

INDIANA DEPARTMENT OF REVENUE
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INDIANAPOLIS, IN 46204-2253
www.in.gov/dor
Tax Administration (317) 233-4015
SP 262 (R6/8-07)

STATE OF INDIANA
Partnership Return Booklet 2007 Form IT-65

This booklet contains:

Form IT-65 - Indiana Partnership Return
IT-65 - Schedule IN K-1 - Partner's Share of Indiana Adjusted Gross Income
Worksheet for Partnership Distributive Share Income, Deductions and Credits
Worksheet for Attributing Partnership Income for Unitary Corporate Partners
Schedule IT-65COMP - Partners' Composite Adjusted Gross Income Tax Return
IT-65 Schedule E - Apportionment of Income Pass-through Tax Credits Available to Partners
Sales/Use Tax Worksheet
Form DB020W-NR - Indiana Withholding Tax for Nonresidents

Indiana Department of Revenue
2007 IT-65 - Indiana Partnership Return Booklet

Who Must File and When

Partnerships conducting business within Indiana must file an annual return, Form IT-65, and information return IT- 65 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 fourth month following the close of the partnership's tax year.

Attach to Form IT-65 the first four pages of the U.S. Partnership Return of Income, Form 1065 or 1065B and Schedule M-3. Federal Schedules K-1 should not be attached, but must be made available for inspection upon request by the Department.

Any partnership doing business in Indiana or deriving gross income from sources within Indiana is required to file a 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 (IC) 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.

References to the Internal Revenue Code

Public Law (PL) 234-2007, SEC. 41 updates references to the Internal Revenue Code in certain Indiana tax statutes. For tax year 2006, any reference to the Internal Revenue Code and subsequent regulations means the Internal Revenue Code of 1986, as amended and in effect on January 1, 2006.

Utility Receipts Tax

A Utility Receipts Tax (Form URT-1) is imposed at the rate of 1.4 percent of the taxable receipts from the retail sale of utility services. Gross receipts are defined as the value received for the retail sale of utility services. The utility services subject to tax include: electric energy, natural gas, water, steam, sewage, and telecommunications.

If you have more than \$1,000 in gross receipts from the sale of utility services, you may be required to file Form URT-1 (Utility Receipts Tax Return), in addition to Form IT-20S. Refer to Commissioner's Directive 18.

Utility Services Use Tax

Effective July 1, 2006, an excise tax known as the utility services use tax is imposed on the retail consumption of utility services in Indiana at the rate of 1.4 percent where the utility receipts tax is not paid by the utility providing the service.

You may be liable for this tax if you purchase utility services from outside Indiana (or anywhere if for resale) and become the end user in Indiana of any part of the purchase. The person who consumes the utility service is liable for the utility services use tax based on the price of the purchase. Unless the seller of the utility service is registered with the Department to collect the utility services use tax on your behalf, you are required to remit this tax on Form USU-103. For more information, refer to Commissioner's Directive 32 available at www.in.gov/dor/reference/comdir/pdfs/cd32.pdf

General Filing Instructions

Liability of the Partnership

Partnerships as entities are not subject to income taxes. However, publicly traded partnerships treated as limited liability companies pursuant to IRC 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 on page 4 for more information.
- 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 11.

- 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 19.
- A partnership may file a 2007 composite adjusted gross income tax return on behalf of non-Indiana resident individual partners electing to participate in the composite return. See Filing Procedure for IT-65COMP Composite Return on page 18.
Caution: Effective for taxable years beginning after Dec. 31, 2007, partnerships that have nonresident partners must also file a composite return for all its nonresident partners, even if a nonresident partner has other income from Indiana. A penalty of \$500 will be assessed the partnership that fails to file a composite return that includes all nonresident partners (PL 211-2007 SEC. 27, 44, 58 and SEA 500 SEC. 27, 44, 58).

To avoid penalty 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 have 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 percent 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, Washington D.C.) who are subject to and pay income taxes at rates of 3.4 percent 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 Indiana nonresident partner whose principal place of business or employment on Jan. 1 is located in an Indiana county that has adopted a county income tax. Use Departmental Notice #1 to determine county tax withholding rates. This notice is available at: www.in.gov/dor/reference/notices/index.html

To verify a county’s rate, visit the Department [Web site](#) or call our main tax line at (317) 233-4016 for assistance.

Corporate Partners - Partnerships must withhold on income distributions to all corporate partners, which 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 corporation is subject to and will pay adjusted gross income tax at the rate of 8.5 percent.

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 percent must be withheld on the respective nonresident corporate partner’s share of partnership income as computed under IC 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, corporate adjusted gross income tax needs to 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 nonprofit 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. Refer to Income Tax Information Bulletin 85 at www.in.gov/dor/reference/bulletins

Withholding Amounts

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, 2008, the withholding tax is remitted with Form WH-1 for June, and is due on July 30, 2008).

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. This creates a nonresident withholding account if one does not exist, and allows the respective state and county withholding tax amounts on nonresidents to be paid 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 15th 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 Dec. 31, 2007, the withholding tax is due March 15, 2008). 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.

How to Submit the Withholding Payment

Form WH-1 - The periodic payment of amounts withheld from nonresident partners 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. Each 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 is due.

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 nonresi-

dent partners. The initial use of Form DB020W-NR (included in this booklet), filed with WH-18 copies, will result in the creation of a separate withholding account aside from any existing payroll withholding account. The payment due date on this type of account is automatically extended to the 15th 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 Tax Administration at (317) 233-4015, 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/

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 Indiana 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 WH18 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 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 DB020WNR on page 27 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 10-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 BT1, for the partnership. Request Form BT-1 and Instructions for Withholding Registration by calling the Tax Administration at (317) 233-4015. It takes approximately two to three weeks to process an application that has been mailed to the Department; however, any initial withholding payments can be remitted with the application. The BT-1 can also be completed online at <https://secure.in.gov/apps/dor/bt1>

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 the same 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 IRC 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 return. Each partner's distributive share of income will be adjusted by modifications provided for in IC 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 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 IC 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 Full -Year 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 distributive share of 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 IRC Section 469. Losses may not exceed the partner's investment. See IRC Section 704.

Corporate Partners

Corporate partners report their distributive share of the partnership income (loss) on Form FIT-20, IT-20, IT-20S, IT20NP, or IT-41. All distributions are fully taxable for adjusted gross income tax purposes. Taxable partnership income (loss) will include pro rata Indiana modifications; however, losses may not exceed the limits imposed by IRC 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 IC 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 non-business 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.

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 apportionment 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 (un-apportioned) 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 apportionment 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 IAC 3.1-1-153 for reporting requirements.

For non-unitary partners, taxable partnership distributions included in federal taxable income are deducted on the non-business and non-unitary income adjustment line of the

corporation's return. Non-unitary partnership income attributed to Indiana, including apportioned pro rata modifications, is entered on the adjustment line used to report Indiana allocated non-business 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 non-business income allocated to Indiana (plus modifications required by IC 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 IC 6-5.5-4, on Form FIT-20.

Use the worksheet on page 15 for **Attributing Unitary Partnership Income for Unitary Corporate Partners** for computing the portion of partnership income subject to tax under the Adjusted Gross Income Tax Act.

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. 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.

