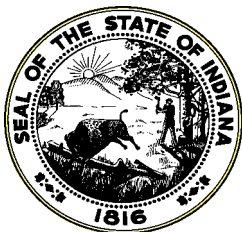


**State of Indiana
Partnership Return Booklet
2002 Form IT-65
For Tax Years Beginning in 2002
through Fiscal Years Ending in 2003**



This booklet contains revised:

Worksheets for Attributing Partnership Income for Unitary Corporate Partners, page 8.
Worksheet for Partnership Distributive Share Income, Deductions and Credits, page 10.
Form IT-65 - Indiana Partnership Return.
IT-65 - Schedule IN K-1 - Partners' Share of Indiana Adjusted Gross Income.
Schedule IT-65COMP - Partners' Composite Adjusted Gross Income Tax Return.
IT-65 Schedule E Apportionment of Income.
New Rate Sales/Use Tax Worksheet, page 10,
Form DB020W-NR - Payment of Indiana Withholding for Nonresidents, page 15.

General Statement and Instructions for 2002 IT-65 Indiana Partnership Return

Who Must File and When

Partnerships conducting business within Indiana must file an annual return, Form IT-65, and information return IN K-1, with the Department, disclosing each partner's share of distributed and undistributed income. **These forms are due on or before the 15th day of the 4th month following the close of the partnership's tax year.** Attach the first four pages of the U.S. Partnership Return of Income, Form 1065 or 1065B. Federal Schedules K-1 should not be attached, but must be made available for inspection upon request of the Department.

Any partnership doing business in Indiana or deriving gross income from sources within Indiana is required to file the above return.

The following activities occurring in Indiana constitute doing business or deriving income from Indiana sources:

1. Maintenance of an office, warehouse, construction site or other place of business;
2. Maintenance of an inventory of merchandise or material for sale, distribution or manufacture, or consigned goods;
3. The sale or distribution of merchandise to customers directly from company-owned or operated vehicles when the title of merchandise is transferred from the seller or distributor to the customer at the time of sale or distribution;
4. The rendering of a service to customers in Indiana;
5. The ownership, rental, or operation of a business or property (real or personal) in Indiana;
6. Acceptance of orders in Indiana with no right of approval or rejection in another state;
7. Interstate transportation; or
8. Maintenance of a public utility.

The term "partnership" includes a syndicate, group, pool, joint venture, limited liability company, limited liability partnership, or other unincorporated organization that is not, within the meaning of Indiana Code 6-3-1, a corporation, trust, or an estate. Banks with common trust funds filing U.S. Form 1065 will file partnership Form IT-65 and comply with provisions of Internal Revenue Regulation 1.6032-1 when reporting for Indiana purposes.

Internal Revenue Code References

Public Law 177-2002 updates references to the Internal Revenue Code in certain Indiana income tax statutes. For tax year 2002, any reference to the Internal Revenue Code means the Internal Revenue Code of 1986, as amended, and in effect on January 1, 2002.

Not included in the above reference to the Internal Revenue Code are two acts passed by Congress: **The Victims of Terrorism Tax Relief Act of 2001, HR 2884** and **The Job Creation and Workers Assistance Act of 2002, HR 3090** which contain certain provisions with retroactive effective dates. Since these bills were signed *after January 1, 2002*, neither of the Acts was adopted into Indiana law.

Special Procedure for Tax Year 2002 and Fiscal Year ending in 2003: On Form IT-65, use add back line 2a to reflect certain federal legislative provisions effective in 2002 that may not be used to arrive at Indiana adjusted gross income. Explain any adjustments on an attached statement.

Job Creation and Workers Assistance Act of 2002 - Items of change that are not recognized for Indiana adjusted gross income tax purposes:

1. Bonus depreciation-Business taxpayers are allowed an additional deduction for certain qualified property acquired after September 10, 2001 and before September 11, 2004.
2. Net Operating Losses - The current 2 year NOL and 3 year casualty loss carry back provisions are extended to 5 years for losses incurred in taxable years ending after December 31, 2000 and before January 1, 2003.
3. New York Liberty Zone Benefits-Benefits are provided for those businesses located in New York City and affected by the events of September 11, 2001.
4. Miscellaneous Provisions-
 - a) Cancellation of S corporation indebtedness.
 - b) Changes to methods of accounting.
 - c) School teacher business expense deduction.
 - d) Extension of Certain Expiring Provisions and Technical Corrections.

Barring special Indiana legislative action, the provisions of HR 3090 are not currently allowable for Indiana tax years ending in the period January 1, 2001 to December 31, 2002. These deductions must be added back on the Indiana return if deducted on the federal return, and if not added back on a filed Indiana tax return, must be corrected by filing an amended return.

New Utility Receipts Tax

Effective beginning January 1, 2003, a new Utility Receipts Tax (Form URT) is imposed at the rate of 1.4% of the taxable receipts from the retail sale of utility services (P.L. 123-2002, SECTION 47). The utility services subject to tax include: electric energy, natural gas, water, steam, sewage, and telecommunications. See Commissioner's Directive #18.

Liability of the Partnership

Partnerships as entities are not subject to income taxes. However, publicly traded partnerships treated as limited liability companies pursuant to I.R.C. Section 7704 will be classified for Indiana tax purposes in the same manner they are classified for federal tax purposes. A limited liability company classified as a corporation for federal tax purposes should file Form IT-20.

- Partnerships are considered to be the taxpayer with respect to the payment of amounts required to be withheld at source. *See following Withholding Tax Liabilities of Partnerships.*
- Partnerships are subject to the use tax. Use tax is due on the storage, use or consumption of tangible personal property purchased in a transaction in Indiana or elsewhere, unless such transaction is exempt from the sales and use tax by law or the sales tax due and paid on the transaction equals the use tax due. *See instructions for the Sales/Use Tax Worksheet on page 10.*
- An apportionment schedule must be included with the return if the partnership is doing business both within and outside Indiana and has any partners not domiciled in Indiana. *See instructions for IT-65 Schedule E - Apportionment of Income on page 12 and 13.*

- A partnership may file a composite adjusted gross income tax return on behalf of non-Indiana resident individual partners electing to participate in the composite return. See *Filing Procedures for IT-65COMP Composite Return on page 11.*

To avoid costly penalties and interest charges for delinquent filing of returns, a partnership should verify its tax status and withholding responsibilities before commencing business in Indiana.

Withholding Tax Liabilities of Partnerships

The following instances obligate the partnership to register with the Department and become an Indiana withholding agent on behalf of each of the following:

Withholding on Residents

Partnerships making payments of salaries, wages, tips, fees, bonuses, and commissions subject to Indiana state and/or county income taxes and required by the Internal Revenue Code to withhold federal taxes on those types of payments are also required to withhold for Indiana tax purposes. Payment of amounts withheld must be remitted to the Department on the proper WH-1 withholding return by its due date. If a return and/or payment of the proper amount of tax withheld is not paid by the due date, penalty and interest will be added. A partner may be personally subject to criminal prosecution if the failure to pay and/or file a withholding return is due to fraud or tax evasion.

Withholding on Nonresidents

Employees - A partnership must withhold Indiana state and/or county income taxes from employees who work in Indiana but are not residents of Indiana. However, withholding on compensation of nonresident team members of certain professional sports organizations is based on duty days performed in Indiana. Refer to Income Tax Information Bulletin #88.

There is an exception from withholding if an employee resides in one of the states that has entered into a reciprocal agreement with Indiana, but this does not affect county taxation.

For purposes of withholding county income taxes, the term "nonresident" refers to a nonresident of the county where the partnership has locations or is located.

Individual Partners - A partnership must withhold state income tax at the rate of 3.4% on the apportioned distributive shares of partnership income (**on current-year earnings derived from Indiana sources**) each time it pays or credits any of its nonresident and part-year resident individual partners. This does not apply to residents of reverse credit states (Arizona, California (*see note*), Oregon, District of Columbia) who are subject to and pay income taxes at rates of 3.4% or higher to their resident state.

Note: *Indiana state withholding is required whenever a California resident partner is included in an Indiana composite adjusted gross income tax return.*

Withholding at the appropriate adopting county's nonresident tax rate is required on each non-Indiana resident partner whose principal place of business or employment on January 1 is located in an Indiana county that has adopted a county income tax.

Corporate Partners - Partnerships must withhold on income distributions to all corporate partners that are not registered with the Indiana Secretary of State an amount reflecting the ultimate Indiana tax liability due by respective partners because of the partnership's activities.

A regular corporation is subject to and will pay an amount equal to the total of the higher of the gross (1.2%) or adjusted gross income tax (3.4%), (8.5% effective January 1, 2003) plus any supplemental net (4.5%) income tax due. However, because the corporate gross income tax and the supplemental net income tax were repealed by House Bill 1001 ss (2002), effective January 1, 2003, a corporate taxpayer will be required to file a final return and report partnership distributions through December 31, 2002. An Indiana special corporation will be subject to the adjusted gross and (supplemental net income taxes through 12-31-2002).

Partnerships conducting the business of a financial institution which have nonresident corporate partners that transact the business of a financial institution are responsible to withhold and remit the Indiana Financial Institution Tax (FIT).

Financial Institution tax of 8.5% must be withheld on the respective nonresident corporate partner's share of partnership income as computed under I.C. 6-5.5-4 unless there is a written declaration that the partner is not subject to the financial institution tax. In such instance, only the gross, adjusted gross and (supplemental net income taxes through December 31, 2002) need be withheld from the nonresident corporate partner's distributive share of income apportioned to Indiana.

Caution: The withholding provisions on nonresidents do not apply to partners who are any one of the following entities:

1. Indiana-domiciled corporation registered with the Indiana Secretary of State;
2. Non-Indiana domiciliary corporation registered with the Indiana Secretary of State;
3. Nontaxable trust or estate;
4. S Corporation; or
5. Wholly exempt Not-For-Profit organization with no unrelated trade or business partnership income.

A partnership must withhold tax from income distributions to an S corporation, fiduciary or another partnership passing through Indiana income to a nonresident shareholder, beneficiary or partner and designate as a "Nominee" the ultimate recipient as if there were no other intermediary entities. The upper tier partnership passing through Indiana income to its partners must withhold tax for nonresident nominees on a final pro rata basis without reapportioning the income at the lower level. See Income Tax Information Bulletin #85.

The partnership's withholding of state and/or county tax from nonresident partners is payable quarterly, if the monthly average is less than \$50, on Form WH-1. This form must be filed by the last day of the month following the end of each quarter where a distribution was made (e.g. if a current distribution is made on June 17, 2003, the withholding tax is remitted with Form WH-1 for June, due July 31, 2003).

