

2019 Arizona S corporation 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 & Legal Research* 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 & Legal Research*. Then click on *Publications*.

General Instructions

Who Must Use Form 120S

Corporations taxed as S corporations under Subchapter S of the Internal Revenue Code (IRC) must file Form 120S. Qualified subchapter S subsidiaries are not treated as entities separate from the parent corporation and would be included on a single Form 120S filed by the parent S corporation.

Disaster Relief for Out-of-State Businesses

If an out-of-state business is in Arizona on a temporary basis solely for the purpose of performing disaster recovery from a declared disaster during a disaster period, it may not be required to file, remit, withhold or pay state or local income tax. See the department's publication, Pub. 720, *Disaster Recovery Tax Relief* to determine if the taxpayer qualifies for this relief.

Entity Classification Under the Federal "Check-the-Box Rules"

The federal tax classification of an entity under the federal "check-the-box rules" determines the entity's classification for Arizona tax purposes. Refer to the department's ruling, CTR 97-1, *Federal "Check-The-Box Rules" on Elective Tax Classification*.

Limited Liability Companies

Only a limited liability company that makes a valid federal election to be taxed as an S corporation must file Form 120S. A single member limited liability company that is disregarded as an entity is treated as a branch or division of the owner, and is included in the tax return of its owner. Refer to the department's ruling CTR 97-2, *Limited Liability Companies*, for further information.

A nonprofit medical marijuana dispensary (NMMD) is exempt from Arizona income tax. Refer to Arizona Revised Statutes (A.R.S.) § 43-1201(B). If the NMMD makes an election pursuant to subtitle A, chapter 1, subchapter S of the IRC, it must file Arizona Form 120S to meet the filing requirements of A.R.S. § 43-1126. However, no Arizona

income tax is due from the S corporation, even if the S corporation is subject to tax at the federal level. Shareholders are subject to Arizona income tax on the flow through from the S corporation.

Taxable Year Covered by Return

The S corporation must have the same taxable year for Arizona purposes as it has for federal purposes.

Records

Every S corporation should maintain books and records substantiating information reported on the return and keep these documents for inspection. Refer to the department's General Tax Ruling (GTR) 96-1, *Electronic Data Processing* for more information about record retention requirements.

S corporations should complete three copies of each Form 120S Schedule K-1 or Schedule K-1(NR) (Notice) for each shareholder. File a copy of each shareholder's completed Notice with the S corporation's Form 120S. Provide all shareholders with a copy of their completed Notice. Retain a copy of each completed Notice for the S corporation's records.

IRC § 7519 Required Payments

Taxpayers cannot deduct the federal required payments on their Arizona tax returns as an ordinary and necessary business expense or otherwise.

Rounding Dollar Amounts

Taxpayers must round amounts to the nearest whole dollar. If 50 cents or more, round up to the next dollar. If less than 50 cents, round down.

Examples:

Company A (A) reports federal taxable income of \$15,000. A has no Arizona additions to, or subtractions from, federal taxable income. Its apportionment ratio is .326954. A multiplies the federal taxable income by the apportionment ratio. The result is \$4,904.31. Company A rounds the result to \$4,904.00.

Company W (W) reports a federal taxable loss of (\$27,000). W has no Arizona additions to, or subtractions from, federal taxable income. Its apportionment ratio is .005946. W multiplies its federal loss of (\$27,000) by the apportionment ratio. The result is an Arizona loss of (\$160.54). Company W rounds the result to (\$161.00).

Company Z (Z) reports a federal taxable loss of (\$500). Z has no Arizona additions to, or subtractions from, federal taxable income. Its apportionment ratio is .075000. Z multiplies its federal loss of (\$500) by the apportionment ratio. The result is an Arizona loss of (\$37.50). Company Z rounds the result to (\$38.00).

Extension of Time to File a Return:

- A request for an extension of time to file an Arizona corporate income tax return **must** be submitted by the original due date of the return.
- **The department may grant an extension request for a maximum of six months.**

- The extension request can be made by filing a federal extension request, or by filing an Arizona extension request, Form 120EXT.
- The department will accept a valid federal extension for the same period of time covered by the federal extension.
- If the original return is filed under extension, do not include a copy of the extension with your return. However, make sure to check the extension box, 82F, on page 1 of your return.
- Form 120EXT must be used to transmit extension payments by check or money order regardless of how you request an Arizona extension (valid federal extension or Form 120EXT).
- If you made extension payments over the Internet, you are not required to file Form 120EXT unless you are requesting an Arizona filing extension.
- The Arizona extension and the federal extension provide an extension of time to file, they do not provide an extension of time to pay tax.
 - You must pay 90% of your tax liability (including the \$50 minimum tax) by the original due date of your return.
 - The department imposes the extension underpayment penalty on any late or underpaid extension requests.
- See the department's ruling, CTR 01-3, *Extensions*, for additional information.
- Mail the extension request to the address shown on the form.

Timely Filing of Returns:

- The department determines the timeliness of a 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 Original Returns:

- Returns are due by the 15th day of the third month following the close of the taxable year.
- If the S corporation has a valid federal or Arizona filing extension, the return is due by the extended due date. 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*.

- Please do not submit a copy of your federal return with your original Arizona income tax return.
- The return must be signed by one or more of the officers of the S corporation (President, Treasurer, or any other principal officer).
- Do not submit a blank Arizona return with a copy of the federal return. S corporations must:
 - Furnish complete data,
 - Answer all questions on the return,
 - Complete all applicable schedules, and
 - Include all appropriate supplementary schedules.
- Mail the return to the address shown on the form.

Electronic Filing of S Corporation Income Tax Returns:

S corporation income tax returns shall be filed electronically for taxable years beginning from and after December 31, 2019, or when the department establishes an electronic filing program. Any S corporation taxpayer who is required to file its income 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.
- 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.

A waiver is not required if the corporate income tax return cannot be electronically filed for reasons beyond the taxpayer's control, including situations in which the taxpayer was instructed by either the Internal Revenue Service or the Arizona Department of Revenue to file by paper.

Electronic filing of Arizona S corporation income tax returns is available for the 2019 taxable year. S corporation taxpayers may elect to file their Arizona S corporation income tax return electronically. Please see the department's website at www.azdor.gov for a list of approved software vendors.

Please contact the department at azefile@azdor.gov if you need assistance in electronically submitting your Arizona S corporation income tax return.

Filing Amended Returns:

Electronic filing of amended returns for the 2019 taxable year is not available.

- Any S corporation that files an amended return with the IRS *must* file an Arizona amended return on Form 120S, for the tax year amended (i.e. 2019 Form 120S for tax year 2019) within 90 days of final determination of the federal amended return by the IRS. When filing an amended return, check the box labeled "Amended" in the upper right corner of the return.
- S corporations *must* report to the department changes or corrections to their taxable income by the IRS or as a

result of renegotiation of a contract or subcontract with the United States.

- Within 90 days after the final determination of the change or correction, the S corporation must:
 - File a copy of the final determination with the department, concede the accuracy of the determination or state any errors, and request the department recompute the tax owed Arizona, or
 - File an amended return as required by the department.
- If your amended Arizona return is due to federal changes, either an amended federal return or an RAR, please include a copy of your amended federal return or RAR with your amended Arizona return.
- The S corporation must provide sufficient information for the department to recompute the S corporation's Arizona taxable income based on the Revenue Agent Report changes.
- The department may require the S corporation to file an amended return if the department does not have this information.
- Mail the amended return to the address shown on the form.

NOTE: File amended returns for prior taxable years on the respective Form 120S for those taxable years. Use the 2019 Form 120S to amend only the taxable year 2019.

Do NOT file an amended return until your original return has been processed.

Payment of Tax, Penalties, and Interest

The entire amount of tax, penalties, and interest is due by the original due date of the return.

Payment by Electronic Funds Transfer

S corporations are required to pay their tax liability by electronic funds transfer (EFT) if the S corporation 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.

An S corporation 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 S corporation has no computer.
- The S corporation has no internet access.
- Any other circumstance considered to be worthy by the director exists, including:
 - The S corporation 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: 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

S corporations making EFT payments must register with the department before their EFT payments may be accepted. **An officer of the corporation must complete the initial registration.**

Taxpayers may use 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

Payments can be made by American Express, Discover, MasterCard, or Visa credit cards. 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", 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 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. **NOTE:** The corporation may be charged a service fee.

