total Arizona gross wages paid to employees for 2021. Total Arizona gross wages means the amounts considered wages for federal income tax withholding purposes.

Line 3

Enter the number of employees who were paid Arizona wages in 2021. Include employees who had Arizona withholding deducted from their compensation during the year and employees whose compensation was for services performed in Arizona but the employees filed an election to not have any Arizona withholding deducted from their compensation.

Do not include annuity recipients, independent contractors, pension recipients, or those employees whose Arizona compensation is excluded from withholding by Arizona law.

Line 4

Enter the total number of federal Forms W-2, W-2c, W-2G, or 1099 submitted to the department.

Line 5

Form A1-R is an information return. An information return that is incomplete or filed after its due date (including extensions) is subject to a penalty of \$100 for each month or fraction of a month, that the failure continues, up to a maximum penalty of \$500. If the employer files this return after its due date (including extensions), enter the amount of the penalty on this line.

Part 3 – Annual Summary of Amounts Reported on 2021 Arizona Forms A1-QRT**Lines 6 through 10**

On lines 6 through 9, enter the amount of tax reported on Form A1-QRT for each quarter. Add the amounts on lines 6 through 9 and enter the total on line 10. The amount entered on line 10 should equal the amount reported on line 1.

If you are filing Form A1-R as a surviving employer (as a result of a merger or acquisition), and the amount on line 1 is more than the amount on line 10 because amounts were remitted by the prior employer, check Box E near the top of Form A1-R. Also enter the name and EIN of the predecessor employer in the spaces provided.

Part 4 – Explain Why an Amended Form A1-R is Being Filed

If this is an amended return, explain why you are amending Form A1-R.

Underpayment of Tax

If you find that you have underpaid your tax for 2021, you must file an amended Form A1-QRT for each quarter for which there was an underpayment.

You must send in a separate payment with each amended Form A1-QRT. The department will calculate the amount of interest and any applicable penalties and send a billing notice after the amended return is processed.

NOTE: *If your tax liability for that calendar year was more than \$500, you must pay your additional tax liability by Electronic Funds Transfer (EFT). See the Section, Payment by Electronic Funds Transfer, in the instructions for Arizona Form A1-QRT.*

Overpayment of Tax

If you find that you have overpaid your tax for 2021, you must file an amended Form A1-QRT for each quarter for which there was an overpayment.

An overpayment will first be applied to any unpaid tax. This may include tax due for another tax type. If the overpayment is more than any unpaid tax, or if the employer does not have an unpaid balance of tax, a refund will be issued. A refund will not be issued once the overpayment is applied to a tax liability.

Where to Submit Form A1-R

Submit Form A1-R and federal Forms W-2, W-2c, W-2G and 1099 electronically, unless the employer has been granted a waiver pursuant to A.R.S. § 43-325(F), or has been instructed by the IRS or by the department to file a paper return.

If submitting a paper return, mail the return to:

Arizona Department of Revenue
PO Box 29009
Phoenix, AZ 85038-9009

Who Must Sign Form A1-R

The following persons are authorized to sign the return for each type of business entity:

- **Sole proprietorship** - The individual who owns the business.
- **Corporation (including a limited liability company (LLC) treated as a corporation)** - The president, vice president, or other principal officer duly authorized to sign.
- **Partnership (including an LLC treated as a partnership) or unincorporated organization** - A responsible and duly authorized member, partner, or officer having knowledge of its affairs.
- **Single member LLC treated as a disregarded entity for federal income tax purposes** - The owner of the LLC or a principal officer duly authorized to sign.
- **Trust or estate** - The fiduciary.

Form A1-R may be signed by a duly authorized agent of the taxpayer if a valid power of attorney has been filed.

Paid Preparer Use Only

Paid preparers: Sign and date the return. Complete the firm name and address lines (the paid preparer's name and address, if self-employed).

Paid preparers must provide a Tax Identification Number (TIN). Paid preparers that fail to include their TIN may be subject to a penalty.

The TIN for a paid preparer may be one of the following:

- The preparer's PTIN, or,
- The EIN for the business, or,
- The individual preparer's social security number (SSN), if self-employed.

Name		Employer Identification Number	
Address – number and street or rural route			
City or Town		State	ZIP Code

Number of Arizona employees: _____

- Election is hereby made to not withhold Arizona taxes from compensation paid to employees during the month of December 2022, and certification is made that all employees have been notified of this and given the option of completing a new Arizona Form A-4 to change the withholding election for the rest of the year.