Indiana Partnership Income for Individuals

Examples: Taxpayer A, a resident of Indiana, and Taxpayer B, a nonresident of Indiana, each have a 50 percent 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	<u>+35,000</u>
Partnership income	\$65,000

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

Property factor	80.00%
Payroll factor	40.00%
Sales factor (weighted)	<u>120.00%</u>
	240.00%

Divide by factor values present:	<u>5</u>
Indiana apportionment percentage	48.00%

Computations for Taxpayers A and B:

Taxpayer A, as a resident of Indiana, must report its 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 may 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)	<u>+32,500</u>
Indiana adjusted distributive share of income	\$42,500

Taxpayer B, as a nonresident of Indiana, reports only its own share of partnership income and guaranteed payment apportioned 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 (50% x 65,000)	+32,500
Total partnership share of income	\$42,500
Multiply by apportionment percentage	<u>x 48%</u>
Apportioned Indiana distributive share of income	\$20,400

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 15th day of the fourth month following the close of the partnership's tax year. The Department accepts the federal extension of time application (Form 7004) or the federal electronic extension. If you have one, it is not necessary to contact the Department prior to filing the annual return. Returns postmarked within 30 days after the last date indicated on the federal extension will be considered timely filed. Returns postmarked within 30 days after the last date indicated on the federal extension form will be filed timely.

Do not file a separate copy of this form with the Department to request an Indiana extension. If applicable, attach a copy of the federal extension of time to the return when filing your state return. Check box Q1 on front of the IT-65 return.

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, Tax Administration 100 N. Senate Ave., Indianapolis, IN 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. **Check box A1 at top of Form IT-65 if you are filing an amended return.**

Instructions for Completing Form IT-65

Filing Period and Identification

File a 2007 partnership return for a tax year ending Dec. 31, 2007, a short tax year beginning and ending in 2007, or a fiscal year beginning in 2007 and ending in 2008. 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

Check box A1 at top of form if you are filing an amended return. For name change, check box B1 at top of return. **You must attach to the return copies of amended articles** filed with the Indiana Secretary of State.

The federal identification number shown in the box at the upper right hand corner of the return must be accurate and the same as used on the U.S. Return of Partnership Income. Please use the correct legal name of the partnership and current 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 D for an address outside Indiana.

Enter your principal business activity code, derived from the North American Industry Classification System (NAICS), in the designated block of the return. Use the six-digit activity code as reported on the federal tax return. A link to a list of these codes is available through the Department's Internet address: www.in.gov/dor/business/forms.html

Questions K through S and Other fill-in Lines

All corporations filing an Indiana corporation income tax return must complete the top portion of the form including questions K through S. Check or complete all boxes that apply for your return.

- K. Indicate the date and place the partnership was organized.
- L. Indicate the state of commercial domicile of the partnership.

- M. Indicate year the initial Indiana return was filed.
- N. Indicate accounting method used.

- O. Check box **O-1** if you are filing an initial return. Check box **O-2** only if the partnership is dissolved, liquidated, or withdrew from the state. **Also, you must timely file Form BC-100 to close out any sales and with holding accounts.** Go to <http://www.in.gov/dor/taxforms/pdfs/bc-100.pdf> to complete this form online.

Check box **O-3** if the partnership is in bankruptcy. Check box **O-4** if you are filing as a Composite return for nonresident partners.

- P. Enter the number of partners in the partnership in entry box **P-1**. Enter in entry box **P-2** the number of all partners who are nonresidents of Indiana.
- Q. Check box 1 if you have a valid extension of time or an electronic federal extension of time to file your return. **If applicable, attach a copy of federal Form 7004 when filing your state return.**
- S. Check box 1 if this partnership is a member of any other partnership.

Aggregate Partnership Distributive Share Income

Line 1. Enter the amount from the U.S. Partnership return Schedule K: net ordinary business income, net income from real estate activities from Form 8825, other rental income activities, portfolio income and deductions, royalties, 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 13 and line 20 relating to investment portfolio (royalty) income, flowing to federal Schedule E, may be tentatively deducted. Do not deduct other expenses treated as federal itemized deductions.

Use **Worksheet for Partnership Distributive Share Income, Deductions and Credits** 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. See instructions on page 10 and worksheet on page 15.

If filing federal Form 1065B by an electing large partnership, use amounts from line 1 through 8 of Schedule K. Convert distributive share of income items into a Form 1065 Schedule K format. Carry figures to IT-65 and IT-65 IN K-1.

Required Indiana State Modifications - Lines 2(a) through 2(e).

Line 2(a). Add back all state taxes based on or measured by income, levied by any state, deducted on the federal return.

Line 2(b). Add or subtract an amount attributable to bonus

depreciation in excess of any regular depreciation that would be allowed had not an election under IRC Section 168(k) been made as applied to property in the year that it was placed into service. Taxpayers that own property for which additional first year special depreciation for qualified property, including 50 percent bonus depreciation was allowed in the current taxable year or in an earlier taxable year, must add or subtract an amount necessary to make their adjusted gross income equal to the amount computed without applying any bonus depreciation. The subsequent depreciation allowance is to be calculated on the state's stepped up basis until the property is disposed. Attach a statement to explain your adjustment.

Example:

If IRC Section 179 deduction was elected on business equipment acquired during 2005 costing \$200,000, the capital expensing deduction was \$100,000 with a remaining basis of \$100,000. An additional 50 percent bonus depreciation of \$50,000 was elected, leaving a basis of \$50,000 for a 5-year Modified Accelerated Cost Recovery System (MACRS) property (half year convention) depreciation deduction of 20 percent (\$10,000). Total amount of federal deduction was \$160,000.

For state purposes, the bonus depreciation of \$50,000 was not allowed and must be added back on line 2b. The IRC Section 179 deduction was capped at \$25,000, the \$75,000 excess amount must be added back on line 2c. These adjustments result in a stepped-up basis of \$175,000 for the state return on which to figure allowable first-year MACRS property depreciation deduction of 20 percent (\$35,000) for 2005. This was a total state deduction of \$25,000 more than already deducted under the General Depreciation System (GDS). The additional depreciation may be excluded in subsequent years from the amounts to be added back on line 2(b), or 2(c) when excess IRC Section 179 deduction or bonus depreciation was elected.

Commissioner's Directive 19 explains this initial required modification on the allowance of depreciation for state tax purposes.

Line 2(c). Enter your share of the IRC Section 179 adjustment claimed for federal tax purposes that exceeds the amount that is recognized for state tax purposes.

Indiana adopted the former expensing limit provided by the Jobs Creation and Workers Assistance Act of 2002 and has since specified an expensing cap of \$25,000. This modification affects the basis of the property if a higher Section 179 limit was applied. The increase to \$100,000 deduction and a beginning \$400,000 phase-out limitation was not allowed for purposes of calculating Indiana adjusted gross income. The depreciation allowances in the year of purchase and in later years must be adjusted to reflect the additional first-year depreciation deduction, including the special depreciation allowance for 50 percent bonus depreciation property, until the property is sold. Add or subtract the amount necessary to make the adjusted gross income of the taxpayer that placed any IRC Section 179 property in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election

not been made for the year in which the property was placed in service to take deductions (as defined in IRC Section 179) in a total amount exceeding \$25,000.