A partnership having one distribution credited to partners during the year or at the close of the partnership's fiscal year may be permitted to file Form DB020W-NR which creates a nonresident withholding account if one does not exist, and pay the respective state and county withholding tax amounts on nonresidents all at one time when a nonresident withholding account is established. This withholding return, a copy of which is included in this booklet, is due by the fifteenth day of the third month following the end of the taxable year (e.g. if a single annual distribution for a calendar year is made on December 31, 2002, the withholding tax is due March 17, 2003). Advances or drawings against partner's distributive share of

income are deemed paid on the last day of the partnership's tax year.

The partnership shall be liable for any delinquent penalty and interest in addition to the amount withheld or required to be withheld and paid to the Department.

Note: Compliance with the act of withholding will not relieve any non-Indiana domiciled partner from annual filing requirements (except individuals included in a composite return) or the payment of any unpaid tax, penalties and interest.

Withholding on Corporate Contractors

Nonresident Contractors - Under I.C. 6-2.1-6-1 gross income tax (repealed 1-1-2003) is required to be withheld on payments made to nonresident corporate contractors for the performance of contracts, except sales contracts, in Indiana. The tax must be withheld at the high rate of 1.2% from the gross amount paid in excess of \$1,000 to a nonresident contractor through December 31, 2002. Quarterly gross tax is payable to the Department on Form WH-1.

For purposes of this withholding requirement a nonresident contractor does not include a corporation registered with the Indiana Secretary of State as qualified to do business in Indiana.

To determine if a corporate contractor is qualified to do business in Indiana, contact: Indiana Secretary of State, Corporation Division, 302 W. Washington, Room E-018, Indianapolis, Indiana, 46204, or call (317) 232-6576. Internet Address: www.in.gov/sos/

In addition, the gross income tax withholding does not apply to corporations electing to be treated as S corporations or Indiana Special Corporations. If the nonresident contractor is not a corporation and/or is not subject to the gross income tax, a signed affidavit stipulating these facts should be secured from the contractor to preclude this withholding tax requirement before January 1, 2002.

The following are examples of activities of nonresident contractors subject to withholding:

1. Construction contracts of all kinds including prime contracts and subcontracts;
2. The performance of or participation in athletic events and exhibitions;
3. Entertainment contracts including single entertainment events, as well as contracts extending over a period of time;
4. Contracts for the installation of tangible personal property except when performed by the seller as a required condition of the sale of installed property;
5. Contracts for leasing tangible personal property when there is instate activity in connection with the lease; and
6. Contracts for architectural, engineering, or designing services or any other services performed in this state.

The amount of gross income and the tax withheld from contract receipts must be reported by the withholding agent on Form WH-18, Indiana Miscellaneous Withholding Tax Statement for Nonresidents. Copy A of the form is to be submitted with the withholding agent's annual reconciliation, Form WH-3, by the last day of February following the close of the year on December 31, 2002.

The entity from which this withholding is made is allowed a credit for the tax withheld when filing its final 2002 Indiana gross and supplemental net income tax return.

How to Submit the Withholding Payment

Form WH-1 - The periodic payment of amounts withheld from

nonresident partners and corporate contractors should be included in the remittance with Form WH-1. This form is also used to remit amounts withheld on employees. Withholding agents assigned to an annual, quarterly, or monthly status will be mailed a voucher packet containing the employer's Withholding Tax Returns to be used for this purpose. This return needs to be completed and mailed (postmarked) by its due date and should include the total amount withheld for that period. By law, the withholding return must be filed even when no withholding amount has been collected.

If the partnership pays or credits amounts to its nonresident partners only one time each year, it may be permitted to file a designated nonresident withholding return to pay the withholding tax from income distributions made to the nonresident partners. The initial use of Form DB020W-NR (included in this booklet) will result in the creation of a separate withholding account aside from any existing payroll withholding account. The payment's due date on this type of account is automatically extended to the fifteenth day of the third month following the end of the partnership's taxable year.

If payment is made for any composite tax due on Form IT-65 and is filed past the due date of the withholding return, the partnership will owe penalty and interest. Penalty charges may be avoided by timely paying withholding tax liabilities.

If you need to establish a withholding account with the Department you should contact the Taxpayer Services Division at (317) 233-4016, or Tax Form Order Request Line at (317) 615-2581 to obtain Form BT-1, business tax application and withholding registration. Also see www.in.gov/dor/taxforms/

Form WH-3 - An annual Withholding Tax Reconciliation Return, Form WH-3, must be completed by the withholding agent and filed by the end of February following the close of each calendar year. The Taxpayer Identification Number (TID), the partnership's name, and the calendar year must be included. This form is used to reconcile the monthly, quarterly or annual WH-1 returns with the W-2 and WH-18 reports submitted with the WH-3. Although magnetic tape may be used to transmit W-2 information, paper copies of Form WH-18 must be attached to the WH-3 when it is submitted.

On Form WH-3, the withholding agent enters the total annual amount of state and county income taxes or other taxes withheld from employees and nonresidents receiving income subject to Indiana withholding as listed on federal Form W-2 and Indiana Form WH-18. The amount of county tax withheld during the year is separated according to the amounts withheld for each county. If the withholding agent has overpaid the withholding liability for the year, he is entitled to a refund. Enter the amount to be refunded on line 4 of Form WH-3 and provide an explanation. If the withholding agent has underpaid the payroll or nonresident partner withholding liability for the year, do not submit the payment with Form WH-3; instead, complete Form WH-1U included with the WH-3 packet and submit the payment under separate cover. The Indiana taxpayer identification number and the period to which the payment should be applied must also be indicated. (Form DB020W-NR in this booklet is for use in making an initial payment of the withholding tax due on once-a-year income distributions to nonresident partners).

Specific instructions for completing Form WH-18 are found on the reverse side of that form. A supply of these forms is available from the Department upon request.

How to Register as a Withholding Agent

A partnership with any withholding liability as described above is required to register as an Indiana withholding agent. The Department assigns an Indiana taxpayer identification (TID) number consisting of a nine-digit number exclusive to the taxpayer and a three-digit number for the location being registered.

The partnership has two options in registering as a withholding agent. The first option is to request and to file the Indiana Department of Revenue Business Tax Application, Form BT-1, for the partnership. Request Form BT-1 and Instructions for Withholding Registration by calling the Taxpayer Services Division at (317) 233-4016. It takes approximately two to three (2-3) weeks to process an application that has been mailed to the Indiana Department of Revenue; however, any initial withholding payments can be remitted with the application.

The second option is to visit either the downtown Indianapolis office of the Department or one of the district offices located throughout the state to be registered that day.

Partner's Liability and Filing Requirements

A partner's share of profit or loss from a partnership will be included in the partner's calculation of federal adjusted gross income and is generally subject to the same rules for arriving at Indiana adjusted gross income. Therefore, a partner's distributive share, before any modifications required by Indiana statutes, is the same ratio and amount as determined under I.R.C. Section 704 and its prescribed regulations. The partners will include their share of all partnership income, whether distributed or undistributed, on their separate or individual Indiana income or franchise tax returns. Each partner's distributive share of income will be adjusted by modifications provided for in I.C. 6-3-1-3.5(a) or (b).

Individual Partners

Residents - A resident partner reports the entire distributive share of partnership income (loss) as adjusted, no matter where the partnership's business is located or in which states it does business. Form IT-40, Indiana Individual Income Tax Return, will be completed by the individual partners.

Nonresidents - Part-year and full-year nonresident partners report their share of partnership income (loss), as adjusted, derived from or attributed to sources within Indiana as determined by the use of the apportionment formula described in I.C. 6-3-2-2(b). Whenever a partnership has a nonresident partner and conducts business within and outside Indiana, the partnership must include the apportionment worksheet with Form IT-65. Form IT-40PNR, Indiana Part-Year or Nonresident Individual Income Tax Return, will be completed by the partner. Credit must be claimed on that return for amounts withheld by the partnership from the partner's income. Form WH-18, copy C, is required to be attached to the return to verify any such withholding credit amount.

Nonresident partners are exempt from the filing requirements of an Indiana Individual Income Tax Return only if they are properly included as members of a composite return.

A part-year nonresident partner will be required to file Form IT-40PNR reporting the total amount of income (loss) received while residing in Indiana and that part of Indiana source income received while a nonresident. Apportioned Indiana income (loss), as modified, received by a nonresident of Indiana is also reported on Form IT-40PNR. **Note:** Passive losses may not exceed the limits imposed by I.R.C. Section 469. Losses may not exceed the partner's investment, see I.R.C. Section 704.

Corporate Partners

Corporate partners report their distributive share of the partnership income (loss) on Form FIT-20, IT-20, IT-20 FY, IT-20SC, IT-20S, IT-20NP, IT-20NP (FY) or IT-41. All distributions are fully taxable for gross income (repealed January 1, 2003), adjusted gross income, and supplemental net income (repealed January 1, 2003) tax purposes. Pro rata distributive income will be subject to the gross income tax at the high rate of 1.2%, through December 31, 2002, to the extent taxable income from the partnership is attributed to Indiana. For adjusted gross income, taxable partnership income (loss) will include pro rata Indiana modifications; however, losses may not exceed the limits imposed by I.R.C. Section 704.

Corporate partners doing business within and outside Indiana must also determine their taxable adjusted gross income from Indiana sources through the use of the allocation and apportionment provisions contained in I.C. 6-3-2-2(b)-(h). These generally follow the Uniform Division of Income for Tax Purposes Act so that a multi-state corporation must first determine what part of its adjusted gross income, which includes all partnership income, constitutes business income and what part is nonbusiness income.

The relationship between the business of the corporate partner and the partnership will control the classification. Non-unitary partnership income distributions attributed at the partnership level to Indiana will be treated as allocated income on the corporate partners' Indiana return. However, total distributive partnership income received by non-controlling limited partners of a partnership is not subject to gross income tax (nor included in gross receipts) unless the partner's commercial domicile is in Indiana. 45 IAC 1.1-1-3b(7).

If the corporate partner's activities and the partnership's activities constitute a unitary business under established standards, disregarding ownership requirements, the business income of the unitary business attributable to Indiana is determined by a three-factor formula. The formula consists of property, payroll, and sales of the corporate partner and its actual share of the partnership's factors for any partnership year ending within or with the corporate partner's taxable year.

The partner's proportionate share of all of the partnership's (unapportioned) state income and charitable contributions deducted in arriving at partnership income is to be added back in determining adjusted gross income.

If the corporate partner's activities and the partnership's activities do not constitute a unitary business under established standards, the corporate partner's share of the partnership income attributable to Indiana will be determined as follows: (1) If the partnership derives income from sources within and outside Indiana, the income derived from sources within Indiana is determined by a three-factor formula consisting of property, payroll, and sales of the partnership; (2) If the partnership derives income from sources entirely within Indiana, or entirely outside Indiana, such income will not be subject to formula apportionment. See 45 I.A.C. 3.1-1-153 for reporting requirements.