I certify that I am authorized to make and have made the election marked above.		
SIGNATURE	PHONE NUMBER (with area code)	DATE

General Instructions

Purpose of Form A1-E

Form A1-E is to be used by Arizona employers to elect to **not** withhold Arizona taxes from compensation paid to employees during December. If you make this election, it applies to **all** employees.

Action Required

- Notify all your employees in writing, informing them of your election to not withhold Arizona taxes from their December 2022 wages and informing them that they can, if they wish, complete Arizona Form A-4 to adjust their Arizona withholding election to compensate for the change in their annual withholding amount.
- Complete Form A1-E and mail it by July 1, 2022. **You only need to submit one Form A1-E for all employees.**

Deadline

Form A1-E must be filed and all employees notified by July 1, 2022.

Where to Mail Form A1-E

Mail Form A1-E to:

**OFFICE OF ECONOMIC RESEARCH AND ANALYSIS
 ARIZONA DEPARTMENT OF REVENUE
 PO BOX 29099
 PHOENIX, AZ 85038-9099**

Duration of this Election

This election is valid for December 2022 only.

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Type or print your Full Name		Your Social Security Number	
Home Address – number and street or rural route			
City or Town		State	ZIP Code

Choose either box 1 or box 2:

- 1** Withhold from gross taxable wages at the percentage checked (**check only one percentage**):
- 0.8%
 1.3%
 1.8%
 2.7%
 3.6%
 4.2%
 5.1%
- Check this box and enter an extra amount to be withheld from each paycheck \$
- 2** I elect an Arizona withholding percentage of zero, and I certify that I expect to have no Arizona tax liability for the current taxable year.

I certify that I have made the election marked above.	
SIGNATURE _____	DATE _____

Employee's Instructions

Arizona law requires your employer to withhold Arizona income tax from your wages for work done in Arizona. The amount withheld is applied to your Arizona income tax due when you file your tax return. The amount withheld is a percentage of your gross taxable wages from every paycheck. You may also have your employer withhold an extra amount from each paycheck. Complete this form to select a percentage and any extra amount to be withheld from each paycheck.

What are my "Gross Taxable Wages"?

For withholding purposes, your "gross taxable wages" are the wages that will generally be in box 1 of your federal Form W-2. It is your gross wages less any pretax deductions, such as your share of health insurance premiums.

New Employees

Complete this form within the first five days of your employment to select an Arizona withholding percentage. You may also have your employer withhold an extra amount from each paycheck. If you do not give this form to your employer the department requires your employer to withhold 2.7% of your gross taxable wages.

Current Employees

If you want to change your current amount withheld, you must file this form to change the Arizona withholding percentage or to change the extra amount withheld.

What Should I do With Form A-4?

Give your completed Form A-4 to your employer.

Electing a Withholding Percentage of Zero

You may elect an Arizona withholding percentage of zero if you expect to have no Arizona income tax liability for the current year. Arizona tax liability is gross tax liability less any tax credits, such as the family tax credit, school tax credits, or credits for taxes paid to other states. If you make this election, your employer will not withhold Arizona income tax from your wages for payroll periods beginning after the date you file the form. To keep this election for the next calendar year, you must give your employer an updated Form A-4. If you do not, your employer may withhold Arizona income tax from your wages and salary until you submit an updated Form A-4.

Zero withholding does not relieve you from paying Arizona income taxes that might be due at the time you file your Arizona income tax return. If you have an Arizona tax liability when you file your return or if at any time during the current year conditions change so that you expect to have a tax liability, you should promptly file a new Form A-4 and choose a withholding percentage that applies to you.

Voluntary Withholding Election by Certain Nonresident Employees

Compensation earned by nonresidents while physically working in Arizona for temporary periods is subject to Arizona income tax. However, under Arizona law, compensation paid to certain nonresident employees is not subject to Arizona income tax withholding. These nonresident employees need to review their situations and determine if they should elect to have Arizona income taxes withheld from their Arizona source compensation. Nonresident employees may request that their employer withhold Arizona income taxes by completing this form to elect Arizona income tax withholding.