NOTE: *Corporate taxpayers 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 taxpayer wishes to make payment by EFT, the payment MUST be made by ACH Credit. See the instructions for ACH Credit above to register and make ACH Credit payments.*

Estimated Tax Payments for 2020

S corporations expecting an Arizona income tax liability for the 2020 taxable year of \$1,000 or more must make Arizona estimated income tax payments. All S corporations required to make Arizona estimated payments must make those payments by the 15th day of the 4th, 6th, 9th, and 12th months of their taxable year.

The estimated tax payment calculation should include any tax from the recapture of tax credits. This requirement applies whether or not the S corporation itself is subject to tax at the corporate level.

S corporations that fail to make the required estimated tax payments are subject to a penalty on any estimated tax payment which is late or underpaid.

The Arizona required annual payment of estimated tax for an S corporation is the **smaller** of:

- A. Ninety percent of the S corporation's Arizona tax liability for the *current* taxable year; or
- B. An amount equal to the sum of:
 - i. Ninety percent of the portion of the *current* taxable year's Arizona tax liability attributable to built-in gains income or certain capital gains income, plus
 - ii. One hundred percent of the portion of the *prior* taxable year's Arizona tax liability that is attributable to excess net passive income.

NOTE: *For the S corporation to base its estimated tax payments on the tax liability described in B above, the S corporation's return filed for the prior taxable year must have been for a period of twelve months.*

To calculate the amount of estimated payment for the 2020 taxable year:

- Complete Form 120W to compute the required installments.
- Complete Form 120ES to make payments by check or money order. (If payments are made electronically, do NOT submit Form 120ES.)

Is the S corporation subject to the Estimated Underpayment Penalty for the 2019 taxable year?
See the instructions for Form 220.

MAKING ESTIMATED TAX PAYMENTS

S corporations making estimated payments for 2020 that expect a 2020 income tax liability of \$5,000 or more must make Arizona corporate estimated tax payments using the EFT program. See the Section *Payment of Tax Liability by*

Electronic Funds Transfer on page 3 for details on making tax payments by EFT.

S corporations that make estimated tax payments by EFT should not submit Form 120ES.

S corporations making estimated payments for 2020 who expect a 2020 income tax liability of less than \$5,000 may pay by check, e-check, money order, or credit card. Or they may elect to participate in EFT. See the Section, *Payment of Tax Liability by Electronic Funds Transfer* on page 4 for additional information. If paying by check or money order, complete Form 120ES and include the check or money order with the form.

NOTE: *Taxpayers required to make corporate estimated payments via EFT that fail to do so are 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.

Penalties and Interest

A. Late Filing Penalty

Without a valid federal or Arizona extension, a return filed after the original due date is subject to the late filing penalty. A return filed after its extended due date is also subject to the late filing penalty. The late filing penalty is 4.5% (.045) of the amount of tax required to be shown on the return. The penalty period is each month or fraction of a month between the due date of the return and the date the taxpayer filed the return. The maximum penalty is 25% of the tax found to be remaining due.

B. Extension Underpayment Penalty

The S corporation must pay 90% of the tax liability reported on its return by the original due date of the return. If it does not, the extension underpayment penalty is charged on any late or underpaid extension payments. The extension underpayment penalty is 0.5% (.005) of the tax not paid for each 30-day period or fraction of a 30-day period between the original due date and the date the tax is paid. The maximum penalty is 25% of the unpaid tax. Taxpayers subject to the extension underpayment penalty are not subject to the late payment penalty described in C below.

C. Late Payment Penalty

The late payment penalty is charged on any amount shown as tax on a return that is not paid by the due date. The late payment penalty is 0.5% (.005) of the unpaid tax for each month or fraction of a month that the tax remains unpaid, not to exceed 10% of the unpaid tax.

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 request by the department.*

NOTE: *If more than one of the penalties described in A, B, or C apply, the maximum combined penalty is 25%.*

Refer to the department's ruling, CTR 09-1, *When do Penalties Apply to an Income Tax Return Filed Under an Extension*, regarding the application of penalties to returns filed under extension.

D. Information Return Penalty

This form is an information return when no tax liability is due. The penalty for failing to file, filing late (including extensions), or filing an incomplete information return is \$100 for each month, or fraction of a month, that the failure continues, up to a maximum penalty of \$500.

E. Interest

The department charges interest on any portion of the tax not paid by the due date. The department compounds interest annually and applies it in the same manner and at the same time as prescribed by the IRS. The Arizona rate of interest for both underpayments and overpayments *for all taxpayers* is the federal underpayment rate.

On January 1 of each year, the department adds any interest outstanding as of that date to the principal amount of the tax. It is then a part of the principal amount of the tax and accrues interest until paid.

F. Underpayment of Estimated Tax Penalty

The department imposes the underpayment of estimated tax penalty on any late payment or underpayment of a required installment of estimated tax. Refer to Form 220, *Underpayment of Estimated Tax by Corporations*, for further details.

- The S corporation must complete Form 220: if it made its estimated tax payments based on either the annualized income installment or adjusted seasonal installment methods, or if it is a large corporation that computed its first required installment based on the S corporation's tax liability for the prior taxable year. This is required even if no penalty is due.
- The S corporation does not have to complete Form 220 if the S corporation made its estimated tax payments in four equal installments based on an amount equal to either 90% of the current taxable year's tax liability or 100% of the prior year's tax liability. "Tax liability" means the liability reduced by any refundable tax credits and the claim of right adjustment, if applicable.

The department will compute the estimated tax underpayment penalty based on either of these methods and notify the S corporation of any amount due.

Arizona Apportionment Methods

There are three apportionment methods for multistate S corporation income tax returns filed to Arizona: (1) air carrier apportionment; (2) standard apportionment; and (3) sales factor only apportionment.

Air carriers are required to use revenue miles. All other taxpayers may select either the standard or the sales factor only apportionment method.

1. Air Carrier Apportionment

An air carrier is required to use revenue miles to calculate its apportionment ratio. Check Box 1 on line A of page 1, fill out Schedule ACA, and include it with your return. Do not complete Schedule A.

2. Standard Apportionment

All non-air carrier taxpayers are allowed to continue to use Arizona's standard apportionment formula, which double-weights the sales factor. Check Box 2 on line A of page 1 and complete Schedule A using the number on the left-hand side of line A3e, column A, to double-weight the sales factor. Divide the total ratio by four.

3. Sales Factor Only Apportionment

All non-air carrier taxpayers may use Arizona's sales factor only apportionment formula, which is determined by dividing Arizona Sales by Everywhere Sales.

Specific Instructions

For calendar year filers, check the box, "calendar year 2019." For fiscal year filers, check the box, "fiscal year" and enter the beginning and ending dates for the fiscal year.

Type or print the required information in the name, address, and information boxes on the top of page 1. 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.**

Enter the S corporation's employer identification number (EIN). S corporations that fail to include their EIN may be subject to a penalty.

Box 68

- Check box A, "This is a first return" if this is the taxpayer's first return filed to Arizona.
- Check box B, "Name change", if the taxpayer changed its name during the tax year.
- Check box C, "Address change", if the taxpayer changed its address during the tax year.

Box 82F

- Check box 82F if this return is filed under **FEDERAL extension**.
- Do NOT check box 82F if the return is filed under an **ARIZONA extension**.

Line A:

- If the S corporation is a multistate S corporation, check the box indicating its method of apportioning income to Arizona.
 - Check Box 1, if the S corporation used the Air Carrier Apportionment. Complete Form ACA and include it with this return.
 - Check Box 2, if the S corporation used Standard apportionment.
 - Check Box 3, if the S corporation used Sales Factor Only apportionment.
- If the S corporation is not a multistate S corporation, or did not apportion its income to Arizona, do not check any boxes.

Line B:

- Check this box only if the S corporation elected to be treated as a multistate service provider by completing Arizona Schedule MSP and including it with this return. If this box is checked, check the appropriate box, Yr 1 through Yr 5, to indicate the year of the taxpayer's election cycle.
- If the S corporation did not elect multistate service provider treatment, leave this line blank.

