

**Georgia Form IT CR** (Rev. 1/13)  
 Georgia Nonresident  
 Composite Tax Return  
 Partners and Shareholders  
**2012**



1302404018

Tax Year Beginning \_\_\_\_\_ Ending \_\_\_\_\_

Amended  S Corp Return Filed  Partnership Return Filed  UET Penalty Exception  Address Change  Extension Attached

A. Federal Employer I.D. No.	Legal Name (please include former legal name if applicable)			Nature of Business
B. GA Nonresident WH number (if applicable)	Business Address (Number and Street)	City or Town	State	Zip Code
C. NAICS Code	Location of Books for Audit (city)		State	Telephone Number
Total Number of Nonresidents		Number of Nonresidents included in this return		

COMPUTATION OF TAX ON GEORGIA TAXABLE INCOME	(ROUND TO NEAREST DOLLAR)	SCHEDULE 1
1. Tax from your schedule (Attached) .....	▶	1.
2. Best Credits (See instructions and attach a detailed schedule for each credit claimed)▶	▶	2.
3. Balance (Line 1 less Line 2) .....	▶	3.
4. Interest due (See instructions).....	▶	4.
5. Penalties due (See instructions).....	▶	
a. UET Penalty.....	▶	5. a.
b. Penalties for late file.....	▶	5. b.
c. Penalties for late pay .....	▶	5. c.
d. Total of Lines 5. a. thru 5. c. ....	▶	5. d.
6. Add lines 3, 4, and 5. d. ....	▶	6.
7. Less: Payments and Withholding Credits .....	▶	
a. Estimated payments from Form CR-ES and returns.....	▶	7. a.
b. Payments made with extension .....	▶	7. b.
c. Other Payments .....	▶	7. c.
d. Withholding Credits (G-2A, G2-RP, G2-LP).....	▶	7. d.
e. Total of Lines 7. a. thru 7. d. ....	▶	7. e.
8. If Line 6 is greater than Line 7. e. subtract Line 7. e. from Line 6. (Balance due) .....	▶	8.
9. If Line 7. e. is greater than Line 6, subtract Line 6 from line 7. e. (Overpayment) .....	▶	9.
10. Amount of Line 9 to be credited to estimated tax .....	▶	10.
11. Amount of Line 9 to be refunded .....	▶	11.

**Mailing Address:** Georgia Department of Revenue Processing Center, P.O.Box 740320 Atlanta, Georgia 30374-0320

DECLARATION: I/We declare, under penalties of perjury that I/we have examined this return (including accompanying schedules and statements) and to the best of our knowledge and belief it is true, correct, and complete. If prepared by a person other than taxpayer, his/her declaration is based on all information of which s/he has any knowledge.

\_\_\_\_\_  
Signature of Officer or Partner

\_\_\_\_\_  
Signature of Individual or Firm Preparing Return

Check the box to authorize the Georgia Department of Revenue to discuss the contents of this tax return with the preparer of this tax return.

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Identification or Social Security Number

## GENERAL INSTRUCTIONS

As an alternative to withholding on nonresident partners, shareholders or members, the Partnership, S Corporation or Limited Liability Company may file a composite return. Permission is not required. Only nonresidents who are not otherwise required to file a return may be included in the computation. However, an individual (a natural person) shall be allowed to be included on a composite return even if he/she is otherwise required to file a return provided he/she uses option 3. You must create your own schedule for the computation of the tax using the options described later in these instructions. Your schedule must also list any nonresident partner(s) or shareholder(s) not included in the computation along with their identification number(s).

**UET Penalty Exception:** Estimates are required if the composite tax exceeds \$500 for the year. If the entity qualifies for an under-estimated tax penalty exception, please check the UET Penalty Exception box and put the adjusted penalty on line 5. a. Please use Form IT-CR UET to compute the penalty.

**Due Dates:** All due dates for composite returns, estimated tax and extensions are the same as those for individual filers unless the entity is a fiscal year filer. **A fiscal year entity should file its return within 3 ½ months of the fiscal year end.**

**Amended Returns:** Amended composite returns must be filed during the same period as individual returns. Use Form IT-CR and check the "Amended Return" box at the top.

**Electing option 1, 2 or 3:** Individuals may elect one of the three options on a member-by-member basis. These options are described in the instructions. Once the return is filed the election cannot be changed. The election of option 1, 2 or 3 is made each year. Options 1 – 3 do not allow for any adjustments to income such as self employed health insurance, Keogh, SEP or any other adjustments normally allowed in computing adjusted gross income. For Corporations, Partnerships, Trusts and Estates, please see the instructions that follow.

**Extensions:** Georgia honors a Federal extension when the Georgia return is filed along with the Federal approval form on or before the extended Federal due date. If it is not necessary to request a Federal extension, use Form IT-303 to request an extension to file the Georgia return. **Any tax due should be paid on Form IT-560C by the statutory due date of the extension voucher.**

**Business Credits:**

Information about business tax credits is available at [http://www.dor.ga.gov/inctax/info\\_taxcredits.aspx](http://www.dor.ga.gov/inctax/info_taxcredits.aspx)  
For additional information about business credits, please call 1-877-423-6711.