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Employer's Instructions for the Employee's Arizona Withholding Election

Arizona Form A-4

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Withholding Tax Procedures and Rulings

These instructions may refer to the department's withholding tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

Arizona employers are required to make Arizona Form A-4 available to employees at all times and to inform them of Arizona's withholding election options.

Arizona income tax withholding is a percentage of gross taxable wages. "Gross taxable wages" is the amount that meets the federal definition of "wages." Generally, it is the amount included in box 1 of the employee's federal Form W-2 at the end of the calendar year.

Employees elect the percentage of their gross taxable wages they wish to be withheld. They may also elect to have an extra amount withheld from each paycheck.

COMPLETING ARIZONA FORM A-4

- All employees are required to complete Form A-4.
- New employees must complete Form A-4 within 5 days of employment. If the employee fails to complete the form, the employer must withhold 2.7% of the employee's wages until the employer receives a completed Form A-4 from that employee.
- Current employees must complete an updated Form A-4 to elect a different Arizona withholding percentage or to change any extra amount to be withheld from his/her paycheck.
- An employee may elect an Arizona withholding percentage of zero if that employee expects to have no Arizona income tax liability for the current taxable year.
 - o If an employee makes this election, his/her employer will not withhold Arizona tax from his/her paycheck for all payroll periods beginning after the date of the employee's election.
 - o Each employee claiming to be exempt from Arizona withholding must renew this election annually. Each employee who wishes to keep this election in the next taxable year must complete and provide to his/her employer a new Form A-4 by February 15th of the following year. If the employee fails to provide an updated Form A-4 by February 15th, the employer will withhold Arizona income tax at the default rate, 2.7% until the employee provides the employer with an updated Form A-4.

- A qualifying nonresident employee may use Form A-4 to elect to have a percentage of his/her wages withheld to be applied to his/her Arizona income tax liability.

EMPLOYMENT REQUIRING WITHHOLDING

Withholding tax shall be deducted from the compensation of:

- Wages paid to an Arizona resident whose compensation is for services performed within this state.
- Wages paid to a nonresident employee who is in this state solely for athletic or entertainment purposes.
- Wages paid to part-time or seasonal agricultural employees whose principal duties are operating any mechanically-driven device in such operations.
- Wages paid to a non-resident who is in this state for 60 or more days in a calendar year for the purpose of performing a service that will benefit the employer or a related entity.

EMPLOYMENT FOR WHICH WITHHOLDING MAY BE ELECTED

- A nonresident Arizona employee in this state for less than 60 days may elect to have Arizona withholding amounts subtracted from his/her paycheck and the employer must withhold tax based on the employee's election to do so.
- An out of state business may elect to withhold tax from the nonresident employee before the 60 day limitation has elapsed.

EMPLOYMENT EXCLUDED FROM WITHHOLDING

NOTE: *An employee exempted from withholding tax may not be exempted from paying Arizona income tax.*

No withholding amount shall be deducted from:

- Wages paid to an employee of a common carrier when that employee is a nonresident of Arizona and regularly performs services inside and outside the state.
- Wages paid for domestic service in a private home.
- Wages paid for casual labor not in the course of the employer's trade or business.
- Wages paid for part-time or seasonal agricultural labor whose services to the employer consist solely of labor in connection with the planting, cultivating, harvesting or field packing of seasonal agricultural crops.
- Wages paid to a nonresident of Arizona who is solely in this state on a temporary basis for the purpose of performing disaster recovery from a declared disaster during a disaster period.
- Wages paid to a nonresident of Arizona engaged in any phase of motion picture production, if the employer applies for an exemption from the withholding provisions, and the department determines that the nonresident would be allowed a credit for taxes paid to his/her state of residency or domicile.
- Wages paid to a nonresident of Arizona who is:
 - o An employee of an individual, fiduciary, partnership, corporation, or limited liability company having property, payroll and sales in this state, or of a related entity having more than fifty percent direct or indirect common ownership.
 - o Physically present in this state for less than sixty (60) days in a calendar year for the purpose of performing a

service that will benefit the employer or the related entity. For purposes of determining the number of days of service in this state, days spent in the following activities are not included:

- In transit
- Engaging in personal activities
- Participating in training or professional development activities or attending meetings that are not directly connected to the Arizona operations of the employer or related entity.

A “related entity having more than 50 percent direct or indirect common ownership” means that the related entities are more than 50 percent owned by the same interests. The following examples demonstrate three different situations in which the nonresident employee performs services in Arizona for less than 60 days during the calendar year.