Line C: Is this the S corporation's final Arizona income tax return using this EIN?

- If yes, check "Yes" and check the appropriate box.
 - Check Box 1 if the S corporation is "Dissolved,";
 - Check Box 2 if the S corporation has "Withdrawn" from Arizona; or
 - Check Box 3 if the S corporation "Merged/Reorganized." If there is a successor corporation, indicate the EIN of the successor corporation in the space provided.
- If this is not the S corporation's final return under this EIN, check "No."

Line D: Check "Yes" if the S corporation conducts business within and without Arizona. If not, check "No."

Line E: Check "Yes" if a composite return will be filed on Arizona Form 140NR. If not, check "No."

Line F: Enter the total number of nonresident individual shareholders of the S corporation on this line. If none, enter "0".

Line G: Enter the total number of resident and part-year resident individual shareholders on this line. If none, enter "0".

Line H: Enter the total number of entity shareholders (exempt organizations, trusts, estates). Do not include individual shareholders.

NOTE: *The total of the amounts entered for information questions F, G, and H should equal the total number of S corporation shareholders.*

Nonprofit Medical Marijuana Dispensary

Only a nonprofit medical marijuana dispensary (NMMD) under A.R.S. Title 36, Chapter 28.1, should fill out line I.

All other S corporations, go to line 1.

Line I: Check the box to indicate that the S corporation is a NMMD and enter the registry identification number issued by the Arizona Department of Health Services.

Arizona Income Computation

Line 1 - Total Distributive Income (Loss)

Enter the net total of the pro rata share items of nonseparately computed income (loss) and separately stated income (loss) and deductions (from federal Form 1120S, Schedule K).

NOTE for NMMDs: *A nonprofit medical marijuana dispensary should skip lines 2 through 25. Only complete line 26 (Information Return Penalty), if applicable. Complete Schedule A (if a multistate NMMD) and Schedule B. Also include Schedule C, as directed on page 3 of Form 120S.*

Income Subject to Federal and Arizona Corporate Income Taxes

Lines 2 through 4 - Excess Net Passive Income and Capital Gains/Built-in Gains

If the S corporation was subject to the federal excess net passive income, capital gains tax, or built-in gains tax on its federal Form 1120S, it is subject to Arizona corporate income tax on the total of this income. Use the federal worksheet included in the instructions for Form 1120S to calculate the amount of excess net passive income and capital gains/built in gains that was subject to federal taxation.

Line 2 - Excessive Net Passive Income

Enter the amount of excess net passive income that was subject to federal corporate income tax.

Line 3 - Capital Gains/Built-In Gains

Enter the amount of capital gains/built in gains that was subject to federal corporate income tax.

Line 4 - Total Federal Income Subject to Corporate Income Tax

Add line 2 and line 3. Enter the total on line 4.

- 100% Arizona S corporations, check box 4a. Skip to line 11.
- Multistate S corporations, continue to line 5.

NOTE:

- *An S corporation that has income from business activity that is taxable entirely within Arizona is a 100% Arizona S corporation.*
- *An S corporation that has income from business activity taxable in more than one state is a multistate S corporation.*

Lines 5 through 10 - Apportionment Computation Multistate S corporations Only

Any S corporation that has income from business activity that is taxable both within and without Arizona (multistate S corporation) must allocate and apportion its net income according to the Uniform Division of Income for Tax Purposes Act (UDITPA), A.R.S. §§ 43-1131 through 43-1150. See the instructions beginning on page 10 for more detailed information regarding apportionment of income.

Line 5 - Nonapportionable or Allocable Income Multistate S corporations Only

Nonbusiness income is nonapportionable and specifically allocable to a particular state. "Business income" under the transactional and functional tests means income arising from transactions and activity in the regular course of the taxpayer's trade or business, and includes income from tangible and intangible property if the acquisition, management, and disposition of the property constitute integral parts of the taxpayer's regular trade or business operations.

"Nonbusiness income" means all income other than business income.

NOTE: Refer to A.R.S. §§ 43-1134 through 43-1138, and A.A.C. R15-2D-501 through R15-2D-508 for the methods of allocating certain types of nonbusiness income.

Enter the total amount of all income (loss) which is nonapportionable or specifically allocable to Arizona. Include a schedule that details the amount of nonapportionable income subtracted on page 1, line 5.

Line 7 - Arizona Apportionment Ratio Multistate S corporations Only

Compute the apportionment ratio following the instructions for Schedule(s) A (non-air carrier S corporations) or ACA (for air carrier S corporations). Enter the average apportionment ratio on line 7. Carry out the decimal to six places.

NOTE: If line 7 is "0.000000", the S corporation is considered to have no Arizona nexus.

If line 7 is blank, the S corporation's income is considered to be sourced entirely within Arizona.

Line 9 - Other Income Allocated to Arizona Multistate S corporations Only

Enter the total amount of all income (loss) that is specifically allocable to Arizona. DO NOT include the amount of any nonbusiness income which is allocable to another state on this line. Include a schedule that details the amount of income that is allocable to Arizona.

Arizona Tax Liability Computation

If the S corporation is subject to federal and Arizona corporate income tax, it must complete lines 2 through 25. If the S corporation is subject to Arizona corporate income tax from the recapture of the Arizona credits for environmental technology facilities, healthy forest enterprises, renewable energy industry or qualified facilities it must complete lines 13 through 25, even if not required to complete lines 2 through 12.

Line 11 – Net income subject to Arizona income tax

- 100% Arizona S corporations, enter the amount from line 4.
- Multistate S corporations, enter the amount from line 10.

Line 12 - Arizona Tax

The S corporation is subject to the tax computed on line 12 **only if** it has income subject to tax at the corporate level reported on federal Form 1120S, even if line 11 is zero or a negative amount. The amount of Arizona income tax is the greater of \$50 or 4.9% of line 11.

Line 13 - Tax From Recapture of Tax Credits

Enter the amount of tax due from the recapture of tax credits from Form 300, Part 2, line 26.

Line 14 - Subtotal

Add lines 12 and 13. This is the amount of tax to which the total amount of tax credits claimed by the taxpayer may be applied.

Line 15 - Nonrefundable Tax Credits

Enter the allowable nonrefundable tax credit amount from Form 300, Part 2, line 47. This amount cannot be larger than the amount on line 14. Include the completed credit forms and Form 300 with the tax return.

- **Environmental Technology Facility Credit**

This tax credit is for costs incurred in constructing a qualified environmental technology manufacturing, producing, or processing facility. Complete Form 305 to claim this tax credit.

- **Military Reuse Zone Credit**

The credit for the military reuse zone credit has been repealed. The unused portion of valid military reuse zone credits may be carried forward for the respective five-year carryforward period. Complete Form 306 to claim this carry-forward tax credit.

- **Credit for Increased Research Activities**

This tax credit is for taxpayers who incur qualified research expenses for research conducted in Arizona. A portion of the excess credit claimed for taxable years beginning from and after December 31, 2009, may be refundable with approval from the Arizona Commerce Authority. Enter only the nonrefundable portion of this credit on line 15. Complete Form 308 to claim this tax credit.

- **Pollution Control Credit**

This tax credit is for expenses incurred during the taxable year to purchase real or personal property used in the taxpayer's trade or business in Arizona to control or prevent pollution. Complete Form 315 to claim this tax credit.

- **Credit for Taxes Paid for Coal Consumed in Generating Electrical Power**

This tax credit is for a percentage 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. Complete Form 318 to claim this tax credit.

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

The credit for solar hot water heater plumbing stub outs and electric vehicle recharge outlets has been repealed. All credits for solar hot water heater plumbing stub outs and electric vehicle recharge outlets that were properly established can be carried forward for the respective five-year carry-forward period. Complete Form 319 to claim this carry-forward tax credit.

- **Credit for Employment of TANF Recipients**

This tax credit is for net increases in qualified employment for recipients of temporary assistance for needy families (TANF) who are residents of Arizona. Complete Form 320 to claim this tax credit.