For non-unitary partners, taxable partnership distributions included in federal taxable income are deducted on the nonbusiness and non-unitary income adjustment line of the corporation's return. Non-unitary partnership income attributed to Indiana, including apportioned pro rata modifications, is added back on the adjustment line used to report Indiana allocated nonbusiness income and Indiana non-unitary partnership income. Apportioned business income, including unitary partnership income

and non-unitary partnership income attributed to Indiana, plus corporate partner's other nonbusiness income allocated to Indiana (plus modifications required by I.C. 6-3-1-3.5(b) for adjusted gross income) equals the corporate taxpayer's taxable income for Indiana.

Corporate partners subject to the Indiana financial institution franchise tax will include the corporation's percentage of partnership adjusted gross or apportioned income, as computed under I.C. 6-5.5-4, on Form FIT-20.

Use the worksheets on page 8 for attributing unitary partnership income and for computing partnership income subject to tax under the Gross Income Tax Act through December 31, 2002.

Basis of Partner's Interest in Partnership

For Indiana income tax purposes, the basis of the partnership interest will generally be the same as its basis for federal income tax purposes. Special adjustments to income and loss under the Indiana Adjusted Gross Income Tax Act (for the add back of income taxes and the deduction from income for U.S. Government obligations) are limited to current reporting but may also affect the basis of the partner's interest.

Example - Indiana Partnership Income for Individuals

Taxpayer A, a resident of Indiana, and Taxpayer B, a nonresident of Indiana, each have a 50% interest in ABC Company, an Indiana partnership doing business both within Indiana and outside Indiana.

ABC Company has income from operations of \$530,000 and expenses of \$500,000. Of these expenses, \$35,000 is an expense for state income tax. Taxpayers A and B each received a guaranteed payment of \$10,000.

Computations for ABC Company for a Taxable Period:

ABC Company computes its adjusted partnership income as follows:

Income from operations	\$530,000
Expenses	(500,000)
Add back modification	+35,000
Partnership income	\$65,000

Using the three-factor apportionment formula under Indiana Code 6-3-2-2(b), ABC Company determines its apportionment percentage as follows:

Property factor	80.00%
Payroll factor	+40.00%
Sales factor (double-weighted)	+120.00%
	240.00%
Divide by factors present	÷ 4
Indiana apportionment percentage	60.00%

Computations for Taxpayers A and B:

Taxpayer A, as a resident of Indiana, must report their own entire share of partnership income to Indiana regardless of whether or not the partnership apportions its income. As a general rule, if tax is paid to another state on a portion of partnership income by Taxpayer A, a credit can be taken on the individual return.

Indiana adjusted partnership income for Taxpayer A is computed as follows:

Guaranteed payment	\$10,000
Distributive share (50% x \$65,000)	+32,500
Indiana adjusted distributive share of income	\$42,500

Taxpayer B, as a nonresident of Indiana, reports only their own share of partnership income and guaranteed payment that is pportioned to Indiana. As a general rule, if Taxpayer B is required

to pay tax to another state on a portion of the income from ABC Company, a credit cannot be taken on the Indiana return but must be claimed from the state of residence.

Indiana adjusted partnership income for Taxpayer B is computed as follows:

Guaranteed payment	\$10,000
Distributive share	+32,500
Total partnership share of income	\$42,500
Multiply by apportionment percentage	x 60%
Apportioned Indiana distributive share of income	\$25,000

General Filing Instructions

Accounting Periods and Methods

The accounting period for Form IT-65 and the method of accounting adopted must be the same as used for federal income tax purposes.

Extended Due Date

The initial due date for filing is the fifteenth (15th) day of the fourth (4th) month following the close of the partnership's tax year.

The Department normally recognizes the Internal Revenue Service application for automatic extension of time to file (Form 8736 or Form 8800). Do not file a separate copy of this form with the Department to request an Indiana extension. Instead, the federal extension form must be attached when the Indiana return is filed. Returns postmarked within thirty (30) days after the last date indicated on the federal extension form will be filed timely.

In the event a federal extension is not needed, a partnership may request a separate Indiana extension of time to file by writing the Indiana Department of Revenue, Corporate Income Tax Section, Returns Processing Center, 100 N. Senate Ave., Indianapolis, Indiana 46204-2253.

Any payment made after the original due date must include penalty and interest. Caution: The filing due date for the partnership return is different than the payment due date of income tax withholding and composite adjusted gross income tax on nonresident partners.

Amended Returns

If the partnership files an amended federal return and the change(s) affects the Indiana income or the taxable income reportable by the partners, both the partnership and the partners must file amended Indiana returns within 120 days after the filing of the amended federal return.

Adjustments made by the Internal Revenue Service affecting the reportable Indiana income must be followed with an amended partnership return within 120 days after the adjustment becomes final. Use Form IT-65 - clearly mark "amended" at the top.

Instructions for Completing Form IT-65

File a 2002 partnership return for a tax year ending December 31, 2002, a fiscal year beginning in 2002, or a short tax year. For a fiscal or short tax year, fill in both the beginning month, day, and ending month, day, and year at the top of the form.

Identification Section

All partnerships filing Form IT-65 must complete the top portion of the form including questions K through S. Please use the correct legal name of the partnership and present mailing address. List the name of the county in Indiana where you have a primary business location. Place "O.O.S." in the county box for an address outside Indiana.

Enter the nine-digit federal identification number in the box at the upper right-hand corner of the return. Enter your principal business activity code number in the designated block of the return under the Federal ID Number. Use the six-digit activity code as reported on the U.S. Partnership return. A list of these codes is available through the Department's Internet address at:

www.in.gov/dor/resources/

Enter your assigned Indiana Taxpayer Identification (TID) number as 10 digits if you are registered as a collection agent for the State of Indiana for sales and/or withholding tax. This number should always be referenced on all returns and correspondence filed with the Department.

Form IT-65 Line by Line Instructions

Aggregate Partnership Distributive Share Income

Line 1. Enter the amount from the U.S. Partnership return Schedule K: net ordinary income, net income from real estate activities from Form 8825, other rental income activities, portfolio income and deductions, capital gains and losses, guaranteed payments and other income.

The Section 179 deduction and that portion of investment expenses included in federal Schedule K, part of line 10, and line 14b (2), relating to investment portfolio (royalty) income, flowing to federal Schedule E, may be deducted. Do not deduct other expenses treated as federal itemized deductions.

Use Worksheet for Partnership Distributive Share Income, Deductions and Credits on page 10 to assist in the calculation of this figure. You must use the income worksheet if this partnership received any distributive income from an owned partnership interest, estate or trust. If filing federal Form 1065B by an electing large partnership, use Schedule K line 1a plus [line 2, but modified as Part II, line 6 minus line 7] plus lines 3b, 4b, 7, and 8.

Required Indiana State Modifications

Line 2(a). (a) Add back all state taxes based on income levied by any state deducted on the federal return: **Special Procedure for Tax Year 2002 and Fiscal Year Ending in 2003:** You may have to adjust your return if you took advantage of any federal provisions that affect adjusted gross income allowed under **The Victims of Terrorism Tax Relief Act of 2001, HR 2884**, or **Job Creation and Workers Assistance Act of 2002, HR 3090**. On Form IT-65 use income tax add back line 2a to include an amount to reflect certain federal legislative provisions effective in 2002 that may not be used to arrive at Indiana adjusted gross income. Some of these provisions are listed on page 2. Please explain any adjustments on an attached statement. **Note:** Entries made on federal Form 8825 should also be considered when completing entries on line 2.

2(b). Deduct interest income, less related expenses, from certain obligations of the United States Government included as income on the federal return (request income Tax Information Bulletin #19 for a listing of eligible items); and

2(c). **Deduct Indiana Lottery Prize Receipts**-Prize money from a winning Indiana lottery game or ticket included in federal taxable income should be excluded if received before July 1, 2002. Beginning after June 30, 2002, the proceeds of up to \$1200 are deductible from each winning lottery game or ticket paid through the Hoosier State Lottery Commission.

2(d). Enter total Indiana modifications (add line 2a, and deduct lines 2b and 2c).

Line 3. Add lines 1 and 2d.

Line 4. Enter on line 4 the Indiana apportionment percentage if the

partnership has any multi-state business activities. Under the Adjusted Gross Income Tax Act, taxable income from a trade or business carried on within and outside Indiana is computed using a three-factor formula consisting of property, payroll and double weighting the sales factor. Generally, apportioned income is determined by taking the total percentage of the three factors and dividing by four. The resulting apportionment percentage will determine the Indiana net income of the nonresident individual partners, non-unitary corporations and other member partnerships that pass-through as a result of the partnership's activities everywhere. See IT-65 Schedule E instructions beginning on page 12.

Before continuing to lines 6 through 15, complete IT-65 Schedule IN K-1 on the reverse side of the form.

IT-65 Schedule IN K-1 Partners' Share of Adjusted Gross Income, Deductions, Modifications, and Credits

Partners' Identification Section

Complete lines to identify each partner.

- (a) Enter the name of each partner.
- (b) Enter the social security or federal identification number of each partner.
- (c) Enter each partner's state of residence.
- (d) Enter the amount of tax withheld on income distributions derived from Indiana sources for each nonresident partner for the taxable year. Do not include in this column any penalty or interest paid on delinquent withholding tax. If no withholding tax was paid or if additional withholding tax is due, see instructions for filing Form DB020W-NR. Credit for any amount withheld is to be claimed on the partner's Indiana individual composite, or corporation income tax return.
- (e) Enter the applicable pro rata percentage of each partner's interest in the partnership. The percentage should be adjusted to an annual rate if necessary.

Distributive Share Amounts

Complete lines 1 through 14 for each partner. Also provide each partner a statement showing the partner's share of income, credits and modifications. If filing federal Form 1065B, convert taxable income distributions to federal Form 1065, Schedule K-1 format.

Line 1 through Line 11. For full year Indiana resident partners, complete these lines as shown on the federal Schedule K-1, Form 1065.

For most corporate partners and all nonresident individual partners, the federal Schedule K-1 amounts should be multiplied by the apportionment percentage calculated on the IT-65 Schedule E. See instructions on page 12. The apportioned figures should be entered on lines 1 through 11. *Investment interest expenses attributed to royalty income and all other federal deductions (excluding those treated as itemized deductions) should be included on lines 10 or 11. No other type of investment interest expense, itemized deduction, or carryover loss should be reported on this line.*

Note: If the partnership has received any distributions from other entities having income previously apportioned to Indiana, use the following methodology to report distributive share income for IT-65 IN K-1.

