

2021

AL4163: ALABAMA BUSINESS MEF ELECTRONIC FILERS HANDBOOK



**For Electronic Filers who
file Alabama Business Tax
Returns/Reports
electronically filed via the
Federal/State MeF System
for forms:**

**20C, 20CC, 20S, 65, PTEC,
EPT, 41, CPT and PPT**



Alabama Department of Revenue
Business Modernized Electronic Filing
Publication AL4163 (10/2021)

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Introduction & General Information

Alabama Department of Revenue Mission Statement:

The Alabama Department of Revenue will efficiently and effectively administer the revenue laws in an equitable, courteous and professional manner to fund governmental services for the citizens of Alabama.

Overview of Modernized e-File Program (MeF):

The Alabama Department of Revenue (ADOR), in conjunction with the Internal Revenue Service (IRS), is accepting the following tax forms for 2021/2022 by using the IRS' Modernized E-File system (MeF):

1. 20C - Alabama Corporate Income Tax
2. 20CC - Alabama Consolidated Corporate Income Tax
3. 20S - S Corporation Information/Tax
4. 65 - Alabama Partnership/LLC
5. PTEC - Non-Resident Composite Return
6. EPT – Electing Pass-Through Entity Payment Return
7. 41 - AL Fiduciary Income Tax Returns
8. CPT - Alabama Business Privilege Tax Return and Annual Report For C-Corporations
9. PPT - Alabama Business Privilege Tax Return and Annual Report For Pass-Thru Entities

The transmission method will be a Web Service using Simple Object Access Protocol (SOAP) with attachments messaging. The return data will be formatted using Extensible Markup Language (XML). Authorized E-File providers, also known as Electronic Return Originators (ERO's) can submit returns to the IRS MeF system for federal and state return processing.

Software developers must test with the ADOR and receive approval prior to submitting live returns.

General Information:

The Department will accept the following return types:

- Linked (Forms 20C, 20S, 65 and 41)
 - Unlinked (PTEC, EPT, 20CC, CPT and PPT)
1. Linked - The E-File Program works best when the Federal and State returns are filed together in one transmission to the IRS (although this is not always possible). Upon receipt, the Internal Revenue Service will validate and verify the federal return data. The IRS will either accept or reject the federal return. The state return is only available to the Department after the federal return is accepted by the IRS. If a Fed/State submission is rejected by IRS, the state will not receive the state return portion. The Fed/State submission must be re-submitted.
 2. Unlinked - IRS provides the ability for an ERO or individual to transmit/retransmit a state return through the fed/state system without simultaneously transmitting a federal return. There is no difference in the transmission sequence. State-Only returns are transmitted to the IRS, validated and made available for states to download in the same fashion as with the traditional fed/state transmission. This provides a means for individuals who file multiple state returns to have each participating state's return electronically filed. However, each state return must be transmitted separately. The taxpayer's federal return must be completed, transmitted and accepted by the IRS before transmitting/re-transmitting a State-Only return.

Supported Alabama Forms:

The Department will support the following forms and schedules for Business Privilege Tax, Corporate Tax, Fiduciary Tax, and Pass-through tax return processing:

Business Privilege Tax:

CPT – Business Privilege Tax Return and Annual Report (C-Corporation and Other Specified Entities)

- Schedule AL-CAR – Secretary of State Corporation Annual Report
- Worksheet BPT-NW (Balance Sheet – Net Worth Computation for Forms CPT and PPT)
- Schedule G – Financial Institution Group Computation Schedule
- WksCPTFinancialConsGrpComp – Worksheet CPT financial consolidated group computation is required to be supported when consolidated filing for financial institutions is supported.

PPT – Business Privilege Tax Return and Annual Report (Pass-Through Entities)

- Schedule AL-CAR (For S Corps) - Secretary of State Corporation Annual Report
- Worksheet BPT-NW (Balance Sheet – Net Worth Computation for Forms CPT and PPT)
- Worksheet BPT-NWI (Balance Sheet – Net Worth Computation for Disregarded Entities with Individual Single Member Only)
- Schedule BPT-E – Family Limited Liability Entity Election Form

Corporate Tax:

20C – Corporate Income Tax Return

- Schedule A – Reconciliation Adjustments of Federal Taxable Income to Alabama Taxable Income.
- Schedule B – Alabama Net Operating Loss Carryforward Calculations
- Schedule B-1 – Alabama Net Operating Loss Carryforward Acquisitions
- Schedule C – Allocation of Nonbusiness Income, Loss and Expenses
- Schedule D-1 – Apportionment Factor Schedule
- Schedule D-2 – Percentage of Sales
- Schedule E – Federal Income Tax (FIT) Deduction / Refund
- Other information
- Schedule BC – Business Credits Computation
- Schedule AB – Corporate Add Back Form
- Form KRCC-B – Recipient's Share of Capital Credit for Business Entities, Including Trusts
- Schedule OZ – Gains Invested in Qualified Opportunity Zone Funds
- Consolidated return indicator – “This company files as part of a federal consolidated return.”
- Schedule FTI – Schedule of Adjustments to Federal Taxable Income
- Schedule CP-B – Composite Payments - Business

20C-C – Consolidated Corporate Income Tax Return

- Schedule AS – Affiliation Schedule
- Schedule B – Alabama Consolidated Net Operating Loss Carryforward Calculation

Fiduciary Tax:

41 – Fiduciary Income Tax Return

- Schedule A – Computation of Alabama Income Distribution Deduction
- Schedule B – Alabama Charitable Deduction
- Schedule C – Computation of Alabama Adjusted Total Income
- Schedule K – Summary of K-1 Information
- K-1 for 41 – Fiduciary Income Tax Beneficiary Information
- NOL-F85 – Computation of Net Operating Loss
- NOL-F85A – Application of Net Operating Loss, Carryback and Carryforward
- Schedule G – Grantor Statement of Income, Deductions, Credits
- Schedule ESBT – Worksheet for Electing Small Business and Qualified Subchapter S Trusts
- Schedule D – Profit or Loss from Sales of Assets (Form 41)
- Schedule E – Supplemental Income and Loss (Form 41)
- Form 4952A – Investment Interest Expense Deduction
- Scheduled FC – Fiduciary Credit Calculation Schedule
- Form KRCC – Project/Distributing Entity Share of Capital Credit
- Schedule KRCC-B – Recipient's Share of Capital Credit for Business Entities, Including Trusts
- IRS1099R, IRS W-2, IRS W-2G (as utilized in the Form 41 Schema)
- All worksheets in the Form 41 Schema

Pass-through Tax:

65 – Partnership/Limited Liability Company Return of Income

- Schedule A – Nonseparately Stated Reconciliation Adjustments
- Schedule B – Allocation of Nonbusiness Income, Loss and Expenses
- Schedule C – Apportionment Factor Schedule
- Schedule D – Full Ownership (Disregarded Entities)
- Schedule E – Other Information
- Schedule K – Partners' Distributive Share Items
- Schedule P – Ordinary Income or (loss) from Partnerships, S Corporations, Trusts and Estates.
- Schedule K-1 – Owner's Share of Income, Deductions, Credits, etc.
- Schedule PAB – Pass-Through Add Back Form
- Schedule QIP-C – Qualified Investment Partnership Certificate
- Schedule PC – Pass-Through Credit Calculation Schedule
- Schedule NRC – Exempt – Subchapter K Affidavit of Exemption by Nonresident
- Form KRCC – Project/Distributing Entity Share of Capital Credit
- Schedule OZ – Gains Invested in Qualified Opportunity Zone Funds
- All worksheets in the Form 65 Schema

20S – S-Corporation Information / Tax Return

- Schedule A – Nonseparately Stated Reconciliation Adjustments
- Schedule B – Allocation of Nonbusiness Income, Loss and Expenses
- Schedule C – Apportionment Factor Schedule
- Schedule D – Apportionment of Federal Income Tax (FIT)
- Schedule E – Alabama Accumulated Adjustments Account
- Schedule DE – Q-Sub/Disregarded Entity Schedule
- Schedule G – Other Information
- Schedule K – Shareholder's Distributive Share Items

- Schedule K-1 –Shareholder’s Share of Income, Deductions, Credits, etc.
- Schedule PAB – Pass-Through Add Back Form
- Schedule NRA – S-Corporation Nonresident Agreement
- Schedule PC – Pass-Through Credit Calculation Schedule
- Form KRCC – Project/Distributing Entity Share of Capital Credit
- Schedule OZ – Gains Invested in Qualified Opportunity Zone Funds
- All worksheets in the Form 20S Schema

PTEC – Nonresident Composite Payment Return

- Required Entity Information for Partnerships and LLCs
- PTE-CK1
- Schedule NRC – Exempt – Subchapter K Affidavit of Exemption by Nonresident
- Schedule PTE-AJA - Alabama Jobs Act- Investment Credit

EPT – Electing Pass-Through Entity Payment Return

- Schedule EPT-C – Electing Pass-Through Credits
- Schedule EPT-K1

The **complete** federal return and the necessary supporting schedules as filed with the IRS are required to be attached in XML for the Alabama return to be considered complete. Failure to attach the complete federal return with the necessary supporting schedules may result in the imposition of delinquent penalties.

There are a few filing types which do not require the federal return to be attached:

1. Form PTEC
2. Form EPT
3. Form 20C - 20C Proforma Returns (filing status 5). The complete federal return should be transmitted with the parent who should file a Form 20CC.
4. Form CPT – Insurance Companies and Real Estate Investment Trusts do not have to attach the federal return.
5. Form PPT – Disregarded Entities are not required to attach the complete federal return.

Exclusions from Business Electronic Filing include:

- Amended returns
- Returns that cannot be e-filed for federal purposes

Alabama will only accept one return each filing season, any subsequent filings such as additional short year returns and amended returns must be filed by paper.

Please note: The Department will generally not approve a request to waive the electronic filing requirement if the software purchased or licensed by a taxpayer or a return preparer does not include all of the features necessary to comply with the Modernized e-File requirements set forth in Department regulations, revenue procedures, publications, and other instructions posted to the <http://www.revenue.alabama.gov> website.

The Department of Revenue encourages electronic filing; however, we neither support nor recommend any software company. You must address technical and support issues with the company whose product you select.

Please see the approved e-file Providers list at the following web address:

<https://revenue.alabama.gov/individual-corporate/software-vendor-information/alabama-business-modernized-electronic-filing-mef/authorized-e-file-providers-for-corporate-partnership-and-business-privilege-income-tax/>

Reminders for Tax Year 2021 / Filing Season 2022:

1. **For TY2019 returns and forward we can accept 8,500 K-1s, Schedule NRC, Schedule NRA, Schedule PTEC K-1, PTE-AJA and EPT-K1 for the forms 20S, 65, PTEC and EPT.**
2. The max occurrence for form AS is 500.
3. The maximum size per submission is 300MB. This includes the Alabama return, federal xml data and all attachments.
4. The state of Alabama allows a **10 Calendar** day period to re-transmit the corrected return. **The perfection period starts from the date the State of Alabama rejects the original submission.** The original submission id must be transmitted with the perfected return in the element named SubmissionID (located in the manifest). This way the original submission date can be populated in our system to prevent any late filing penalties being assessed.
5. For a company filing a form 20C who files as part of a consolidated federal return and all form 20CC, Consolidated Corporate Income Tax Returns, the following information is required to be attached:
 - a. Federal Form 851, Affiliations Schedule, please identify all corporations subject to tax in Alabama (Federal851.pdf)
 - b. Pages 1-6 of the consolidated form 1120 (Consolidated1120.pdf)
 - c. Consolidated Income Spreadsheet including the column that identifies any eliminations or adjustments that occur as a result of the federal consolidation rules (ConsolidatedIncome.pdf)
 - d. Consolidated Balance Sheets by separate company for the beginning and end of year (ConsolidatedBalance.pdf)
 - e. Copy of federal Schedule K-1 for each tax entity that the corporation holds an interest in at any time during the taxable year (FederalK1.pdf)
 - f. Federal Schedule UTP (FederalUTP.pdf)
 - g. Federal form M-3 for the entire federal consolidated group (FederalM3.pdf)
6. **Business Privilege Tax returns are filed separately from Business Income Tax return; therefore, Business Privilege Tax returns will have a separate Submission ID as well as a separate acknowledgement.**

****To avoid the most common cause of error rejections ensure you are using the most current version of your Vendor's software and any required or conditional binary attachments are physically attached and correctly named.****

The Form AL8453-C, AL8453-PTE, AL8453-B or AL8453-FDT must be completed and signed by all required parties. The ERO will retain Form AL8453-C, AL8453-PTE, AL8453-B or AL8453-FDT along with a copy of the electronic tax return. Do not submit this form to the Alabama Department of Revenue unless requested to do so.

Contact Information:

******Please always contact your software vendor first for assistance.******

FOR TECHNICAL QUESTIONS REGARDING:

- The web site
- The XML Schema
- The Summary of the XML Schema (spreadsheet)
- Additional detail of schema elements
- The sample return
- The sample xml instance document
- Software testing and approval
- Business Rule Documents
- Missing acknowledgements
- Rejected returns

CONTACT:

Business MeF Coordinator, Pass Through and Fiduciary Tax

Forms: 20S, 65, PTE-C, EPT and Form 41

Income Tax Administration Division

Alabama Department of Revenue

P.O. Box 327450

Montgomery, AL 36132-7450

Tymecca Pearson, Business MeF Coordinator at 334-353-2951

EMAIL: CORPORATE.EFILE@REVENUE.ALABAMA.GOV OR tymecca.pearson@revenue.alabama.gov

Business MeF Coordinator, Corporate Tax

Forms: 20C, 20C-C

Income Tax Administration Division

Alabama Department of Revenue

P.O. Box 327450

Montgomery, AL 36132-7450

Demetria Gordon, Business MeF Coordinator at 334-353-9129

EMAIL: CORPORATE.EFILE@REVENUE.ALABAMA.GOV OR demetria.gordon@revenue.alabama.gov

Business MeF Coordinator, Business Privilege Tax

Forms: CPT and PPT

Income Tax Administration Division

Alabama Department of Revenue

P.O. Box 327450

Montgomery, AL 36132-7450

Lanette Spence, Business MeF Coordinator at 334-353-2569

EMAIL: CORPORATE.EFILE@REVENUE.ALABAMA.GOV OR lanette.spence@revenue.alabama.gov

For Paper Forms Questions regarding:

- Form/schedule development
- Substitute forms approval

CONTACT:

Forms Coordinator, Corporate and Business Privilege Tax

Forms: 20C, 20CC, CPT and PPT

Income Tax Administration Division

50 N Ripley St, Room 4227

Montgomery AL 36104

Barbara Evans, Forms Coordinator at 334-353-0685

EMAIL: Barbara.Evans@revenue.alabama.gov or ICForms.Officer@revenue.alabama.gov

FAX: 334-242-0064

CONTACT:

Forms Coordinator, Pass Through and Fiduciary Tax

Forms: 20S, 65, PTEC, EPT and Form 41

Income Tax Administration Division

50 N Ripley St, Room 4227

Montgomery AL 36104

Andrea Wyatt, Forms Coordinator at 334-353-9447

EMAIL: Andrea.Wyatt@revenue.alabama.gov or ICForms.Officer@revenue.alabama.gov

FAX: 334-242-0064

For Business Privilege Tax questions regarding:

- Business Privilege Tax Laws and Regulations
- Filing requirements
- General correspondence
- Billings
- Refunds
- Name and address changes
- Preliminary and Final Assessments

CONTACT:

Business Privilege Tax Section

Income Tax Administration Division

Alabama Department of Revenue

P.O. Box 327900

Montgomery, AL 36132-7900

TELEPHONE: 334-242-1170, Option 8

EMAIL: <https://revenue.alabama.gov/contact/>

Select Individual & Corporate Income Tax/Business Privilege Tax: Questions and Forms CPT, PPT, BPT-IN

FAX: 334-242-8915

For Corporate Income Tax questions regarding:

- Corporate Income Tax Laws and Regulations
- Filing requirements
- General correspondence
- Billings
- Refunds
- Name and address changes
- Preliminary and Final Assessments

CONTACT:

Corporate Income Tax Section
Income Tax Administration Division
Alabama Department of Revenue
P.O. Box 327430
Montgomery, AL 36132-7430

TELEPHONE: 334-242-1170, Option 6

EMAIL: <https://revenue.alabama.gov/contact/>

Select Individual & Corporate Income Tax/Corporate Income Tax Questions

FAX: 334-242-2537

For Pass-Thru Entity Questions (S Corporation, Partnership and Fiduciary Tax) regarding:

- Income Tax Laws and Regulations
- Filing requirements
- General correspondence
- Billings
- Refunds
- Name and address changes
- Preliminary and Final Assessments

CONTACT:

Pass-Thru Entity Unit
Income Tax Administration Division
Alabama Department of Revenue
P.O. Box 327441
Montgomery, AL 36132-7441

TELEPHONE: 334-242-1170, Option 6

EMAIL: <https://revenue.alabama.gov/contact/>

Select Individual & Corporate Income
Tax/Fiduciary/Estates/Partner/Scorps/Trusts:Pass Thru Entities: Forms 20S, 65,
PTEC, EPT, 41

FAX: 334-242-1030

Other information:

Alabama's website - www.alabama.gov

Alabama Department of Revenue website – www.revenue.alabama.gov

Corporate Income Tax Electronic Filing Information – <https://revenue.alabama.gov/wp-content/uploads/2017/05/20CCProformaInstr-2-1.pdf>

Internal Revenue Service (IRS) – www.irs.gov

IRS Modernized e-file (MeF) information website - <https://www.irs.gov/tax-professionals/e-file-providers-partners/modernized-e-file-program-information?ga=1.124978634.1563420703.1401905032>

Federation of Tax Administrators (FTA) – www.taxadmin.org

State of Alabama MeF Program Rules and Regulations

Participation in the MeF Program:

Those who wish to participate in the Federal/State Electronic Filing Program must first apply to the IRS using the online form. Information for Authorized IRS e-file Providers and Publication 3112, IRS e-file Application and Participation specifies the application process and requirements for federal participation. In order to begin e-filing tax returns, you must apply and be accepted as an Authorized IRS e-file Provider. The quickest way to apply is to use the IRS e-file Application On-Line.