Example 1:

Corporation A is the U.S. domestic parent of Corporation B, a wholly owned foreign subsidiary corporation. Corporation A has property, payroll and sales in Arizona. Corporation B operates in China. It has no Arizona property, payroll and sales. R is an employee of B and is not a resident of Arizona. R performs services for B in Arizona for 45 days during calendar year 2021.

Example 2:

Corporation F, based in California, is the common parent of Corporation W. Corporation F does not have property, payroll and sales in Arizona. Corporation W has property, payroll, and sales in Arizona. L is an employee of F and is not an Arizona resident. L performs services for F in Arizona for 55 days during calendar year 2021.

Example 3:

D owns 60 percent of Corporation K and 51 percent of Corporation S. N owns 40 percent of Corporation K and 49 percent of Corporation S. Corporation S has property, payroll and sales in Arizona. Corporation K is based in California and has no Arizona property, payroll, and sales. T is an employee of K and is not a resident of Arizona. T performs services for K in Arizona for 35 days during calendar year 2021.

Type or print your Full Name			Your Social Security Number
Home Address – number and street or rural route			Annuity Contract Claim or I.D. Number
City or Town	State	ZIP Code	Telephone Number (with area code)

Check either box 1 or box 2:

- 1** I elect to have Arizona income taxes withheld from my annuity or pension payments as authorized by A.R.S. § 43-404. Withhold from the taxable amount of distribution at the percentage checked (**check only one percentage**):
- 0.8% 1.3% 1.8% 2.7% 3.6% 4.2% 5.1%
- Check this box and enter an extra amount to be withheld per distribution..... \$
- 2** I elect to terminate my prior election for voluntary Arizona income tax withholding from my annuity or pension payments as authorized by A.R.S. § 43-404.

I certify that I have made the election marked above.

SIGNATURE _____ DATE _____

General Instructions

Who May Use Form A-4P

You may use this form to request Arizona income tax withholding if you receive regularly scheduled payments from pensions or annuities that are included in your Arizona gross income from any of the following:

- Retired or retiree pay for service in the military or naval forces of the United States,
- Payments received under the United States civil service retirement system from the United States government service retirement and disability fund,
- Pensions,
- Traditional Individual Retirement Accounts, or
- Any other annuity.

You may NOT elect to have Arizona income tax withheld from the following:

- Any payments NOT received at regular intervals (non-periodic payments),
- Lump sum distributions,
- Roth Individual Retirement Account distributions,
- Veteran's Administration annuities, or
- Railroad Retirement pensions.

Where to Mail Form A-4P

Mail Form A-4P to the payor of your annuity or pension. Do not mail Form A-4P to the Arizona Department of Revenue.

Duration of Voluntary Arizona Withholding Election

The payor of your pension or annuity will withhold Arizona income tax from your payments until you notify the payor to change or terminate Arizona withholding.

How to Terminate a Voluntary Arizona Withholding Election

You may terminate your voluntary Arizona withholding election at any time. You may use Form A-4P to terminate Arizona withholding or you may send a written notice to the payor of your pension or annuity requesting termination of withholding.

Statement of Income Tax Withheld

The payor of your pension or annuity will provide you with a statement listing the total amount of your pension or annuity payments and the total amount of Arizona income tax withheld from these payments for the calendar year 2022. You will receive this statement from the payor of your pension or annuity early in 2023

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Type or print your Full Name		Your Social Security Number	
Home Address – number and street or rural route			
City or Town		State	ZIP Code

Check either box 1 or box 2:

- 1** I am an Arizona resident employed outside of Arizona. I elect to have Arizona income taxes withheld from my compensation paid for services performed outside of Arizona for my employer as authorized by A.R.S. § 43-408. Withhold from gross taxable wages at the percentage checked (**check only one percentage**):
- 0.8% 1.3% 1.8% 2.7% 3.6% 4.2% 5.1%
- Check this box and enter an extra amount to be withheld per paycheck..... \$
- 2** I am an Arizona resident employed outside of Arizona. I elect to terminate my prior election for voluntary Arizona income tax withholding from my compensation paid for services performed outside of Arizona for my employer.

I certify that I have made the election marked above.