Note: If the net amount determined for line 2(b) or 2(c) is a negative figure (because of a higher depreciation basis in subsequent years) enter the amount in <brackets>. If taxable income is a loss, this adjustment when added back increases a loss.

Attach a statement to explain your adjustment.

Line 2(d). 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.

Line 2(e). Deduct Indiana lottery prize money - A portion of prize money received from the purchase of a winning Indiana lottery game or ticket included in federal taxable income should be excluded. The proceeds of up to \$1,200 are deductible from each winning lottery game or ticket paid through the Hoosier State Lottery Commission. Explain deduction on an attached statement.

Line 2(f). Enter total Indiana modifications (add the resulting amounts from lines 2a through 2c; subtract lines 2d and 2e). **Note:** Entries made on federal Form 8825 should also be considered when completing entries on line 2.

Line 3. Add lines 1 and 2(f).

Apportionment of Income

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.

Line 4. 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 weighted sales factor. Generally, apportioned income is determined by averaging a percentage of the three factors. 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 19.

Enter on line 4 the Indiana apportionment percentage if the partnership has any multi-state business activities. If apportioning income, enter Indiana percentage (rounded to two decimal places) from line 4(c) of IT-65 Schedule E, Apportionment of Income for Indiana. Do not enter one hundred (100) percent.

Before continuing to lines 5 through 15, complete IT-65 Schedule IN K-1 for each partner.

IT-65 Schedule IN K-1

Partner's Share of Indiana Adjusted Gross Income, Deductions, Modifications, and Credits

Attach a copy of each partner's IN K-1 to Form IT-65 and provide a completed copy of Schedule IN K-1 to each partner.

Note: Contact the Department for alternative filing options for IT-65 Schedule IN K-1 at (317) 233-4015. For information on the acceptable electronic data file format visit the Department's Web site at www.in.gov/dor/electronic/

Part 1 - Partner's Identification Section

Complete a separate IT-65 IN K-1 to identify each partner.

- (a) Enter the name of partner, if an individual, and Social Security number.
- (b) Enter other entity name if partner is another entity and Federal Identification Number.
- (c) Enter partner's state of residence or commercial domicile.
- (d) Enter the amount of tax withheld on income distributions derived from Indiana sources for any nonresident partner for the taxable year. A WH-18, Indiana Miscellaneous Withholding Tax Statement for Nonresidents, must be prepared for the nonresident partner. Do not include 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 partner's interest in the partnership. The percentage should be adjusted to an annual rate if necessary.

Part 2 - Distributive Share Amount

Complete lines 1 through 16 for the partner. Also provide the partner the IN K-1 showing the partner's share of income, credits and modifications. If filing federal Form 1065-B, convert taxable income distributions to federal Form 1065 Schedule K-1 format.

Line 1 through Line 13B. For full-year Indiana resident partners, complete these lines as shown on the federal Schedule K-1, Form 1065 or Form 8865.

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 beginning on page 19. The apportioned figures should be entered on lines 1 through 15. Investment interest expenses attributed to royalty income and all other federal deductions (excluding those treated as itemized deductions) should be included on lines 13A or 13B. 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.

Alternative Completion of IT-65 Schedule IN K-1 Information for Part 2

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 14A, **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 14B and line 15B 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 16C 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.

Also use **Worksheet for Attributing Partnership Income to Unitary Corporate Partners** to compile additional information for reporting distributive share income. Certain corporate partners 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.

Schedule IN K-1 continued

Line 15. Enter the Indiana modifications from the front of Form IT-65, lines 2a-2e, as percentage applied, or apportioned in the case of nonresident individuals and non-unitary partners. List pro rata share amount for each modification. For corporate partners that are unitary partners, enter only their pro rata share of modifications (unapportioned).

Part 3 – Pro Rata Share of Indiana Pass-through Tax Credits from Partnership

Line 16. If the partnership has available any eligible Indiana credits flowing through to the partners, enter the name of the credit, the three-digit code number and the pro rata amount of credits allotted to each partner. You must also attach a completed credit schedule to Form IT-65 to support this credit distribution.

See descriptive list of pass-through tax credits that may be available to a pass-through entity on page 21. Each credit is assigned a three-digit code number for identification purposes to be used when reporting and claiming these credits. For further information request Income Tax Information Bulletin 59.

Summary of Calculations for IT-65

Sales/Use Tax Worksheet IC 6-2.5-3-2 imposes a use tax at the rate of six percent 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 26 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 percent penalty or \$5, 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.

Line 5. Enter the use tax due from the completed Sales/Use Tax worksheet.

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 computed on Schedule IT-65 COMP, 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 payments and credits belonging to the partnership. This line may include Economic Development for a Growing Economy (EDGE) job retention credit that was not otherwise passed-through to the partners. For EDGE credit

information, see the section on Pass-through Tax Credits. 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 15th 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 by calling (317) 233-4015, or visit our Web site at www.in.gov/dor/reference and get Departmental Notice 3.

Line 12. Enter total penalty due. Penalty is 10 percent of the amount (but not less than \$5) of any composite tax due on line 10 paid after the 15th day of the third month following the end of the partnership's taxable year. (See caution note on line 11.) Penalty, which equals the greater of 10 percent of the amount of use tax on line 10 or \$5, 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 assessed on each Schedule IN K-1 information return that is filed late.

Note: Effective for taxable years beginning after Dec. 31, 2007, a penalty of \$500 will be assessed the partnership that fails to file a composite return for all of its nonresident partners (PL 211-2007 SEC. 27, 44, 58 and SEA 500 SEC. 27, 44, 58).

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 directly to you. An overpayment credit may not be carried over to the following year.

Certification of Signatures and Authorization Section

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

An officer of the corporation must show their title, sign and date the tax return. Please enter your daytime telephone number so we can call you if we have any questions about your tax return. Also, enter your e-mail address if you would like us to be able to contact you by e-mail.

Personal Representative Information

Typically, the Department will contact you if there are any questions or concerns about your tax return. If you want the Department to be able to discuss your tax return with someone else (e.g. the person who prepared it, or a designed person), you'll need to complete this area.

First, you must check the "Yes" box which follows the sentence "I authorize the Department to discuss my tax return with my personal representative."

Next, enter:

- The name of the individual whom you are designating as your personal representative.
- The individual's telephone number.
- The individual's complete address.

If you complete this area, you are authorizing the Department to be in contact with your personal representative other than you concerning information about this tax return. After your return is filed, the Department will communicate primarily with your designated personal representative.

Note: You may decide at any time to **revoke** the authorization for the Department to be in contact with your personal representative. If you do, you will need to tell us that in a signed statement. Include your name, Social Security number and the year of your tax return. Mail your statement to Indiana Department of Revenue, P.O. Box 40, Indianapolis, IN 46206-0040.

Paid Preparer Information

Fill out this area if a paid preparer completed this tax return.

Note: This area needs to be completed even if the paid preparer is the same individual designated as your personal representative.

The paid preparer must provide:

- The name and address of the firm that he/she represents.
- His/her identification number (Check one box for Federal ID number, PTIN or Social Security number).
- His/her telephone number.
- Complete address.
- Signature with date.

Make sure you keep a copy of your completed return.