Line instructions continue on page 9

Worksheets for Attributing Partnership Income for Unitary Corporate Partners

Use these worksheets whenever partnership income is being distributed to a corporate partner having a unitary relationship with the partnership. A unitary business relationship means maintaining business activities or operations that are of mutual benefit, dependent upon, or contributory to one another in transacting business between a corporate partner and the partnership. Unity may be established whenever there is unity of operation and use evidenced by centralized management or executive force, centralized purchasing, advertising, accounting, or other controlled interaction between a corporate partner and the partnership.

Worksheet for Reporting Adjusted Gross Income – Unitary Business Relationship

If a corporate partner and a partnership maintain a unitary business relationship as described above, the partnership distribution shall be distributed to the partner without any apportionment by the partnership. If the partner derives income from sources both within and outside Indiana and is required to apportion its income, the partner's apportionment factor's shall include the partner's proportionate share of the partnership apportionment factors. Use the following table to show apportionment factor's values from the partnership assigned to the unitary corporate partner. Partnerships deriving income from sources both within and outside Indiana or having any corporate partners must complete the IT-65 Apportionment Schedule E.

Enter partner's pro rata amounts as determined by the partnership entity's completed IT-65 Apportionment Schedule E. Please duplicate this worksheet for each corporate partner. (These amounts are to be included with the corporate partner's own apportionment factors).

IT-65 Apportionment Schedule E:	Property Factors	Payroll Factors	Receipts Factors
Total from Indiana Sources	Line 1A	Line 2A	Line 3A
Total from All States	Line 1B	Line 2B	Line 3B

Worksheet for Reporting Gross Income – Applicable to both Unitary and Non-Unitary Business Relationships

This is a supplemental calculation in place of Schedule IT-65 IN K-1 to report partnership distributions derived from Indiana sources that are taxable to Indiana at the high rate for gross income tax purposes (repealed 1-1-2003). It is applicable to all corporate partners unless the taxpayer/partner is specifically exempt from the Indiana gross income tax. Prepare this worksheet for each corporate partner subject to the Indiana gross income tax on Partnership distributions through December 31, 2002

Enter pro rata amounts for taxable year 2002 and fiscal tax years beginning in 2002 through December 31, 2002 attributed from:.

1. Aggregate partnership distributive share of income, (Line 1 of IT-65 or line 11A of Worksheet for Partnership Distributive Share of Income, Deductions and Credits)	1		
2. Add all non-Indiana municipal interest not included above in total distributive share income. (Municipal interest exempt from federal adjusted gross income is not exempt from Indiana gross income)	2		
3. Deduct: Interest on U.S. Government obligations included above on line 1 (Line 2b of form IT-65)	3		
4. Deduct: Exempt Indiana lottery prize receipts included above on line 1 (Line 2c of Form IT-65)	4		
5. Deduct distributions from other entities [net amount of line 11B and 12B] included above (from column B of Partnership Distributive Share Income, Deductions and Credits worksheet). This is the portion of distributive share of income received by this partnership from other tiered or non-unitary partnerships, estates and trusts owned by this partnership that is treated as previously apportioned income	5		
6. Pro rata distributive share of partnership income from this partnership entity level (Total of lines 1- 5) <i>Partnerships deriving income from sources both within and outside Indiana or having any corporate partners must complete separate IT-65 Apportionment Schedule E. Complete line 7 below when income from this partnership is derived from both within and outside Indiana.</i>	6		
7. Indiana apportionment percent for Indiana gross income purposes (From this partnership's Indiana IT-65 Apportionment Schedule E, Part II, (using single-weight apportionment factors)	7		%
8. Net Indiana distributive share from this partnership. Multiply line 6 by the percent on line 7. (If apportionment is not necessary, enter amount from line 6)	8		
9. Total Indiana partnership distributive share for gross income derived from Indiana sources. Add Indiana source tiered partnership distributions from other partnerships owned by this partnership, (Generally determined as line 13C from your Partnership Distributive Share Income, Deductions and Credits worksheet. Total Indiana partnership distributive income on IN-K-1 received from another partnership may have to be recomputed to properly reflect the single-weight apportionment calculation on income distributed to corporate partners)	9		
10. Total Indiana partnership distributive share for gross income derived from Indiana sources (including Indiana source tiered partnership distributions and nontaxable adjustments) Add lines 8 and 9. Instructions for corporate partner: Carry to form IT-20 Schedule A , line 7	10		

Alternative Completion of IT-65 Schedule IN K-1 Information

An alternative application of IT-65 Schedule IN K-1 must be used for members who are nonresident individuals, corporate partners or other partnerships if the partnership had income from outside Indiana. Use the following method for completion of Schedule IN K-1 when the partnership had any apportioned income from outside Indiana or is otherwise required to complete the Indiana apportionment schedule.

Modify each required Schedule IN K-1 line by recalculating the pro rata share of total partnership income (with required Indiana modifications to adjusted gross income) reported on line 1 of Form IT-65. Use pro rata amount, from line 11A, **Worksheet for Partnership Distributive Share Income, Deductions and Credits** by applying these steps:

Step 1. Deduct from the above pro rata share the respective pro rata amount of line 11B and line 12B of the Worksheet.

Step 2. Multiply the result by the Indiana apportionment percent reported on line 4 of Form IT-65, (from Schedule E, line 4c, if present). This amount should reflect the partner's proportionate share of this partnership's activity in Indiana.

Step 3. Add to the above amount the pro rata share of any other (entity) source income received by this partnership that was previously apportioned, or allocated as distributive share income derived from Indiana (line 13C of the Worksheet). The result is the modified Indiana partnership income from Indiana sources to be reported on the appropriate lines of Schedule IN K-1 of nonresident individuals, corporations and partnerships for adjusted gross income purposes.

Note: A corporate partner subject to gross income tax through December 31, 2002 must also calculate its taxable distributive share for gross income tax purposes according to 45 I.A.C. 1.1-2-13 and include its non-Indiana tax-exempt interest from federal K-1, Line 19.

Also use the following **Worksheet for Attributing Partnership Income to Unitary Corporate Partners** on page 8 to compile additional information for reporting distributive share income taxable under the Gross Income Tax Act (repealed 1-1-2003). Certain corporate partners (not otherwise exempt) will require these additional income figures from the partnership to properly report its own distributive share income and to compute its Indiana state income tax liability as a result of the partnership's activity in Indiana.

Line 13. Enter the Indiana modifications from the front of Form IT-65, line 2d, as percentage applied, or apportioned in the case of nonresident individuals and non-unitary partners. For corporate partners that are unitary partners, enter only their pro rata share of modifications (unapportioned).

Line 14. If the partnership incurred any eligible Indiana credits flowing through to the partners, enter the pro rata amount allowed each partner and indicate type of credit(s) allotted. You must also attach a completed credit schedule to Form IT-65 to support this credit distribution. See list of pass-through credits on page 14. **Note:** Effective January 1, 2000, qualified enterprise zone credits pass through to the partners. For further information request Income Tax Information Bulletin #59.

Form IT-65 Summary of Calculations

Line 5. Enter the use tax due from the completed Sales/Use Tax worksheet on page 10. See use tax instructions on page 13.

Line 6. Enter the total tax liability of the nonresident members included in the Composite Adjusted Gross Income Tax Return, columns D plus E. Attach composite Schedule IT-65COMP.

Line 7. Total tax: Add tax shown on lines 5 and 6.

Line 8. Enter the total credits for all nonresident members included in the composite return as reflected on Schedule IT-65COMP, column F plus other credits, column G. (Attach copy C of Form WH-18 for each composite member.) Do not take any credit for individual or separate estimated tax payments made by the partners.

Line 9. Enter any other credits belonging to the partnership. A detailed explanation must be attached for any credits claimed on this line.

Line 10. Subtotal: Subtract lines 8 and 9 from line 7. If a balance due remains, proceed to lines 11, 12 and 13.

Line 11. Enter total interest due.

Caution: Two separate calculations of interest and penalty may be required:

1. Interest is computed on net amount of composite tax on line 10 paid after the fifteenth day of the third month following the end of the partnership's taxable year. Interest is calculated from the day following the due date for payment of composite tax to the actual date the balance is paid with the IT-65 return.
2. Interest on use tax is calculated on the amount of use tax on line 10 which is paid after the original due date of the IT-65 return.

Contact the Department for the current rate of interest charged.

Line 12. Enter total penalty due. Penalty is 10% of the amount (but not less than \$5) of any composite tax due on line 10 paid after the fifteenth day of the third month following the end of the partnership's taxable year. (See caution note on line 11 above.) Penalty, which equals the greater of 10% of the amount of use tax on line 10 or \$5.00, is still due on use tax paid after the original due date of the return.

If a return showing no liability on line 7 is filed late, penalty for failure to file by the due date will be \$10 per day the return is past due, up to a maximum of \$250.

There is also a separate \$10 penalty for filing Schedule IN K-1 information return late.

Line 13. Amount due: If line 10 is greater than zero, add lines 10, 11, and 12, and attach a separate remittance for total amount owed for each Form IT-65 filed.

Line 14. Overpayment: If the total of lines 8 and 9 exceeds line 7, subtract the total of lines 11 and 12 from line 10. If the result is less than zero, this is your net overpayment. **Note:** If penalties and interest are due because of a delinquent filing or payment, the overpayment must be reduced by these charges. If the result is a balance due, enter the difference on line 13.

Line 15. Enter the same amount from line 14 to be refunded.

Certification and Authorization Section

Be sure to sign, date, and print your name on the return. If a paid preparer completed your return, you may authorize the Department to discuss your return with the preparer by checking the [yes] authorization box above the signature line.

Please mail completed returns with a filled in 2-D bar code to:

**Indiana Department of Revenue
P.O. Box 7231**

Indianapolis, IN 46207-7231.

All other prepared returns must be mailed to:

**Indiana Department of Revenue
100 N. Senate Ave.
Indianapolis, IN 46204-2253**

Worksheet for Partnership Distributive Share Income, Deductions and Credits

Use this worksheet to compute the entry for line 1 of Form IT-65 and to assist in computing amounts reported on IT-65 Schedule IN K-1. Enter the total distributive share of income from each item as reported on Federal Schedule K. Do not complete Column B and C entry lines unless the partnership received distributive share or tiered income from other entities.