EMPLOYEE'S SIGNATURE _____ DATE _____

General Instructions

Who May Use Form A-4V

Arizona Form A-4V is for Arizona resident employees who are performing work outside of Arizona. Use this form to request that your employer withhold Arizona income taxes from your wages for work done outside of Arizona. This amount is applied to your Arizona income tax due when you file your return. Your employer is not required by statute to grant your request.

If your employer agrees to withhold Arizona income tax from your wages, Arizona withholding is a percentage of your gross taxable wages of every paycheck. You may also have your employer withhold an extra amount from each paycheck.

What are my "Gross Taxable Wages"?

For withholding purposes, "gross taxable wages" are the wages from each paycheck that will generally be in box 1 of your federal Form W-2. It is your gross wages less any pretax deductions, such as your share of health insurance premiums.

What Should I do With Form A-4V?

Complete this form to request that your employer withhold Arizona income tax from your wages and elect an Arizona withholding percentage and any additional amount to be withheld from each paycheck. Give your completed form to your employer.

Employer Certification

_____, the employer of an Arizona resident,
(NAME OF EMPLOYER – COMPANY OR INDIVIDUAL)

_____, whose compensation is for services performed outside of Arizona,
(EMPLOYEE'S NAME)

has agreed to withhold Arizona income taxes from the employee's compensation as authorized by A.R.S. § 43-408. As stated in A.R.S. § 43-408(B), the employer understands and agrees that the employer and the employee are subject to the provisions of Chapter 4 of Title 43 of the Arizona Revised Statutes, as if the employer were required to withhold Arizona income taxes from such compensation.

SIGNATURE OF OFFICER, SOLE PROPRIETOR, OR AGENT _____ TITLE _____ DATE _____

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Type or print your Full Name		Your Social Security Number	
Home Address – number and street or rural route			
City or Town		State	ZIP Code

Part 1 Native American Withholding Exemption

I request to have no Arizona income tax withheld from my wages because I declare that:

- I am a Native American — Enter your Tribal Census Number: _____.
- I reside on the _____, Indian Reservation.
- I am an enrolled member of the tribe for which that reservation was established.
- All my services as an employee of _____, are performed within the boundaries of the reservation named above.

Part 2 Nonresident Military Spouse Withholding Exemption

I request to have no Arizona income tax withheld from my wages because I declare that:

- I am the spouse of an active duty servicemember.
- Both my spouse and I are Arizona nonresidents. My state of residence is _____ and my military spouse's state of residence is _____, (must be the same state).
- My active duty military spouse is in Arizona in compliance with military orders.
- I am present in Arizona solely to be with my military spouse.
My Military ID Number is: _____, Date Issued: (M,M|D,D|Y,Y,Y,Y)

You must include a copy of your military spouse ID and your spouse's last Leave and Earnings Statement (LES).

Part 3 Nonresident Withholding Exemption

I request to have no Arizona income tax withheld from my wages because I declare that:

- I am an Arizona nonresident, and I am a resident of:
 California Indiana Oregon Virginia
- I am allowed a tax credit against my Arizona taxes for taxes paid to the state checked above.

Part 4 Termination

I am notifying my employer that I no longer qualify for the previously-claimed withholding exemption. By checking this box, I terminate my exemption.

Part 5 Signatures

EMPLOYEE	EMPLOYER
Under penalty of perjury, I certify that I am entitled to the exemption from withholding as claimed above.	I have reviewed all documentation required to be submitted with this request and confirm that if the employee is claiming the exemption under Part 1, that the employee's place of employment is located on the reservation named in Part 1.
EMPLOYEE'S SIGNATURE _____ DATE _____	EMPLOYER'S SIGNATURE _____ DATE _____
Give the completed form and any required documentation to your employer.	Keep the completed form and any documentation for your records. Please do not mail this form to the department unless you are asked to do so.

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2022 Employee Withholding Exemption Certificate

For information or help, call one of the numbers listed:

Phoenix (602) 255-3381
From area codes 520 and 928, toll-free (800) 352-4090

Tax forms, instructions, and other tax information

If you need tax forms, instructions, and other tax information, go to the department's website at www.azdor.gov.

Withholding Tax Procedures and Rulings

These instructions may refer to the department's withholding tax procedures and rulings for more information. To view or print these, go to our website and select *Reports & Legal Research* from the main menu, then click on *Legal Research* and select a Document Type and a Category from the drop down menus.