Mailing Options

Please mail completed returns with a filled-in 2-D barcode 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



Indiana Department of Revenue Indiana Partnership Return

Form IT-65

State Form 11800 (R6/8-07)

for Calendar Year Ending December 31, 2007

or Other Tax Year Beginning AA / BB / 2007 and Ending BB / CC / DD

Check box if amended. **A1** ☐

Check box if name changed. **B1** ☐

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

- K.** Date of organization 1 _____
In the State of 2 _____
- L.** State of commercial domicile _____
- M.** Year of initial Indiana return _____
- N.** Accounting method: _____
☐ Cash ☐ Accrual ☐ Other
- ☐ Check all boxes that apply to entity: ☐ Initial Return ☐ Final Return ☐ In Bankruptcy ☐ Composite Return
- ☐ Enter total number of partners: 1 _____
Enter number of nonresident partners: 2 _____
- ☐ Do you have on file a valid extension of time to file your return (federal Form 7004 or an electronic extension of time)? ☐ Yes ☐ No
- ☐ Are you a limited liability company electing partnership treatment on your federal return? ☐ Yes ☐ No
- ☐ Is this partnership a member of any other partnership(s)? ☐ Yes ☐ No

Aggregate Partnership Distributive Share Income (See worksheet)

1. Total net income (loss) from U.S. Partnership return, Form 1065 Schedule K, lines 1 through 11 less line 12, and a portion of line 13 related to investment income (see instructions) _____
2. Add backs: a) All state income taxes deducted on the federal return _____
b) Net bonus depreciation allowance _____
c) Excess IRC Section 179 deduction _____
Deduct: d) Interest on U.S. government obligations _____
Deduct: e) Indiana lottery prize money _____
- 2a _____
2b _____
2c _____
2d _____
2e _____
- 2f. Total state modifications to distributive share of partnership income (lines 2a through 2c minus lines 2d and 2e) _____
3. Total partnership income, as adjusted (add lines 1 and 2f) _____

1		
2007 IT-65		
2f		
3		
4	_____ %	

4. Enter average percentage for Indiana apportioned adjusted gross income from IT-65 Schedule E line (4c), if applicable _____

Summary of Calculations

5. Sales/use tax due on purchases subject to use tax from Sales/Use Tax worksheet (from page 22) _____
6. Total composite tax from completed Schedule IT-65COMP (D+E). Attach schedule _____
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) _____
9. Other payments/credits belonging to the partnership (attach documentation) _____
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) _____
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 _____
13. **Total Amount Due** (add lines 10, 11 and 12). If less than zero, enter on line 14. **Pay in U.S. Funds** _____

5		
6		
7		
8		
9		
10		
11		
12		
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. No carry forward allowed. Enter as a positive figure _____ **15** _____

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

Certification of Signatures and Authorization Section

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

I authorize the Department to discuss my return with my personal representative (see page 12) ☐ Yes ☐ No

Signature of Partner _____ Date _____

Print or Type Name of Partner _____ Title _____

Personal Representative's Name (Print or Type) _____

Telephone number _____

Address _____

City _____

State _____ Zip Code + 4 _____

Partnership's E-mail address _____

FF

Paid Preparer: Firm's Name (or yours if self-employed.) _____

Check One: ☐ [1] Federal I.D. Number ☐ [2] PTIN OR ☐ [3] Social Security Number

NN _____

Telephone number _____

Address _____

City _____

State _____ Zip Code + 4 _____

Paid Preparer's Signature _____ Date _____

Please mail forms 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 reportable on Form 1065, 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:

Partnership's Distributive Share of Items

	A. Partnership Income All Sources	B. Distributions from Partnerships/ Estates/Trusts Everywhere	C. Distributions Attributed to Indiana
1. Ordinary business income (loss)		Enter for line 14B below total distributive share income received by the partnership from all other non-unitary partnerships, estates and trusts. Enter for line 15B an amount equal to required state modifications for Indiana Adjusted Gross Income (see page 8 instructions).	Enter for line 14C 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 15C an amount equal to the Indiana modifications to Adjusted Gross Income attributed to Indiana.
2. Net rental real estate income (loss)			
3. Other net rental income			
4. Guaranteed payments			
5. Interest Income			
6a. Ordinary dividends			
7. Royalties			
8. Net Short-term capital gain (loss)			
9a. Net long-term capital gain (loss)			
10. Net IRC Section 1231 gain (loss)			
11. Other income (loss)			
Less allowable deductions for state tax purposes:			
12. IRC Section 179 expense deduction			
13A. Portion of expenses related to investment portfolio income including investment interest expense and other (federal non-itemized) deductions.....			
13B. Other information from line 20 of federal K-1 related to investment interest and expenses not listed elsewhere		↓	↓
14. Carry total on line 14A to Form IT-65 line 1, on front page of return	14A	14B	14 C
15. Total of Indiana state modifications to distributive share income (see line 2, Form IT-65)		15B	15 C
16. Net other Indiana adjusted gross income distributions from partnerships, estates and trusts (add line 14C and 15C)			16 C
17. Enter amount of Indiana pass-through credits attributed from other partnerships, estates and trusts, if any			17 C

Worksheet for Attributing Partnership Income for Unitary Corporate Partners

Use the worksheet 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.

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 apportionment factors of the partnership.

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. 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

Indiana Department of Revenue
Apportionment of Income for Indiana

For Tax Year Beginning AA / / 2007 and Ending BB / /

Name as shown on return B	Federal Identification Number A
-------------------------------------	---

Each filing entity having income from sources both within and outside Indiana must complete a three-factor apportionment schedule except financial institutions and certain insurance companies that use a single receipts factor. Interstate transportation entities must use Schedule E-7, Apportionment for Interstate Transportation revised 8-07. Combined unitary filers must use the apportioning method (relative formula percentage) as outlined in Tax Policy Directive #6. Omit cents - percents should be rounded two decimal places - read apportionment instructions.

Part I - Indiana Apportionment of Adjusted Gross Income

	Column A Total Within Indiana	Column B Total Within and Outside Indiana	Column C Indiana Percentage
1. Property Factor - Average value of owned property from the beginning and the end of the tax year. (Value of and pro rata share of real and tangible personal property 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)	1A	1B	1C _____ %
2. Payroll Factor - Wages, salaries, commissions, and other compensation of employees and pro rata share of payroll reportable on the return.			
Total Payroll Value:	2A	2B	2C _____ %
3. Sales/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 and other receipts from extending credit attributed to Indiana			
(f) Other gross business receipts not previously apportioned			
Total Receipts: Add column A receipts lines 3(a) through 3(f) and enter in line 3A. Enter all receipts in line 3B, of column B	3A	3B	
4. Summary - Apportionment of Income for Indiana for tax years beginning in 2007			
(a) Receipts Percentage for factor 3 above: Divide 3A by 3B, enter result here: 4(a)1 _____ % Multiply result by 3			4a _____ %
(b) Total Percents: Add percentages entered in boxes 1C, 2C and 4a of column C. Enter sum			4b _____ %
(c) Indiana Apportionment Percentage: Divide line 4b by 5 if all three factors are present. Enter here and carry to apportionment line on the tax return			4c _____ %

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

Part II - Business/Other Income Questionnaire

1. List all business locations where the taxpayer has operations or partnership interests and indicate type of activities. This section must be completed - attach additional sheets if necessary.