The ADOR automatically accepts electronic filers (electronic return originators and transmitters) which have been accepted to participate in the Federal Electronic Filing Program. No additional registration is required on the part of electronic filers. This document, **Publication AL4163 Alabama Handbook for Electronic Filers of Corporate/Partnership Income Tax Returns** is to be used in conjunction with **IRS Publication 4163**.

IRS Publication 4163 provides detailed instructions on policies and procedures for the federal electronic filing program. All rules, regulations, and requirements governing tax preparers, transmitters, and originators of returns specified by the IRS are in effect for the ADOR. Together the documents specify the requirements for the joint electronic filing of Alabama corporate or partnership income tax returns and federal corporate or partnership income tax returns. **Therefore, electronic filers are encouraged to become thoroughly familiar with both documents.**

ERO and Transmitters Responsibilities:

Electronic Return Originators (EROs) and transmitters must be approved with the IRS in order to submit Fed/State (Linked/Unlinked) or State-Only (Unlinked) returns. EROs and transmitters must maintain a high degree of integrity, compliance, and accuracy to continue participation in the Alabama Electronic Filing Program.

CONFIDENTIALITY

Unauthorized access or disclosure of confidential taxpayer information will result in severe Federal and Alabama criminal and civil penalties. In accordance with Code of Alabama 1975, §40-2A-10 disclosure of confidential information in violation of this statute is a class A misdemeanor.

COMPLIANCE

Alabama participates in the federal/state electronic filing program. Therefore, any software developed must meet **all** federal **and** state requirements. The following guidelines compliment IRS.

- Comply with all federal and state procedures, requirements and specifications as defined in the following publications:
 - IRS Publications 4163 - *Modernized e-File Information for Authorized IRS e-file Providers of Forms 1120/1120S*
 - IRS Publication 4164 - *Modernized e-File Guide for Software Developers and Transmitters*
 - Alabama Publication AL4163 – *Alabama Handbook for Electronic Filers of Business Income Tax Electronic Filing Income Tax Returns*
 - Alabama Publication AL4164 - *Software Developers and Transmitters Guidelines and Schemas for Business Income Tax Returns*
 - Alabama Publication AL4162 - *Alabama Business Income Tax Electronic Filing Test Package*

Responsibility to Clients:

EROs are entrusted with the task of filing a client's tax return and must assume the responsibility of ensuring that the return arrives at the Alabama Department of Revenue. In the event that the electronic Alabama return fails to arrive at its destination, EROs must notify their clients of the requirement to file a paper return.

Form Retention Requirements:

The ERO is required to retain an electronic copy of all returns, form AL8453-C, AL8453-PTE, AL8453B and/or AL8453-FDT, and schedules submitted for a period of **three years from the due date of the return or the date the return was filed**, whichever is later. If the need arises, the Department may request any of the documents, in writing, and the ERO must provide a copy of the document within five working days of the request.

Should an ERO decide to no longer remain in the business, the Department must be notified, in order to, determine the proper resolution of electronic filing program documents and records.

Monitoring and Suspension of Electronic Submission Policy:

The Department will monitor the quality of electronic transmissions. If the quality is unacceptable, the Department will contact the ERO, software developer or transmitter. The Department will also monitor complaints about electronic filers and issue warning or suspension letters as appropriate. **The Department reserves the right to suspend the electronic filing privilege of any electronic filer, software developer or transmitter who varies from the requirements, specifications and procedures stated in this guide, on Form ESA-B or any corresponding administrative rules, or who does not consistently transmit error-free returns.** When suspended, the electronic filer, software developer, or transmitter will be advised of the requirements for reinstatement into the program.

E-File Waiver Policy:

Software Limitations: The Department will generally not approve a request to waive the electronic filing requirement if the software purchased or licensed by a taxpayer or a return preparer does not include all of the features necessary to comply with the Modernized e-File requirements set forth in Department regulations, revenue procedures, publications, and other instructions posted to the www.revenue.alabama.gov website.

Alabama Electronic Filing Regulations:

Please visit the following website for the most current Alabama E-File regulations:
<https://revenue.alabama.gov/legal/>.

Corporate / S-Corporate Tax Rules: 810-3-39
Business Privilege Tax Rules: 810-2-8
Fiduciary Tax Rules: 810-3-29
Partnership Tax Rules: 810-3-28

Act 2017-363 (HB46) - PTIN Bill
<http://arc-sos.state.al.us/cgi/actdetail.mbr/detail?page=act&year=2017&act=363>

Frequently Asked Questions Regarding the Mandate Regulations:

Q. Are the Business Privilege Returns, Forms CPT and PPT, mandated to e-file?

A. The PPT and CPT are not under mandate with the exception of Financial Institution Groups. For the determination periods beginning on and after January 1, 2015 Financial Institution Groups are mandated to electronically file all Alabama original business privilege tax returns for that calendar year and all subsequent tax years. 810-2-8-.16 (3)(a)

Q. Is the Fiduciary Income Tax Return, Form 41, under the e-file mandate?

A. Mandatory e-filing for Form 41 - Regulation 810-3-29-.08 was approved by the Alabama Department of Revenue and became effective December 15, 2015. It applies to all fiduciary returns required to be filed for taxable years beginning on and after January 1, 2016.

Q. When is the Corporate/Partnership Income Tax e-file mandate effective?

A. March 4th, 2010 and applies to acceptable corporate/partnership income tax returns required to be filed for taxable years beginning on and after January 1, 2009.

Q. How does a preparer know if he or she is required to electronically file a corporate/partnership return?

A. (1) If an income tax return preparer prepares 25 or more acceptable, original corporate/partnership income tax returns using tax preparation software in a calendar year, then for that calendar year and for each subsequent calendar year thereafter, all acceptable corporate/partnership income tax returns prepared by that income tax preparer must be filed using electronic technology, as defined in the "Electronic Tax Return Filing Act," as codified in Chapter 30 of Title 40, Code of Alabama 1975.

Q. How does a preparer know if he or she is required to electronically file a Fiduciary return?

A. 810-3-29-.08(3)(a) If an income tax return preparer prepares 25 or more acceptable, original fiduciary income tax returns using tax preparation software in a calendar year, then for that calendar year and for each subsequent calendar year thereafter, all acceptable fiduciary income tax returns prepared by that income tax preparer must be filed using electronic technology, as defined in the “Electronic Tax Return Filing Act,” as codified in Chapter 30 of Title 40, Code of Alabama 1975.

(b) Paragraph (3a) of this rule, applies to acceptable fiduciary income tax returns required to be filed for taxable years beginning on and after January 1, 2016.

Q. If there an Opt-Out provision?

A. No, there is no opt-out provision for corporate/partnership/fiduciary mandate.

Q. When is a self-prepared corporate or partnership return included in the mandate?

A. Corporations with assets of \$5 million or more, or partnerships with 50 or more partners at the end of the corporation/partnership’s taxable year are mandated to e-file Alabama corporate/partnership income tax returns, for that calendar year and all subsequent tax years.

Q. When is a self-prepared Fiduciary return included in the mandate?

A. 810-3-29-.08(4)(a) Estates/Trusts with 20 or more beneficiaries at the end of the Estate/Trust’s taxable year are mandated to e-file Alabama fiduciary income tax returns, for that calendar year and all subsequent tax years.

Information Applicable to All Forms

Transmitting the Returns:

Authorized E-File providers can transmit returns to the IRS MeF system for Federal and State return processing. State submissions can be made as a Federal return with a State Return attached, a linked Fed/State return, or just a State return, known as a State Only or unlinked submission (*a complete copy of the federal return as filed with the IRS must also be attached to a state only submission*). Each return (Fed/State or State Only) must be in a separate submission. Multiple submissions can be contained in a single message payload.

Packaging of data and transmission payload must be in the proper format.

Returns filed in XML format with SOAP attachments allow for binary attachments to the submission. These attachments may consist of Signature documents, balance sheets, statement records, or other types of documentation. The allowed file type for attachments is file extension .PDF. The file order of attachments and procedures must follow IRS requirements for binary attachments as found in IRS publication 4163. The Department will allow for binary attachments to the state return. Send data elements only if they contain data values. Do not send empty data elements (i.e., zero financial fields, unused elements, etc.)

Other Packaging Guidelines:

- A submission contains either an IRS return or a state return
- Each submission is a separate file.
- Each federal return must be submitted in the agreed upon IRS XML format.
- Each state return must be submitted in the XML format specified and agreed to by IRS, state agencies, transmitters, and software developers.

- Each state return must include a copy of the FEDERAL RETURN as submitted to the IRS and any attachments associated with that federal return in XML.
- If the IRS rejects a Fed/State submission, the state will NOT receive the state return portion. The Fed/State submission must be resubmitted.
- Each submission must be in Zip Archive format.
- No nesting of Zip archive files or returns will be allowed. (i.e. one submission, one zip.)
- The SOAP message itself must not be compressed or zipped.
- The message contains a header, a body, and an attachment. See Modernized E-File Logical ICD Model for message layout and message technical specifications.
- ERO's and transmitters must be approved with the IRS in order to submit Fed/State or State Only returns.
- The Department will produce an acknowledgement of acceptance or rejection for each state submission. The transmitter may then retrieve the Department's acknowledgement from the IRS.

Transmitting Consolidated Corporate Income Tax Returns:

The Consolidated Form 20CC will be packaged independently in a submission.

The Form 20C Filing Status 5 subsidiary will be packaged independently in a submission.

Separate submissions may be packaged in the same transmission therefore the Forms 20CC and 20C Filing Status 5 proforma returns may be transmitted together. The Form 20C Filing Status 5 return is the **only** return that is not required to submit the complete federal return and attachments as submitted to the IRS.

Attachments to the Electronic return:

The tax return may also include non-XML documents, known as “binary attachments”, submitted in PDF format. Approved tax preparation software must provide the necessary instructions for creating and submitting all required attachments. These attachments include items from the following sources:

- Required by the return. Example – a line on the form states “attach itemized schedule”
- Required by the form instructions. Example – instructions state “attach a statement to line XX...”

Approved MeF tax preparation software should provide the necessary instructions for creating, scanning, or exporting documents in PDF format and submitting these documents as attachments that are required by Alabama and IRS Publications, Code, and/or Regulations. Preparers will create the binary attachments as pdf documents and submit them as electronic files attached to the MeF return. Check with your software provider to see if your software will support binary attachments. These binary attachments are included to allow taxpayers the ability to provide requested documentation that includes required signatures and third-party documents as required by forms and instructions (signed copy of lease, signed appraisal statement, etc).

Alabama programming will validate binary attachments by proper location and required title.

Also, the number of attachments will be verified. If the total number of binary attachments in the XML does not match the number of pdf attachments the return will be rejected.

Conditional Binary Attachments for forms 20C, 20CC	Required Binary Attachment Title
If the Multistate Corporation Separate Accounting checkbox (MultiStateCorpSepAcct) is checked. A copy of the Separate Accounting Approval letter signed by the Commissioner of Revenue must be attached.	SeparateAccountingApproval.pdf (Rule AL20C-009a)
If State Proforma checkbox is populated then a copy of the subsidiary's separate 1120 proforma (prepared for AL State purposes) must be attached.	AL1120Proforma.pdf (RuleAL20C-010)
Consolidated 1120 Pages 1-6 (If applicable)	Consolidated1120.pdf (Rule AL20C-011a, AL20CCH-001b)
Federal Form 851 (if applicable)	Federal 851.pdf (Rule AL20C-011a, AL20CCH-001b)
Consolidated Income Statements (if applicable)	ConsolidatedIncome.pdf (Rule AL20C-011a, AL20CCH-001b)
Consolidated Balance Sheets (if applicable)	ConsolidatedBalance.pdf (Rule AL20C-011a, AL20CCH-001b)
Alabama Form 2220AL Underpayment of Estimated Tax for Corporations (if applicable)	Form2220AL.pdf (20C)/AL2220.pdf (20C-C). (Rule AL20C-015b, AL20CC-004)
If StateAndLocalIncomeTaxes and TaxRefunds are populated then a pdf showing a detailed schedule of taxes from the federal form 1120, Line 17.	OtherTaxes.pdf (Rule SA-AL20C-001)
.PDF copy of each Alabama corporate income tax return (page 1 only) where the Net Operating Loss listed on Schedule B that is more than six years old	NOLYYYYAL20CPg1.pdf (Rule SB-AL20C-001b, SB-AL20CC-001b)
If NetFITDeductionRefund (20C, Sch E, Line 12/20C, Line 11) is not equal to zero and the ConsolidatedReturnIndicator (20C Header 14) is populated then a PDF named 1552a1.pdf or Statements.pdf must be attached.	1552a1.pdf or Statements.pdf (Rule SE-AL20C-011)
Enterprise Zone Capital Credit calculations (if applicable) - This PDF should include Schedule EZ, Certificates and all calculations.	EnterpriseZoneCredit.pdf or CreditStatements.pdf if combined with other credit statements. (Rule SBC-AL20C-001)
Basic Skills Education Credit – The approved certification notice issued by the Alabama Department of Education must be attached.	BasicSkillsCert.pdf or CreditStatements.pdf if combined with other credit statements. (Rule SBC-AL20C-009b)
Income Tax Credit calculations (if applicable) – This PDF should include certificate/document of approval, computation of income generated from project, support for amount paid, and computation of the credit.	IncomeTaxCredit.pdf or CreditStatements.pdf if combined with other credit statements. (Rule SBC-AL20C-010)
Alabama New Markets Development Act – detailed schedule of computations for credit	NoticeofCert.pdf or CreditStatements.pdf. (Rule SBC-AL20C-015)
Alabama Historic Credit - please attach a copy of the tax certificate issued by the commission	HistoricalCredit.pdf. (Rule SBC-AL20C-032)
Dual Enrollment Credit – please attach a copy of the tax certificate issue by the Dept of Postsecondary Education.	DualEnrollment.pdf. (Rule SBC-AL20C-033) _____

Alabama Jobs Act — please attach a copy of the approved certification from the AL Dept of Commerce.	ALJobsAct.pdf (Rule SBC-AL20C-037)
Port Credit – please attach a copy of the approved certificate from the AL Renewal Commission.	PortCredit.pdf (Rule SBC-AL20C-040)
Growing AL Credit — please attach a copy of the approved certification from the AL Renewal Commission.	GrowingALCrdt.pdf (Rule SBC-AL20C-041)
Capital Tax Credit (if applicable) - This PDF must include Form K-RCC if applicable.	KRCCReceived.pdf (Rule SBC-AL20C-163)
If ApprenticeshipTaxCrdtAllowable (Line Q1) is transmitted the Alabama Apprenticeship Tax Credit Certificate must be attached via pdf named ApprenticeshipCrdt.pdf or CreditStatements.pdf.	ApprenticeshipCrdt.pdf or CreditStatements.pdf (SBC-AL20C-133)
If IrrigationReservoirCertNmbr (Sch BC, Sect B, Part I, Line I1) is populated then the approved certificate issued by the AL Department of Agriculture and Industries, named IrrigationReservoir.pdf or CreditStatements.pdf, must be attached.	IrrigationReservoir.pdf or CreditStatements.pdf (SBC-AL20C-151)
If RefundHistoricStructCrdtAllow (Sch BC, Sect B, Part R, Line R1) is populated then attach a pdf copy of the Alabama Historical Commission Tax Credit Certificate named HistoricalCredit.pdf.	HistoricalCredit.pdf (SBC-AL20C-152)
Alabama 20CCRE – Election to File Consolidated Income Tax Return (if applicable)	AL20CCRE.pdf (RuleAL20CC-006)
Conditional Binary Attachments for forms CPT and PPT	Required Binary Attachment Title
If type of taxpayer is Insurance Company then a pdf including the Annual Statements of Liabilities, Surplus, and Other Funds must be attached.	Liability.pdf (ALCPT-003a, ALPPT-026b)
If type of taxpayer is Insurance Company then a pdf including the Schedule T (Premiums and Annuity Considerations) must be attached.	ScheduleT.pdf (ALCPT-003a, ALPPT-026b)
If type of taxpayer is Insurance Company then a pdf including pages 1-8 of the Federal Return (Form 1120PC or 1120L) must be attached.	Federal.pdf (ALCPT-003a, ALPPT-026b)
If type of taxpayer is Real Estate Investment Trust then a pdf including pages 1-5 of the Federal Return must be attached.	Federal.pdf (ALCPT-003b)
Book Value of Investments – This pdf should include a listing for each separate investment, the name of the taxpayer, the taxpayer's FEIN, the taxpayer's address and the book value of the investment.	Investment.pdf or ExclDedStmts.pdf (ALCPT-015, ALPPT-031)
Book Value of Investments (Financial Institution exclusion) – This pdf should include a listing for each separate investment, name of entity, entity's FEIN, entity's address and book value of the investment.	FinInsInvestment.pdf (ALCPT-016b)