Distributive Share Amounts:	A. Partnership Income All Sources	B. Distributions from Partnerships/ Estates/Trusts Everywhere	C. Distributions Attributed to Indiana
Partnership's Distributive Share of Items			
1. Ordinary income (loss) from trade or business activities		Enter for line 11B below total distributive share income received by the partnership from all other non-unitary partnerships, estates and trusts. Enter for line 12B an amount equal to required state modifications for Indiana Adjusted Gross Income (see page 7 instructions). ↓	Enter for line 11C below, total distributive share income received by the partnership from other partnerships, estates and trusts that were derived from or allocated to Indiana. Enter for line 12C an amount equal to the Indiana modifications to Adjusted Gross Income attributed to Indiana. ↓
2. Net income (loss) from rental real estate activities from Form 8825			
3. Net income (loss) from other rental activities			
4. Portfolio income (loss):			
a) Interest income			
b) Ordinary dividends			
c) Royalty income			
d) Net short-term capital gain (loss) from Schedule D (Form 1065)			
e) Net long-term capital gain (loss) from Schedule D (Form 1065) Total for year			
f) Other portfolio income or (loss)			
5. Guaranteed payments to partners			
6. Net Section 1231 gain (loss) (other than due to casualty or theft) from Form 4797			
7. Other income (loss) (attach schedule)			
Less allowable deductions for state tax purposes:			
8. Section 179 expense deduction from Form 4562 (from Schedule K, line 9) ..			
9. Portion of expenses related to investment portfolio income (part of Schedule K, line 10)			
10. Other federal (non-itemized) and line 14b (2) b deductions			
11. Carry total on line 11A to Form IT-65 line 1, on front page of return	11A	11B	11C
12. Total of Indiana State modifications to distributive share income (see line 2, Form IT-65)		12B	12C
13. Net other Indiana adjusted gross income distributions from partnerships, estates and trusts (add line 11C and 12C)			13C
14. Enter amount of Indiana pass-through credits attributed from other partnerships, estates and trusts, if any			14C

See page 11 for instructions on completing the Composite Adjusted Indiana Gross Income Tax Return. List of pass through credits appear on page 14.

Sales/Use Tax Worksheet for Line 5, Form IT-65

List all purchases made during calendar year 2002 from out-of-state companies.

Description of personal property purchased from out-of-state	Purchase(s) made prior to 12/1/2002 Column A	Purchase Price of Property(s) from Column A Column B	Purchase(s) made on or after 12/1/2002 Column C	Purchase Price of Property(s) from Column C Column D
Magazine subscriptions:				
Mail order purchases:				
Internet purchases:				
Other purchases:				
1. Total purchase price of property subject to the sales/use tax: Enter total of Columns B and D	1B			1D
2. Sales/use tax: Multiply line 1B by .05 (5%); multiply line 1D by .06 (6%)	2B			2D
3. Sales tax previously paid on the above items (up to 5% per item in Column B; up to 6% per item in Column D)	3B			3D
4. Total amount due: Subtract: line 3B from line 2B and line 3D from line 2D. Add lines 4B and 4D. Carry to Form IT-65, line 5. If the amount is negative, enter zero and put no entry on line 5 of the IT-65	4B			4D



Indiana Department of Revenue
Indiana Partnership Return
for Calendar Year Ending December 31, 2002

or Other Tax Year Beginning AA / / 2002 and Ending BB / /

Form IT-65

State Form 11800 (R1/9-02)

(Please Do not write above)

Name of Partnership B		Federal Identification Number A	
Number and Street C		Principal Business Activity Code H	
City E		Indiana County or O.O.S. D	Indiana Taxpayer Identification Number I
State F	Zip Code G	Telephone Number J ()	

- K. Date of organization 1 _____
In the State of 2 _____
- L. State of commercial domicile _____
- M. Year of initial Indiana return _____
- N. Accounting method:
☐ 1 Cash ☐ 2 Accrual ☐ 3 Other _____
- ☐ **O** Check all boxes ☐ 1 Initial Return ☐ 2 Final Return ☐ 3 In Bankruptcy
that apply to entity: ☐ 4 Composite Return
- ☐ **P** Number of non-Indiana resident partners?
- ☐ **Q** Is an extension of time to file attached? ☐ 1 Yes ☐ 2 No
- ☐ **R** Are you a limited liability company electing partnership treatment on your
federal return? ☐ 1 Yes ☐ 2 No
- ☐ **S** Is this partnership a member of any other partnership(s)? ☐ 1 Yes ☐ 2 No

Aggregate Partnership Distributive Share Income (See worksheet on page 10)

1. Total net income (loss) from U.S. Partnership return, Form 1065 Schedule K, lines 1 through 7 less lines 9, portion of line 10, and line 14b(2) (see instructions)	1	2002 IT-65
2. Add back: a) All state income taxes (taxes based on income deducted on the federal return) Also include special procedure adjustment (attach statement)	2a	
Deduct: b) Interest on U.S. Government Obligations	2b	
Deduct: c) Exempt Indiana lottery prize receipts	2c	
2d. Total state modifications to distributive share of partnership income (line 2a, minus lines 2b and 2c)	2d	
3. Total partnership income, as adjusted (add lines 1 and 2d)	3	
<i>Partnerships deriving income from sources within and outside Indiana and having non-Indiana domiciled partners or non-unitary corporate partners must complete line 4 below. Enter distributive share, as apportioned, on IT-65 Schedule IN K-1 and attach IT-65 Schedule E, Apportionment of Income.</i>		
4. Enter average percentage for Indiana apportioned adjusted gross income from IT-65 Schedule E line (4c), if applicable		<u> </u> %

CONTINUE BY COMPLETING IT-65 IN K-1 (ON REVERSE SIDE)

Form IT-65 Summary of Calculations

5. Sales/use tax due from Sales/Use Tax worksheet (see page 10)	5	
6. Total composite tax from completed Schedule IT-65COMP (D+E). Attach schedule	6	
7. Total tax (add lines 5 and 6) Caution: If line 7 is zero, see line 12 late file penalty		
8. Total composite tax return credits (attach schedule and WH-18 statement(s) for composite members)	8	
9. Other credits belonging to the partnership (attach documentation)	9	
10. Subtotal (line 7 minus lines 8 and 9). If total is greater than zero, proceed to lines 11, 12, and 13		
11. Interest: Enter total interest due; see instructions. (Contact the Department for current interest rate)	11	
12. Penalty: If paying late enter 10% of line 10. If line 7 is zero, enter \$10 per day filed past the due date, see instructions	12	
13. Total Amount Due (add lines 10, 11 and 12). If less than zero, enter on line 14 Pay in U.S. Funds ➤	13	
Please pay the sum on line 13, make check payable to: Indiana Department of Revenue		
14. Overpayment (line 8 plus line 9, minus lines 7, 11, and 12)	14	
15. Refund: Amount from line 14 to be refunded. Enter as a positive figure	15	

Certification of Signatures and Authorization Section

I authorize the Department to discuss my return with my tax preparer. ☐ **CC** Yes

➤ Under penalties of perjury, I declare I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete.

Do not write in line 20 or
in Box DD. Reserved for
Department's use only.

20	
DD	

Partnership's e-mail address EE			
Signature of Partner FF	Date GG	Print or Type Name of Partner LL	Title MM
Print or Type Paid Preparer's Name FF		Preparer's FID, SSN, or PTIN Number NN	Check Box: ☐ 1 Federal I.D. Number ☐ 2 Social Security Number ☐ 3 PTIN Number
Street Address GG		Daytime Telephone Number of Preparer PP	
City HH	State II	Zip+4 JJ	Preparer's Signature

VN

Please mail forms to: Indiana Department of Revenue, 100 N. Senate Avenue, Indianapolis, Indiana 46204-2253

Name of Partnership B	Federal Identification Number A
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Partners' Share of Indiana Adjusted Gross Income, Deductions, Modifications and Credits

Combined Pro Rata Distributions (Use additional sheets for more than six members - provide IN K-1 information for each partner) **(Omit Cents)**

Note: Pro rata amounts for lines 1 through 11 of any non-resident partners must be multiplied by the Indiana apportionment percent, if applicable from IT-65, line 4.

Identification Section for Partners:		A	B	C
(a) Name of Partner:				
(b) Social Security Number or Federal Identification Number:				
(c) Partner's State of Residence:				
(d) Indiana Tax Withheld for Nonresident Partner:	\$	\$	\$	
(e) Partner's Federal Pro rata Percentage:		%	%	%
Distributive Share Amounts				
1. Ordinary income (loss) from trade or business activities				
2. Income (loss) from rental real estate activities				
3. Net income (loss) from other rental activities				
4. All portfolio income (loss)				
5. Guaranteed payments to partners				
6. Net gain (loss) under I.R.C. section 1231				
7. Other income (loss) (attach schedule) (Do not use line 8 of federal K-1)				
9. I.R.C. section 179 expense deduction				
10. Portion of expenses related to investment portfolio income				
11. Other federal (non-itemized) and line 14b(2) deductions				
12. Total pro rata distributions (add lines 1 through 7, subtract lines 9, 10 and 11)				
13. State modifications to distributive share income for Indiana adjusted gross income (from line 2d on front of Form IT-65, (see instructions)				
14. Pro rata share of Indiana pass-through income tax offset credits from partnership (indicate type _____)				
Identification Section for Partners:		D	E	F
(a) Name of Partner:				
(b) Social Security Number or Federal Identification Number:				
(c) Partner's State of Residence:				
(d) Indiana Tax Withheld for Nonresident Partner:	\$	\$	\$	
(e) Partner's Federal Pro rata Percentage:		%	%	%
Distributive Share Amounts				
1. Ordinary income (loss) from trade or business activities				
2. Income (loss) from rental real estate activities				
3. Net income (loss) from other rental activities				
4. All portfolio income (loss)				
5. Guaranteed payments to partners				
6. Net gain (loss) under I.R.C. section 1231				
7. Other income (loss) (attach schedule) (Do not use line 8 of federal K-1)				
9. I.R.C. section 179 expense deduction				
10. Portion of expenses related to investment portfolio income				
11. Other federal (non-itemized) and line 14b(2) deductions				
12. Total pro rata distributions (add lines 1 through 7, subtract lines 9, 10 and 11)				
13. State modifications to distributive share income for Indiana adjusted gross income (from line 2d on front of Form IT-65, (see instructions)				
14. Pro rata share of Indiana pass-through income tax offset credits from partnership (indicate type _____)				

Schedule IT-65COMP

State Form 49180
(R1/9-02)

Indiana Department of Revenue

Name of Partnership B	Federal Identification Number A
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Partners' Composite Indiana Adjusted Gross Income Tax ReturnFor Partnership's Tax Year **2002** or Fiscal Year Beginning AA / / **2002** and Ending BB / /

See instructions on reverse side. Attach to Form IT-65 (Use additional sheets if necessary).

PART I - List name and address of each nonresident partner **not** included in composite return.

(Attach additional sheets if necessary.)