(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?		(f) Property in State			
		Yes	No	Yes	No	Yes	No	(f) Leased?	(g) Owned?		
		Yes	No	Yes	No	Yes	No	Yes	No	Yes	No

2. Briefly describe the nature of Indiana business activities, including the exact title and principal business activity of any partnership in which the taxpayer has an interest:

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

4. Briefly describe 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) the U.S. government; or (2) locations where this taxpayer's only activity in the state of the purchaser consists of the mere solicitation of orders?
1 ☐ Yes 2 ☐ No If no, please explain:
(a) _____

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

Schedule IT-65COMP

State Form 49180
(R6/8-07)

Indiana Department of Revenue

Name of Partnership

B

Federal Identification Number

A

Partners' Composite Indiana Adjusted Gross Income Tax ReturnPartnership's Tax Year **2007** or Fiscal Year Beginning AA / / 2007 and Ending BB / /

See instructions on page 16. Attach to Form IT-65 (Use additional sheets if necessary).

PART I - List name, Social Security number and address of each nonresident partner **not** included in composite return.
(Attach additional sheets if necessary.)

(a) Name	(b) SS Number	(c) Street	(d) City	(e) State	(f) 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 Apportioned distributive income attributed to Indiana from IN K-1, line 14	B Indiana modifications from IN K-1, line 15	C Adjusted gross income Add A + B	D State tax multiply C x 3.4% (cannot be less than zero)	E County tax multiply C by nonresident county tax rate (if ap- plicable)	F Enter partner's withholding credit as shown on Form WH-18	G Enter pro rata credits from IN K-1, line 16 (may not exceed D)
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							
16.							
17.							
18.							
19.							
20.							
21. Carryover totals from additional sheets							
22. Subtotals for columns D, E, F and G							
23. Add above total taxes and total credits from line 22.....							

Carry total tax and credits from line 23 to Summary of Calculations.

Tax: Add D and E Credit: Add F and G

Enter total tax on Form IT-65, line 6. Enter total credit on Form IT-65, Line 8.

Filing Procedure for 2007 IT-65COMP Composite Return

A partnership may file a composite Indiana adjusted gross income tax return on behalf of qualifying Indiana nonresident 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.

Important Note: Effective for taxable years beginning after Dec. 31, 2007, partnerships that have any partners who are nonresidents of Indiana must file a composite and include all its nonresident partners, even if a nonresident partner has other income from Indiana. A penalty of \$500 will be assessed the partnership that fails to file a composite return that includes all nonresident partners (PL 211-2007 SEC. 27, 44, 58 and SEA 500 SEC. 27, 44, 58). See Income Tax Information Bulletin 72 for more information.

For tax years before 2008 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 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 IC 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, Washington D.C.), 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 together with Form WH-3, Annual Withholding Reconciliation, on or before the last day of February.

Filing Requirements for 2007 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 ordinary income from partnership operations,
- (c) Any partner who sold any portion of his or her interest in the partnership during the year,

- (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 2007 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 IRC Section 469 and capital loss limitations imposed on non-corporate taxpayers by IRC Section 1211,
- (b) No deduction is permitted for interest paid on investment indebtedness under IRC 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 IRC 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 Tax Credits on page 21.

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.

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. To verify a county's rate, visit the Department [Web site](#) or call our main tax line at (317) 233-4016 for assistance.

Column E. If a nonresident individual is engaged in principal work activity in an adopting county on Jan. 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

use the county income tax chart as directed in Form IT-40PNR to verify the county's tax rate. The Indiana individual forms are available at: www.in.gov/dor/taxforms/

Column F. Enter the amount of Indiana tax credit that was withheld on behalf of the nonresident partner. Attach to the composite return Indiana Form WH-18, Copy C for each individual partner included in the composite return.

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 by the Department.

If you have any questions you may contact the Tax Administration at (317) 233-4015.

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 under IC 6-3-2-2. The Department will not accept returns filed for adjusted gross income tax purposes on the separate accounting method.

For taxable years beginning after Dec. 31, 2006 and before Jan. 1, 2008, the numerator of the fraction is the sum of the property factor, plus the payroll factor, plus the product of the sales factor multiplied by 3, and the denominator of the fraction is 5.

For taxable years beginning after Dec. 31, 2007, and before Jan. 1, 2009, the numerator of the fraction is the sum of the property factor, the payroll factor and the product of the sales factor multiplied by 4.67, and the denominator of the fraction is 6.67. For taxable years beginning after Dec. 31, 2008, and before Jan. 1, 2010, the numerator of the fraction is the sum of the property factor, the payroll factor and the product of the sales factor multiplied by 8, and the denominator of the fraction is 10. For taxable years beginning after Dec. 31, 2009, and before Jan. 1, 2011, the numerator of the fraction is the property factor, the payroll factor and the product of the sales factor multiplied by 18, and the denominator of the fraction is 20. For all taxable years beginning after December 31, 2010, Indiana's apportioned income will be determined by using only the sales factor.

This apportionment formula must be used unless written permission from the Department is granted. Also see 45 IAC 3.1-1-153, adjusted gross tax treatment for unitary corporate partners.

Note: *Interstate transportation companies should consult Schedule E-7 for details concerning apportionment of income. Obtain this schedule at www.in.gov/dor/taxforms*

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 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 times the net annual rental rate.

Total Property Values for 2007

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 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 performed the service entirely within Indiana,
- (b) The individual performed the service both within and outside Indiana, but the service performed outside the Indiana is incidental to the individual's service within Indiana, or
- (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 Indiana.

Payments to independent contractors and others not classified as employees are not included in the factor. That portion of

an employee's salary directly contributed to a Section 401K plan should be in the factor; however, the employer's matching contribution should not be included.

Total Payroll Value for 2007

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. Sales/Receipts Factor: The receipts factor is a fraction. For 2007, the value of the receipts factor is to be multiplied by three in the apportionment of income formula. The numerator is the total receipts of the partnership in Indiana during the tax year. The denominator is the total receipts of the partnership everywhere during the tax year.

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. Destination sales to locations outside Indiana by an Indiana seller which has activities in the state of destination, other than mere solicitation, will not be included in the numerator of the sales factor regardless of whether or not the destination state levies a tax. 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 IC 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 IC 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 according to regulation 45 IAC 3.1-1-153(b).

Total Sales/Receipts Value for 2007

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. Round the percentage to the nearest second decimal place.

4. Summary: Apportionment of Income for Indiana for Tax Years Beginning in 2007

- (a) 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 3 for tax years beginning in 2007. Enter the product on line 4a of column C.
- (b) Add entries on lines 1C, 2C, and 4a of column C. Enter the sum of the percentages on line 4b.
- (c) Divide the total percentage entered on line 4b by 5. 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 one in the apportionment of income formula. The receipts factor value is three for tax year 2007. The combined three-factor denominator equals five for tax year 2007. 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 - 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,
- (b) Indicate the nature of the business activity at each location, including whether a location,
- (c) Accepts orders in that state,
- (d) Is registered to do business in that state, or
- (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.

Pass-through Tax Credits

Each partner is allowed a pro rata share of the income tax credits available to the partnership. Each partner's share of an available credit is reported on IT-65 Schedule IN K-1, line 16, and must be supported by attaching the properly completed tax credit schedule or form to the partnership's return.