Goodwill – This pdf should include for each direct purchase the goodwill originally acquired, the date the direct purchase occurred, accumulated amortization, the name and location of the business acquired and the name and FEIN of the entity that acquired the business and goodwill.	Goodwill.pdf (ALCPT-017, ALPPT-032)
Unamortized Post-Retirement benefits – This pdf should include a description of benefits, amortization schedule, and the line detail of the post-retirement benefits on the balance sheet.	UnamortizedPostRetirement.pdf or ExclDedStmts.pdf (ALCPT-018, ALPPT-033)
Amount Adjusted Net Worth Exceeds 6% - This pdf should include the computation of the amount claimed.	AdjustedNetWorthFl.pdf (ALCPT-019b)
Apportionment Factor – If TypeOfTaxpayer is Financial Institution Group Member "F" then Form ET-1-showing the apportionment factor calculations should be attached.	ApportionmentFactor.pdf (ALCPT-022c)
Net Investment in Bonds – This pdf should include the net amount invested, issuing agency, issuance date, and how the investment is reported on the taxpayer's balance sheet.	BondSecurity.pdf or ExclDedStmts.pdf (ALCPT-024, ALPPT-038)
Net Investment in Pollution Control – This pdf should include supporting documentation.	PollutionControl.pdf or ExclDedStmts.pdf (ALCPT-025, ALPPT-039)
Reserves In Alabama – This pdf should include the applicable law or regulation that establishes the taxpayer's liability, computation of that liability, and identify the location of the plant, facility, mine or site in Alabama.	AlabamaReserves.pdf or ExclDedStmts.pdf (ALCPT-026, ALPPT-040)
Investment in Housing – The pdf should include the name of the project, the FEIN of the project, the site of the project, the net amount invested in the project and it must identify how the investments are reported on the taxpayer's balance sheet.	HousingProject.pdf or ExclDedStmts.pdf (ALCPT-027, ALPPT-041)
Enterprise Zone Credit – The pdf should include documentation from ADECA (Alabama Dept. of Economic and Community Affairs) reporting the amount of credit the taxpayer is entitled to claim.	ALEnterpriseCrdt.pdf or ExclDedStmts.pdf (ALCPT-032, ALPPT-046)
Consolidated Return Indicator is checked on Schedule G then a pdf worksheet that lists Form CPT information (lines 1-20 of page 2) for each member included in the financial institution group must be attached.	FinInsConsol.pdf (ALCPT-033d)
Zero Apportionment Factor checkbox – The pdf should give an explanation for the zero apportionment factor.	zeroapportstmt.pdf (SD1-ALCPT-074, SC-ALPPT-074b)
If Schedule G, Consolidated Return Indicator is populated then	FinInstCPTPage2.pdf (SG-ALCPT-006b)

If Family LLE indicator is populated then attach working papers that includes the following information to clearly explain the nature and amounts of the calculation for the 80% ownership test and the 90% gross receipts test: 1) Address each item listed on Schedule BPT-E, if applicable. 2) The amounts for the individual assets named in the assets test should be detailed with indication of where included on the balance sheet and the breakdown of the line amount, if necessary. 3) The amounts for the gross receipts test should be detailed with the indication of where included on the Schedule K or other Form/Schedule.	Familylle.pdf (Rule ALPPT-011b, SBPTE-ALPPT-002b, SBPTE-ALPPT-003c, SBPTE-ALPPT-004c)
If Disregarded Entity Parent is not subject and Single Member SSN is populated then attach a pdf document that includes Schedule C, Schedule C-EZ, Schedule E or Schedule F from the individual owner's tax return (or the federal individual income tax return named federal.pdf).	DEIncomeLoss.pdf or Federal.pdf (see rule ALPPT-023b)
CONDITIONAL : Form 65, 20S, PTEC and EPT	BINARY ATTACHMENT TITLE
If multistate corporate accounting, filing status 3, is selected a pdf must be attached explaining why the entity is utilizing allocation or separate accounting	SeparateAccounting.pdf (AL20S-007, AL65-009)
If Costs of Good Sold is populated on line 2 a copy of IRS1125A must be attached in the federal return or in a pdf copy.	IRS1125A.pdf (AL20S-011b, AL65-013b)
If Net Gain or Loss is populated on line 4 or on (Schedule K, Line 9 federal amount) a copy of the IRS4797 must be attached in the federal return or in a pdf copy.	IRS4797.pdf (AL20S-013b, SK-AL20S-011)
If Depreciation is claimed on line 14 the IRS4562 must be included with the federal return or attached in a pdf copy.	IRS4562.pdf (AL20S-023b)
If net rental income or loss is reported on Schedule K then IRS8825 must be included with the federal return or attached as a pdf.	IRS8825.pdf (SK-AL20S-001, SK-AL20S-002, SK-AL65-001, SK-AL65-002a)
If the Enterprise Zone Credit is claimed on the PC then a detailed schedule of computations or documentation must be attached.	EnterpriseZoneCredit.pdf or CreditStatements.pdf (SPC-AL20S-001, SPC-AL65-001)
If Basic Skills Education Credit is claimed on the PC, then the attachment must include a copy of the document of approval along with a detailed schedule computing the credit reported.	BasicSkillsEdCrdt.pdf or CreditStatements.pdf (SPC-AL20S-003, SPC-AL65-003)
If AL New Market Development Credit is claimed on the Schedule PC, then attach a detailed schedule of the credit computations.	ALNewMarketDevCredit.pdf or CreditStatements.pdf (SPC-AL20S-007, SPC-AL65-007)
If the Veteran's Employment Act (either employer credit or start-up costs credit) is claimed on the Schedule PC, attach a detailed schedule of computations and copy of veteran form DD214.	VeteransEmploymentCredit.pdf or CreditStatements.pdf (SPC-AL20S-008b, SPC-AL65-008b)

If Irrigation Credit is claimed on the Schedule PC, attach documentation and computations.	IrrigationCredit.pdf or CreditStatements.pdf (SPC-AL20S-015b, SPC-AL65-015b)
If the Historic Structures credit of 2013 is claimed on the Schedule PC, attach a copy of the tax certificate issued by the commission.	HistoricStructureCrdt.pdf or CreditStatements.pdf (SPC-AL20S-016, SPC-AL65-016)
If a credit is claimed for taxes paid to a foreign country, attach a copy of the return.	ForeignTaxReturn.pdf (SPC-AL20S-017c, SPC-AL65-017c)
If claiming the dual enrollment credit attach the approved certification from the Department of Postsecondary Education.	DualEnrollCrdtCertificate.pdf (SPC-AL20S-019b, SPC-AL65-019b)
If claiming the Alabama Jobs Act credit attach the approved certification from the Department of Commerce.	ALJobsAct.pdf (SPC-AL20S-020b, SPC-AL65-020b)
If the Alabama renewal act – port credit is claimed attach a copy of the approved certification from the Department of Commerce.	ALPortCredit.pdf (SPC-AL20S-022, SPC-AL65-022)
If a KRCC was received by the entity it must be attached via XML.	KRCCReceived.pdf (SPC-AL20S-050, SPC-AL65-049)
When claiming the Apprenticeship Credit please attach a copy of the apprenticeship tax credit certificate.	ApprenticeshipCrdt.pdf (SPC-AL20S-037, SPC-AL65-037)
When claiming the Historic Structures Credit of 2017 please attach a copy of tax certificate issued by the commission.	HistoricStructuresCrdt17.pdf (SPC-AL20S-042, SPC-AL265-042)
If Net Farm Profit or Loss is populated on line 5 the IRS Schedule F must be included in the federal return or attached via pdf.	IRSScheduleF.pdf (AL65-016b)
On the Schedule E, Form 65, documentation should be attached to support any items reported on lines 5a, 5b, 6a or 6b.	OtherInformation.pdf (SE-AL65-001)
On the Schedule K, Form 65, if 1231 gain or loss is reported then the IRS form 4797 must be included in the federal return or attached via pdf.	IRS4797.pdf (SK-AL65-012, AL65-017b)
CONDITIONAL : Form 41	BINARY ATTACHMENT TITLE
If claiming a composite/Electing Pass-Through Entity payment, a copy of the K-1s reporting the payment amounts must be attached.	CompositeEPTPmt.pdf (AL41-022a)
Capital Credit on Schedule FC– If claimed then the form KRCC must be attached	KRCC41.pdf (SFC-AL41-004)
If claiming taxes paid to another state on the Schedule FC, the other state return must be attached.	OtherStateRtn.pdf (SFC-AL41-002b)
If credit is claimed for taxes paid to a foreign country, then a copy of that tax return must be attached.	ForeignTaxReturn (SFC-AL41-009c)
If an interest deduction is claimed on Schedule C, then an attachment should be sent explaining the amount reported in detail.	SchCInterest.pdf (SC-AL41-007)

For all other binary attachments, the tax preparation software must provide the taxpayer the ability to enter a meaningful name. The following table provides a few examples of meaningful names.

CONDITIONAL: Forms 20C, 20CC, 20S, 65 and PTEC	BINARY ATTACHMENT TITLE
If the regulations require you to attach a merger agreement.	1120 Merger Agreement for XYZ Corporation or Statements.pdf if combined with other statements
If required to attach a detailed schedule of Other Income.	OtherIncome.pdf or Statements.pdf if combined with other statements
If required to attach a schedule of Other Property for Schedule D1 (Form 20C).	SchedD1OtherProperty.pdf or Statements.pdf if combined with other statements
If shareholder notes are more than 40 characters (20S/65 – K-1)	ShareholderNotes.pdf or K1Statements.pdf
If state notes are more than 20 characters (20S/65 K-1)	StateAdditionalInformation.pdf or K1Statements.pdf

CONDITIONAL : Forms CPT and PPT	BINARY ATTACHMENT TITLE
If Schedule G, Consolidated Return Indicator is populated then WksCPTFinancialConsGrpComp must be populated for each member OR a pdf proforma.	FinInstCPTPage2.pdf (Rule SG-ALCPT-006b)
If Other Current Assets BOY and/or EOY is populated then attach a pdf document that lists the other current assets.	OtherCurrentAssets.pdf or WksNetWorthStmts.pdf (Rules WksBPTNW-ALCPT-003 and WksBPTNW-ALCPT-004, WBPTNWI-ALPPT-003, WBPTNWI-ALPPT-004, WBPTNW-ALPPT-003, WBPTNW-ALPPT-004)
If Other Investments BOY and/or EOY is populated then attach a pdf document that lists other investments.	OtherInvestments.pdf or WksNetWorthStmts.pdf (Rules WksBPTNW-ALCPT-005, WksBPTNW-ALCPT-005, WBPTNWI-ALPPT-005, WBPTNWI-ALPPT-006, WBPTNW-ALPPT-005, WBPTNW-ALPPT-006)
If Other Assets BOY and/or EOY is populated (Form PPT), then attach a pdf document that lists other fixed assets.	OtherFixedAssets.pdf or WksNetWorthStmts.pdf (Rules WBPTNWI-ALPPT-013 and WBPTNWI-ALPPT-014)
If Other Assets BOY and/or EOY (Form CPT) is populated then attach a pdf document that lists other assets.	OtherAssets.pdf or WksNetWorthStmts.pdf (Rules WksBPTNW-ALCPT-013, WksBPTNW-ALCPT-014, WBPTNW-ALPPT-013, WBPTNW-ALPPT-014)
If Other Current Liabilities BOY and/or EOY is populated then attach a pdf document that lists other current liabilities.	OtherCurrentLiabilites.pdf or WksNetWorthStmts.pdf (Rules WksBPTNW-ALCPT-017, WksBPTNW-ALCPT-018, WBPTNWI-ALPPT-017, WBPTNWI-ALPPT-018, WBPTNW-ALPPT-017, WBPTNW-ALPPT-018)
If Other Liabilities BOY and/or EOY (Form CPT) is populated then attach a pdf document that lists other liabilities.	OtherLiabilities.pdf or WksNetWorthStmts.pdf (Rules WksBPTNW-ALCPT-021, WksBPTNW-ALCPT-022, WBPTNW-ALPPT-025, WBPTNW-ALPPT-026)

If Other Long Term Liabilities BOY and/or EOY (Form PPT) is populated then attach a pdf document that lists other long term liabilities.	OtherLongTermLiabilities.pdf or WksNetWorthStmts.pdf (Rules WBPTNWI-ALPPT-019 and WBPTNWI-ALPPT-020)
If Retained Earnings Appropriated BOY and/or EOY is populated then attach a pdf document that lists the appropriated retained earnings.	RetainedEarnings.pdf or WksNetWorthStmts.pdf (Rules WksBPTNW-ALCPT-025, WksBPTNW-ALCPT-026, WBPTNW-ALPPT-035a, WBPTNW-ALPPT-036a)
If Adjustment to Shareholder's Equity BOY and/or EOY is populated then attach a pdf document that lists the adjustments to shareholder's equity.	EquityAdjustment.pdf or WksNetWorthStmts.pdf (Rules WksBPTNW-ALCPT-027, WksBPTNW-ALCPT-028, WBPTNW-ALPPT-038a, WBPTNW-ALPPT-039a)
If this company files as part of a consolidated federal return then attach a pdf copy of Federal Form 851.	Federal851.pdf
If this company files as part of a consolidated federal return then attach a pdf copy of the consolidated 1120.	Consolidated1120.pdf
If file a consolidated corporate tax return.	ConsolidatedIncome.pdf
If file a consolidated corporate tax return.	ConsolidatedBalance.pdf

Electronic Return Signature (AL8453-B/AL8453-C/AL8453-FDT):

(AL8453-B/AL8453-C/AL8453-FDT/AL8453-PTE):

As with any corporate/partnership/fiduciary/business privilege income tax return submitted to the Department on paper, an electronic corporate/partnership/fiduciary/business privilege income tax return must be signed by an authorized corporate officer/partner and the paid preparer, if applicable.