- Agricultural Pollution Control Equipment Credit**
 This tax credit is for expenses incurred during the taxable year to purchase tangible personal property that is primarily used in the taxpayer’s business in Arizona to control or prevent agricultural pollution. Complete Form 325 to claim this tax credit.
- Credit for Donation of School Site**
 This tax credit is 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. Complete Form 331 to claim this tax credit.
- Credit for Employment by a Healthy Forest Enterprise**
 The Training Credit for Healthy Forest Enterprises has been repealed. The unused portion of valid workforce training credits may be carried forward for the respective five year carry-forward period.
 The Employment Credit for Healthy Forest Enterprises remains in effect. Complete Form 332 to claim the Employment Credit or to claim a carry-forward of the Training Credit.
- Credit for Employing National Guard Members**
 This tax credit is for an employer who has an employee that is a member of the Arizona National Guard and the employee was placed on active duty. Complete Form 333 to claim this tax credit.
- Credit for Corporate Contributions to School Tuition Organizations**
 This credit is for corporations who make contributions to school tuition organizations which provide scholarships and tuition grants to children attending qualified nongovernmental schools. Complete Form 335 to claim this tax credit.
- Credit for Solar Energy Devices - Commercial and Industrial Applications**
 This tax credit expired December 31, 2018. The expiration did not affect carryovers of this properly established credit. Complete Form 336 to the carryforward of this tax credit.
- Credit for Corporate Contributions to School Tuition Organizations for Displaced Students or Students with Disabilities**
 This tax credit is for corporations who make contributions to school tuition organizations that provide scholarships and tuition grants to qualifying children attending qualified nongovernmental schools. Complete Form 341 to claim this tax credit.
- Renewable Energy Production Tax Credit**
 This tax credit is for taxpayers that produce electricity using qualified energy resources. Approval by the Arizona Department of Revenue is required prior to claiming this tax credit. Complete Form 343 to claim this tax credit.

- Credit for New Employment**
 This tax credit is for taxpayers that have net increases in employment. The credit limit is administered by the Arizona Commerce Authority. Complete Form 345 to claim this tax credit.
- Additional Credit for Increased Research Activities for Basic Research Payments**
 This tax credit is for taxpayers that make qualified basic research payments for research conducted in Arizona. Approval by the Arizona Department of Revenue is required prior to claiming this tax credit. Complete Form 346 to claim this tax credit.
- Credit for Renewable Energy Investment and Production for Self-Consumption by International Operations Centers**
 This tax credit is 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 International Operations Centers. Complete Form 351 to claim this tax credit.

Complete the appropriate credit form for each tax credit claimed on your return. Include the completed credit form and Form 300 with the tax return.

Amended Returns: Include the completed credit form(s) and Arizona Form 300 with the amended Form 120S, whether or not the amount claimed on line 15 has changed.

Line 16 - Credit Type

Indicate which nonrefundable tax credits were used on line 15 by entering the applicable form number(s) in the space provided.

Nonrefundable Income Tax Credit	Form
Environmental Technology Facility Credit	305
Military Reuse Zone Credit	306
Credit for Increased Research Activities	308
Pollution Control Credit	315
Credit for Taxes Paid for Coal Consumed in Generating Electrical Power	318
Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets	319
Credit for Employment of TANF Recipients	320
Agricultural Pollution Control Equipment Credit	325
Credit for Donation of School Site	331
Credits for Healthy Forest Enterprises	332
Credit for Employing National Guard Members	333
Credit for Corporate Contributions to School Tuition Organizations	335
Credit for Solar Energy Devices - Commercial and Industrial Applications	336
Credit for Corporate Contributions to School Tuition Organizations for Displaced Students or Students With Disabilities	341
Renewable Energy Production Tax Credit	343
Credit for New Employment	345

Nonrefundable Income Tax Credit	Form
Additional Credit for Increased Research Activities for Basic Research Payments	346
Credit for Renewable Energy Investment and Production for Self-Consumption by International Operations Centers	351

Line 17 - Arizona Tax Liability

Subtract line 15 from line 14. If line 15 is more than line 14, enter zero "0". Line 17 cannot be a negative amount.

Tax Payments and Refundable Credits
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Line 18 - Refundable Tax Credits

Check the box(es) marked 308 and/or 349 to indicate which of these tax credits the taxpayer is claiming. Enter the total amount of the credits claimed on line 18.

Credit for Increased Research Activities

A portion of this tax credit is refundable for qualified taxpayers. The refund is limited to 75% of the excess credit, which is the current year's credit less the current year's tax liability, not to exceed the amount approved by the Arizona Commerce Authority. Include a copy of your "Certificate of Qualification" from the Arizona Commerce Authority, Form 300, and Form 308 with your tax return. Enter the amount from Form 308, Part 7, line 42.

Credit for Qualified Facilities

This tax credit is for expanding or locating a qualified facility in Arizona and is refundable in five equal installments. Pre-approval and post-approval are required through the Arizona Commerce Authority. Include a copy of your "Certification of Qualification" from the Arizona Commerce Authority and Form 349 with your tax return to claim this credit. Enter the amount from Form 349, Part 8, line 20.

If you are claiming more than one of the refundable tax credits, check the appropriate boxes and add the amounts from the credit forms together and enter the total on line 18, or use the following worksheet to figure the amount to enter on line 18.

Refundable Credit Worksheet	
1. Enter the refundable credit from Form 308, Part 7, line 42.	
2. Enter the apportioned credit from Form 349, Part 8, line 20.	
3. Add the amounts on lines 1 and 2. Enter the total here and on Form 120S, line 18.	

Amended Returns: Include the completed credit form(s) with the amended Form 120S, with Form 300, if applicable, whether or not the amount claimed on line 18 has changed.

Line 19 - Extension Payments

Original Returns: Enter any payment made with the request for extension of time to file the income tax return or made online by the original due date.

Amended Returns: Enter any payment made with the request for an extension of time to file the original return or made

online by the original due date. DO NOT include or enter the amount of any penalties or interest paid.

NOTE: *S corporations whose 2019 income tax liability is \$10,000 or more, must make extension payments by EFT. See the instructions for Form 120EXT for additional information.*

Line 20 - Estimated Payments

Original Returns: Enter the total amount paid by the S corporation for the taxable year. Include a schedule listing dates and payments made.

Amended Returns: Enter the total amount of estimated tax payments made by the S corporation for the taxable year. Do not include the amount of any penalties paid, or any reduction for the amount of an overpayment that was designated as an estimated tax payment for 2019 on a prior return.

Line 21 - Total Payments

Original Returns: Add lines 18, 19, and 20. Enter the total.

Amended Returns: Enter the total amount of tax payments made for the taxable year. Compute the total as follows:

- Add the amounts entered on lines 18, 19, and 20;
- Add the amount of a payment sent with the original return (if any);
- Add the amount of any payments made after the original return was filed; and
- Subtract the amount of any overpayment of tax (from the original return, line 23) and the total amount of any overpayments from an Arizona Department of Revenue correction notice, a prior amended return, or an audit.

Do not include or enter the amount of any penalties or interest paid.

Computation of Total Due or Overpayment
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Line 22 - Balance of Tax Due

If the amount on line 17 is **larger** than the amount on line 21, there is a balance of tax due. Subtract line 21 from line 17, and enter the difference. Skip line 23.

Line 23 - Overpayment of Tax

If the amount on line 21 is **larger** than the amount on line 17, there is an overpayment of tax. Subtract line 17 from line 21, and enter the difference.

Line 24 - Penalty and Interest

The S corporation may choose to calculate any penalty and interest due as a result of late filing, late payment of tax, or extension underpayment of tax. Interest is calculated on the amount shown on line 22 at the prevailing rate. The interest period is from the original due date of the return to the payment date. See the "Penalties and Interest" section beginning on page 3 of these instructions.

Do not include or enter the amount from the Estimated Tax Underpayment Penalty.

If the S corporation chooses not to calculate interest and penalties, the department will calculate them, and include that amount in any refund, or bill the taxpayer, as appropriate.

Line 25 - Estimated Tax Underpayment Penalty

Original returns: The S corporation DOES NOT HAVE TO COMPLETE Form 220, *Underpayment of Estimated Tax by Corporations*, if the S corporation made estimated tax payments equal to 90% of the current taxable year's tax liability, and paid in four equal installments. The department will compute the underpayment of estimated tax penalty based on this method and notify the S corporation of any amount due. If the S corporation elects to have the department compute the penalty, do not check box 25A or enter an amount on line 25.