Note: Enterprise zone credits along with most other tax liability credits may not be applied against the partnership's withholding, composite or use tax liabilities on Form IT-65. The partners may claim their allowable portion of Indiana credits on their respective annual income tax returns: Form IT40, IT40PNR or IT-41.

Caution: Within a certain group of credits a taxpayer may not be granted more than one credit for the same project. The credits that are included for this group are the capital investment credit, community revitalization enhancement district

credit, enterprise zone investment cost credit, Hoosier business investment credit, industrial recovery credit, military base investment cost credit, military base recovery credit and the venture capital investment credit. Apply this restriction first when figuring allowable credits. Refer to Commissioner's Directive 29 for more information.

The following credits have been assigned a three-digit code number for identification purposes. Use the code numbers when reporting and claiming any of these credits. Refer Income Tax Information Bulletin 59 at www.in.gov/dor/reference/bulletins for more information about Indiana tax credits available to taxpayers who file income tax returns.

Airport Development Zone Tax Credits

Certain areas within Indiana have been designated as airport development zones (ADZ). These zones are established to encourage investment and job growth in distressed urban areas. Airport development zone tax credits are based on the same tax credits and benefits that are available within designated Indiana enterprise zones. These zones are established to encourage investment and job growth in distressed urban areas. The Gary-Chicago ADZ was designated in July, 1993. Currently, areas within Allen County are eligible to designate airport development zones.

Obtain Income Tax Information Bulletin 66 at www.in.gov/dor/reference/bulletins/ for more information and how to calculate credit.

Following are the three available airport development zone tax credits:

Airport Development Zone Employment Expense Credit 800

This credit is based on qualified investments made within Indiana. It is the lesser of 10 percent of qualifying wages, or \$1,500 per qualified employee, up to the amount of tax liability on income derived from the airport development zone. Get Indiana Schedule EZ Parts 1, 2, and 3 at www.in.gov/dor/taxforms/pdfs/sch-ez123.pdf for more information and how to calculate this credit.

Use credit ID code number 800 and attach substitute Schedule EZ, Parts 1, 2 and 3 for the ADZ.

Airport Development Zone Investment Cost Credit 801

This credit is based on qualified investments made within Indiana. It can be up to a maximum of 30 percent of the investment, depending on the number of employees, the type of business and the amount of investment in an airport development zone. Get Income Tax Information Bulletin #66 at www.in.gov/dor/reference/bulletins/ for more information and how to calculate enterprise zone credits. Contact the Indiana Economic Development Corporation, One North Capitol, Suite 700, Indianapolis, IN, 46204, call them at (317) 232-8827,

or visit their Web site at www.in.gov/iedc for more information about this credit.

Use credit ID code number 801 and attach supporting documentation if claiming this credit.

Airport Development Zone Loan Interest Credit 802

This credit can be for up to five percent of the interest received from all qualified loans made during a tax year for use in an Indiana airport development zone.

Get Indiana Schedule LIC at www.in.gov/dor/taxforms/pdfs/schlic.pdf for more information and how to calculate this credit.

Use credit ID code number 802 and attach substitute Schedule LIC for the ADZ.

Blended Biodiesel Tax Credits 803

Credits are available for taxpayers who produce biodiesel and/or blended biodiesel at an Indiana facility (certified by the IEDC) and for dealers who sell at blended biodiesel at retail. An approved Department of Revenue Form BD-100 must be attached to verify the claimed credit. Contact the Indiana Economic Development Corporation, Biodiesel Credit Certification, One North Capitol, Suite 700, Indianapolis, IN 46204, call them at (317) 232-8827 or visit their Web site at www.in.gov/iedc/ for more information. Also, get Income Tax Information Bulletin #91 at www.in.gov/dor/reference/bulletins/ for additional information.

Capital Investment Credit 804

This credit is available for on certain qualified capital investments made in Shelby County. The Indiana Economic Development Corporation (IEDC) certifies this credit. It is equal to 14 percent of the amount of the approved qualified investment and is ratable over a seven year period.

For information regarding the definitions, procedures and qualifications for obtaining this credit, contact the Indiana Economic Development Corporation, Enterprise Zone Board, One North Capitol, Suite 700, Indianapolis, IN 46204, or visit their Web site at www.in.gov/iedc/

Coal Combustion Product Tax Credit 805

A manufacturer who uses coal combustion products (by-product resulting from the combustion of coal in an Indiana facility) for the manufacturing of recycled components may be eligible for this credit. An existing business that manufactures recycled components, and increases the acquisitions of coal combustion products by 10 percent over the average amount obtained in the previous three years is also eligible for the credit. Note: A taxpayer that obtains a property tax deduction for investment property purchased by the manufacturer of coal combustion products is not eligible for this credit.

For more information, contact the Indiana Department of Revenue, Coal Combustion Credit, Room N203, 100 N. Senate Ave., Indianapolis, IN, 46204, or call (317) 232-2339. Attach your approved Form CCP-100 to your return.

Coal Gasification Technology Investment Tax Credit 806

A credit is available for a qualified investment in an integrated coal gasification power plant or a fluidized bed combustion technology technology that serves Indiana gas utility and electric utility consumers. This may include an investment in a facility located in Indiana that converts coal into synthesis gas that can be used as a substitute for natural gas.

You must file an application for certification with the Indiana Economic Development Corporation (IEDC). If the credit is assigned, it must approved by the utility regulatory commission and taken in twenty annual installments. The amount of credit that may be assigned is the total credit awarded divided by twenty and then multiplied by the percentage of Indiana coal used in the taxpayer's integrated coal gasification power plant.

For more information, contact the Indiana Economic Development Corporation, One North Capitol, Suite 700, Indianapolis, IN 46204, or visit their Web site at www.in.gov/iedc/ Also get Income Tax Information Bulletin 99 at: www.in.gov/dor/reference/bulletins/

Community Revitalization Enhancement District Credit 808

A state and local income tax liability credit is available for a qualified investment for redevelopment or rehabilitation of property within a community revitalization enhancement district. The expenditure must be approved by the Indiana Economic Development Corporation (IEDC) before it is made. The credit is equal to 25 percent of the qualified investment made by the taxpayer during the taxable year. The Indiana Department of Revenue has the authority to disallow any credit if the taxpayer ceases existing operations or substantially reduces its operations within the district or elsewhere in Indiana, or reduces other Indiana operations to relocate them into the district.

The taxpayer can assign the credit to a lessee who remains subject to the same requirements. The assignment must be in writing and any consideration may not exceed the value of the part of the credit assigned. Both parties must report the assignment on their state income tax return for the year of assignment.

For more information, contact the Indiana Economic Development Corporation, One North Capitol, Suite 700, Indianapolis, IN, 46204, or visit their Web site at www.in.gov/iedc/ for more information about this credit.

Economic Development for a Growing Economy (EDGE) Job Retention Credit 839

This credit is a refundable tax liability credit for businesses who conduct certain activities which are designed to foster job creation or job retention in Indiana. The approved credit agreement letter from the IEDC and a computation of the credit must be attached to the return or this credit will not be allowed.