Business Privilege Tax: The Corporation/Partnership (taxpayer) must designate an officer/partner responsible for signing the income tax return. **The officer/partner must sign and date the AL8453-B “Business Privilege Tax Declaration for Electronic Filing” to authorize the origination of the electronic submission of the return prior to the transmission of the return.** The Declaration includes the taxpayer's declaration that the return is true, correct and complete, as well as the taxpayer's Consent to Disclosure. The Consent to Disclosure authorizes the Department to disclose information to the taxpayer's Authorized IRS e-file Providers. Intermediate Service Providers, Transmitters and EROs are authorized by taxpayers to receive acknowledgement of receipt or reason for rejection of the electronic return from IRS. **If the electronic return data on a business privilege tax return is changed after the taxpayer has signed the Declaration, the taxpayer must sign a new declaration if the amounts differ.**

Corporate Tax: - The Corporation (taxpayer) must designate an officer/partner responsible for signing the income tax return. **The officer/partner must sign and date the AL8453-C “Corporate Income Tax Declaration for Electronic Filing” to authorize the origination of the electronic submission of the return prior to the transmission of the return.** The Declaration includes the taxpayer's declaration that the return is true, correct and complete, as well as the taxpayer's Consent to Disclosure. The Consent to Disclosure authorizes the Department to disclose information to the taxpayer's Authorized IRS e-file Providers. Intermediate Service Providers, Transmitters and EROs are authorized by taxpayers to receive acknowledgement of receipt or reason for rejection of the electronic

return from IRS. **If the electronic return data on a corporate income tax return is changed after the taxpayer has signed the Declaration, the taxpayer must sign a new declaration if the amounts differ.**

Fiduciary Tax: The Fiduciary or Officer responsible for the Estate or Trust must sign the income tax return. **The Fiduciary/Officer must sign and date the AL8453-FDT “Fiduciary Income Tax Declaration for Electronic Filing” to authorize the origination of the electronic submission of the return prior to the transmission of the return.** The Declaration includes the taxpayer’s declaration that the return is true, correct and complete, as well as the taxpayer’s Consent to Disclosure. The Consent to Disclosure authorizes the Department to disclose information to the taxpayer’s Authorized IRS e-file Providers. Intermediate Service Providers, Transmitters and EROs are authorized by taxpayers to receive acknowledgement of receipt or reason for rejection of the electronic return from IRS. **If the electronic return data on a fiduciary income tax return is changed after the taxpayer has signed the Declaration, the taxpayer must sign a new declaration if the amounts differ.**

Pass Through Tax: - The S-Corporation/Partnership (taxpayer) must designate an officer/partner responsible for signing the income tax return. **The officer/partner must sign and date the AL8453-PTE “S-Corporation/Partnership Income Tax Declaration for Electronic Filing” to authorize the origination of the electronic submission of the return prior to the transmission of the return.** The Declaration includes the taxpayer’s declaration that the return is true, correct and complete, as well as the taxpayer’s Consent to Disclosure. The Consent to Disclosure authorizes the Department to disclose information to the taxpayer’s Authorized IRS e-file Providers. Intermediate Service Providers, Transmitters and EROs are authorized by taxpayers to receive acknowledgement of receipt or reason for rejection of the electronic return from IRS. **If the electronic return data on an S-Corporate/Partnership income tax return is changed after the taxpayer has signed the Declaration, the taxpayer must sign a new declaration if the amounts differ.**

The Form AL8453-B/AL8453-C/ AL8453-FDT/AL8453-PTE must be completed and signed by all required parties. Do not submit this form to the Alabama Department of Revenue unless requested to do so. The ERO is required to retain a copy of this form along with an electronic copy of all returns, forms and schedules submitted for a period of three years from the due date of the return or the date the return was filed, whichever is later. If the need arises, the Department may request any of the documents, in writing, and the ERO must provide a copy of the document within five working days of the request.

Electronic Payment Options:

Corporate/Partnership taxpayers who file their 20C, 20CC, 20S, 65, 41, PTEC, EPT, CPT, and PPT returns electronically must also pay the tax liability electronically.

*Any liability due should be remitted no later than the original due date of the return. For forms CPT, PPT and 41 payments of \$750 or more must be made electronically. Non-electronic Business Privilege Tax payments must be remitted with Form BPT-V. **DO NOT MAIL FORM BPT-V IF THE PAYMENT IS REMITTED ELECTRONICALLY.**

ELECTRONIC PAYMENT. Section 41-1-20 requires electronic payments for all single business tax payments of \$750 or more. Substantial penalties may be assessed for noncompliance.

Please see the below link for payment options:

<https://revenue.alabama.gov/individual-corporate/payment-options/>

Acknowledgement Types:

The Department will generate an acknowledgement for all returns received. The acknowledgement record/XML schema format is included in this publication.

The Alabama acknowledgement types are:

1. ACCEPTED: This acknowledgement indicates the electronic return was received and successfully completed the pre-entry validation process. No further action is required regarding the transmission.

Any return not acknowledged by the Department as “accepted” is considered not filed.

2. REJECTED: This acknowledgement indicates the electronic return was received and failed to successfully complete the pre-entry validation process. **The acknowledgement will contain an error rejection code number followed by a message indicating the error causing the rejection, or in the case of a schema validation error only the schema error message will be displayed.** The error conditions must be corrected and the return can then be re-transmitted as a “State-Only” return. If a rejection occurs on the due date of the return it will be considered timely filed if it is corrected and re-transmitted **within the 10 calendar day perfection period**. Only after all attempts to correct the return and re-transmit have failed may the return be filed as a paper return. In order for the paper return to be considered timely it must be filed by the later of the due date of the return or ten (10) calendar days after the date Alabama gives notification the return is rejected. The paper return should include (1) an explanation of why the return is being filed after the due date (2) a copy of the reject notification from Alabama to avoid late filing penalties and interest and (3) a signed copy of the AL8453C/AL8453B/AL8453-PTE/AL8453-FDT in lieu of a signature on the paper return.

Returns prepared with software that is not approved by the Department will be rejected.

Unless authorized by the taxpayer to discuss the return with the preparer, the Department will communicate directly with the taxpayer if additional information is needed to correct a return. EROs and transmitters will only be given limited information about the tax return, including acknowledgment of receipt by the Department through the IRS and the reason for any processing delay.

See Publication AL4165 for Alabama Error Reject Codes.

EROs and Transmitters should allow 5 business days to receive the State acknowledgement before contacting the Department.

Error Categories:

All MeF business rules are divided into 10 error categories. The first eight categories validate the XML data:

1. Missing Document – a tax return document is required but was not included in the tax return.
2. Data Mismatch – the data in two fields should be the same but is not.
3. Duplicate Condition – the tax return or the transmission file was previously received and accepted by the Department. This includes if a return was previously submitted via paper.
4. Math Error – results when a computation is incorrect.
5. Incorrect Data – data violates a business rule even though it is syntactically correct. That is, the data values for elements must conform to the format specified and the data type. Also, the data values for elements must contain only values allowed for them in the schema.

6. Missing Data – data is not provided for a required field.
7. Database Validation Error – data provided does not match the IRS database or the data provided should be present in the IRS database but is not. (e.g. the SoftwareID in the Return Header must be listed in the MeF database and in accepted status.)
8. XML Error – the data violates Schema specification. The return and transmission documents must conform to the version of the XML schema they specify.
9. System Error – a return encounters a problem with the IRS systems that prevents the return from being processed electronically.
10. Unsupported – a submitted item(s) is sent to a location that does not accept it or an unusual condition is encountered in the data.

Special Instructions for Specific Forms

Business Privilege Return Information (forms CPT and PPT):

Calendar year 2013 and fiscal years or short-years that begin on or after January 1, 2014 may be electronically filed. The tax year begin date and the tax year end date must be completed if the Fiscal Year (FY) is selected. If the Calendar year (CY) check box is selected the tax year begin date and tax year end date will be January 1, 2014 and December 31, 2014 respectively. Currently, Alabama only accepts one return each filing season, any subsequent filings such as additional short year returns and amended returns must be filed by paper.

The Alabama Business Privilege Tax Return - Form CPT, Alabama Corporation Privilege Tax Return and Form PPT, Alabama Pass Through Privilege Tax Return are not considered complete and properly filed unless the required documentation is included as a binary attachment (See pages 18-20, 22-23 for a list of binary attachments).

The total amount of the Business Privilege tax liability for the period is due on or before the un-extended due date of the return. Any balance of tax due and not paid on or before the un-extended due date will be subject to a failure to timely pay penalty and will accrue interest at the rate established by the Secretary of the Treasury under the authority of 26 U.S.C. §6621. For tax year 2009 and forward an extension to file will be automatically granted with **no request required by the taxpayer.**

FORM CPT – ALABAMA CORPORATE PRIVILEGE TAX RETURN

SPECIAL ISSUES REGARDING FILING STATUS:

Which entity types file a Form CPT?

- C Corporations, Financial Institutions, Business Trusts, Insurance Companies and LLEs taxed as a Corporation

SPECIAL ISSUES REGARDING FEDERAL RETURN ATTACHMENT:

Attach federal Form 1120 in XML unless one of the exclusions below pertains to your organization:

- If you are currently not required to e-file the federal return then attach pages 1 through 5 of the federal return as a binary attachment.
- Insurance companies must attach pages 1 through 8 of the federal return, Annual Statement of Liabilities, Surplus and Other Funds, and Schedule T as reported in the annual statements.
- Real Estate Investment Trusts (REITs) – attach pages 1 through 5 of the federal return as a binary attachment.

SPECIAL ISSUES PERTAINING TO SPECIFIC SCHEDULES:

Schedule AL-CAR (Alabama Corporate Annual Report) – The Corporate Annual Report must be completed for corporations and attached to the Business Privilege Tax return if the entity is incorporated, registered or qualified through Alabama Secretary of State’s office to transact business in Alabama.

Schedule G (Alabama Business Privilege Tax Financial Institution Group Computation Schedule) - The Schedule G is used to compute the Alabama business privilege tax liability for financial institution groups, as defined by Section 40-14A-22(f), **Code of Alabama 1975**.

Schedule D-1 (Apportionment Factor Schedule for C Corporations) - This schedule is located on Form 20C and is used for taxpayers doing business in Alabama or multistate taxpayers.

Worksheet BPTNW (Balance Sheet) – Worksheet BPTNW must be completed for corporations and limited liability entities that are not required to complete Schedule L of the federal return.

Worksheet CPT Financial Consolidated Group Computation (WksCPTFinancialConsGrpComp) – This worksheet must be filed if the entity is a Financial Institution and on Schedule G selects “Check the box if electing to file a consolidated business privilege tax return in accordance with Section 40-14A-22(f), **Code of Alabama 1975**.” as the Filing Election.

For more information, please see Form CPT instructions. Visit our Web site at <http://www.revenue.alabama.gov/> for additional information or current law changes.

FORM PPT – PASS THROUGH PRIVILEGE TAX RETURN

SPECIAL ISSUES REGARDING FILING STATUS:

Which entity types should file a Form PPT?

- S Corporations, Limited Liability Entities, Disregarded Entities and LLEs Taxes as S Corporations

SPECIAL ISSUES PERTAINING TO SPECIFIC SCHEDULES:

Schedule C (Apportionment Factor Schedule for S Corporations and Limited Liability Entities) – This schedule is located on Forms 20S and 65 and is used for taxpayers doing business in Alabama or multistate taxpayers.

Schedule BPT-E (Family Limited Liability Entity Election Schedule) – This schedule should be used when Line 18, Page 1 of Form PPT is checked. The taxpayer must complete Part 1 (80% ownership test) and either the Gross Receipts Test or Assets Test in Part 2.

Schedule AL-CAR (Alabama Corporate Annual Report) – The Corporate Annual Report must be completed for corporations and attached to the Business Privilege Tax return if the entity is incorporated, registered or qualified through Alabama Secretary of State's office to transact business in Alabama.

Worksheet BPTNW (Balance Sheet) – Worksheet BPTNW must be completed for corporations and limited liability entities that are not required to complete Schedule L of the federal return.

Worksheet BPTNWI (Balance Sheet) – Worksheet BPTNWI must be completed for disregarded entities in which the parent company is not subject to Business Privilege Tax because the owner of the disregarded entity is a sole proprietor/individual.

For more information see Form PPT instructions. Visit our Web site at <http://www.revenue.alabama.gov/> for additional information or current law changes.

Corporate Return Information (Forms 20C and 20CC):

The Alabama Corporate Income Tax Return - Form 20C, Alabama Consolidated Corporate Income Tax Return - Form 20CC, S Corporation Information/Tax Return - Form 20S and Alabama Partnership Information Return – Form 65 are not considered complete and properly filed unless a complete copy of the appropriate federal return (Form 1120, 1120A, 1120F, 990T, 1120S, 1065 etc) is attached in XML format only. The Alabama Department of Revenue **will no longer require** a copy of the **federal return** as a **binary attachment in .pdf format** for returns in the Business MeF Program (Forms 20C, 20CC, 20S, and 65). The federal return must now be attached in XML format. Failure to attach the complete federal return with the necessary supporting schedules (such as Schedule D, Form 4797 and spreadsheet of income statements for all corporations included in the Federal Consolidated Return) can result in rejection of the return and may result in the imposition of delinquent penalties.

The total amount of the corporation's income tax liability for the period is due on or before the unextended due date of the return. Any balance of tax due and not paid on or before the due date will be subject to a failure to timely pay penalty and will accrue interest at the rate established by the Secretary of the Treasury under the authority of 26 U.S.C. §6621. For tax year 2008 and forward an extension to file will be automatically granted with **no request required by the taxpayer**. **Please refer to Section 12 "Return Due Date Charts" for the appropriate form's due date.**

FORM 20C – ALABAMA CORPORATE INCOME TAX RETURN

SPECIAL ISSUES REGARDING FILING STATUS:

1. Filing Status 1 (Corporation operating only in Alabama) – If checked, then Alabama Apportionment Factor must be 100%.
2. Filing Status 2 (Multistate Corporation – Apportionment)
 - Schedule A - Multistate Corporations must not use Schedule A to make adjustments for nonapportionable (nonbusiness) items. Adjustments for these items must be made on Schedule C.

- Schedule C (Allocation of Nonbusiness Income, Loss, and Expense) - This schedule should only be used if Filing Status 2, Multistate Corporation Apportionment, is checked. This schedule is used to report all items of nonbusiness income, nonbusiness loss, and nonbusiness expense. These items are excluded from apportionable income and are allocated either to Alabama or to another state.
 - Schedule D -1 (Apportionment Factor Schedule) - This schedule is only used for Filing Status 2 and must be completed and attached to report the corporation's business activity in Alabama represented by the apportionment percentage. The Alabama apportionment percentage is the total of Alabama Sales divided by total Everywhere Sales. All business income shall be apportioned to this state by multiplying the income by the sales factor. Origin sales shipped from this state in which the purchaser is the United States government, or the taxpayer is not taxable in the state of the purchaser are no longer included in the sales factor.
3. Filing Status 3 (Multistate Corporation – Percentage of Sales)
 - Schedule D-2 Percentage of Sales should only be used if Filing Status 3 is checked. This schedule should be used by taxpayers whose **only activity** in Alabama consists of **sales** and **does not include owning or renting real estate or tangible personal property**, and whose **gross Alabama sales do not exceed \$100,000**.
 4. Filing Status 4 (Multistate Corporation-Separate Accounting) – If checked then the prior written approval document signed by the Alabama Department of Revenue Commissioner must be attached (SeparateAccountingApproval.pdf).
 5. Filing Status 5 (Proforma Return) - This filing status is not an available option for taxpayers who do not have a valid election to file a consolidated Alabama return. Please see our Web site at <http://www.revenue.alabama.gov/> for instructions on filing a Consolidated Corporate Income Tax Return. *This filing status has the ability to utilize any schedule on the form 20C that is applicable to their filing needs.*

SPECIAL ISSUES PERTAINING TO SPECIFIC SCHEDULES:

Schedule A (Reconciliation Adjustments of Federal Taxable Income to Alabama Taxable Income) – Multistate Corporations must not use Schedule A to make adjustments for nonapportionable (nonbusiness) items. Adjustments for these items must be made on Schedule C.

Schedule B (Alabama Net Operating Loss Carryforward Calculation) - The Alabama net operating loss deduction is limited to net operating losses incurred by a corporation which did business in Alabama and filed Alabama corporate income tax returns in prior taxable years. **You must attach copies of the Alabama corporate income tax returns (page 1 only) for all applicable years that are more than six years old.** This includes tax periods where the net operating loss was used.

Schedule B-1 - Alabama Net Operating Loss Carryforward Acquisitions: This schedule should be completed when taxpayers have unutilized net operating losses that have been acquired through a merger or acquisition with another entity previously filing corporate tax returns in Alabama. The taxpayer should still report the net operating loss amounts on Schedule B indicating which net operating losses have been acquired.

Schedule C (Allocation of Nonbusiness Income, Loss and Expenses) - Only used for filing status 2 (Multistate Corporation – Apportionment).

Schedule D-1 (Apportionment Factor Schedule) - Only used for filing status 2 (Multistate Corporation – Apportionment). *Please Note: For 2013 an “InactiveEntity” checkbox was added to the header. This checkbox is intended for taxpayers with a zero percent apportionment, a completely blank return (except the “Header” and “Other Information”) and is only filing Form 20C to meet the filing requirements.*

Schedule D-2 (Percentage of Sales) - Only used for filing status 3 (Multistate Corporation – Percentage of Sales).

Schedule E (Federal Income Tax (FIT) Deduction/ (Refund) – This schedule should be used to compute the amount of the corporation’s federal income tax deduction allowed for Alabama corporate income tax purposes.

- Alabama Rule 810-3-35-.01 removes methods 1552(a)(2) and 1552(a)(3) in computing the FIT Deduction. For tax years beginning on or after the effective date of the regulation, corporate taxpayers must now use the 1552(a)(1) method to determine the amount of applicable FIT Deduction. See Alabama Rule 810-3-35-.01 for additional information.
- Corporations filing a consolidated federal return - complete the entire schedule.
- Corporations filing separate company federal returns - complete lines 6-12 of this schedule only. Lines 1-5 are used to compute the amount of the consolidated federal tax liability attributable to the company filing Form 20C. **Lines 1-5 of this schedule apply only to those taxpayers using methods 1552(a)(2).**

Form KRCC-B - Recipient’s Share of Capital Credit for Business Entities, Including Trusts.