(a) Name	(b) Street	(c) City	(d) State	(e) Zip Code
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

PART II - List name, distributive amount, composite tax and credits for each composite return member. **Omit Cents.**

Attach WH-18, copy C for each nonresident composite partner.

(a) Name	Enter pro rata share		Composite Adjusted Gross Income Tax			Credits	
	A	B	C	D	E	F	G
	Apportioned distributive income attributed to Indiana from IN K-1, line 12	Indiana modifications from IN K-1, line 13	Adjusted gross Income Add A + B	State tax multiply C x 3.4%	County Tax multiply C by nonresident county tax rate (if applicable)	Enter partner's withholding credit as shown on Form WH-18	Enter pro rata credits from IN K-1, line 14 (may not exceed D)
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							
16.							
17.							
18.							
19.							
20.							
Carryover totals from additional sheets							
Subtotals for columns D, E, F and G							
Add above total taxes and total credits							
Carry total tax and credits to Summary of Calculations							
				Tax: Add D and E Enter total tax on Form IT-65, line 6.		Credit: Add F and G Enter total credit on Form IT-65, Line 8.	

Filing Procedure for IT-65COMP Composite Return

A partnership may file a composite adjusted gross income tax return on behalf of qualifying non-Indiana resident individual partners. Nonresident partners properly electing to participate in the composite return will be relieved of the obligation to file an Indiana individual adjusted gross income tax return.

The composite return, Schedule IT-65COMP, shall be filed with and have the same due date as the partnership return. If the Internal Revenue Service allows the partnership an extension to file its income tax return, the due date for its Indiana return is automatically extended for the same period, plus thirty (30) days.

Composite income means each nonresident partner's distributive share of income derived from sources within Indiana as determined by the use of the apportionment formula described in I.C. 6-3-2-2(b) plus Indiana modifications.

Composite filing does not negate the partnership's requirement to file on a monthly, quarterly or annual basis Form WH-1 (Employer's Withholding Tax Return), used for submitting withholding tax payments for all nonresident partners along with any withholding for employees. However, withholding is not required on residents of reverse credit states (Arizona, California, Oregon, District of Columbia), except when a California resident is included on the Indiana composite return.

The amount of tax withheld on partners is shown as a credit on Form WH-18, (Indiana Miscellaneous Withholding Tax Statement for Nonresident). Copy A of Form WH-18 must be filed with the Department of Revenue together with Form WH-3, Annual Withholding Reconciliation, on or before the last day of February.

Filing Requirements for Composite Return

The partner electing to be included in the composite return authorizes the partnership to file on his or her behalf. This election, once made, is irrevocable for that tax year.

However, any partner within the following categories must, in all cases, be excluded from the composite return: (a) Any partner that is a corporation, a partnership or fiduciary; (b) Any partner who received a distribution(s) during the year in excess of his or her distributive share of net income from partnership operations; (c) Any partner who during the year sold any portion of his or her interest in the partnership; (d) Any partner receiving income during the year from an Indiana source other than the partnership; and (e) Any partner who for a portion of the year was a resident of Indiana.

The following limitations and conditions will apply to each partner included as a member in the composite return: (a) Any short term capital gain (loss) plus any long term capital gain (loss) specifically allocated for a partner is allowed, subject to any "passive activity" loss limitations pursuant to I.R.C. Section 469 and capital loss limitations imposed on noncorporate taxpayers by I.R.C. Section 1211; (b) No deduction is permitted for interest paid on investment indebtedness under I.R.C. Section 163(d)

(limitation on interest investment indebtedness); (c) No deduction is permitted for carryover of net operating losses or capital losses; (d) No personal exemption is permitted; (e) No deduction is allowed for charitable contributions allowed or allowable pursuant to I.R.C. Section 170; (f) No credit is permitted for taxes paid to other states; (g) No credit carryovers are permitted; and (h) All other credits which flow through to partners on a pro rata basis are limited to the partner's state income tax liability. See list of Pass-Through Credits, page 14.

The partnership filing a composite return is liable not only for the tax shown on the return but also for any additional tax, interest, and penalty as a result of a subsequent audit or examination. Any refund of state or county tax as a result of filing a composite return shall be remitted directly to the partnership.

The partnership should send a copy of general Indiana filing requirements to each nonresident partner. The partnership must determine partners electing to be included in the composite return and partners not electing to be included. See Income Tax Information Bulletin #72 for more information.

Instructions for Completing Composite Return

PART I - The partnership must disclose the name and complete address of its nonresident partners who are excluded from this composite return. These partners are required to file separate Indiana income tax returns.

PART II - Indicate the name of each partner electing to be a member included in this composite return. Subject to the limitations and conditions specified in the filing requirements, separately compute the state tax liabilities and credits on the composite return attributable to each partner.

Column E. If a nonresident individual engaged in principal work activity in an adopting county on January 1, the county tax should be calculated. Multiply column C by the applicable nonresident county tax rate. Use Departmental Notice #1 to determine if a composite member is subject to a county tax and call the Department to verify the county's tax rate.

Column G. The amount of pro rata pass-through credit available to each composite member is limited to the respective amount of tax calculated in column D.

Insert only the total state and county liabilities and pass-through credits of those nonresident partners included in the composite return to the appropriate lines on Form IT-65.

Note: A federal Schedule K-1 for each partner is not required to be attached but must be made available for inspection upon request of the Department.

If you have any questions you may contact the Corporate Income Tax Section: (317) 615-2662.

IT-65 Schedule E

Apportionment of Income for Indiana

Tax Year 2002, Fiscal Year 2002/2003

State Form 49179 (R1/9-02)

Name of Partnership

Federal Identification Number

B

A

The following information must be submitted by all partnerships having income from sources both within and outside Indiana. (Interstate transportation entities must use Schedule E-7). Read detailed instructions on page 12. Omit Cents. Round to two decimals for Column C.

Part I - Apportionment of Adjusted Gross Income

- 1. Property Factor** - Average value of owned property from the beginning and the end of the tax year. (Value of real and tangible personal property used in the business at original cost).

- (a) Property reported on federal return (average value for tax year)
- (b) Fully depreciated assets still in use at cost (average value for tax year)
- (c) Inventories, including work in progress (average value for tax year)
- (d) Other tangible personal property (average value for tax year)
- (e) Rented property (8 times the annual net rental)

Total Property Values: Add lines 1(a) through 1(e)

- 2. Payroll Factor** - Wages, salaries, commissions, and other compensation of employees related to business income included in the return. If the amount reported in column A does not agree with the total compensation reported for unemployment insurance purposes, attach a detailed explanation.

Total Payroll Value:

- 3. Receipts Factor** (less returns and allowances) - Include all non-exempt apportioned gross business income. Do not use non-unitary partnership income or previously apportioned income that must be separately reported as allocated income.

Sales delivered or shipped to Indiana:

- (a) Shipped from within Indiana

- (b) Shipped from outside Indiana

Sales shipped from Indiana to:

- (c) The United States Government

- (d) Purchasers in a state where the taxpayer is not subject to income tax (under P.L. 86-272)

- (e) Interest income and other receipts from extending credit attributed to Indiana ..

- (f) Other gross business receipts not previously apportioned

Total Receipts: Add column A lines 3 (a) through 3 (f) and enter in line 3A; enter all receipts in line 3B, column B

- 4. Summary - Apportionment of Income for Indiana**

(a) **Receipts Percentage** for factor 3 above: Divide 3A by 3B, enter result here: 4(a)1 _____ % X 200% (2.0) double-weighted adjustment

(b) **Total Percents:** Add percentages entered in lines 1C, 2C and 4a of column C. Enter sum

(c) **Indiana Apportionment Percentage:** Divide line 4b by 4 if all three factors are present (enter here and carry to line 4 on Form IT-65)

4a _____ %

4b _____ %

4c _____ %

NOTE: If either property or payroll factor for column B is absent, divide line 4b by 3. If the receipts factor (3B) is absent, you must divide line 4b by 2. See instructions on page 12.

Part II - Apportionment for Gross Income Tax**for year Beginning 1-1-2002 OR short/Fiscal Tax Years Beginning in 2002 through December 31, 2002**

This section is to be completed by pass-through entities having corporate partners subject to Indiana gross income tax. Partnership distributions are not double-weighted when reporting distributive share income for gross income tax purposes.

Indiana apportionment percent for corporate partners subject to gross income tax: (add lines 1C, 2C, and 4(a)1 and divide sum by 3 when all factors are present or by the remaining number of single factor values). Report here and on each corporate partner's supplemental Schedule IN K-1

_____ %

Part III - Business/Other Income Questionnaire

1. List all business locations where the partnership has operations/other partnership interests and indicate type of activities. This section must be completed - attach additional sheets listing business activities and locations in other states.

(a) Location City and State	(b) Nature of Business Activity at Location	(c) Accepts Orders?		(d) Registered to do Business?		(e) Files Returns in State?		Property in State			
		Yes	No	Yes	No	Yes	No	(f) Leased?	(g) Owned?	Yes	No
								Yes	No	Yes	No

2. Describe briefly the nature of the Indiana business activities including the exact title and principal business activity of any other partnership in which this partnership has an interest:

3. Indicate any other partnership in which you have a unitary or general partnership relationship:

4. Describe briefly the nature of activities of sales personnel operating and soliciting business in Indiana:

5. Do Indiana receipts for line 3A include all sales shipped from Indiana to (1) where the purchaser is the U.S. Government; or (2) locations where this partnership's only activity in the state of the purchaser consists of the mere solicitation of orders? ☐ Yes ☐ No
If no, please explain: (a)

6. List here source of any directly allocated income from other partnerships, estates and trusts not in this partnership's apportioned tax base:

Instructions for IT-65 Schedule E Apportionment of Income for Indiana

Complete the apportionment of income schedule whenever the partnership has income derived from sources both within and outside Indiana and has any nonresident or corporate partners. The income attributed to Indiana must be determined by a three-factor apportionment formula. The Department will not accept returns filed for adjusted gross income tax purposes on the separate accounting method.

This apportionment formula must be used unless written permission from the Department is granted. Distributive share for gross income tax purposes is determined under 45 I.A.C. 1.1-2-13. Also see 45 I.A.C. 3.1-1-153, adjusted gross tax treatment for unitary corporate partners.

Detailed Apportionment Instructions:

Note: Interstate transportation companies should consult Schedule E-7 for details concerning apportionment of income.