Contact the Indiana Economic Development Corporation (IEDC), One North Capitol, Suite 700, Indianapolis, IN 46204, for eligibility requirements, or visit www.in.gov/iedc/ for additional information.

An EDGE credit that passes-through to the partner must be claimed according to the instructions on the partners' income tax return. A copy of the entity's approval letter must be provided to the shareholders for attachment to their returns. The EDGE credit that is qualified for direct refund at the entity level is claimed as a refundable credit on line 9.

Employer Health Benefit Plan Tax Credit 842

A new credit is available to certain taxpayers who begin offering health insurance to their employees. An employer who did not provide health insurance to employees prior to Jan. 1, 2007 and makes health insurance available to its employees may be eligible for a credit. The amount of the credit is the lesser of \$2,500 or \$50 multiplied by the number of employees enrolled in the health benefit plan.

The employer is required to make health insurance available to the taxpayer's employees for at least two years after the employer first offers the health benefit plan. Get Income Tax Information Bulletin #101 at:

www.in.gov/dor/reference/bulletins

For more information. Attach to the return proof of your continued eligibility for the credit and proof of expenditures necessary to calculate the credit.

Enterprise Zone Employment Expense Tax Credit 812

This credit is available for employers based on qualified investments made within Indiana. It is the lesser of 10 percent of qualifying wages, or \$1,500 per qualified employee, up to the amount of tax liability on income derived from an active enterprise zone. Attach the completed Schedule EZ 2 to the IT-65 return.

Get Indiana Schedule EZ Parts 1, 2, and 3 at www.in.gov/dor/taxforms/pdfs/sch-ez123.pdf for more information and how to calculate this credit.

Enterprise Zone Loan Interest Tax Credit 814

This credit can be for up to five percent of the interest received from all qualified loans made during a tax year for use in an active Indiana enterprise zone.

Get Information Bulletin #66 at

www.in.gov/dor/reference/bulletins and Indiana Schedule LIC at www.in.gov/dor/taxforms/pdfs/schlic.pdf for more information and how to calculate this credit. Attach completed enterprise zone Schedule LIC to the IT-65 return.

Contact the Indiana Economic Development Corporation, One North Capitol, Suite 700, Indianapolis, IN, 46204, call them at (317) 232-8827, or visit their Web site at www.in.gov/iedc/ for additional information.

Ethanol Production Tax Credit 815

An Indiana facility with a capacity to produce 40 million gallons of grain ethanol gallons per year may be eligible for a credit. If credit is granted, it may not be sold, assigned, conveyed, or otherwise transferred.

File Application for Ethanol Credit Certification, State Form 52302, with the Indiana Economic Development Corporation, Ethanol Credit Certification, One North Capitol, Suite 700, Indianapolis, IN 46204, call them at (317) 232-8827 or visit their Web site at: www.in.gov/iedc/ for additional information.

Proof of information for the credit calculation plus a copy of the Certificate of Qualified Facility issued by the Indiana Recycling and Energy Development Board must be attached to the return to verify this credit. Get Income Tax Information Bulletin 93 at www.in.gov/dor/reference/bulletins for more information.

Headquarters Relocation Tax Credit 818

A business with annual worldwide revenue of \$100 million and at least 75 employees that relocates its corporate headquarters to Indiana may be eligible for a credit. The credit may be as much as 50 percent of the cost incurred in relocating the headquarters.

For more information, including limitations and the application process, get Income Tax Information Bulletin #97 at: www.in.gov/dor/reference/bulletins

Historic Building Rehabilitation Tax Credit 819

A credit is available for the rehabilitation or preservation of historic property that is listed on the Indiana Register of Historic Sites and Structures, is at least 50 years old and is income-producing. The cost of certified rehabilitation or preservation expenses must exceed \$10,000. The credit is 20 percent of the qualified expenses. Any unused balance of the credit may be carried forward for up to 15 years. A certification from the Division of Historic Preservation and Archaeology must be attached to your return.

For additional information, you may call the Department of Natural Resources at (317) 232-1646, or visit online at www.in.gov/dnr/historic. Also get Income Tax Information Bulletin 87 at www.in.gov/dor/reference/bulletins

Hoosier Business Investment Tax Credit 820

This credit is for qualified investments, which include the purchase of new telecommunications, production, manufacturing, fabrication, processing, refining, or finishing equipment that is directly related to expanding the workforce in Indiana. Qualified investments include onsite infrastructure improvements, construction costs, retooling existing machinery and equipment, and costs associated with special purpose buildings and foundations. It does not property that can be readily moved out of Indiana.

This credit is administered by the Indiana Economic Development Corporation (IEDC) at One North Capitol, Suite 700, Indianapolis, IN, 46204. Visit their Web site at www.in.gov/iedc/ or call them at (317) 233-3638 for additional information. Also, get to Income Tax Information Bulletin #95 at: www.in.gov/dor/reference/bulletins

The taxpayer is required to submit to the Department a copy of the certificate from the IEDC verifying the amount of tax credit for the taxable year.

Indiana Research Expense Tax Credit 822

Indiana has a research expense credit that is similar to the federal credit (Form 6765) for increasing research activities for qualifying expenses paid in carrying on a trade or business in Indiana. Compute the credit using Schedule IT-20REC. Get Schedule IT-20 REC at www.in.gov/dor/taxforms/05pdfs/05-it20rec.pdf. This form must be completed and a copy attached to claim this credit. For more information, contact the Department at www.in.gov/dor

Individual Development Account Tax Credit 823

A credit is available for contributions made to a community development corporation participating in an Individual Development Account (IDA) program. The IDA program is designed to assist qualifying low-income residents to accumulate savings and build personal finance skills. The organization must have an approved program number from the Indiana Housing and Community Development Authority (IHCDA) before a contribution qualifies for pre-approval. The credit is equal to 50 percent of the contribution, which must not be less than \$100 and not more than \$50,000.

Applications for the credit are filed through the IHCDA by using Form IDA-10/20. An approved Form IDA-20 must be attached to the return if claiming this credit.

To request additional information about the definitions, procedures, and qualifications for obtaining this credit, contact: Indiana Housing and Community Development

Authority, 30 S. Meridian St., Suite 1000, Indianapolis, IN 46204, or at telephone number (317) 232-7777.

Military Base Investment Cost Tax Credit 826

This credit is available to taxpayers who provide a qualified investment in a business located in a current or former military base, a military base reuse area, an economic development area, a military base recovery site or a military base enhancement area. The amount of the credit depends on the type of business, the number of jobs created, and the amount of the investment.

A taxpayer making a qualified investment in a business located in a county where the Crane military base is located is also eligible for the military base investment cost tax credit. A military base enhancement area is extended to comprise portions of three counties: Greene, Lawrence and Martin that are outside of the certified technology park adjoining the crane military base. The taxpayer's qualified investment must be in a business that meets one of the following criteria:

- (1) The business must be a participant in the technology transfer program conducted by the qualified military base, or
- (2) The business and the qualified military base have a mutual beneficial relationship evidenced by a memorandum of understanding.

For more information about this credit, contact the Indiana Economic Development Corporation, One North Capitol, Suite 600, Indianapolis, IN, 46204, call them at (317) 232-8827, or visit their Web site at www.in.gov/iedc/

To receive credit, the taxpayer must submit to the Department documentation of qualified investment and certification of the percentage credit allowed by the Indiana Economic Development Corporation.