The S corporation MUST COMPLETE Form 220, even though no penalty is due, if it made its estimated tax payments based on any of the following methods:

- The annualized income installment method;
- The adjusted seasonal installment method; or
- An amount, paid in four equal installments, that is equal to the sum of:
 - Ninety percent of the portion of the current taxable year's Arizona tax liability that is attributable to built-in gains income or certain capital gains income; plus
 - One hundred percent of the portion of the prior taxable year's Arizona tax liability that is attributable to excess net passive income.

Enter the total penalty from Form 220, Part C, line 37. Include the completed Form 220 with the return **and** check box 25A.

Amended returns: Do not recompute the estimated tax underpayment penalty. Enter the amount from line 25 of the original return or the amount from an Arizona Department of Revenue correction notice.

Line 26 - Information Return Penalty

Original Returns: If no tax liability is due, and this return is filed late (including extension) or incomplete, enter the amount of the information return penalty on this line. The information return penalty is \$100 for each month, or fraction of a month, that the failure continues, up to a maximum penalty of \$500.

Amended Returns: Do not recompute the information return penalty. Enter the amount from line 26 of the original return or the amount from an Arizona Department of Revenue correction notice.

Line 27 - Total Due

If the taxpayer has a balance of tax due on line 22, add line 22, line 24 and line 25. Enter the total on line 27. S corporations that do not have a tax liability, enter the amount from line 26. This is the total amount due.

Payment of Tax, Penalties, and Interest

Full payment for all tax, penalties, and interest is due by the original due date of the return.

S corporations required to make payments by EFT, see the Section, *Payment of Tax Liability by Electronic Funds Transfer*, for options to pay your tax liability by EFT.

S corporations 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.*

Line 28 - Overpayment

If the taxpayer has an overpayment of tax on line 23, subtract the total of line 24 and line 25 from line 23. Enter a positive difference on line 28. This is the total overpayment. If the difference is negative, enter the difference as a positive number on line 27.

Line 29 - Overpayment Applied to Estimated Tax

Original Returns: The taxpayer may apply part or all of an overpayment reported on line 28 as a 2020 estimated tax payment. Enter the applicable amount on line 29.

Amended Returns: The taxpayer may apply part or all of an overpayment reported on line 28 as a 2020 estimated tax payment, if this amended return is filed during the taxpayer's taxable year 2019. Enter the applicable amount on line 29.

Line 30 - Refund

Subtract line 29 from line 28. Enter the difference. This is the net refund amount.

APPORTIONMENT OF INCOME

A.R.S. §§ 43-1131 through 43-1150 govern the apportionment of income. An S corporation that engages in activities both within and without Arizona must apportion its business income based on property, payroll, and sales in Arizona as compared with everywhere. "Everywhere" means the property, payroll, and sales factors related to the whole business.

NON-APPORTIONABLE INCOME

Apportionment factors generating non-apportionable or non-taxable (i.e. U.S. Interest) income are not to be included in the calculation of the apportionment ratio.

ADMINISTRATIVE RELIEF REQUESTS

A.R.S. § 43-1148 provides administrative relief if the allocation and apportionment provisions of UDITPA do not fairly represent the extent of the taxpayer's business activity in this state. The taxpayer may petition for or the department may require, in respect to all or any part of the taxpayer's business activity, if reasonable:

- Separate accounting, except with respect to an Arizona affiliated group, as defined in A.R.S. § 43-947.
- The exclusion of any one or more of the factors.
- The inclusion of one or more additional factors which will fairly represent the taxpayer's business activity in this state.
- The employment of any other method to effectuate an equitable allocation and apportionment of the taxpayer's income, other than disallowance of a properly elected consolidated return.

This section permits a departure from the allocation and apportionment provisions only in limited cases. A.R.S. § 43-1148 may be invoked only if unusual fact situations produce incongruous results under the apportionment and allocation provisions. Taxpayers seeking such relief should

submit a letter to the Corporate Income Tax Audit Section 60 days prior to the filing of the return setting forth the relief that is requested and the justification for the relief.

The department normally makes such determinations only upon audit of the taxpayer. Such a detailed examination of the specific facts and circumstances reveals whether such unusual fact situations and incongruous results exist.

COMPUTING THE APPORTIONMENT RATIO

When computing the factors of the apportionment ratio, carry the result out to six places after the decimal. If the seventh place after the decimal is five or more, round the sixth decimal place up to the next higher digit. If the seventh place after the decimal is less than five, leave the sixth place decimal as it is.

Example #1:

Arizona Amount	<u>123,456</u>
Everywhere Amount	789,654
Factor	.1563418

The seventh digit after the decimal is “8”. Since “8” is greater than “5,” the sixth digit after the decimal is increased to the next higher digit, “2”.

The factor rounded to six decimal places is .156342.

Example #2:

Total Ratio	<u>.179865</u>
Divided by	4
Apportionment Ratio	.0449662

The seventh digit after the decimal is “2”. Since “2” is less than “5,” the sixth digit after the decimal remains “6”. No increase to the sixth digit after the decimal is made.

The apportionment ratio rounded to six decimal places is .044966.

**Schedule ACA - AIR CARRIER Apportionment
(Multistate S corporation Air Carriers Only)**

A.R.S. § 43-1139(B) requires a taxpayer that is a qualifying air carrier to use revenue miles to apportion its business income to Arizona. The taxpayer must be engaged in air commerce. “Air commerce” means transporting persons or property for hire by aircraft in interstate, intrastate or international transportation. The taxpayer must complete Schedule ACA. Schedule ACA is available on the department’s website. Check Box 1 on line A of page 1. Do not complete Schedule A.

**NON-AIR CARRIER APPORTIONMENT FORMULA
(NON-AIR CARRIER MULTISTATE S CORPORATIONS ONLY)**

Non-air carrier multistate S corporations have the opportunity to choose one of two apportionment formulas for calculating the apportionment ratio:

- The sales factor only apportionment formula; or
- The standard apportionment formula.

Check the box on line A of page 1 of the return to indicate which apportionment formula, “STANDARD” or “SALES FACTOR ONLY,” will be used to calculate the apportionment ratio on the S corporation’s return. Whichever apportionment method is indicated on line A of page 1, the taxpayer must complete the apportionment ratio using that formula. (The taxpayer cannot

use “Standard” to calculate one factor of the ratio, and “SALES FACTOR ONLY” to calculate another factor of the ratio.)

For the standard apportionment ratio, the numerator of the fraction of the standard apportionment formula is the property factor plus the payroll factor plus two times the sales factor. The denominator of the fraction is four. Use the numbers located on the left-hand side of Schedule A, column A, to weight the property, payroll, and sales factors respectively.

For taxable years beginning after December 31, 2016, Sales Factor Only Apportionment replaced the enhanced apportionment ratio. The numerator is Arizona sales. The denominator is Everywhere sales. The property factor and the payroll factor are not included in this computation.

Taxpayers apportioning income or (loss) must complete lines 5 through 10 on page 1.

Line A1 - Property Factor – Standard Apportionment

Taxpayers electing “SALES FACTOR ONLY APPORTIONMENT” – leave blank.

The Property Factor is a fraction that represents the average value of the taxpayer’s property owned or rented and used in Arizona to the total average value of the taxpayer’s property owned or rented and used during the tax period.

The value of tangible personal property and real property owned by the taxpayer is its original cost. The taxpayer normally determines the average value of its owned property by averaging the values at the beginning and ending of the tax period. Property used to generate non-apportionable or non-taxable income is not included in the property factor.

The value of tangible personal property and real property rented by the taxpayer is eight (8) times its net annual rental rate. The net annual rental rate is the annual rental rate paid by the taxpayer for rented property, less the aggregate annual subrental rates paid by subtenants of the taxpayer. The taxpayer automatically achieves averaging for rented property by the method of determining the net annual rental rate of such property.

For a discussion of the treatment of computer software in the property factor, refer to the department’s ruling, CTR 01-2, *How Does a Taxpayer Filing an Arizona Corporate Income Tax Return Determine Whether Computer Software is Included in the Property Factor.*

Report real property situated and tangible personal property permanently located in Arizona as property within Arizona. Attribute the value of mobile property to Arizona based on the total time that the property was within Arizona.