Part I - Apportionment of Adjusted Gross Income

1. Property Factor: The property factor is a fraction. The numerator is the average value during the tax year of real and tangible personal property used in the business within Indiana (plus value of rented property), and the denominator is the average value during the tax year of such property everywhere. The average value of property shall be determined by averaging the values of the beginning and the end of the tax period. (Beginning Value + Ending Value divided by 2 = "Average Value.") If the values have fluctuated, the averaging of monthly values may be necessary to reflect the average value of the property for the tax period. If, in the calculation of the property factor, the average values of properties are composed of a combination of values, attach a schedule showing how these average values were calculated. For example, the use of original cost for owned properties plus the value of rental or leased facilities based upon a capitalization of rents paid, which cannot be checked against the balance sheet or the profit and loss statement, must be supported. Property owned by the taxpayer is valued at its original cost. Property rented by the taxpayer is valued at eight (8) times the net annual rental rate.

Complete appropriate lines for both within Indiana and everywhere. Add lines (a) through (e) in columns A and B. Divide sum on line 1A by the sum from line 1B. Multiply by 100 and enter the percent on line 1C. Round the percentage to the nearest second decimal place (e.g., 16.02%).

2. Payroll Factor: The payroll factor is a fraction. The numerator is the total wages, salaries, and other compensation paid to employees in Indiana for services rendered in the business, and the denominator is the total of such compensation for services rendered for the business everywhere. Normally, the Indiana payroll will match the unemployment compensation reports filed with the state as determined under the Model Unemployment Compensation Act. Compensation is paid in Indiana if (a) the individual's service is performed entirely within Indiana; (b) the individual's service is performed both within and outside Indiana, but the service performed outside the state is incidental to the individual's service within Indiana; (c) some of the service is performed in Indiana and (1) the base of operations, or if there is no base of operations, the place where the service is directed or controlled is in Indiana; or (2) the base of operations or the place

where the service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this state. Payments to independent contractors and others not classified as employees are not included in the factor. Payments to employees for service attributable to nonbusiness income should be excluded. That portion of an employee's salary directly contributed to a Section 401K plan is included in the factor; however, the employer's matching contribution is not included.

Enter payroll values on lines 2A and 2B. Divide the total on line 2A by the total from line 2B. Multiply by 100 and enter the percent on line 2C. Round the percentage to the nearest second decimal place.

3. Receipts Factor: The receipts factor is a fraction. The numerator is the total receipts of the partnership in Indiana during the tax year, and the denominator is the total receipts of the partnership everywhere during the tax year. **This factor is double-weighted in the apportionment formula when applied for adjusted gross income.** All gross receipts of the partnership which are not subject to allocation are to be included in this factor. Do not include any previously apportioned income or any partnership distribution.

The numerator of the receipts factor must include all sales made in Indiana, sales made from Indiana to the U.S. Government, and sales made from Indiana to a state not having jurisdiction to tax the activities of the seller. The numerator will also contain intangible income attributed to Indiana including interest from consumer and commercial loans, installment sales contracts and credit and debit cards as prescribed under I.C. 6-3-2-2.2.

Total receipts include gross sales of real and tangible personal property less returns and allowances. Sales of tangible personal property are in Indiana if the property is delivered or shipped to a purchaser within Indiana regardless of the f.o.b. point or other conditions of sale, or the property is shipped from an office, store, warehouse, factory, or other place of storage in Indiana, and the partnership is not subject to tax in the state of the purchaser.

Sales or receipts not specifically assigned above shall be assigned as follows: (1) gross receipts from the sale, rental, or lease of real property are in Indiana if the real property is located in Indiana; (2) gross receipts from the rental, lease, or licensing the use of tangible personal property are in Indiana if the property is in Indiana. If property was both within and outside Indiana during the tax year, the gross receipts are considered in Indiana to the extent the property was used in Indiana; (3) gross receipts from intangible personal property are in Indiana if the partnership has economic presence in Indiana and such property has not acquired a business situs elsewhere. Interest income and other receipts from loans or installment sales contracts that are primarily secured by or deal with real or tangible personal property are attributable to Indiana if the security or sale property is located in Indiana; consumer loans not secured by real or tangible personal property are attributable to this state if the loan is made to an Indiana resident; and commercial loans and installment obligations not secured by real or tangible personal property are attributable to Indiana if the proceeds of the loan are to be applied in Indiana. Interest income, merchant discounts, travel and entertainment credit card receivables and credit card holder's fees are attributable to the state where the card charges and fees are regularly billed. Receipts from the performance of fiduciary and other services are attributable to the state where the benefits of the services are consumed.

Receipts from the issuance of traveler's checks, money orders, or United States savings bonds are attributable to the state where those items are purchased. Receipts in the form of dividends from investments are attributable to Indiana if the commercial domicile is in Indiana; and (4) gross receipts from the performance of services are in Indiana if the services are performed in this state. If such services are performed partly within and partly outside Indiana, a portion of the gross receipts from performance of the services shall be attributed to Indiana based upon the ratio the direct costs incurred in Indiana bear to the total direct costs of the services, unless the services are otherwise directly attributed to Indiana according to I.C. 6-3-2-2.2.

Sales to the United States Government: The United States Government is the purchaser when it makes direct payment to the seller. A sale to the United States Government of tangible personal property is in Indiana if it is shipped from an office, store, warehouse, or other place of storage in Indiana. See above rules for sales other than tangible personal property if such sales are made to the United States Government.

Other gross receipts under (f) Other, report other gross business receipts not included elsewhere, and pro rata gross receipts from unitary-partnership(s), excluding from the factor that portion of distributive share income derived from a previously apportioned partnership source.

Complete all lines as indicated. Add receipt factor lines 3(a) through 3(f) in column A, enter total on line 3A. Enter total receipts everywhere on line 3B. See line 4(a) for calculation of the percentage.

4. Summary: Apportionment of Income for Indiana

- Divide sum on line 3A by the total from line 3B. (Multiply by 100 to arrive at a percentage rounded to the nearest second decimal place. Enter the quotient on the 4(a)1 space provided and multiply by the 200% (2.0) double weight adjustment. Enter the product on line 4a of column C.
- Add entries on lines 1C, 2C, and 4a of column C. Enter the sum of the percentages on line 4b.
- Divide the total percentage entered on line 4b by 4. Enter the average Indiana apportionment percentage (round to the nearest second decimal place) on line 4c and carry to line 4 of Form IT-65.

The property and payroll factors are each valued as a factor of 1 in the apportionment of income formula. The receipts factor is valued as a factor of 2. The combined three-factor denominator equals 4. When there is a total absence of one of these factors for column B, you must divide the sum of the percentages by the number of the remaining factor values present in the apportionment formula.

Part II - Apportionment for Gross Income Tax Purposes

Certain corporate partner/taxpayers are subject to gross income tax on partnership distributive share income attributed to Indiana,

as apportioned at the partnership entity level under the Adjusted Gross Income Tax Act (repealed 1-1-2003). For gross tax purposes the distributive share income is directly taxable; and if subject to apportionment, it must be computed using the three-factor apportionment method where the Indiana sales factor is not double-weighted. Therefore a partnership passing-through income attributed to Indiana, that has any corporate partners which may be subject to Indiana gross income tax through December 31, 2002 must compute each corporate partner's share of its federal distributive share income for Indiana by apportioning income for both gross and adjusted gross income tax reporting purposes.

The apportionment percentage for gross income tax is computed using IT-65 Schedule E, Part II on the Indiana partnership return. Report this separately to each corporate partner/taxpayer as a short year, if necessary, along with their Indiana IT-65 Schedule IN K-1 for adjusted gross income. Refer to Worksheets for Attributing Partnership Income to Unitary Corporate Partners on page 8 to report supplemental IN K-1 information detailing distributive share income for gross tax purposes.

Part III - Business/Other Income Questionnaire

Complete all applicable questions in this section. If income is apportioned, list (a) all business locations where the partnership has operations. Indicate (b) the nature of the business activity at each location: whether a location (c) accepts orders in that state; (d) is registered to do business in that state, (e) files income tax returns in other states; and whether property in the other states is (f) owned, or (g) leased.

You must attach the completed IT-65 Schedule E, Apportionment of Income to your return.

Sales/Use Tax Worksheet

I.C. 6-2.5-3-2 imposes a use tax at the rate of five percent (.05) through November 30, 2002, **six percent (.06) starting on December 1, 2002**, upon the use, storage or consumption of tangible personal property in Indiana that was purchased or rented in a retail transaction, wherever located, and sales tax was not paid. Examples of taxable items include magazine subscriptions, office supplies, electronic components and rental equipment. Also, any property purchased free of tax by use of an exemption certificate or from out-of-state, and converted to a nonexempt use by the business will be subject to the use tax. Complete the Sales/Use Tax Worksheet on page 10 to compute any sales/use tax liability. For more information regarding use tax, call (317) 233-4015.

Note: If you are a registered retail sales or out-of-state use tax agent for Indiana you must report your nonexempt purchases used in your Indiana business on Form ST-103, Indiana annual, quarterly or monthly Sales and Use Tax Voucher.

Interest is added if the use tax was not timely paid by the original due date of the return. A 10% penalty or \$5.00, whichever is greater, is charged on each unpaid use tax liability. Caution: Do not report your totals from Form ST-103 on this worksheet or on Form IT-65.

Tax forms may be requested by calling (317) 615-2581. If you want forms faxed to you, use the phone on your fax machine to call Indiana TaxFax at (317) 233-2FAX (2329). By calling this number and reviewing the list of available forms, you will have immediate access to most of our tax forms and information bulletins.

Many of our tax forms are also available on the Internet at the following address: www.in.gov/dor/

Pass-Through Credits

Each partner is allowed a pro rata share of certain income tax credits incurred by the partnership. Each partner's share of an available credit is reported on IT-65 Schedule IN K-1, line 14, and must be supported by attaching the properly completed tax credit schedule or form to the partnership's return.

The partners may claim their allowable portion of Indiana credits on their respective annual income tax returns: Form IT-40, IT-40PNR, IT-20, IT-20FY, IT-20NP or IT-20NP (FY). Note: Enterprise zone credits may not be applied against the partnership's withholding, composite, or use tax liabilities on Form IT-65.

• **Enterprise Zone Employment Expense Tax Credit** - A pass-through entity (partnership located in a zone) is eligible, under P.L. 120 (1999), for the enterprise zone credit for increased wages in the zone. The credit is equal to the lesser: of 10% of the cost of wages paid only to newly hired (after December 31, 1998) employees who live in a zone during the tax year, or product of \$1,500 times the number of new qualified employees who live in a zone.

If the pass-through entity does not have a state income tax liability against which the enterprise zone is applied, then the partners of the pass-through entity are entitled to a pro rata share of the computed available credit. Credit is calculated on the Department's Schedule EZ - Part 2, which is available upon request. Attach the completed Schedule to Form IT-65. Report each partner's pro rata share of the credit on line 14 of Schedule IN K-1.