Schedule BC (Business Credits) –

Part A – Alabama Enterprise Zone Act Credit: Section 41-23-24. Corporations eligible for the tax credit must be approved by the Alabama Department of Economic and Community Affairs (ADECA) and must also receive certification annually from ADECA. Each corporation qualified for and receiving an Alabama Enterprise Zone Credit is required to complete and file Schedule EZ and the certificate of Certification and computations with the Form 20C return. If a C corporation is a member or partner of a pass through entity that is eligible for the enterprise zone credit, the credit is distributed to each partner or member based on the percentage of ownership; Schedule EZ-K1 is required to be attached to the C corporation Form 20C return. **Please note for TY2016 that Schedule EZ will not be published. However, the Certificate of Certification and computations must be attached to Form 20C to claim the exemption.**

Part B – Basic Skills Education Credit: Sections 40-18-135 through 40-18-139. Corporations eligible for the tax credit must (1) have written approval from Alabama Department of Education, (2) the employees shall have been continuously employed for at least 16 weeks for at least 24 hours per week and (3) the employer cannot receive or require reimbursement or any form of remuneration for any cost of education. The credit is 20 percent of the actual costs limited to the employer’s income tax liability. *A copy of the document of approval along with a detailed schedule (including actual costs incurred, employee employment period) computing the credit must be filed with Form 20C (EmployerEducationCredit.pdf).*

*Part C - Coal Credit: ***MAT Approval Required**** Acts 1995, No. 95-239, p. 403 Section 1. Corporations doing business in Alabama as a producer of coal mined in Alabama are allowed a credit against the Alabama income tax liability. The credit is one dollar per ton of the increase in Alabama coal produced for the year over the Alabama coal produced in the prior year.

*Part D - Full Employment Act of 2011 Credit: ***MAT Approval Required**** Sections 40-18-290 through 40-18-293. This credit can be claimed for employees who are hired following June 9, 2011. This tax credit shall not exceed the amount of the taxpayer's state tax liability. This credit is not refundable or transferable.

Part E – Alabama New Markets Development Credit: Act Number 2012-483, established an income tax credit to corporations that invest in businesses located in impoverished and low income communities. This credit cannot exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed.

*Part F – Veterans Employment Act - Employer Credit: ***MAT Approval Required**** Act Number 2018-194 amend Sections 40-18-320 and 40-18-321 for all tax years beginning on or after January 1, 2018 to rename the Heroes for Hire Tax Credit Act of 2012 as the Veterans Employment Act. The act adds sections 40-18-320.1 and 40-18-325 to the Code of Alabama, 1975. A qualified employer subject to the requirements of the act shall be eligible for an additional nonrefundable credit against the income tax or financial institution excise tax in the amount of \$1,000 for each new unemployed or combat veteran hired for a full-time position paying at least fourteen dollars per hour, where majority of the duties are at a business located within Alabama. The additional credit shall only be available in the tax year during which the employee has completed 12 months of consecutive employment.

*Part G – Veterans Employment Act - Business Start-Up Expense Credit: ***MAT Approval Required**** Section 40-18-323 allows for a nonrefundable credit against the income tax liability to unemployed veterans in an amount up to \$2,000 for expenses associated with one start-up business in which the veteran holds at least 50% ownership interest. The credit is only applicable for businesses: started after April 2, 2012, located within Alabama, and showing a net profit of at least \$3,000 for the year in which the credit is taken.

*Part H – Qualified Irrigation System/Reservoir System Tax Credit: ***MAT Approval Required**** Act 2017-352 amends Section 40-18-342 to allow all tax years beginning after December 31, 2011 until tax year ending December 31, 2017 to authorize an agricultural trade or business to be eligible for an increased cap on the amount of a credit based on a lower percent of the costs of a project. The credit is equal to 20 percent of the accrued cost not to exceed \$10,000 or 10 percent of the accrued cost not to exceed \$50,000, whichever is greater. This credit is limited to only one purchase and installation of qualified irrigation equipment or one qualified reservoir per taxpayer. The credit shall not exceed the income tax liability in any year and shall be taken in the year in which the qualified irrigation equipment or the qualified reservoir is placed in service. The credit may be carried forward for 5 years.

*Part I – Alabama Accountability Act Credit: ***MAT Approval Required**** Act Number 2013-64. Corporations are eligible for the tax credit for contributions that provide scholarships to qualifying schools. The credit is equal to 100% of the total contributions made to a scholarship granting organization for educational scholarships during the taxable year for which the credit is claimed up to 50% of the tax liability of the taxpayer. The credit may be carried forward for 3 years. The name, full address and the amount contributed to the scholarship granting organization must be provided on Schedule BC.

*Part J – Alabama Historic Rehabilitation Tax Credit of 2013: ***MAT Approval Required**** Act 2014-452 amends Act 2013-241. The act provides an income tax credit against the tax liability of the taxpayer for the rehabilitation, preservation and development of historic structures. The credit is equal to 25% of the qualified rehabilitation expenditures for certified historic structures. The act also provides a tax credit equal to 10% of the qualified rehabilitation expenditures for qualified pre-1936 non-historic structures. No tax credit claimed for any certified rehabilitation may exceed \$5,000,000 for all allowable property types except a certified historic residential structure, and \$50,000 for a certified historic residential structure. The entire credit may be claimed in the taxable year in which the certified rehabilitation is placed in service. The credit is nonrefundable, but any unused amount may be carried forward for up to 10 additional tax years.

*Part K – Career-Technical Dual Enrollment Credit: ***MAT Approval Required**** Act 2014-147 provides a state income tax credit to businesses that make contributions for qualifying educational expenses directly associated with the Career-Technical Dual Enrollment Program. The tax credit may be claimed by the taxpayer in an amount equal to 50 percent (50%) of the total contribution or contributions made to the Department of Postsecondary Education during the taxable year for which the credit is claimed, but such credit is not to exceed an amount greater than 50 percent (50%) of the taxpayer's total Alabama income tax liability, and in no case more than five hundred thousand dollars (\$500,000) for any given tax year. A taxpayer may carry forward all or part of a tax credit granted under this act for up to three (3) years.

*Part L – Investment Credit (AL Jobs Act): ***MAT Approval Required**** Act Number 2015-27 provides for an investment credit to certain businesses for approved projects that create new jobs in Alabama. The credit is an amount of 1.5 percent of a qualified capital investment annually, for a period of 10 years to be applied against the income tax, estimated income taxes, the financial institution excise tax, or the insurance premium tax, with additional offsets of utility gross receipts and utility service use taxes. The investment credit, provided for by the Alabama Jobs Act, may be claimed as a credit against taxes paid with a carryforward for earned but unused amounts to the extent allowed in the project agreement. Any unused portion of this credit may be carried forward for up to five years.

Part M – Port Credit: Act 2016-102 and Section 40-18-403 establish a tax credit for corporations that utilize Alabama's port facilities. This credit is nonrefundable, but any unused portion of the credit may be carried forward for up to five years. Please see the instructions for more information regarding this credit.

*Part N – Growing Alabama Credit: ***MAT Approval Required**** Act Number 2016-102 and Section 40-18-413 authorize a tax credit to corporations that make cash contributions to local economic development organizations approved by the Renewal of Alabama Commission. The credit is the amount of the cash contribution made not to exceed 50% of the corporation's income tax liability for the current year. The corporation's cash contribution cannot exceed the amounts approved by the commission. This credit is nontransferable and may be carried forward for up to five years.

*Part O – Apprenticeship Tax Credit: ***MAT Approval Required**** Act Number 2016-314 passed the Alabama Legislature during the 2016 Regular Session. This act provides for a tax credit for employers that employ an apprentice. Eligible employers that employ an apprentice for at least seven full months of the prior taxable year are allowed a credit equal up to \$1,000 for each apprentice employed, not to exceed five apprentices employed. This credit is nontransferable, nonrefundable, and not available for an individual apprentice for more than four taxable years.

*Part P – Alabama Historic Rehabilitation Tax Credit of 2017: ***MAT Approval Required**** Act 2017-380 provides a refundable income tax credit against the tax liability of the taxpayer for the

rehabilitation, preservation, and development of historic structures. The tax credits can only be claimed by taxpayers holding a Tax Credit Certificate or a Transfer Tax Credit Certificate. The credit is equal to 25% of the qualified rehabilitation expenditures for certified historic structures. No tax credit claimed for any certified rehabilitation may exceed \$5,000,000 for all allowable property types except a certified historic residential structure, and \$50,000 for a certified historic residential structure. The entire credit must be claimed by the taxpayer in the taxable year in which the certified rehabilitation is placed in service. This credit is refundable and transferable but cannot be carried forward.

Part Q – Railroad Modernization Act of 2019: *MAT Approval Required* The Railroad Modernization Act of 2019 creates a refundable income tax credit beginning with tax years on or after December 31, 2019, for eligible taxpayers with qualified railroad reconstruction or replacement expenditures. Railroads that are classified as a Class II or Class III are eligible for the credit. Taxpayers must obtain pre-certification from the Department of Commerce prior to claiming the credit on their income tax return. The Act imposes an annual credit limit of \$3.7M, with an aggregate cap of \$11.1 over the life of the credit. This credit is required to be submitted through MAT.

Part R – Income Tax/Capital Credit:

Capital Docks Credit: Sections 40-18-240 through 40-18-250. Corporations eligible for the tax credit must have written approval from the Governor, Finance Director and Alabama State Port Authority. Also, a written statement of intent must be filed with the Alabama Department of Revenue prior to the project being placed in service. *Form K-RCC, if applicable, should be attached to claim the credit.*

Capital Credit (Capital Tax Credit): Section 40-18-190 through 40-18-203. Corporations eligible for the tax credit must have written approval from the Alabama Department of Revenue prior to the project entity taking the credit. The credit allowable is up to 5 percent of the qualifying project's allowable capital costs for each year up to 20 years, limited to the tax liability generated by or arising out of the qualifying project, and is applied after all deductions, exemptions and other credits have been taken.

As the project entity, the C Corporation is required to complete the Form AR-C through MAT prior to filing the Form 20C. If the C Corporation is a member or partner of an investing company that has a qualifying project, the C Corporation must complete and attach Schedule KRCC-B, in addition to Form KRCC with Form 20C. If the C Corporation receives a Form KRCC, check the box and attach the Form KRCC to the return.

Other Information Schedule (20C, Page 4) - This schedule should be used by all taxpayers without regard to Filing Status. This schedule requests additional information and requires additional forms and/or attachments as applicable to each corporate taxpayer.

Schedule OZ - Gains Invested in Qualified Opportunity Zone Funds:

Act Number 2019-392, Alabama Incentives Modernization Act passed the Alabama Legislature during the 2019 Regular Session which added Section 40-18-6.1. Section 40-18-6.1 allows the provisions of 26 U.S.C. §1400Z-2 to be applicable for taxpayers who invest in an approved Alabama Department of Economic and Community Affairs (ADECA) Qualified Opportunity Zone Fund (QOF). If the taxpayer invests their gain in a federal qualified fund, the taxpayer must complete Alabama Department of Revenue Gains Invested in Qualified Opportunity Zone Funds (Schedule OZ). The taxpayer should enter the amount of deferred

gain for each property and carry the total taxable gain to the appropriate lines on Forms 20S and 65. Form 20C and ET-1 filers should include the taxable gain in line 1 on page 1 by completing the Schedule of Adjustments to Federal Taxable Income (Schedule FTI). Schedule OZ must be attached to the return.

Schedule FTI – Schedule of Adjustments to Federal Taxable Income. The purpose of this schedule is to reconcile any difference between the federal taxable income on line 30 of the Proforma Federal 1120 and the federal taxable income reported on Line 1 of the Alabama Form 20C or Line 1 of the Alabama Form ET-1.

Schedule CP-B - Composite Payments (Business): The Schedule CP-B must be completed and attached to the return by taxpayers that are claiming composite payments on the Form 20C or Form ET-1.

For a company filing a form 20C who files as part of a consolidated federal return, the following information is required to be attached:

- Federal Form 851, Affiliations Schedule, please identify all corporations subject to tax in Alabama (Federal851.pdf)
- Pages 1-6 of the consolidated form 1120 (Consolidated1120.pdf)
- Consolidated Income Spreadsheet including the column that identifies any eliminations or adjustments that occur as a result of the federal consolidation rules (ConsolidatedIncome.pdf)
- Consolidated Balance Sheets by separate company for the beginning and end of year (ConsolidatedBalance.pdf)
- Copy of federal Schedule K-1 for each tax entity that the corporation holds an interest in at any time during the taxable year (FederalK1.pdf)
- Federal Schedule UTP (FederalUTP.pdf)
- Federal form M-3 for the entire federal consolidated group (FederalM3.pdf)

For more information, please see Form 20C instructions. Visit our Web site at <http://www.revenue.alabama.gov/> for additional information or current law changes.

FORM 20CC – ALABAMA CONSOLIDATED CORPORATE INCOME TAX RETURN

SPECIAL ISSUES REGARDING FILING STATUS:

Who should file a Form 20CC?

The Form 20CC must be filed by all Alabama Affiliated Group's (AAG) with a binding consolidated election (Form 20C-CRE). ***Do not use Alabama Consolidated Corporate Income Tax Return Form 20CC if you are not the parent of the Alabama Affiliated Group.*** All transactions between and among members of the AAG shall be reported on an arm's length basis. In addition to the separate company calculation, there may be additional expense items with limitations based on Alabama consolidated taxable income. Credits are not allowed to exceed Alabama consolidated taxable income.

Proforma Return (Filing Status 5 on the 20C form) – This is only available for companies who have a valid election to file a consolidated Alabama return. A Proforma Form 20C should be completed for each member of the AAG and the parent should file the Consolidated Corporate Income Tax Return Form 20CC.

If a corporation is a member of an affiliated group which files a consolidated federal return, additional schedules are required. See "Other Information" on page 4 of the Form 20C for these filing requirements.

Note: If any payments were made by any corporation other than the AAG parent corporation, please attach a detailed list showing the name of the corporation who made the payment, including the FEIN of the corporation and the amount paid.

SPECIAL ISSUES PERTAINING TO SPECIFIC SCHEDULES:

Schedule AS (Affiliations Schedule) - Currently, the State of Alabama allows up to 500 affiliates to be listed on the Schedule AS for electronic MEF filing purposes.

Please attach a copy of Federal Form 851 (Federal 851.pdf), Affiliations Schedule. And, Complete Schedule AS, Alabama Affiliations Schedule for each year a consolidated return is filed.

Schedule B (Alabama Consolidated Net Operating Loss Carryforward Calculation) - For taxable years beginning after December 31, 1984, a net operating loss (NOL) may be carried forward for a maximum of 15 years. *There is no provision in Alabama tax law that allows corporations to carry a net operating loss back to prior taxable years. This schedule must be completed in order to claim the NOL deduction.* **Copies of the Alabama corporate income tax returns (page 1 only) for all applicable years more than six years old must be attached (NOLYYYYAL20CPg1.pdf), including tax periods where the NOL's were utilized.**

The Alabama net operating loss deduction is limited to net operating losses incurred by a corporation which did business in Alabama and filed Alabama corporate income tax returns in prior taxable years.

Note 1: Please complete Form 20CC Schedule B for the AAG Consolidated portion of the NOL only. The separate company Proforma Form 20C, Schedule B, should be used to compute the separate company NOL's.

Note 2: Please begin the net operating loss schedule with the oldest loss year first, ending with the most current loss year. Please list loss years only. Tax years that utilize net operating losses should not be listed. The utilized losses are shown in column 3.

The Form 20CC Consolidated Corporate Income Tax Return requires the following information to be attached:

1. Federal Form 851, Affiliations Schedule, please identify all corporations subject to tax in Alabama (Federal851.pdf)
2. Pages 1-6 of the consolidated form 1120 (Consolidated1120.pdf)
3. Consolidated Income Spreadsheet including the column that identifies any eliminations or adjustments that occur as a result of the federal consolidation rules (ConsolidatedIncome.pdf)
4. Consolidated Balance Sheets by separate company for the beginning and end of year (ConsolidatedBalance.pdf)
5. Copy of federal Schedule K-1 for each tax entity that the corporation holds an interest in at any time during the taxable year (FederalK1.pdf)
6. Federal Schedule UTP (FederalUTP.pdf)
7. Federal form M-3 for the entire federal consolidated group (FederalM3.pdf)

For more information see Form 20CC instructions. Visit our Web site at <http://www.revenue.alabama.gov/> for additional information or current law changes.