Publications

To view or print the department's publications, go to our website, select *Reports & Legal Research* from the main menu, and click on *Publications* in the left hand column.

Why is Form WEC Used?

Your employer must withhold Arizona income tax from your wages that you earn while working in Arizona. Arizona income tax must be withheld unless your wages are exempt from withholding.

Wages paid to certain people are exempt from Arizona income tax withholding. People who are earning these types of wages use Form WEC to let their employer know to not withhold.

Who May Use Form WEC?

You may use Form WEC if you are a:

- Qualified Native American;
- Qualified Military Spouse;
- Qualified Arizona Nonresident.

NOTE: Do not use Form WEC to make a zero withholding election. You must make this election on Form A-4.

Native Americans

If you are a Native American, your wages are exempt from Arizona withholding if you:

1. Live on the reservation;
2. Work on that reservation;
AND
3. Are an affiliated and enrolled member of the tribe for which that reservation was established.

Any wages earned off the reservation for work done in Arizona are subject to Arizona withholding.

For more details see the department's ruling, ITR 96-4, *Income Taxation of Indians and Spouses*.

Military Spouses

The federal Military Spouses Residency Relief Act provides tax relief for qualifying spouses. Under this Act, wages earned in Arizona by a qualifying spouse are not deemed to be income for work done in Arizona. Those wages are exempt from Arizona withholding.

If you are married to an active duty military member and you earn wages in Arizona, those wages are exempt from Arizona withholding if:

1. Your spouse is a member of the armed forces and is in Arizona in compliance with military orders;
2. You are in Arizona solely to be with your spouse;
AND
3. You maintain a domicile in another state, which is the same state that is the domicile of your spouse.

For more details, see the department's publication, Pub. 705, *Spouses of Active Duty Military Members*.

Nonresidents

If you are a nonresident working in Arizona, you may claim an exemption from Arizona income tax withholding if you are:

1. A resident of one of the following states:
California, Indiana, Oregon, or Virginia;
AND
2. Allowed to claim a tax credit against your Arizona tax for taxes paid to your state of residence on Form 140NR filed for the year.

For more details about how to claim this tax credit, see Arizona Form 309, *Credit for Taxes Paid to Another State or Country*.

When Should I Complete Form WEC?

You should complete Form WEC as soon as you qualify for the exemption. Give the completed Form WEC to your employer.

To keep your exemption from year to year, you must file a new Form WEC at the beginning of each calendar year. You must also provide required documentation with each annual Form WEC.

Will I Have to File an Arizona Income Tax Return if I am Exempt from Arizona Withholding?

Even though your wages may be exempt from Arizona tax withholding, you may still have to file an Arizona income tax return.

Native Americans

If you have any wages or other income earned off the reservation you may be subject to Arizona income tax on that income. If you are subject to Arizona income tax and you meet the Arizona filing requirements, you will need to file an Arizona income tax return.

For more details, see the department's income tax ruling ITR 96-4, *Income Taxation of Indians and Spouses*.

Military Spouses

If you or your spouse have any other income subject to Arizona income tax and you meet the Arizona filing requirements, you will need to file an Arizona income tax return. See Arizona Form 140NR for more details.

Nonresidents

You will have to file Arizona Form 140NR if you meet the Arizona filing requirements. For complete details, see Arizona Form 140NR.

Part 1 - Native American Withholding Exemption

Complete Part 1 if you are claiming the exemption because you are a qualifying Native American. Skip Parts 2, 3 and 4.

Part 2 - Nonresident Military Spouse Withholding Exemption

Complete Part 2 if you are claiming the exemption because you are a qualifying spouse of a military member. Skip Parts 1, 3 and 4.

You must give your employer a copy of your military spouse identification and your spouse's last Leave and Earnings Statement (LES).

Part 3 - Nonresident Withholding Exemption

Complete Part 3 if you are claiming the exemption because you are a qualifying nonresident. Skip Parts 1, 2 and 4.

Part 4 - Termination

If your situation changes and you no longer qualify for the withholding exemption, complete a new Form WEC to let your employer know.

Complete Part 4. Skip Parts 1, 2 and 3. Also, complete Arizona Form A-4 to elect a withholding percentage. Give both the completed Form WEC and Arizona Form A-4 to your employer so that your employer can start to withhold the proper amount of Arizona tax from your wages.

Part 5 - Signatures

Employee

You must sign the completed Form WEC to certify that you are entitled to the exemption you are claiming.