For further information, contact the local Urban Enterprise Zone Association or the Indiana Department of Commerce, Community Development Division, One North Capitol Avenue, Suite 600, Indianapolis, Indiana, 46204, or by telephone at (317) 232-8911.

• **Capital Investment Tax Credit** - Effective January 1, 2001, a pass through entity is eligible for a capital investment cost tax credit provided by I.C. 6-3.1-13.5 based on certain qualified capital investments made in Shelby County. The credit, if certified by the Indiana Department of Commerce, is equal to 14% of the amount of the approved qualified investment and is ratable over a seven-year period. Contact: Development Finance Division, (317) 232-8782.

• **Enterprise Zone Loan Interest Tax Credit** - A pass-through entity (partnership doing business in a zone) is eligible, under P.L. 120 (1999), for the enterprise zone loan interest tax credit. The credit is equal to 5% of the interest earned from qualified loans during the tax year made to entities that use the proceeds for conducting business activities located in enterprise zones. However, P.L. 73 (2000) further requires that the pass-through entity claiming a loan interest tax credit pay a registration fee, provide additional assistance to urban enterprise zone associations required of zone businesses, and meet requirements adopted by the enterprise zone board.

If the pass-through entity does not have a state income tax liability against which the enterprise zone credit is applied, then the partners of the pass-through entity are entitled to a pro rata share of the computed available credit. Credit is calculated on the Department's Schedule LIC, which is available upon request. Attach the completed Schedule to Form IT-65. Report each partner's pro rata share of the credit on line 14 of Schedule IN K-1. For further information, contact the local Urban Enterprise Zone Association 14

or the Indiana Department of Commerce, Community Development Division, One North Capitol Avenue, Suite 600, Indianapolis, Indiana, 46204, or by telephone at (317) 232-8911.

• **Historic Rehabilitation Tax Credit** - A partnership, a limited liability partnership, or a limited liability company is entitled to an income tax credit, provided by I.C. 6-3.1-16-7.5(b), on qualified expenditures made for rehabilitation of historic property. If the entity has no state income tax liability, then its members are entitled to claim, as a pass through, their share of the credit. For more information, contact: Division of Historic Preservation and Archaeology, 402 W. Washington St., Room W274, Indianapolis, Indiana, 46204, or call (317) 232-1646.

• **Indiana Research Expense Tax Credit** - Indiana qualified research expense credit is equal to 5% of the remainder of the partnership's Indiana qualified research expense for the tax year minus the federal base period amount. This credit has been extended through December 31, 2004. Schedule IT-20REC, must be attached.

• **Individual Development Account Tax Credit** - A tax credit is available equal to 50% of the contribution, if not less than \$100 and not more than \$50,000, which is made to a community development corporation participating in an Individual Development Account program.

The amount of total credits allowed is limited to \$200,000 per state fiscal year. Applications for the credit are filed through the community development corporation using Form IDA-10/20. To request additional information regarding the definitions, procedures, and qualifications for obtaining this credit, contact: Indiana Department of Commerce, Community Development, One North Capitol, Suite 600, Indianapolis, Indiana, 46204, or call (317) 232-8911.

• **Investment Cost Credit** - A partnership, a limited liability partnership, or a limited liability company is entitled to an enterprise zone investment cost credit provided by I.C. 6-3.1-10-4, for a qualified investment made in a designated zone located in Vigo County, Indiana. If the entity has no adjusted gross income tax liability then its individual members are entitled to claim, as a pass-through, their share of the credit. The Indiana Department of Commerce administers this program, One North Capitol, Suite 600, Indianapolis, Indiana 46204, telephone number (317) 232-8911.

• **Military Base Recovery Tax Credit** - A state tax credit is available for rehabilitation of real property located in military base facilities designated by the state Enterprise Zone Board. A claimant may also be a lessee of property in a military base recovery site and assigned part of the tax credit based upon the owner's or developer's qualified investment within a military recovery site. To request additional information regarding the definitions, procedures, and qualifications for obtaining this credit, contact: Indiana Department of Commerce, Enterprise Zone Board, One North Capitol, Suite 600, Indianapolis, Indiana, 46204, or call (317) 232-8911.

• **Neighborhood Assistance Tax Credit** - Enter the allowable income tax credit from pre-approved Form NC-20. For further information, refer to Income Tax Information Bulletin #22. Attach Form NC-20 if claiming this credit.

Continued on back cover.....

Instructions for Completing Indiana Form DB020W-NR

Use this form (if you have not established a separate nonresident withholding account) to remit Indiana state income tax withholding on annual income distributions to nonresident shareholders, nonresident partners or nonresident beneficiaries of trusts and estates. Also, include county income tax withholding for an Indiana tax-adopting county if on January 1 of the tax year this was the nonresident's principal place of business or employment. If already registered as a nonresident withholding agent, use the designated Form WH-1 (Indiana Withholding Tax Voucher).

Payment is generally due within 30 days following the end of the tax year, or quarter (if the liability for a quarterly period exceeds \$150). However, if an entity pays or credits amounts to its nonresident shareholders, partners or beneficiaries one time each year, the withholding payment is due on or before the fifteenth day of the third month after the end of the taxable year. **Caution:** This form will establish a separate nonresident withholding account followed by a letter requesting any additional information needed to complete the registration.

- Complete Form DB020W-NR by entering the assigned Indiana taxpayer identification number. Indicate the withholding liability reporting period by entering a six-digit number corresponding to the ending month and year in the blocks provided, e.g., 12 2002, 06 2003
- Enter full name and address in the space provided.
- Line A: Enter the withholding tax paid with this return for the tax period indicated. Do not include penalty and interest if paying late. The Department will calculate and bill for penalty and interest if payment is late.

- Line B: Enter the total withholding tax due for the ending tax period indicated. Do not include penalty or interest. If remittance is equal to the total amount due, the amount reported on A and B should be the same.
- Sign and date the form. List daytime telephone number. Enter federal identification number for prompt processing of this form. Upon proper registration, the Department will mail an Indiana nonresident withholding return coupon(s) for the next tax year for use in filing the required monthly, quarterly or annual withholding returns.

Note: Form WH-3 (annual withholding reconciliation and transmittal form) and state copies of Form WH-18 (Indiana miscellaneous withholding tax statement) must be filed annually on or before February 28. The Department may permit an entity paying or crediting amounts to its nonresidents only one time each year an extension of time to file Form WH-3, until March 15 following the close of the calendar year in which the taxable year ends. However, the payment of withholding tax on the one time annual distribution is required to have been remitted (and the withholding statement provided to the payee) 2 1/2 months after the end of the entity's taxable year.

An extension of time to file Form WH-3 may be requested if the information on the distributive share of income reportable on Form WH-18 is not available by the due date. However, an extension of time to file Form WH-3 does not extend the time to pay withholding tax due on Forms WH-1 or DB020W-NR.

If you have any questions regarding this form or the withholding tax, please call the Indiana Department of Revenue, Taxpayer Services (317) 233-4016.



State Form 49100
(R1/9-02)

FORM DB020W-NR Payment of Indiana Withholding Tax for Nonresident Shareholders, Partners, or Beneficiaries of Trusts and Estates

Indiana Taxpayer Identification Number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

(IF NONE, INDICATE FEDERAL I.D. NUMBER BELOW)

--	--	--	--	--	--

LOCATION

TAXPAYER'S NAME AND ADDRESS:

NAME _____

STREET _____

CITY _____

STATE _____ ZIP CODE _____

ENTER YOUR FEDERAL IDENTIFICATION NUMBER:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

IS THIS A ONE TIME ANNUAL
DISTRIBUTION? ☐ YES ☐ NO

X _____
AUTHORIZED SIGNATURE

DATE _____ DAYTIME TELEPHONE NUMBER () _____

DO NOT USE THIS FORM FOR REPORTING PAYROLL WITHHOLDING TAX

TAX PERIOD ENDING:

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M M

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Y Y Y Y

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(CODE-DEPT. USE ONLY)

A.

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TOTAL AMOUNT OF PAYMENT

B.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

TOTAL AMOUNT DUE

DO NOT SEND CASH

MAKE CHECK OR MONEY ORDER IN U.S. FUNDS
PAYABLE TO THE: INDIANA DEPARTMENT OF REVENUE

MAIL COMPLETED FORM TO:
INDIANA DEPARTMENT OF
REVENUE
P.O. BOX 6197
INDIANAPOLIS, IN 46206-6197

Continued from page 14

New Tax Offset Credits Available to Pass-Through Entities

• **Prison Investment Tax Credit** - An income tax credit is allowed under I. C. 6-3.1-6 for amounts invested in Indiana prisons to create jobs for prisoners. The amount is limited to 50% of the investment in a qualified project approved by the Department of Corrections, plus 25% of the wages paid to inmates.

• **Rerefined Lubricated Oil Facility Tax Credit** - A pass-through entity may be eligible, as determined by the Indiana Department of Commerce, for a state tax credit against its income and sales and use tax liabilities. The credit is based on a percentage of the real and personal property taxes paid by an entity that processes rerefined lubrication oil as defined in I.C. 6-3.1-22.2. If the business entity has no adjusted gross income or sales and use tax liabilities then the partners are entitled to claim, as a pass-through, their share of the credit. Contact: Development Finance Division, (317) 232-8782.

Specific Reminders

1. Complete the partnership's identification section.
2. List name of the Indiana county; place "O.O.S." in the county box to signify an out-of-state business operation.
3. Partnerships filing on a fiscal year basis must enter their tax year beginning and ending dates.
4. Composite return must be filed on Schedule IT-65COMP.
5. Attach the first four pages of the U.S. Partnership Return of Income, Form 1065 or Form1065B.
6. Use Form DB020W-NR (for an initial payment) or designated Form WH-1 to pay withholding tax on income distributions to nonresident partners.

For other Indiana Department of Revenue Forms:

Internet Address - www.in.gov/dor/

Our homepage provides access to forms, information bulletins and directives, tax publications, e-mail, and various filing options.

Indiana TaxFax - (317) 233-2329

Call TaxFax using the telephone portion of your fax machine or computer to obtain the Department's catalog of available Indiana tax forms.

Tax Forms Order Line - (317) 615-2581

Annual Public Hearing -

In accordance with the Indiana Taxpayer Bill of Rights, the Department will conduct an annual public hearing on Tuesday, June 17, 2003. Please come and share your ideas on how the Department of Revenue can better administer Indiana tax laws. The hearing will be held at 9:00 a.m. in the Indiana Government Center South, Conference Center Room 1, 402 West Washington Street, Indianapolis, Indiana. If you can't attend, please submit your concerns in writing to: Indiana Department of Revenue, Commissioner's Office, 100 North Senate Avenue, Indianapolis, Indiana 46204.