Partnership Return Information (Forms 20S, 65, PTEC and EPT)

FORM 20S – S CORPORATION INFORMATION / TAX RETURN

SPECIAL ISSUES REGARDING FILING STATUS:

Form 20S requires that an Alabama Schedule K-1 be completed for any entity that was a shareholder at any time during the taxable year. The Alabama Form 20S is not considered complete and properly filed unless a copy of the federal Form 1120S with all federal K-1s are attached. Failure to attach the complete federal return (in XML format only) with the necessary supporting schedules and all applicable Nonresident Shareholder Agreement forms (Sch NRA) will result in rejection of the return and may result in the imposition of delinquent penalties.

Nexus – (Updated 9/16/2019) Act 2015-505 establishes a factor presence nexus standard for nonresident business activity. Substantial nexus in Alabama is established if any of the following thresholds are exceeded during the tax period:

1. \$54,000 of property
2. \$54,000 of payroll
3. \$538,000 of sales
4. 25% of total property, total payroll or total sales

Filing Status 1 (Corporation operating only in Alabama) – If checked, then Alabama Apportionment Factor must be 100% on Schedule C.

Filing Status 2 (Multistate Corporation – Apportionment) – If the S Corporation operates in more than one state, Schedule B, C, and D must be completed. Section 40-18-22, Code of Alabama 1975, requires partnerships and limited liability companies that are doing business both within and without the State of Alabama to allocate and apportion their income in accordance with Chapter 27, Title 40, Code of Alabama 1975 (also known as the Multistate Tax Compact). See the Alabama Department of Revenue's Web site (<http://www.revenue.alabama.gov/>) for Alabama's multistate taxation laws and regulations. (2019 tax year and forward we will allow 0% multistate)

Filing Status 3 (MultiState Corporation – Separate Account) – This filing status should be used for separate accounting or allocation of income. The Schedule B must be filled out and Schedule C (apportionment factor) should not be transmitted.

SPECIAL ISSUES PERTAINING TO SPECIFIC SCHEDULES:

Schedule A (Nonseparately Stated Reconciliation Adjustments) – The Alabama income tax laws are similar, but not identical, to the federal income tax laws. It is necessary to make certain adjustments to reconcile federal ordinary business income (loss) to total income from all allocations computed in accordance with Alabama income tax laws and rules.

Multistate entities must not use Schedule A to make adjustments for non-apportionable (non-business) items. Adjustments for these items should be made on Schedule B.

Schedule B (Allocation of Non-business Income, Loss, and Expense) – This schedule should only be used if Multistate Operation, page 1 is checked. Nonbusiness items are not subject to the multistate apportionment requirements of Chapter 27, Title 40, Code of Alabama 1975, but are allocated directly to Alabama or another state, in accordance with the Multistate Tax Compact. See the Alabama Department of Revenue's Web site (<http://www.revenue.alabama.gov/>) for Alabama's multistate taxation laws and regulations.

Schedule C (Apportionment Factor Schedule) – **Do not complete this schedule if entity operates exclusively in Alabama or Filing Status 3 is selected.** This schedule is only used for Multistate Operations and must be attached to report the business activity in Alabama represented by the apportionment percentage. The Alabama apportionment factor is the total of Alabama Sales divided by total Everywhere Sales. All business income shall be apportioned to this state by multiplying the income by the sales factor.

Schedule D (Apportionment of Federal Income Tax) – This schedule should be completed to compute the amount of the corporation's federal income tax deduction allowable for/apportioned to Alabama.

Schedule E – Alabama Accumulated Adjustments Account.

Schedule DE (Q-Sub/Disregarded Entity Schedule) – List all qualified subchapter S subsidiaries (Q-Sub) and/or disregarded entities.

Schedule G (Other Information Schedule) - **All S corporations must complete this schedule providing the requested additional information as applicable to each corporate taxpayer.**

Schedule K (Distributive Share Items) - Amounts entered in the Alabama Amount column must equal the product of the Amount entered in the Federal Amount column multiplied by the Apportionment Factor.

Alabama Schedule K-1 - *To be considered a complete return, the Alabama Form 20S MUST be accompanied by a properly completed Alabama Schedule K-1 for each tax entity that was a shareholder at any time during the taxable year.* An Alabama Schedule K-1 must be included for each partner/shareholder in the partnership during the tax period.

The Alabama K-1 has two columns in some boxes of Part III. The first column should be completed for both residents and nonresident partners/shareholders. The second column of Part III should be

completed for resident partners\shareholders only. This column should include the resident's share of income (loss) from all sources, including income (loss) earned from other states.

Schedule NRA Non-resident Agreement - An Alabama S Corporation may file the agreement of each non-resident shareholder of the entity to file a return and make timely payments of all taxes imposed on the shareholder with respect to the income of the Alabama S corporation, and to be subject to personal jurisdiction in this State for the purpose of collection of unpaid income tax, together with related interest and penalties, from the non-resident owner/shareholder.

Schedule PC (Pass-through credits) –This schedule should be completed to calculate tax credits available. All credits detailed below are provided on a pass-through basis for all shareholders of eligible S corporations.

****WHAT'S NEW 2021****

Business entities must apply through My Alabama Taxes (MAT) at www.myalabamataxes.alabama.gov and receive approval before some credits are claimed on Schedule PC. Once logged into MAT, a taxpayer will need to locate the Pass-Through Entity Tax as their account type then select "Submit a Credit Claim" and follow a short series of instructions/steps to claim a credit. Any supporting documentation for the credit certificate is required to be attached in MAT. The process of "Submitting a Claim" through MAT must be completed to allow the recipients a credit claim. Taxpayers needing assistance with signing up for a My Alabama Taxes Account or with reserving a tax credit may call (334) 242-1170 Option 6.

1. Part A: Alabama Enterprise Zone Credit – A tax credit is available to qualifying businesses which locate or expand within the designated enterprise zones. Business entities must apply for and be approved by the Alabama Department of Economic and Community Affairs (ADECA) to participate in the Enterprise Zone Program. For additional information contact ACEDA at 334-242-1500.
2. Part B: Basic Skills Employer Education Tax Credit, Section 40-18-135 through 40-18-139 – This credit is 20% of the actual cost of an employer provided or sponsored Approved Basic Skill Education Program. For additional information about the program, contact Alabama Department of Education at 1-800-392-8086.
3. Part C: Coal Tax Credit (**MAT Approval Required**) - Corporations doing business in Alabama as a producer of coal mined in Alabama are allowed a credit against the Alabama income tax liability. The credit is one dollar per ton of the increase in Alabama coal produced for the year over the Alabama coal produced in the prior year.
4. Part D: Full Employment Act of 2011(**MAT Approval Required**) - Sections 40-18-290 through 40-18-293. This credit can be claimed for employees who are hired following June 9, 2011. This tax credit shall not exceed the amount of the taxpayer's state tax liability. This credit is not refundable or transferable.
5. Part E: Alabama New Markets Development Act, Act Number 2012-483, established an income tax credit to corporations that invest in businesses located in impoverished and low income communities. This credit cannot exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed.
6. Part F: Veteran's Employment Act (formerly Heroes for Hire Credit) (**MAT Approval Required**) – This credit is available to a business that meets the requirement of the Full

Employment Act of 2011 that hires resident unemployed veterans or combat veterans for a full-time position paying at a minimum \$14 per hour. The credit is \$1000 per qualifying hire and is available in the tax year during which the employee has completed 12 months of consecutive employment.

7. Part G: Veteran's Employment Act (formerly Hero's for Hire Credit) **(MAT Approval Required)** Business Start-Up Expense Credit – This credit is available to recently deployed and now discharged unemployed veterans who start their own business. To qualify the business must have a start date after April 2, 2012. This credit is nonrefundable and cannot be applied against the income tax liability in an amount up to \$2000. The recently deployed unemployed veteran must hold at least a 50 percent ownership interest in the business which must be located in Alabama and show a net profit of at least \$3000 for the year in which the credit is taken. The recently deployed unemployed veteran is not allowed to claim this credit for themselves if an employer has claimed a hire credit for him or her under the Veteran's Employment Act shown in Part F.
8. Part H: Qualified Irrigation System/Reservoir System Credit **(MAT Approval Required)** – Section 40-18-342 provides an income tax credit to any agricultural trade or business for the cost associated with the purchase, installation or conversion related to irrigation systems or the development or irrigation reservoirs and water wells.
9. Part I: Rehabilitation, Preservation and Development of Historic Structures Credit of 2013 **(MAT Approval Required)** – Sections 40-9F-1 through 40-9F-8 were amended by Act 2014-452 which allows for a tax credit against Alabama Income Tax. Attach a copy of the tax certificate issues by the commission.
10. Part J: Credit for Taxes Paid to Foreign Country – Attach a copy of the foreign income tax return and a computation for the credit taken. The credit allowed cannot exceed the amount of income tax that would otherwise be imposed by Alabama on the individuals income derived from the foreign country.
11. Part K: Career- Technical Dual Enrollment Credit **(MAT Approval Required)** – Act 2014-147 provides an income tax credit, equal to 50 percent of contributions, to entities that make contributions for qualifying educational expenses directly associated with the Career-Technical Dual Enrollment Program as defined by the State Board of Education for tax years beginning January 1, 2015.
12. Part L: Investment Credit (Alabama Jobs Act) – Act 2015-27 Provides for an investment credit in an amount equal to 1.5% of the capital investment incurred as of the beginning of the inventive period. This credit may be used to offset utility taxes. **Note: Allocation of this credit is required to be submitted through MAT after approval from the Department of Commerce. If credit is used to offset the Nonresident Composite Tax, Schedule NRA-IC must be submitted through MAT.**
13. Part M: Alabama Accountability Tax Credit – Act 2015-434 authorizes a tax credit for contributions to entities that provide educational scholarships to qualifying schools. **Note: Reserving a tax credit requires the use of the Department's online portal for taxpayers, My Alabama Taxes. Once logged into MAT, a taxpayer will need to select "Report a donation to SNO" from the menu on the right margin of the page and follow a short series of instructions/steps to record their donation and reserve their portion of the credit.**

14. Part N: Alabama Renewal Act – Port Credit – Act 2016-102 provides an income tax credit in an amount equal to \$50 per TEU, \$3 per net ton or \$0.04 per kilogram for air freight multiplied by the port user’s cargo volume in the 12 month period for which the commission has granted approval for the port user to claim the port credit minus the port users base cargo volume.
15. Part O: Growing Alabama Credit **(MAT Approval Required)**- Act Number 2021-423 and Section 40-18-413 authorize a tax credit to taxpayers that make cash contributions to economic development organizations (EDO) approved by the Renewal of Alabama Commission. The credit is the amount of the cash contribution made not to exceed the reservation amount as verified by the EDO. The credit cannot exceed 50% of the income tax liability for the current year. This credit is nontransferable and may be carried forward for up to five years.
16. Part P: Apprenticeship Tax Credit of 2016– Act 2016-314 allows an eligible employer to claim an income tax credit of \$1,000 for each apprentices employed, not to exceed five apprentices employed, for at least seven full months of the prior taxable year. The credit shall not be available for an individual apprentice for more than four taxable years. This tax credit shall not be allowed to decrease the taxpayer’s tax liability to less than zero. The credit is not refundable or transferable.
17. Part Q: Rehabilitation, Preservation and Development of Historic Structures Credit of 2017 **(MAT Approval Required)** – Act 2017-380 provides a refundable income tax credit against the tax liability of the rehabilitation, preservation, and development of historic structures. The entire credit must be claimed by the taxpayer in the taxable year in which the certified rehabilitation is placed in service. This credit is refundable and transferable but cannot be carried forward. Any tax credit granted to or transferred to a pass-through entity must be claimed at the entity level.
18. Part R: Railroad Modernization Act of 2019 **(MAT Approval Required)**- Section 37-11C-4 of the Code of Alabama provides for a refundable tax credit equal to 50 percent of an eligible taxpayer's qualified railroad rehabilitation expenditures. The Alabama Department of Commerce is the administering agency for the Rail Credit. For more information regarding eligibility and qualifications, please contact incentives@commerce.alabama.gov or 334-242-0400.
19. Part S: Capital Credit **(MAT Approval Required)** – Form KRCC distributions must be submitted in MAT for each owner by following directions for claiming a credit. Log in to your MAT account and select “Submit Credit Claim” and select Capital Credit. Enter each partner’s share of available credit from the Form KRCC. The upload the partners form KRCC documents for support. The form KRCC must also be attached to the Form 65 and 20S with Schedule PC when the return is filed. The return should include a copy of the Form KRCC if one was received from a distributing entity. NOTE: Form AR-PTE must be submitted through MAT if the entity is the project entity. Once logged into MAT, a taxpayer will need to select “Submit a Capital Credit Annual Report” from the menu on the right margin of the page and follow a short series of instructions/steps. A report must be filled for each Capital Credit Project.

Schedule PAB (Pass Through Add Back Form) – If an S-Corp makes interest/intangible payments to a related member, Form PAB should be completed and attached to the S-Corp’s return. DO NOT include small business health insurance premiums.

Schedule KRCC (Project/Distributing Entity Share of Capital Credit) – A completed form KRCC must be filed with the recipient's income tax return. For the Project/Distributing Entities, Form KRCC distributions must be submitted in MAT for each owner by following directions for claiming a credit, see the Schedule PC or Schedule FC instructions. A copy of the Form KRCC must be included with the entity's income tax return. Do NOT complete this form if the project entity is a C Corporation.

Schedule OZ – Gains invested in Qualified Opportunity Zone Funds.

For additional information see form 20S instructions.

Visit our Web site at www.revenue.alabama.gov for additional information or current law changes.

FORM 65 – ALABAMA PARTNERSHIP / LIMITED LIABILITY COMPANY RETURN OF INCOME

SPECIAL ISSUES REGARDING FILING STATUS:

The Alabama Form 65 requires that an Alabama Schedule K-1 be completed for any entity that was a partner or owner during the taxable year. *The Alabama Form 65 is not considered complete and properly filed unless a copy of the federal Form 1065 with all federal K-1s are attached.* Failure to attach the complete federal return with the necessary supporting schedules will result in rejection of the return and may result in the imposition of delinquent penalties.

Nexus – (Updated 9/16/2019) Act 2015-505 establishes a factor presence nexus standard for nonresident business activity. Substantial nexus in Alabama is established if any of the following thresholds are exceeded during the tax period:

1. \$54,000 of property
2. \$54,000 of payroll
3. \$538,000 of sales
4. 25% of total property, total payroll or total sales

Filing Status 1 (Corporation operating only in Alabama) – If checked, then Alabama Apportionment Factor must be 100% on Schedule C.

Filing Status 2 (Multistate Corporation – Apportionment) – If the S Corporation operates in more than one state, Schedule B, C, and D must be completed. Section 40-18-22, Code of Alabama 1975, requires partnerships and limited liability companies that are doing business both within and without the State of Alabama to allocate and apportion their income in accordance with Chapter 27, Title 40, Code of Alabama 1975 (also known as the Multistate Tax Compact). See the Alabama Department of Revenue's Web site (www.revenue.alabama.gov) for Alabama's multistate taxation laws and regulations. (2019 tax year and forward we will allow 0% multistate)

Filing Status 3 (MultiState Corporation – Separate Account) – This filing status should be used for separate accounting or allocation of income. The Schedule B must be filled out and Schedule C (apportionment factor) should not be transmitted.

SPECIAL ISSUES PERTAINING TO SPECIFIC SCHEDULES:

Schedule A (Nonseparately Stated Reconciliation Adjustments) – The Alabama income tax laws are similar, but not identical, to the federal income tax laws. It is necessary to make certain

adjustments to reconcile federal ordinary business income (loss) to total income from all allocations computed in accordance with Alabama income tax laws and rules.

Multistate entities must not use Schedule A to make adjustments for non-apportionable (nonbusiness) items. Adjustments for these items must be made on Schedule B.

Schedule B (Allocation of Nonbusiness Income, Loss, and Expense) – This schedule should only be used if Multistate Operation, page 1 is checked. Nonbusiness items are not subject to the multistate apportionment requirements of Chapter 27, Title 40, Code of Alabama 1975, but are allocated directly to Alabama or another state, in accordance with the Multistate Tax Compact. See the Alabama Department of Revenue's Web site (www.revenue.alabama.gov) for Alabama's multistate taxation laws and regulations.

Schedule C (Apportionment Factor Schedule) – **Do not complete this schedule if entity operates exclusively in Alabama or Filing Status 3 is selected.** This schedule is only used for Multistate Operations and must be attached to report the business activity in Alabama represented by the apportionment percentage. The Alabama apportionment factor is the total of Alabama Sales divided by total Everywhere Sales. All business income shall be apportioned to this state by multiplying the income by the sales factor.

Schedule D (Disregarded Entity Schedule) – List all disregarded entities in which the Subchapter K entity holds full ownership interest of 100%.

Schedule E (Other Information) – All partnerships and limited liability companies must provide the information required.