Taxpayers Electing “STANDARD APPORTIONMENT”

Divide the numerator of the property factor by the denominator. Express the ratio as a decimal carried out to six places. (The property factor may not exceed 1.0.) Enter the result on line A1c, Column C.

Taxpayers Electing “SALES FACTOR ONLY APPORTIONMENT,” leave lines A1a through A1c, Columns A through C, blank

*For additional information on the property factor, refer to:
A.R.S. §§ 43-1140 through 43-1142
A.A.C. R15-2D-601 through R15-2D-607 and R15-2D-902*

CTR 01-2, *How Does a Taxpayer Filing an Arizona Corporate Income Tax Return Determine Whether Computer Software is Included in the Property Factor*

Line A2 - Payroll Factor – Standard Apportionment

Taxpayers electing “SALES FACTOR ONLY APPORTIONMENT” – leave blank.

The Payroll Factor is a fraction that represents the compensation paid in Arizona by the taxpayer to the total compensation paid by the taxpayer during the tax period.

Report the salaries, wages, or other compensation of officers, employees, etc., as within Arizona if the performance of their services occurs entirely in Arizona. This rule applies regardless of where payment is made or control exercised. This rule also applies regardless of whether the performance of the services is partly or wholly in connection with the apportionable business carried on outside the state or in interstate or foreign commerce. Payroll used to generate non-apportionable or non-taxable income is not included in the payroll factor.

Allocate the compensation of officers and employees who perform services partly within and partly without Arizona to this state when:

- The services performed outside of Arizona are incidental to the employee's service within Arizona; or
- The employee's base of operation is in Arizona; or
- The employee has no base of operation in any state but the direction or control of the employee is from Arizona; or
- The employee has no base of operation in any state, and there is no direction or control from a state in which the employee performs some part of his services, but the employee's residence is in Arizona.

Taxpayers Electing “STANDARD APPORTIONMENT”

Divide the numerator of the payroll factor by the denominator. Express the ratio as a decimal carried out to six (6) places. (The payroll factor may not exceed 1.0.) Enter the result on line A2, Column C.

Taxpayers Electing “SALES FACTOR ONLY APPORTIONMENT,” leave line A2, Columns A through C, blank.

For additional information on the payroll factor, refer to:
A.R.S. §§ 43-1143, 43-1144
A.A.C. R15-2D-701 through R15-2D-705

Line A3 - Sales Factor

The Sales Factor is a fraction that represents the total sales of the taxpayer in Arizona to the total sales of the taxpayer during the tax period.

"Sales" includes all gross receipts from transactions and activities in the course of the regular trade or business that produce income. Gross receipts from non-apportionable or non-taxable income are not included in the sales factor.

Sales of tangible personal property are sourced on a destination sales basis. Sales of real property is determined based on the location of the property. Generally, sales of other than tangible personal property is determined based on

the location where the income producing activity occurs. Service income is determined based on the location of the income producing activity, *unless* the taxpayer elected to be treated as a Multistate Service Provider (MSP). (See the box below for a description of an MSP.)

TAXPAYERS THAT QUALIFY AS MULTISTATE SERVICE PROVIDERS ELECTING TO SOURCE SALES OF SERVICES TO ARIZONA USING MARKET SALES

*Taxpayers that qualify as a MSP may elect to treat sales from service as being sourced to Arizona based on market sales. Multistate taxpayers complete Schedule MSP to determine if they qualify as a MSP. If the taxpayer qualifies, and wishes to make the election, the completed Schedule MSP must be included with the taxpayer's original, timely-filed tax return. (The election to be treated as a MSP **cannot** be made on an amended return.) Once made, the election is binding for five years. For each year of the election period, Schedule MSP must be completed by the taxpayer to source sales from services to Arizona. Once Schedule MSP is completed, the taxpayer can compute the sales factor.*

Taxpayers that qualify, and who want to make the election, should:

- *Ensure the completed Schedule MSP is included with the return.*
- *Ensure the box on line B of the return is checked.*
- *Ensure the box indicating the year of the election cycle is checked.*
- *Enter on line A3b, column A, the Arizona sales from services from the completed Schedule MSP, line B1.*
- *Complete the calculation of the sales factor following the instructions for the taxpayer's choice of the “STANDARD” or “SALES FACTOR ONLY” apportionment formula.*

Taxpayers qualifying as an MSP, and electing to be treated as an MSP:

Enter the Arizona sales from services on line A3b from the completed Schedule MSP, line B.

Taxpayers not making the election to be treated as an MSP:

- Leave line A3b blank.
- Enter Arizona sales from services on line A3c.

Taxpayers Electing “STANDARD APPORTIONMENT”

- Check the box labeled “STANDARD” on line A of the return.
- Multiply the numerator of the sales factor by two. Divide that result by the denominator. Express the ratio as a decimal carried out to six places. (The sales factor may not exceed 2.0.) Enter the result on line A3f, Column C.

Taxpayers Electing “SALES FACTOR ONLY APPORTIONMENT”

- Check the box labeled “SALES FACTOR ONLY” on line A of the return.
- Divide the numerator (Arizona sales) by the denominator (Everywhere sales). Express the ratio as a decimal

carried out to six places. (The sales factor may not exceed 1.0.) Enter the result on line A3f, Column C. Also enter the result on page 1, line 7.

*For more information on the sales factor, refer to:
A.R.S. §§ 43-1145 through 43-1147
A.A.C. R15-2D-801 through R15-2D-807, and R15-2D-903
CTR 02-2, Apportionment of Installment Sale Gain
CTR 07-1, Inclusion of Short Term Investments in the Sales Factor*

Line A4 - Total Ratio

Taxpayers Electing "STANDARD APPORTIONMENT"

Add the amounts in Column C of lines A1c, A2, and A3f and enter the total.

Taxpayers Electing "SALES FACTOR ONLY APPORTIONMENT," leave this line blank.

Line A5 - Average Apportionment Ratio

NOTE: Taxpayers must exclude a factor if both the numerator and the denominator of a factor are zero. Do not exclude a factor if the numerator of the factor is zero and the denominator of a factor is greater than zero.

Taxpayers Electing "STANDARD APPORTIONMENT"

If either the property factor or the payroll factor is excluded, determine the average ratio by dividing the total ratio by three. If the sales factor is excluded, determine the average ratio by dividing the total ratio by two. If two of the factors are excluded, the remaining factor, without respect to any weighting, is the apportionment ratio.

Taxpayers Electing "STANDARD APPORTIONMENT"

Divide the total ratio, line A4, column C, by four (4). Express the ratio as a decimal carried out to six (6) places. Enter the ratio. Also, enter the ratio on page 1, line 7.

Taxpayers Electing "SALES FACTOR ONLY APPORTIONMENT," leave this line blank.

NOTE: *If line A5 is "0.000000", the S corporation is considered to have no Arizona nexus.*

If line A5 is blank, the S corporation's income is considered to be sourced entirely within Arizona.

Schedule B - Other Information

Answer all questions as accurately and completely as possible.

Question B3: List the name, title and telephone number of the individual who Arizona Department of Revenue employees may contact to schedule an audit of this return. Confidential information may be disclosed to a principal corporate officer, any person designated by a principal corporate officer, any person designated in a resolution by the corporate board of directors or other similar governing body, or to an individual designated as an authorized representative in a valid power of attorney. A principal corporate officer of a parent corporation may execute a written authorization for a controlled subsidiary. If this individual is not a principal corporate officer, or is not designated as an authorized representative in a valid power of attorney, the taxpayer

understands and agrees that confidential information may be disclosed to this individual.

Schedule C - Shareholder Information

Enter the requested information for each shareholder. If the S corporation has more than 8 shareholders, include additional schedules as necessary.

NOTE: *Column (d), enter the shareholder's Tax Information Number with no dashes.*

Column (e) requires the ownership percentage to be entered as 3 digits to the left of the decimal and 6 digits to the right of the decimal. For example, for a shareholder with a 1% ownership share, enter the shareholder's ownership percentage as 001.000000.

For Column (g) enter "R" for resident, "N" for Nonresident, or "O" for other entity (i.e. exempt organization, and certain trusts and estates.).