Military Base Recovery Tax Credit 827

A taxpayer who is an owner or developer of a military base recovery site may be eligible for a credit if investing in the rehabilitation of real property located in a military base recovery site according to a plan approved by the Indiana Economic Development Corporation (IEDC). Maximum credit is 25 percent of the cost of rehabilitation of real property located in a designated military base recovery site based on the age of the building.

A claimant may also be a lessee of property in a military base recovery site and assigned part of the tax credit based upon qualified investment within a military recovery site. The assignment must be in writing and any consideration may not exceed the value of the part of the credit assigned. Both parties must report the assignment on their state income tax return for the year of assignment. The lessee may use the credit to offset its total state income tax liability, but any excess credit must be carried forward to the immediately following tax year(s).

For more information about this credit contact the Indiana Economic Development Corporation, One North Capitol, Suite 600, Indianapolis, IN, 46204, call them at (317) 232-8827, or visit their Web site at www.in.gov/iedc

Neighborhood Assistance Tax Credit 828

If you made a contribution to the Neighborhood Assistance Program (NAP) or engaged in activities to upgrade areas in Indiana, you may be able to claim a credit for this assistance. Contact the Indiana Housing & Community Development Authority. Neighborhood Assistance Program, 30 S. Meridian, Suite 1000, Indianapolis, IN 46204, telephone number (317) 232-7777, for more information.

Approval Form NC-20 must be attached to the return to claim this credit. For more information about this credit, get Form NC-10 at www.in.gov/dor/taxforms/pdfs/nc10.pdf and Income Tax Information Bulletin 22 at www.in.gov/dor/reference/bulletins

Prison Investment Tax Credit 829

A credit is allowed for amounts invested in Indiana prisons to create jobs for prisoners. The amount is limited to 50 percent of the investment in a qualified project approved by the Department of Corrections, plus 25 percent of the wages paid to inmates. The maximum credit a taxpayer may claim is \$100,000 per year.

Contact the Indiana Department of Correction, Office of the Commissioner, Indiana Government Center South, Room E334, Indianapolis, IN 46204, for additional information.

Rerefined Lubricated Oil Facility Tax Credit 830

Note: PL 1-2007 SEC. 248 repealed the rerefined lubricated oil facility tax credit, effective March 20, 2007.

Effective from Jan. 1, 2001, through Dec. 31, 2005, a taxpayer or a pass-through entity may have been eligible, as determined by the Indiana Economic Development Corporation, for a state tax credit against its income and sales and use tax liabilities. The credit was based on a percentage of the real and personal property taxes paid by an entity that processes rerefined lubrication oil as defined in IC 6-3.1-22.2. The carry forward provision was limited to two years. However, a taxpayer with a tax year that began on or after March 20, 2007 may no longer apply any carry forward of the unused portion of this credit.

For information regarding the definitions, procedures and qualifications for this credit, contact the Indiana Economic Development Corporation, One North Capitol, Suite 700, Indianapolis, IN, 46204, visit their Web site at www.in.gov/iedc and get Income Tax Information Bulletin 94 at www.in.gov/dor/reference/bulletins

Small Employer Qualified Wellness Program Credit 843

A taxpayer who is a small employer is entitled to a tax credit equal to 50% of the costs incurred by the taxpayer during the taxable year for providing a qualified wellness program for the employer's employees during the taxable year. A small employer is defined as an employer that is actively engaged in business, and has at least two but not more than 100 eligible employees with a majority of them working in Indiana.

The wellness program must be certified by the State Department of Health (DOH), and the certificate must be attached to the tax return before the credit can be approved. The credit can be carried forward but cannot be carried back or refunded. For more information contact the DOH at www.IN.gov/isdh

Also get Income Tax Information Bulletin 102 at: www.in.gov/dor/reference/bulletins

Venture Capital Investment Tax Credit 835

An entity that provides qualified investment capital to a qualified Indiana business may be eligible for this credit. Currently this credit is limited to investments that occur before Jan. 1, 2013. The carry forward provision is limited to five years.

Certification for this credit is to be obtained from the Indiana Economic Development Corporation Development Finance Office, VCI Credit Program, One North Capitol, Suite 700, Indianapolis, IN 46204, telephone number (317) 232-8827, or visit their Web site at www.in.gov/iedc/

A copy of the certificate and proof of that the investment capital was provided to the qualified business within two years after the certification of the investment plan must be submitted to the Department of Revenue when filing taxpayer's tax return.

Voluntary Remediation Tax Credit 836

A voluntary remediation state tax credit is available for qualified investments involving the redevelopment of a brownfield and environmental remediation. The Indiana Department of Environmental Management and the Indiana Housing and Community Development Authority must determine and certify that the costs incurred in a voluntary remediation are qualified investments.

Carryover of prior unused credit may be carried back only one year or carry forward up to five years. For more information, contact the Indiana Department of Environmental Management, Indiana Government Center North, Room N1101, Indianapolis, IN 46204, or visit their Web site at www.in.gov/idem

Sales/Use Tax Worksheet for Line 5, Form IT-65				
List all purchases made during 2007 from out-of-state companies.				
	Column A	Column B	Column C	
Description of tangible personal property purchased from out-of-state	Date of Purchase(s)		Purchase Price	
Magazine subscriptions:				
Mail order purchases:				
Internet purchases:				
Other purchases:				
1. Total purchase price of property subject to the sales/use tax		1		
2. Sales/use tax: Multiply line 1 by .06 (6%).....		2		
3. Sales tax previously paid on the above items (up to 6% per item) plus other tax credits that offset use tax, attach explanation		3		
4. Total amount due: Subtract line 3 from line 2. 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		4		

Reminders

- Complete the partnership's identification section.
- If partnership's name is changed, check box at top of return. Attach to return copies of articles of amendment filed with the Indiana Secretary of State.
- List name of the Indiana County; place "O.O.S." in the county box to indicate an out-of-state business operation.
- Partnerships filing on a fiscal year basis must enter their tax year beginning and ending dates.
- Composite return must be filed on Schedule IT-65COMP.
- Attach IT-65 Schedule E-Apportionment of Income, if applicable.
- Attach the first four pages of the U.S. Partnership Return of Income, Form 1065 or Form 1065 B, and Schedule M-3.
- Use Form DB020W-NR (for an initial payment) or designated Form WH-1 to pay withholding tax on income distributions to nonresident partners.
- If partnership's name is changed, check box at top of return. Attach to return copies of Amended Articles filed with the Indiana Secretary of State.

For other Indiana Department of Revenue Forms:

Web Site - www.in.gov/dor/

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

Tax Forms Order Line - (317) 615-2581

Annual Public Hearing

In accordance with the Indiana Taxpayer Bill of Rights, the Indiana Department of Revenue will conduct an annual public hearing on Tuesday, June 13, 2008. Please come and share your ideas on how the Department can better administer Indiana tax laws. The hearing will be held from 9-11 a.m., in the Indiana Government Center South, Conference Center - Room 4, 402 W. Washington St., Indianapolis, Indiana. If you are unable to attend, please submit your concerns in writing to: Indiana Department of Revenue, Commissioner's Office, 100 N. Senate Ave., Indianapolis, IN 46204.

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