

810-3-25-.13 Applicability of the Subchapter J and Business Trust Conformity Act to Business Trusts.

(1) For tax years beginning after December 31, 2004, the classification of a business trust for the purposes of determining the Alabama income tax due shall be in the same manner as the business trust is classified for federal income tax purposes.

(2) Generally, the Internal Revenue Code classifies a business trust or a commercial trust as a corporation or a partnership, even if the organization is technically cast in the trust form – see U.S. Treasury Department Regulation §301.7701-4.

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Authority: §40-2A-7(a)(5), Code of Alabama 1975

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