Certification

One or more of the following officers (president, treasurer, or any other principal corporate officer) must sign the return.

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.

Schedule K-1 - S corporation Instructions

Complete this schedule for resident or part-year resident individual shareholders, resident estate shareholders, and resident trust shareholders. Complete Schedule K-1(NR) for all other shareholders.

Form 120S Schedule K-1, is required only if the S corporation has capital gain (loss) for the taxable year. If the S corporation does not have a capital gain (loss) for the taxable year, filing Form 120S Schedule K-1 is not necessary.

Type or print the required information in the name, address, and information boxes on the top of the Form 120S Schedule K-1. Indicate whether the S corporation's taxable year is a calendar year or a fiscal year; if a fiscal year, indicate the period covered by the taxable year on the schedule. Indicate whether this is an original or an amended schedule.

Part 1: Net Capital Gain (Loss) from Investment in a Qualified Small Business – Information Schedule

Arizona allows individuals, estates, and shareholders a subtraction from Arizona gross income for any net capital gain derived from investment in a qualified small business if:

- The gain is included in:

- The individual taxpayer's federal adjusted gross income, or,
- The estate or trust's federal taxable income, and
- The business in which the S corporation invested is determined to be a qualified small business by the Arizona Commerce Authority.

An S corporation shareholder that is a pass-through entity (estate or trust) will need this information to:

- Calculate its subtraction, or,
- Complete the Arizona Form 141AZ, Schedule K-1 or Schedule K-1(NR), for each beneficiary.

Complete Form 120S Schedule K-1, Part 2 to provide information to:

- The resident and part-year resident shareholder to calculate the subtraction for net capital gain from investment in a qualified small business.
- The resident estate or trust shareholder to:
 - Calculate the subtraction for net capital gain from investment in a qualified small business, or,
 - Complete Form 141AZ Schedule K-1 or Schedule K-1(NR) for each beneficiary.

Complete Form 120S Schedule K-1, Part 1, line 1 and Part 3, line 4, if the shareholder's federal Schedule K-1 (Form 1120S) includes any net capital gain (loss) from investment in a qualified small business. If Part 1, line 1 is zero, enter "0" on Part 3, line 4.

Do NOT complete Form 120S Schedule K-1, Part 1 and Part 3, line 4, if the shareholder's federal Schedule K-1 (1120S) does not include any net capital gain (loss) from investment in a qualified small business.

Part 2: Net Capital Gain (Loss) From the Exchange of Legal Tender – Information Schedule

For taxable years beginning from and after December 31, 2017, Arizona allows an exclusion for any net capital gain included in Arizona gross income that is derived from the exchange of one kind of legal tender for another kind of legal tender.

An S corporation shareholder that is a pass-through entity (estate or trust) will need this information to:

- Calculate its subtraction, or,
- Complete the Arizona Form 141AZ, Schedule K-1 or Schedule K-1(NR), for each beneficiary.

Complete Form 120S Schedule K-1, Part 2 to provide information to:

- The resident and part-year resident shareholder to calculate the exclusion for any net capital gain (loss) derived from the exchange of one kind of legal tender for another kind of legal tender.
- The resident estate or trust shareholder to:
 - Calculate the exclusion for net capital gain (loss) derived from the exchange of one kind of legal tender for another kind of legal tender, or,
 - Complete Form 141AZ Schedule K-1 or Schedule K-1(NR) for each beneficiary.

Complete Form 120S Schedule K-1, Part 2, line 2 and Part 3, line 4, if the shareholder's federal Schedule K-1 (Form 1120S) includes any net capital gain (loss) from the exchange of one kind of legal tender for another kind of legal tender. If Part 2, line 2 is zero, enter "0" on Part 3, line 4.

Do NOT complete Form 120S Schedule K-1, Part 2, line 2 and Part 3, line 4, if the shareholder's federal Schedule K-1 (1120S) does not include any net capital gain (loss) from the exchange of one kind of legal tender for another kind of legal tender.

Part 3: Net Long-Term Capital Gain (Loss) Subtraction – Information Schedule

Arizona allows individuals, estates, and trusts a subtraction from Arizona gross income for a percentage of any net long-term capital gain if:

- The asset was acquired after December 31, 2011.
- The gain is included in:
 - The individual's federal adjusted gross income, or,
 - The estate or trust's federal taxable income.

In addition:

- Only include net long-term gains if the S corporation can verify the asset was acquired after December 31, 2011.
- If the S corporation cannot verify the asset was acquired after December 31, 2011, treat it as a capital gain asset acquired before January 1, 2012.

An S corporation shareholder that is a pass-through entity (estate or trust) will need this information to:

- Calculate its subtraction, or,
- Complete Form 141AZ Schedule K-1 or Schedule K-1(NR) for each beneficiary.

Complete Form 120S Schedule K-1, Part 3 to provide information to:

- The resident and part-year resident shareholder to calculate its subtraction for net long-term capital gain for assets acquired after December 31, 2011.
- The resident estate or trust shareholder to:
 - Calculate its subtraction for net long-term capital gain for assets acquired after December 31, 2011, or,
 - Complete Form 141AZ Schedule K-1 or Schedule K-1(NR) for each beneficiary so the beneficiary can calculate its subtraction for net long-term capital gain for assets acquired after December 31, 2011.

Complete Part 3, lines 3 through 5 (if applicable) of Form 120S Schedule K-1, as instructed on the form.

Do NOT complete Part 3, lines 3 through 5 if the shareholder's federal Schedule K-1 (Form 1120S) does not include any capital gain (loss).

A worksheet is provided at the end of these instructions to assist in determining the amount(s) to include on each shareholder's Form 120S Schedule K-1, Part 3, line 3.

Schedule K-1(NR) - S corporation Instructions

Complete this schedule for nonresident individual shareholders, nonresident estate shareholders, nonresident trust shareholders and exempt organization shareholders.

Type or print the required information in the name, address, and information boxes on the top of the Form 120S Schedule K-1(NR). Indicate whether the S corporation's taxable year is a calendar year or a fiscal year; if a fiscal year, indicate the period covered by the taxable year on the schedule. Indicate whether this is an original or an amended schedule.

Part 1: Share of Income and Deductions

Column (a) - Distributive Share Amount

Wholly Arizona S corporations - in column (a), enter the distributive share amount for each line item from the federal Form 1120S Schedule K-1.

Multistate S corporations - in column (a), enter the nonresident shareholder's distributive share of the multistate S corporation's income (loss) that is subject to apportionment from the federal Form 1120S Schedule K-1.

Column (b) - Arizona Apportionment Ratio

Wholly Arizona S corporations - enter 100%.

Multistate S corporations - enter the average ratio amount from Form 120S Schedule A, line A5, column C, or Schedule ACA, line 3. (Refer to Schedule A or Schedule ACA instructions.)

Column (c) - Arizona Source Income

Wholly Arizona S corporations - Enter the amount from column (a) in column (c).

Multistate S corporations - include a schedule that details (for each line item) the following computation:

- Step 1 The shareholder's distributive share of the S corporation's income subject to apportionment multiplied by the average ratio in column (b).
- Step 2 The shareholder's distributive share of the S corporation's income (loss) which is specifically allocable to Arizona.
- Step 3 The total of the amounts computed in steps 1 and 2 that is to be entered in column (c).

NOTE: Do not include the amount of any nonbusiness income allocable to another state in the total entered in column (c).

All S corporations - Column (c) is the shareholder's Arizona source income from the S corporation. Shareholders should refer to the instructions for Form 120S, Schedule K-1(NR), for information on completing their Arizona tax returns.

Part 2: Net Capital Gain (Loss) From Investment in a Qualified Small Business – Information Schedule

Arizona allows individuals, estates, and trusts, a subtraction from Arizona gross income for any net capital gain derived from investment in a qualified small business if:

- The gain is included in:
 - The individual's federal adjusted gross income; or
 - The estate or trust's federal taxable income, and
- The business in which the S corporation invested is determined to be a qualified small business by the Arizona Commerce Authority.

A shareholder that is a pass-through entity (estate or trust) will need this information to:

- Calculate its subtraction for the estate or trust; or

- Complete Form 141AZ Schedule K-1, or Schedule K-1(NR), for each beneficiary.