Schedule K (Partner's Distributive Share Items) - Amounts entered in the Alabama Amount column must equal the product of the Amount entered in the Federal Amount column multiplied by the Apportionment Factor.

Alabama Schedule K-1 - *To be considered a complete return, the Alabama Form 65 MUST be accompanied by a properly completed Alabama Schedule K-1 for each tax entity that was a shareholder at any time during the taxable year.* An Alabama Schedule K-1 must be included for each partner/shareholder in the partnership during the tax period.

The Alabama K-1 has two columns in some boxes of Part III. The first column should be completed for both residents and nonresident partners/shareholders. The second column of Part III should be completed for resident partners/shareholders only. This column should include the resident's share of income (loss) from all sources, including income (loss) earned from other states.

Schedule PAB (Pass Through Add Back Form) – If a partnership makes interest/intangible payments to a related member, Form PAB should be completed and attached to the partnership's return. Enter the amount from line 12 of Form PAB on Schedule A, Line 8.

Schedule QIPC – 40-18-24.2 generally defines a Qualified Investment Partnership (QIP). An Alabama Partnership return filed by a QIP must be indicated by completing the QIP indicator on page one of the Form 65 and on each K-1 accompanying the return. The Schedule QIP-C must accompany all QIP form 65 returns.

Schedule NRC – Schedule NRC-Exempt is to be completed by a nonresident member to certify exemption from AL Code 40-18-24.2. This form should be attached to the Form 65 and Form PTE-C each Year.

Schedule PC (Pass-through credits) –This schedule should be completed to calculate tax credits available. All credits detailed below are provided on a pass-through basis for all shareholders of eligible S corporations.

****WHAT'S NEW 2021****

Business entities must apply through My Alabama Taxes (MAT) at www.myalabamataxes.alabama.gov and receive approval before some credits are claimed on Schedule PC. Once logged into MAT, a taxpayer will need to locate the Pass-Through Entity Tax as their account type then select “Submit a Credit Claim” and follow a short series of instructions/steps to claim a credit. Any supporting documentation for the credit certificate is required to be attached in MAT. The process of “Submitting a Claim” through MAT must be completed to allow the recipients a credit claim. Taxpayers needing assistance with signing up for a My Alabama Taxes Account or with reserving a tax credit may call (334) 242-1170 Option 6.

1. Part A: Alabama Enterprise Zone Credit – A tax credit is available to qualifying businesses which locate or expand within the designated enterprise zones. Business entities must apply for and be approved by the Alabama Department of Economic and Community Affairs (ADECA) to participate in the Enterprise Zone Program. For additional information contact ACEDA at 334-242-1500.
2. Part B: Basic Skills Employer Education Tax Credit, Section 40-18-135 through 40-18-139 – This credit is 20% of the actual cost of an employer provided or sponsored Approved Basic Skill Education Program. For additional information about the program, contact Alabama Department of Education at 1-800-392-8086.
3. Part C: Coal Tax Credit (**MAT Approval Required**) - Corporations doing business in Alabama as a producer of coal mined in Alabama are allowed a credit against the Alabama income tax liability. The credit is one dollar per ton of the increase in Alabama coal produced for the year over the Alabama coal produced in the prior year.
4. Part D: Full Employment Act of 2011(**MAT Approval Required**) - Sections 40-18-290 through 40-18-293. This credit can be claimed for employees who are hired following June 9, 2011. This tax credit shall not exceed the amount of the taxpayer's state tax liability. This credit is not refundable or transferable.
5. Part E: Alabama New Markets Development Act, Act Number 2012-483, established an income tax credit to corporations that invest in businesses located in impoverished and low income communities. This credit cannot exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed.
6. Part F: Veteran's Employment Act (formerly Heroes for Hire Credit) (**MAT Approval Required**) – This credit is available to a business that meets the requirement of either the Full Employment Act of 2011 that hires resident unemployed veterans or combat veterans for a full-time position paying at a minimum \$14 per hour. The credit is \$1000 per qualifying hire and is available in the tax year during which the employee has completed 12 months of consecutive employment.
7. Part G: Veteran's Employment Act (formerly Hero's for Hire Credit) (**MAT Approval Required**) Business Start-Up Expense Credit – This credit is available to recently deployed and now discharged unemployed veterans who start their own business. To qualify the business must have a start date after April 2, 2012. This credit is nonrefundable and cannot

be applied against the income tax liability in an amount up to \$2000. The recently deployed unemployed veteran must hold at least a 50 percent ownership interest in the business which must be located in Alabama and show a net profit of at least \$3000 for the year in which the credit is taken. The recently deployed unemployed veteran is not allowed to claim this credit for themselves if an employer has claimed a hire credit for him or her under the Veteran's Employment Act shown in Part F.

8. Part H: Qualified Irrigation System/Reservoir System Credit **(MAT Approval Required)** – Section 40-18-342 provides an income tax credit to any agricultural trade or business for the cost associated with the purchase, installation or conversion related to irrigation systems or the development or irrigation reservoirs and water wells.
9. Part I: Rehabilitation, Preservation and Development of Historic Structures Credit of 2013 **(MAT Approval Required)** – Sections 40-9F-1 through 40-9F-8 were amended by Act 2014-452 which allows for a tax credit against Alabama Income Tax. Attach a copy of the tax certificate issues by the commission.
10. Part J: Credit for Taxes Paid to Foreign Country – Attach a copy of the foreign income tax return and a computation for the credit taken. The credit allowed cannot exceed the amount of income tax that would otherwise be imposed by Alabama on the individuals income derived from the foreign country.
11. Part K: Career- Technical Dual Enrollment Credit **(MAT Approval Required)** – Act 2014-147 provides an income tax credit, equal to 50 percent of contributions, to entities that make contributions for qualifying educational expenses directly associated with the Career-Technical Dual Enrollment Program as defined by the State Board of Education for tax years beginning January 1, 2015.
12. Part L: Investment Credit (Alabama Jobs Act) – Act 2015-27 Provides for an investment credit in an amount equal to 1.5% of the capital investment incurred as of the beginning of the inventive period. This credit may be used to offset utility taxes. **Note: Allocation of this credit is required to be submitted through MAT after approval from the Department of Commerce. If credit is used to offset the Nonresident Composite Tax, Schedule NRA-IC must be submitted through MAT.**
13. Part M: Alabama Accountability Tax Credit – Act 2015-434 authorizes a tax credit for contributions to entities that provide educational scholarships to qualifying schools. **Note: Reserving a tax credit requires the use of the Department's online portal for taxpayers, My Alabama Taxes. Once logged into MAT, a taxpayer will need to select "Report a donation to SNO" from the menu on the right margin of the page and follow a short series of instructions/steps to record their donation and reserve their portion of the credit.**
14. Part N: Alabama Renewal Act – Port Credit – Act 2016-102 provides an income tax credit in an amount equal to \$50 per TEU, \$3 per net ton or \$0.04 per kilogram for air freight multiplied by the port user's cargo volume in the 12 month period for which the commission has granted approval for the port user to claim the port credit minus the port users base cargo volume.
15. Part O: Growing Alabama Credit **(MAT Approval Required)**- Act Number 2021-423 and Section 40-18-413 authorize a tax credit to taxpayers that make cash contributions to economic development organizations (EDO) approved by the Renewal of Alabama Commission. The credit is the amount of the cash contribution made not to exceed the reservation amount as

verified by the EDO. The credit cannot exceed 50% of the income tax liability for the current year. This credit is nontransferable and may be carried forward for up to five years.

16. Part P: Apprenticeship Tax Credit of 2016– Act 2016-314 allows an eligible employer to claim an income tax credit of \$1,000 for each apprentices employed, not to exceed five apprentices employed, for at least seven full months of the prior taxable year. The credit shall not be available for an individual apprentice for more than four taxable years. This tax credit shall not be allowed to decrease the taxpayer's tax liability to less than zero. The credit is not refundable or transferable.
17. Part Q: Rehabilitation, Preservation and Development of Historic Structures Credit of 2017 **(MAT Approval Required)** – Act 2017-380 provides a refundable income tax credit against the tax liability of the rehabilitation, preservation, and development of historic structures. The entire credit must be claimed by the taxpayer in the taxable year in which the certified rehabilitation is placed in service. This credit is refundable and transferable but cannot be carried forward. Any tax credit granted to or transferred to a pass-through entity must be claimed at the entity level.
18. Part R: Railroad Modernization Act of 2019 **(MAT Approval Required)**- Section 37-11C-4 of the Code of Alabama provides for a refundable tax credit equal to 50 percent of an eligible taxpayer's qualified railroad rehabilitation expenditures. The Alabama Department of Commerce is the administering agency for the Rail Credit. For more information regarding eligibility and qualifications, please contact incentives@commerce.alabama.gov or 334-242-0400.
19. Part S: Capital Credit **(MAT Approval Required)** – Form KRCC distributions must be submitted in MAT for each owner by following directions for claiming a credit. Log in to your MAT account and select “Submit Credit Claim” and select Capital Credit. Enter each partner's share of available credit from the Form KRCC. The upload the partners form KRCC documents for support. The form KRCC must also be attached to the Form 65 and 20S with Schedule PC when the return is filed. The return should include a copy of the Form KRCC if one was received from a distributing entity. NOTE: Form AR-PTE must be submitted through MAT if the entity is the project entity. Once logged into MAT, a taxpayer will need to select “Submit a Capital Credit Annual Report” from the menu on the right margin of the page and follow a short series of instructions/steps. A report must be filled for each Capital Credit Project.

Schedule KRCC (Project/Distributing Entity Share of Capital Credit) – A completed form KRCC must be filed with the recipient's income tax return. For the Project/Distributing Entities, Form KRCC distributions must be submitted in MAT for each owner by following directions for claiming a credit, see the Schedule PC or Schedule FC instructions. A copy of the Form KRCC must be included with the entity's income tax return. Do NOT complete this form if the project entity is a C Corporation.

Schedule OZ – Gains invested in Qualified Opportunity Zone Funds.

See Form 65 Instructions. Visit our Web site at www.revenue.alabama.gov for additional information or current law changes.

FORM PTEC – NONRESIDENT COMPOSITE PAYMENT RETURN

An Alabama Subchapter K entity/S corporation may file composite returns and make composite payments on behalf of some or all of its non-resident owners/shareholders if there are one or more non-resident owners/shareholders during any part of the taxable year. By filing Form PTE-C no further filing may then be required by an individual owner/shareholder. If an individual non-resident owner/shareholder has other income in Alabama or is due a refund a Form 40NR, Alabama Individual Nonresident Income Tax Return must be filed by that owner/shareholder.

Required Entity Information – This form is required for the Alabama Form PTE-C. All Subchapter K entities, S Corporations and Qualified Investment Partnerships must complete this section providing the additional required information.

Schedule PTE-CK1 should be completed for each non-resident owner/shareholder for whom the company is making a composite payment.

See Form PTE-C Instructions. Visit our Web site at www.revenue.alabama.gov for additional information or current law changes.

Schedule NRC – Schedule NRC-Exempt is to be completed by a nonresident member to certify exemption from AL Code 40-18-24.2. This form should be attached to the Form 65 and Form PTE-C each Year.

Schedule PTE-AJA (Alabama Jobs Act- Investment Credit) – Schedule PTE-AJA should be completed for each non-resident member that elects to have their portion of the Alabama Investment Credit included as part of the composite return.

FORM EPT – ELECTING PASS-THROUGH PAYMENT RETURN

Alabama Act 2021-1 allows Alabama S-Corporations and Subchapter K entities (pass-through entities or PTEs) to elect to pay Alabama income tax at the entity level. Entities making this election (Electing PTEs) must notify ADOR by filing Form PTE-E via My Alabama Taxes at any time during the tax year but no later than the 15th day of the third month following the close of that tax year for which the entity elects to be taxed as an Electing PTE. Entities making this election are required to file Form EPT, in addition to Form 65 or Form 20S, and submit estimated tax payments. Act 2021-423 requires that an owner, member, partner, or shareholder of an electing PTE report income from the Electing PTE and shall be entitled to a refundable credit in an amount equal to its pro rata or distributive share of the Alabama income tax paid by the Electing PTE with respect to the corresponding tax year.

Schedule EPT-C (Electing Pass-Through Credits) - This schedule should be completed to calculate tax credits available to Alabama S Corporations and Subchapter K entities that elect to pay Alabama income tax at the entity level. All credits detailed below are provided on a pass-through basis for all shareholders. **If claiming credits below on Schedule EPT-C, do not claim on Schedule PC.**

****WHAT'S NEW 2021****

Business entities must apply through My Alabama Taxes (MAT) at www.myalabamataxes.alabama.gov and receive approval before some credits are claimed on Schedule EPT-C. Once logged into MAT, a taxpayer will need to locate the Pass-Through Entity Tax as their account type then select "Submit a Credit Claim" and follow a short series of instructions/steps to claim a credit. Any supporting documentation for the credit certificate is required to be attached in MAT. The process of "Submitting a Claim" through MAT must be completed to allow the recipients a credit claim. Taxpayers needing assistance with signing up for a My Alabama Taxes Account or with reserving a tax credit may call (334) 242-1170 Option 6.

1. Part A: Rehabilitation, Preservation and Development of Historic Structures Credit of 2017 (**MAT Approval Required**) – Act 2017-380 provides a refundable income tax credit against the tax liability of the rehabilitation, preservation, and development of historic structures. The entire credit must be claimed by the taxpayer in the taxable year in which the certified rehabilitation is placed in service. This credit is refundable and transferable but cannot be carried forward. Any tax credit granted to or transferred to a pass-through entity must be claimed at the entity level.
2. Part B: Railroad Modernization Act of 2019 (**MAT Approval Required**)- Section 37-11C-4 of the Code of Alabama provides for a refundable tax credit equal to 50 percent of an eligible taxpayer's qualified railroad rehabilitation expenditures. The Alabama Department of Commerce is the administering agency for the Rail Credit. For more information regarding eligibility and qualifications, please contact incentives@commerce.alabama.gov or 334-242-0400.

Schedule EPT-K1 should be completed for each resident and non-resident owner/shareholder for whom the company is making a composite payment.

See Form EPT Instructions. Visit our Web site at www.revenue.alabama.gov for additional information or current law changes.

Fiduciary Income Tax Return Information (Form 41):

The Alabama Form 41 is used to report the gross income of estates and trusts in addition to reporting the deductions, exemptions and credits allowed estates and trusts by Alabama income tax law in determining the Alabama taxable income of the estates and trusts.

Required Attachments: To be considered a complete return, the Alabama Fiduciary Income Tax Return must have attached in XML format a complete copy of the federal Form 1041 with all federal K-1s, statements and attachments. In addition, a properly completed Schedule K-1 must be transmitted for each person or tax entity that was a beneficiary at any time during the taxable year.

CRATs (Charitable Remainder Annuity Trust) and CRUTs (Charitable Remainder Unitrust) should be prepared as follows:

When completing a form 41 for a CRAT or CRUT, the return should be completed using the standard instructions down to line 5 of page 1. Line 6 should then be completed by entering 0 and checking "alternate tax method."

Schedule A – Computation of Alabama Income Distribution Deduction:

Line 8, if a complex trust enter accounting income for the tax year as determined under the governing instrument and allocable local law: This line applies to complex trusts only.

Line 9, Income required to be distributed currently: This applies to simple and complex trusts only.

Line 10, other amounts paid, credited or otherwise require to be distributed: This applies to only decedent's estates or complex trusts.

Line 15, Enter the smallest of the amounts entered on lines 13 or 14, but not less than zero.

Schedule B – Alabama Charitable Deduction Schedule - This schedule should be populated if reporting charitable deductions on Schedule C, Column C, and Line 13.

Schedule C – Computation of Alabama Adjusted Total Income:

Possible Reasons for an Alabama Adjustment on Schedule C:

1. Tax exempt Income – Tax exempt interest income for Alabama income tax purposes can differ from tax exempt interest for federal purposes. Interest income from obligations of the United States or its possessions is taxable for federal income tax purposes and is exempt for Alabama income tax purposes. Interest income from the obligations of the State of Alabama and the obligations of Alabama local political subdivisions is exempt for federal income tax purposes, and is exempt for Alabama income tax purposes. Interest income from non-Alabama state and local government obligations is except for Federal income tax purposes, but not for Alabama income tax purposes.
2. Federal passive activity loss restrictions – Estates and trusts are subject to certain federal passive activity loss restriction, which are not applicable in computing Alabama taxable income.
3. Capital Gains or Losses – While federal income tax law may limit the amount of capital losses that may be claimed by a taxpayer in a tax year, in computing Alabama taxable income estates and trusts shall report gains and losses in accordance with 40-18-8.
4. Net Operating Loss – In computing Alabama taxable income an estate or trust is only entitled to the net operating loss deduction provided for individual taxpayers in 40-18-15.2.
5. Deductions not claimed on the federal return in order to take a federal employment tax credit – certain federal employment tax credits require the wages to be reduced by the amount of the credit taken, the amount of wages were reduced would be allowed as a deduction for Alabama income tax purposes.

