

Obtain additional information or assistance, tax forms and instructions, and copies of tax rulings and tax procedures by contacting one of the numbers listed below:

Phoenix	(602) 255-3381
From area codes 520 and 928, toll-free	(800) 352-4090
Form Orders	(602) 542-4260
Recorded Tax Information	
Phoenix	(602) 542-1991
From area codes 520 and 928, toll-free	(800) 845-8192
Hearing impaired TDD user	
Phoenix	(602) 542-4021
From area codes 520 and 928, toll-free	(800) 397-0256

Obtain tax rulings, tax procedures, tax forms and instructions, and other tax information by accessing the department's Internet home page at www.azdor.gov.

Credit Eligibility Requirements

A.R.S. § 43-1183 provides a corporate income tax credit for contributions made to a school tuition organization that provides scholarships or grants to qualified schools. The credit is available for contributions made from and after June 30, 2006 through June 30, 2011. The unused portion of this tax credit may be carried forward for five succeeding taxable years. The amount of total credits Department of Revenue may allow cannot exceed \$10 million dollars in the first fiscal year. This amount will increase by 20% in each following fiscal year. The state's fiscal year begins on July 1, and ends on June 30 of the following year.

The credit is equal to the amount the Department has pre-approved, if the taxpayer has made that amount of contribution to the school tuition organization within ten days of when the school tuition organization notified the taxpayer of the pre-approval. The credit is available only to corporate taxpayers. 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 ownership interest. An S corporation may only claim this credit against income Arizona is taxing at the corporate level.

The children who receive educational scholarships or tuition grants under this program must either be enrolling in a qualified school's kindergarten program, or be transferring from governmental primary or secondary schools to the qualified school. Transferring students must have attended governmental schools as full-time students for at least 100 days of the prior fiscal year. Students who receive an educational scholarship or tuition grant under this program may be eligible for another scholarship or tuition grant in a subsequent year, if they continue to meet the requirements and attend a qualified school. Contributions designated as being for the direct benefit of any specific student will not qualify for the credit.

CREDIT PRE-APPROVAL PROCEDURE

Before claiming the credit, obtain a copy of the school tuition organization's pre-approved application. Attach a copy of the pre-approved application to the 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 preapproval process works as follows:

- Before making the contribution, the taxpayer notifies the school tuition organization of the intended amount.
- The school tuition organization requests preapproval from the Department of Revenue.
- The Department of Revenue preapproves or denies the request within twenty days after it has received the request, and notifies the school tuition organization.
- If the request is preapproved, the school tuition organization notifies the taxpayer immediately.
- The taxpayer must make the contribution within ten days after receiving notice from the school tuition organization.

QUALIFIED SCHOOL TUITION ORGANIZATION REQUIREMENTS

The school tuition organization receiving contributions under this program must meet the following criteria in order for the contributions to be eligible for this credit. It must:

- Be tax exempt under Section 501(c)(3) of the Internal Revenue Code.
- Allocate 90 percent of its annual revenue for educational scholarships or tuition grants to children to allow them to attend any qualified school of their parents' choice.
- Use at least ninety percent of the contributions it receives under this program to fund scholarships or tuition grants only to children whose family income does not exceed 185% of the income limit required to qualify a child for reduced price lunches under the national school lunch and child nutrition acts.
- Limit each educational scholarship or tuition grant to \$4,200 or less for kindergarten through eighth grade students, and to \$5,500 for students in grades nine through twelve. These limitations will each increase by \$100 in 2007 and in each subsequent program year.

QUALIFIED SCHOOL REQUIREMENTS

A "qualified school" is a nongovernmental primary or a secondary school that:

- Is located in Arizona.
- Does not discriminate on the basis of race, color, handicap, familial status, or national origin.
- Satisfies the requirements prescribed by law for private schools in Arizona on January 1, 2005.
- Annually administers and makes available to the public the aggregate test scores of its students on a nationally standardized norm-referenced achievement test.
- Requires all teaching staff and personnel that have unsupervised contact with students to be fingerprinted.

Specific Instructions

All completed credit forms must be attached to the tax return when it is filed.

Part I – Current Year’s Credit

List each school tuition organization’s name, address, credit approval number, and approved contribution amount. If you made contributions to more than ten organizations, complete and attach additional schedules.

Add the amount of contributions made to all school tuition organizations listed on lines 1 through 10, and any additional schedule. Enter the total on line 11.

Part II – Corporate Partner’s Share of Credit

Partnerships must complete Form 335 Parts I and II. The partnership must complete Part II, lines 12 through 14, separately for each corporate partner. Each corporate partner may claim only a pro rata share of the credit based on the corporate partner’s ownership interest in the partnership. The partnership must furnish each partner with a copy of the completed Form 335.

Part III – Available Credit Carryover

Because 2006 is the first year for the credit, there should be no carryover. Leave this schedule blank.

Part IV – Total Available Credit

On line 22, enter your current year’s credit from Part I, line 11, column (c). Enter the same amount on line 24, and on Form 300, Part I, line 16.