Complete Form 120S, Schedule K-1(NR), Part 2, line 16, and Part 4, line 19 if the shareholder's federal Schedule K-1 (Form 1120S) includes any net capital gain (loss) from investment in a qualified small business. If Part 2, line 16, is zero, enter "0" on line 19.

Do NOT complete Form 120S, Schedule K-1(NR), Part 2 or Part 4, line 19 if the shareholder's federal Schedule K-1 (Form 1120S) does not include any net capital gain (loss) from investment in a qualified small business.

Part 3: Net Capital Gain (Loss) From the Exchange of Legal Tender – Information Schedule

For taxable years beginning from and after December 31, 2017, Arizona allows an exclusion for any net capital gain included in Arizona gross income that is derived from the exchange of one kind of legal tender for another kind of legal tender.

An S corporation shareholder that is a pass-through entity (estate or trust) will need this information to:

- Calculate its subtraction; or,
- Complete the Arizona Form 141AZ, Schedule K-1 or Schedule K-1(NR), for each beneficiary.

Complete Form 120S, Schedule K-1(NR), Part 3, line 17, and Part 4, line 20 if the shareholder's federal Schedule K-1 (Form 1120S) includes any net capital gain (loss) from the exchange of one kind of legal tender for another kind of legal tender. If Part 3, line 17, is zero, enter "0" on line 20.

Do NOT complete Form 120S Schedule K-1(NR), Part 3 or Part 4, line 20 if the shareholder's federal Schedule K-1 (Form 1120S) does not include any net capital gain (loss) from the exchange of one kind of legal tender for another kind of legal tender.

Part 4: Net Long-Term Capital Gain Subtraction – Information Schedule

Arizona allows individuals, estates, and trusts, a subtraction from Arizona gross income for a percentage of any net long-term capital gain if:

- The gain arises from assets acquired after December 31, 2011, and
- The gain is included in:
 - The individual's federal adjusted gross income, or
 - The estate or trust's federal taxable income.

In addition:

- Only include net long-term gains if you can verify the asset was acquired after December 31, 2011.
- If you cannot verify the asset was acquired after December 31, 2011, treat it as a capital gain asset acquired before January 1, 2012.
- A shareholder that is a pass-through entity (estate or trust) will need this information to:
 - Calculate its subtraction, or,
 - Complete Form 141AZ Schedule K-1, or Schedule K-1(NR), for each beneficiary.

Complete Form 120S Schedule K-1(NR) to provide information to:

- The nonresident shareholder to calculate the subtraction for net long-term capital gain from assets acquired after December 31, 2011;
- The nonresident estate or trust shareholder to:
 - Calculate the subtraction for net long-term capital gain from assets acquired after December 31, 2011, or,
 - Complete Form 141AZ Schedule K-1 or Schedule K-1(NR) for each beneficiary so each can calculate its subtraction for net long-term capital gain for assets acquired after December 31, 2011.

A worksheet is provided at the end of these instructions to assist in determining the amount(s) to include on each shareholder's Form 120S Schedule K-1(NR), Part 4, line 18.

Shareholder Reporting Requirements for 2019

Exempt Organization Shareholders

Exempt organization shareholders must file Form 99T to report the income (loss) from the S corporation. This income (loss) is included in the organization's unrelated business taxable income from the federal Form 990-T.

Resident or Part-Year Resident Individual Shareholders

Resident or part-year individual shareholders are taxable on their entire distributive share of income from the S corporation. The distributive share of income reported on the federal return will flow through to Form 140 or Form 140PY.

Nonresident Individual Shareholders

Nonresident individual shareholders of S corporations operating in Arizona are subject to Arizona income tax on their distributive share of the income (loss) earned by the S corporation in Arizona. Refer to Form 120S Schedule K-1(NR). Nonresident shareholders must file Form 140NR to report this income (loss).

Composite return: The Arizona Department of Revenue will accept a composite return filed by the S corporation on Form 140NR for nonresident individual shareholders so long as the return includes ten or more participating members.

Refer to the department's ruling ITR 16-2, for more information regarding filing a composite return on Form 140NR.

Estate and Trust Shareholders

Shareholders that are estates or trusts are taxable on their entire distributive share of income from the S corporation. Resident trust or estate distributive share income will flow through to Form 141AZ. Nonresident estate or trust distributive share income should be reported on Schedule A of Form 141AZ.

The instructions for the *Worksheet for Net Long-Term Capital Gain Subtraction for Assets Acquired After December 31, 2011*, are after the worksheet on page 17.

Worksheet for Net Long-Term Capital Gain Subtraction for Assets Acquired After December 31, 2011

Original return Amended return

Net long-term capital gain (loss) as reported on federal Schedule D (or other form/schedule) and included in the distributive share amount. Enter the total net long-term capital gain (loss) from the following forms in each applicable column. See instructions on the following page.			(a)	(b)	(c)
			Net long-term capital gain (loss)	Net long-term capital gain (loss) included in column (a) from assets acquired before January 1, 2012	Net long-term capital gain (loss) included in column (a) from assets acquired after December 31, 2011
1	Long-term capital gain (loss) reported on federal Schedule D from Form(s) 8949. Combine the amounts and enter the total.	1			
2	Form(s) 6252 <i>Installment Sale Income</i>	2			
3	Form(s) 8824 <i>Like-Kind Exchanges</i>	3			
4	Pass-through from Estate, Partnership, and/or Trust – from Arizona Form 141AZ or Form 165 Schedule K-1 or Schedule K-1(NR).	4			
5	Any other long-term capital gain (loss)	5			
6	Net long-term capital gain (loss). Add lines 1 through 5 in each column and enter the total(s). For each shareholder, enter the distributive share of the amounts from line 6 on Form 120S Schedule K-1 or Schedule K-1(NR).	6			

The instructions for the *Worksheet for Net Long-Term Capital Gain Subtraction for Assets Acquired After December 31, 2011*, are on the next page.

2019 Arizona S corporation Income Tax Return

Worksheet Instructions

Purpose of the Worksheet

A subtraction is available for a percentage of any net long-term capital gain that is from an investment in an asset acquired after December 31, 2011, and included in an individual taxpayer's federal adjusted gross income or the federal taxable income of an estate or trust.

To take the allowable subtraction, the taxpayer must know whether the capital gain (loss) is considered short-term or long-term. Only the net long-term capital gain from assets acquired after December 31, 2011, is used to compute the allowable subtraction. For more information about determining whether a gain (loss) is short-term or long-term, see federal *Publication 544* at www.irs.gov.

NOTE: *If you cannot verify that the capital gain is from the sale of an asset acquired after December 31, 2011, then the capital gain should be treated as a capital gain asset acquired before January 1, 2012.*

An asset acquired by gift or inheritance is considered acquired on the date it was acquired by the gift-giver or the deceased individual.

Who Should Complete the Worksheet?

The S corporation uses this worksheet to calculate each shareholder's distributive share of the net long-term capital gain (loss) included in Schedule K of federal Form 1120S for assets purchased after December 31, 2011.

Do not complete this worksheet if either of the following apply:

- The S corporation does not have any capital gain (loss) to report for the current tax year; or
- The S corporation does not have any net capital gain (loss) from asset(s) acquired after December 31, 2011, to report for the current tax year.

Keep the completed worksheet for the S corporation's records.

Columns (a) through (c)

- Column (a) is the total amount of net long-term capital gain (loss) reported on Schedule D or other federal forms/schedules.
- Column (b) is the amount of the net long-term capital gain (loss) included in column (a) for assets acquired **before** January 1, 2012.
- Column (c) is the amount of the net long-term capital gain (loss) included in column (a) for assets acquired **after** December 31, 2011.

Lines 1 through 5 - Capital Gain (Loss) Reported on Federal Schedule D

Enter the long-term capital gain (loss) from each federal form listed that was reported on the S corporation's federal Schedule D and included on Schedule K of federal Form 1120S.

Line 6 - Net Long-Term Capital Gain (Loss)

For each column, add the amounts on lines 1 through 5 and enter the total.

For each shareholder, enter the amounts of the distributive share from line 6 of the worksheet to Part 2 of Form 120S Schedule K-1 or on Part 2 of Form 120S Schedule K-1(NR).