Schedule K-Summary of Alabama K-1 Information - Each line on the Schedule K must equal the sum of all K-1 information for that particular item.

Schedule K-1 – Fiduciary Income Tax Beneficiary Information: The Alabama K-1 is divided into three columns. Column A shows the total Alabama distributable income that is taken as a deduction on page 1, Line 2, This amount includes Alabama sourced and Alabama non-sourced income. Column B shows the nonresident beneficiary or owner's share of non-Alabama source income. The adjustments in Column B will include adjustments to arrive at the proper amount of Alabama sourced Income. Column C shows amounts reportable on the Alabama Return of the beneficiary by subtracting Column B from Column A. Amounts in Column C, are reportable to Alabama for both resident and nonresidents.

Schedule D – Profit or Loss from Sales of Assets - This schedule should be populated if capital gain or loss is reported on Form 41, Schedule C, Column C, and Line 3.

Schedule E – Supplemental Income and Loss - This schedule should be populated if Schedule C, Column C, Line 5b is populated on the Form 41. It should also be populated if Schedule G, line 6 is populated.

Schedule ESBT –Worksheet for Electing Small Business Trust - This schedule should be populated if filing status ESBT (S portion only) is checked on the Form 41.

Schedule FC –Fiduciary Credit Calculation Schedule

****WHAT'S NEW 2021****

Fiduciary taxpayers must apply through My Alabama Taxes (MAT) at www.myalabamataxes.alabama.gov and receive approval before claiming the Rehabilitation, Preservation and Development of Historic Structure Credit of 2017 and before distributing the Capital Credit. Once Logged into MAT, a taxpayer will need to select Fiduciary Tax as their account type then select “Submit a Credit Claim” from the “I Want to” menu on the right margin of the page and follow a short series of instructions/steps to claim a credit. Any supporting documentation for the credit certificate is required to be attached in MAT. The process of “Submitting a Claim” through MAT must be completed to allow the recipients a credit claim. Taxpayers needing assistance with signing up for a My Alabama Taxes Account or with reserving a tax credit may call (334) 242-1033.

1. Part A - Income Tax Paid to Other States – In accordance with 40-18-25c resident estates and trusts are allowed a credit for taxes paid to another state, for tax years beginning after December 31, 2004, if the resident estate or trust conducts a trade or business both in Alabama and in one or more other state or territories. The credit is limited to the lesser of the tax actually due to the other state or territory or the amount that would be due on the same income computed at the income tax rate in Alabama. When income tax is paid to more than one other state, the tax credit must be computed separately for each state.
2. Part B – Full Employment Act of 2011(**MAT Approval Required**) - Sections 40-18-290 through 40-18-293. This credit can be claimed for employees who are hired following June 9, 2011. This tax credit shall not exceed the amount of the taxpayer's state tax liability. This credit is not refundable or transferable.
3. Part C - Alabama New Markets Development Act, Act Number 2012-483, established an income tax credit to corporations that invest in businesses located in impoverished and low income communities. This credit cannot exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed.
4. Part D: Veteran's Employment Act (formerly Heroes for Hire Credit) (**MAT Approval Required**) – This credit is available to a business that meets the requirement of either the Full Employment Act of 2011 or the Alabama Small Business Jobs Act that hires resident unemployed veterans or combat veterans for a full-time position paying at a minimum \$14 per hour. The credit is \$1000 per qualifying hire and is available in the tax year during which the employee has completed 12 months of consecutive employment.
5. Part E: Veteran's Employment Act (formerly Hero's for Hire Credit) (**MAT Approval Required**) Business Start-Up Expense Credit – This credit is available to recently deployed and now discharged unemployed veterans who start their own business. To qualify the business must have a start date after April 2, 2012. This credit is nonrefundable and cannot be applied against the income tax liability in an amount up to \$2000. The recently deployed unemployed veteran must hold at least a 50 percent ownership interest in the business

which must be located in Alabama and show a net profit of at least \$3000 for the year in which the credit is taken. The recently deployed unemployed veteran is not allowed to claim this credit for themselves if an employer has claimed a hire credit for him or her under the Veteran's Employment Act shown in Part F.

6. Part F: Qualified Irrigation System/Reservoir System Credit **(MAT Approval Required)** – Section 40-18-342 provides an income tax credit to any agricultural trade or business for the cost associated with the purchase, installation or conversion related to irrigation systems or the development or irrigation reservoirs and water wells.
7. Part G: Rehabilitation, Preservation and Development of Historic Structures Credit of 2013 **(MAT Approval Required)** – Sections 40-9F-1 through 40-9F-8 were amended by Act 2014-452 which allows for a tax credit against Alabama Income Tax.
8. Part H: Credit for Taxes Paid to Foreign Country – This credit is not available to be applied on the form 41. This credit is not available to Nonresidents.
9. Part I: Career-Technical Dual Enrollment Credit **(MAT Approval Required)** – Act 2014-147 provides an income tax credit, equal to 50 percent of contributions, to entities that make contributions for qualifying educational expenses directly associated with the Career-Technical Dual Enrollment Program as defined by the State Board of Education for tax years beginning January 1, 2015.
10. Part J: Investment Credit (Alabama Jobs Act) – Act 2015-27 Provides for an investment credit in an amount equal to 1.5% of the capital investment incurred as of the beginning of the inventive period. This credit may be used to offset utility taxes. **Note: The approval of this credit is managed through the Department of Commerce. Once they have approved and issued the certificate, you will be notified to fill out an application through MAT.**
11. Part K: Alabama Accountability Tax Credit – Act 2015-434 authorizes a tax credit for contributions to entities that provide educational scholarships to qualifying schools. **Note: Reserving a tax credit requires the use of the Department's online portal for taxpayers, My Alabama Taxes. Once logged into MAT, a taxpayer will need to select "Report a donation to SNO" from the menu on the right margin of the page and follow a short series of instructions/steps to record their donation and reserve their portion of the credit.**
12. Part L: Alabama Renewal Act – Port Credit – Act 2016-102 provides an income tax credit in an amount equal to \$50 per TEU, \$3 per net ton or \$0.04 per kilogram for air freight multiplied by the port user's cargo volume in the 12 month period for which the commission has granted approval for the port user to claim the port credit minus the port users base cargo volume.
13. Part M: Growing Alabama Credit **(MAT Approval Required)** – Act Number 2021-423 and Section 40-18-413 authorize a tax credit to taxpayers that make cash contributions to economic development organizations (EDO) approved by the Renewal of Alabama Commission. The credit is the amount of the cash contribution made not to exceed the reservation amount as verified by the EDO. The credit cannot exceed 50% of the income tax liability for the current year. This credit is nontransferable and may be carried forward for up to five years.
14. Part N: Apprenticeship Tax Credit of 2016– Act 2016-314 allows an eligible employer to claim an income tax credit of \$1,000 for each apprentices employed, not to exceed five

apprentices employed, for at least seven full months of the prior taxable year. The credit shall not be available for an individual apprentice for more than four taxable years. This tax credit shall not be allowed to decrease the taxpayer's tax liability to less than zero. The credit is not refundable or transferable.

15. Part O: Rehabilitation, Preservation and Development of Historic Structures Credit of 2017 **(MAT Approval Required)** – Act 2017-380 provides a refundable income tax credit against the tax liability of the rehabilitation, preservation, and development of historic structures. The entire credit must be claimed by the taxpayer in the taxable year in which the certified rehabilitation is placed in service. This credit is refundable and transferable but cannot be carried forward. Any tax credit granted to or transferred to a pass-through entity must be claimed at the entity level.
16. Part P – Railroad Modernization Act of 2019 **(MAT Approval Required)**- Section 37-11C-4 of the Code of Alabama provides for a refundable tax credit equal to 50 percent of an eligible taxpayer's qualified railroad rehabilitation expenditures. The Alabama Department of Commerce is the administering agency for the Rail Credit. For more information regarding eligibility and qualifications, please contact incentives@commerce.alabama.gov or 334-242-0400.
17. Part Q - Capital Credit –If the Capital Credit will be claimed on Form 41, the fiduciary must complete and attach Schedule KRCC-B with Schedule FC when filing their return. The return should include a copy of the Form KRCC received from the distributing entity to verify the credit. NOTE: If distributing the Capital Credit to a beneficiary, Form KRCC distributions must be submitted in MAT for each beneficiary by following direction for claiming a credit. Log into your MAT account select "Submit credit Claim" and select capital credit. Enter each beneficiary's share of available credit from the Form KRCC. The upload the beneficiary's Form KRCC documents for support. The form KRCC must also be attached to the Form 41 when Schedule FC when the return is filed. The return should include a copy of the Form KRCC that was received from the distributing entity to verify the credit.

Schedule G – Grantor Statement of Income, Deductions, Credits - This schedule should be populated if filing status Grantor Type Trust is checked on the Form 41.

Schedule NOL-F85 – The Form NOL-F85 is used to compute the amount of a net operating loss originating in a tax year. It is used to determine the amount of net operating loss that can be carried back or forward to another tax year. Part III of the form is used to make an election to forfeit the carryback of the net operating loss to prior tax year, and only carry the net operating loss forward to future tax years.

Alabama net Operating Loss: An Alabama net operating loss is the amount by which deductions (after modifications) exceed gross income. A net operating loss may result from losses incurred in a trade or business, from the sale of assets used in a trade or business, or from personal casualties or thefts. For the purpose of computing the amount of an allowable net operating loss, certain items of income, expense or deduction will be classified as business or non-business.

Schedule NOL-F85A – This form is designed to apply a net operating loss sustained by an estate or trust (Form 41) to the next taxable year to which the loss is being carried. Before Form NOL-F85A can be completed you must first complete the Form NOL-F85 to determine if you have an allowable net operating loss and the amount that may be carried back or carried forward.

Carryback of NOL: For loss years beginning after December 31, 1997 an NOL may be carried back and deducted from taxable income in each of the preceding two years or until exhausted.

When an NOL is carried back to a prior year, taxable income will be recomputed in such prior year. If the NOL being carried back is equal to or greater than taxable income as previously reported or last adjusted (including any deductions for NOLs carried back to such year from any loss year prior to the current loss year), taxable income will be reduced to zero. If the NOL being carried back is less than taxable income as previously reported or last adjusted.

Carry forward of NOL: An NOL may be carried forward 15 years subsequent to the loss year in order of time or until exhausted, whichever occurs first.

Schedule KRCC (Project/Distributing Entity Share of Capital Credit) – A completed form KRCC must be filed with the recipient's income tax return. For the Project/Distributing Entities, Form KRCC distributions must be submitted in MAT for each owner by following directions for claiming a credit, see the Schedule PC or Schedule FC instructions. A copy of the Form KRCC must be included with the entity's income tax return. Do NOT complete this form if the project entity is a C Corporation.

Schedule KRCC-B (Recipient's Share of Capital Credit for Business Entities, Including Trusts) – This form is used to calculate the recipient's tax liability generated from the qualifying project. Form KRCC (as received from the distributing entity) and Schedule KRCC-B must be attached to the income tax return. Do not use Schedule KRCC-B if the taxpayer is the project entity.

Filing Due Date Information:

EROs must ensure that electronic returns are filed in a timely manner. The receipt date of the electronic transmission is based on the IRS received date.

The receipt date of the electronic transmission is based on the electronic postmark date as long as the electronic postmark date is within (3) days of the IRS Received Date. If no electronic postmark date is transmitted or if the Electronic Postmark date is greater than 3 days of the IRS Received Date, the IRS received date will be used. The electronic postmark must be adjusted to the time zone where the taxpayer resides to determine the postmark's actual time.

***Any return not acknowledged by the Department as "accepted" is considered not filed. ***

****Tax Year 2021 Forms 20C, 20CC, 20S, 65 and PTEC should be filed by the same date as corresponding federal income returns are required to be filed as provided under federal law. If the due date falls on a Saturday, Sunday or state holiday, the return will be due the following business day.**

****For Taxable Year/Form Year 2018 or after and determination periods ending on December 31, 2017 and after, corporations (with the exception of financial institutions) can file their business privilege tax returns by the same date as the corresponding federal income tax returns that are required to be filed as provided under federal law. The corporation's tax liability is due at the same time as the due date of an original return. However, financial institution groups will file their business privilege tax return no later than the corresponding Alabama Excise Tax return.**

Act 2016-412, SB263 amends Sections 40-18-27, 40-18-39 and 40-18-42 Code of Alabama 1975. Effective Date: For taxable years beginning on or after January 1, 2016.

Section 40-18-39(a)

Corporate returns.

(a) Except as provided in subsection (c), every corporation, joint stock company, or association subject to income tax under this chapter shall file a return with the Department of Revenue for each taxable year, stating specifically the items of its gross income and the deductions and credits allowed by this chapter. In cases where receivers, trustees in bankruptcy, or assignees are operating the property or business of corporations, such receivers, trustees, or assignees shall file returns for such corporations in the same manner and form as corporations are required to file returns. Any tax due on the basis of such returns filed by receivers, trustees, or assignees shall be collected in the same manner as if collected from the corporations of whose business or property they have custody and control. **Returns shall be filed by the same date as the corresponding federal income tax returns are required to be filed as provided under federal law.** The Department of Revenue may grant a reasonable extension of time for filing returns under such rules and regulations as it shall prescribe. Except in the case of taxpayers who are abroad, no such extension shall be for more than six months.

Section 40-18-42

Time and methods of payment of tax.

- (a) Time of payment for individuals. In the case of individuals, the total balance of the tax owed after credits for taxes paid through withholding as provided in Section 40-18-78, or through estimated payments as provided in Sections 40-18-82 and 40-18-83, shall be due and payable at the same time as the due date of an original return.
- (b) Time of payment for fiduciaries. In the case of fiduciaries, the total amount of the tax imposed by this chapter shall be paid on April 15 following the close of the calendar year or, if the return should be made on the basis of a fiscal year, then on the fifteenth day of the fourth month following the close of the fiscal year.
- (c) Time of payment for corporations. In the case of corporations, the balance of the tax owed after credits for taxes paid through estimated payments as provided in Section 40-18-80.1 shall be due and paid at the same time as the due date of an original return.
- (d) Voluntary advance payment. The tax imposed by this chapter or any estimated tax payment thereof may be paid, at the election of the taxpayer, prior to the date prescribed for its payment.

Section 40-18-29(b)

Fiduciary returns.

(b) Returns made on the basis of a calendar year shall be filed on or before April 15 following the close of such calendar year. Returns made on the basis of a fiscal year shall be filed on or before the fifteenth day of the fourth month following the close of such fiscal year. The Commissioner of Revenue or such person as may be in charge of the Department of Revenue may grant any reasonable extension of time for filing returns.

**Act 2017-363, HB46 amends Sections 40-14A-22 and 40-14A-25 Code of Alabama 1975
Effective Date: For Tax returns due on or after January 1, 2018.**

(4) The tax return for all members of a financial institution group shall be due no later than the corresponding Alabama financial institution excise tax return due date.

Section 40-14A-25(a)

Business Privilege Tax Returns – Filing of Returns

Current code:

Except as provided in Section 40-14A-22(f) (4), the return is due not later than March 15 of the taxable year for all taxpayers except limited liability entities for which the due date of the return shall be April 15 of the taxable year, or, in the case of a taxpayer's initial return, 30 days after the taxpayer comes into existence, qualifies or registers to do business, or commences doing business in Alabama as the case may be.

Revised Code per Act 2017-363, HB46:

Except as provided in Section 40-14A-22(f) (4), return required by this section is due no later than the corresponding federal income tax return as required to be filed as provided under federal law.

****Please note this does not apply to the form BPT-IN which is not supported by BMF.****

Returns for partnerships are required to be filed on or before the date the taxpayer's corresponding federal tax return is due (810-3-28-.01).

810-3-28-.01 Partnership Returns.

(1) (a) All partnerships having "substantial nexus" from property owned or business conducted in this state shall file the Alabama Form 65 on or before the due date, including extension. All single member limited liability entities having "substantial nexus" from property owned or business conducted in this state shall file the appropriate Alabama income tax return. The appropriate income tax return will be determined based on the entity's classification for federal purposes, found in IRC Section 7701. Returns for both partnerships and single member limited liability entities, whether filing as a separate entity or as a disregarded entity, as a division of its owner, are required to be filed on or before the date the taxpayer's corresponding federal tax return is due. If no federal tax return is required, the due date is the date in which the taxpayer would be required to file if the federal return was required.

After an electronic return is acknowledged as accepted, it cannot be recalled, intercepted or changed in any manner. If either the ERO or taxpayer wishes to change any entries on an accepted electronic return, an amended paper return must be filed.