Employer

You must sign the completed Form WEC to certify that you:

1. Have looked at any required documents;
2. Confirm that the employee is working on the reservation named in Part 1, if the employee is claiming the exemption under Part 1.

Where to File Form WEC

Employee

Give the completed Form WEC to your employer. Be sure to keep a copy for your records.

Employer

Keep the completed Form WEC and any required attachments for your records. **Do not** send a copy of the completed Form WEC to the department. You will only need to provide a copy to the department if we request it.

CONTENTS OF BOOKLET X, VOLUMES 1, 2 AND 3

FORM	VOL.	PAGE
A1-APR	2	885
A1-E	2	911
A1-QRT	2	893
A1-R	2	905
A1-WP	2	903
A-4	2	913
A-4 Employer Instructions	2	915
A-4P	2	917
A-4V	2	919
Claim of Right - Individual	1	219
Claim of Right - Corporate	1	485
Claim of Right - Fiduciary	1	877
Highlights - Corporate Income Tax	1	289
Highlights - Estates and Trusts	2	829
Highlights - Exempt Organization	1	267
Highlights - Individual Income Tax	1	1
Highlights - Partnership	1	413
Highlights - Withholding	2	883
Highlights - Small Business Income	3	925
Schedule ACA	1	479
Schedule DFE	1	489
Schedule MSP	1	481
Tax Table - Optional	1	259
Tax Tables X & Y	1	265
Tax Table - Estates and Trusts	2	881
WEC	2	921
51	1	291
99M	1	269
99T	1	275
120	1	297

FORM	VOL.	PAGE
120A	1	325
120ES	1	343
120EXT	1	345
120S	1	351
120S Schedule K-1	1	377
120S Schedule K-1(NR)	1	381
120W	1	385
120X	1	393
122	1	411
131	1	5
131-SBI	3	929
140	1	9
140-SBI	3	933
140 Schedule A	1	45
140A	1	49
140ES	1	173
140ES-SBI	3	987
140ET	1	179
140EZ	1	69
140NR	1	133
140NR-SBI	3	969
140NR Schedule A(NR)	1	169
140PTC	1	187
140PY	1	81
140PY-SBI	3	951
140PY Schedule A(PY)	1	131
140PY Schedule A(PYN)	1	125
140X	1	197
140X-SBI	3	989
141AZ	2	831
141AZ ES	2	865
141AZ EXT	2	869
141AZ Schedule K-1	2	855
141AZ Schedule K-1(NR)	2	859
141AZ V	2	871

FORM	VOL.	PAGE
165	1	415
165 Schedule K-1	1	437
165 Schedule K-1(NR)	1	441
165PA	1	445
165PA Schedule K-1	1	453
165PA Schedule K-1(NR)	1	457
165PA-X	1	461
200	1	225
201	1	237
203	1	241
204	1	247
204-SBI	3	1001
210	2	873
220	1	469
221	1	251
300	2	495
301	2	501
301-SBI	3	1005
305	2	509
305-P	2	513
306	2	523
308	2	527
308-I	2	543
308-P	2	531
308-S	2	533
309	2	555
309-SBI	3	1013
310	2	569
312	2	575
312-P	2	577
312-S	2	591
315	2	585
315-P	2	589
315-S	2	591
318	2	597
318-P	2	599
319	2	605

CONTENTS OF BOOKLET X, VOLUMES 1, 2 AND 3

FORM	VOL.	PAGE
320	2	609
320-P	2	613
321	2	621
322	2	629
323	2	637
325	2	645
325-P	2	647
331	2	653
331-P	2	657
331-S	2	659
332	2	665
332-P	2	673
333	2	687
333-P	2	691
333-S	2	693
335	2	699
335-I	2	709
335-P	2	701
335-S	2	703
336	2	713
338	2	717
338-P	2	719
338-S	2	721
340	2	727
341	2	729
341-I	2	739
341-P	2	631
341-S	2	633
343	2	743
343-P	2	745
343-S	2	747
345	2	753
345-P	2	761
345-S	2	763
346	2	773
346-P	2	777
346-S	2	779
348	2	785
349	2	793
349-P	2	795

FORM	VOL.	PAGE
349-S	2	797
351	2	805
351-P	2	807
352	2	815
353	2	823
353-P	2	825
353-S	2	827