**Carryback of NOL:** Losses on a composite return are not allowed to be carried back.

### PENALTIES AND INTEREST

- A. Late filing of return-5% of the tax not paid by the original due date for each month or fractional part thereof-up to 25%.
- B. Failure to pay tax shown on a return by due date-1/2 of 1% of the tax due for each month or fractional part thereof-up to 25%.  
Note: The combined total of the penalty for late filing of return and penalty for failure to pay tax shown on a return cannot exceed 25% of the tax not paid by the original due date.
- C. Negligent underpayment of tax-5% of the underpayment.
- D. Fraudulent underpayment-50% thereof.
- E. Failure to file estimated tax-9% per annum for the period of underpayment. The UET form is available upon request for computation of underestimated installments.
- F. Interest is computed at 1% per month on any unpaid tax from the due date until paid. An extension of time for filing does not give relief of late payment penalty or interest.

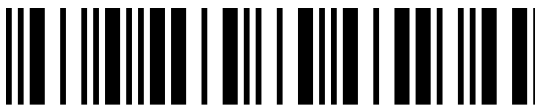
**Forms:** Additional forms may be obtained by calling 1-877-423-6711 or by downloading them from our website at [www.dor.ga.gov](http://www.dor.ga.gov)

**PLEASE DO NOT mail this entire page. Please cut along dotted line and mail only coupon and payment.**

**PLEASE DO NOT STAPLE. PLEASE REMOVE ALL CHECK STUBS.**

Cut along dotted line

**CR PV** (Rev. 1/13)  
**Composite Return Payment**  
Telephone No. 1-877-423-6711



1307104012

**MAIL TO:**  
Processing Center  
Georgia Department of Revenue  
P O Box 740240  
Atlanta, GA 30374-0240

**2012**

Name Change     Address Change

FEI Number	Tax Period Ending	Vendor Code <b>040</b>	<b>NAME AND ADDRESS</b>
I declare under the penalties of perjury that this information has been examined by me and to the best of my knowledge and belief is true and correct. Georgia Public Revenue Code Section 48-2-31 stipulates that taxes shall be paid in lawful money of the United States free of any expense to the State of Georgia.			
Signature	Title		
Telephone	Date		

**PLEASE DO NOT STAPLE. REMOVE ALL CHECK STUBS.**

**Amount Paid    \$**

**TAX RATE SCHEDULES**

**SINGLE PERSON**

If the amount is:	Amount of Tax is:
Not over \$750.....	1% of Taxable Income.....
Over \$ 750.....but not over.....\$2,250	\$ 7.50.....plus 2% of amount over.....\$750
Over \$2,250.....but not over.....\$3,750	\$ 37.50.....plus 3% of amount over.....\$2,250
Over \$3,750.....but not over.....\$5,250	\$ 82.50.....plus 4% of amount over.....\$3,750
Over \$5,250.....but not over.....\$7,000	\$142.50.....plus 5% of amount over.....\$5,250
Over \$7,000.....	\$230.00.....plus 6% of amount over.....\$7,000

**MARRIED PERSONS FILING A JOINT RETURN AND HEAD OF HOUSEHOLD**

If the amount is:	Amount of Tax is:
Not over \$1,000.....	1% of Taxable Income.....
Over \$ 1,000.....but not over.....\$3,000	\$ 10.00.....plus 2% of amount over.....\$1,000
Over \$3,000.....but not over.....\$5,000	\$ 50.00.....plus 3% of amount over.....\$3,000
Over \$5,000.....but not over.....\$7,000	\$ 110.00.....plus 4% of amount over.....\$5,000
Over \$7,000.....but not over.....\$10,000	\$190.00.....plus 5% of amount over.....\$7,000
Over \$10,000.....	\$340.00.....plus 6% of amount over.....\$10,000

**MARRIED PERSONS FILING A SEPARATE RETURN**

If the amount is:	Amount of Tax is:
Not over \$500.....	1% of Taxable Income.....
Over \$ 500.....but not over.....\$1,500	\$ 5.00.....plus 2% of amount over.....\$500
Over \$1,500.....but not over.....\$2,500	\$ 25.00.....plus 3% of amount over.....\$1,500
Over \$2,500.....but not over.....\$3,500	\$ 55.00.....plus 4% of amount over.....\$2,500
Over \$3,500.....but not over.....\$5,000	\$ 95.00.....plus 5% of amount over.....\$3,500
Over \$5,000.....	\$170.00.....plus 6% of amount over.....\$5,000

**TRUSTS, ESTATES, CORPORATIONS, AND PARTNERSHIPS-6% of Georgia Taxable net income.**

Using option 1, 2 or 3 attach a schedule reflecting the total individual tax. You must attach a schedule reflecting the computation of the total tax due on a member-by-member basis.

**Note:** Check the box on the Partnership or S Corporation return when filed that indicates a nonresident composite return is being filed for the nonresident partners/shareholders.

GEORGIA PUBLIC REVENUE CODE SECTION 48-2-31 STIPULATES THAT TAXES SHALL BE PAID IN LAWFUL MONEY OF THE UNITED STATES, FREE OF ANY EXPENSE TO THE STATE OF GEORGIA.

**Mail Return To:** Georgia Department of Revenue  
 P.O. Box 740320  
 Atlanta, GA 303074-0320

## INSTRUCTIONS

For individuals, there are three options in which a composite return may be filed. No other options or alternatives are allowed. A review of the options will show that option 1 is very simple but more tax is paid. Option 2 lets you prorate the exemptions and deductions using the entity's income. For option 3, a 6% tax rate is applied to the Georgia income. These options may be applied on a member-by-member basis. Trusts, Estates, Corporations, and Partnerships should list their Georgia income and multiply it by the 6% Georgia income tax rate. The personal exemption for the taxpayer and spouse is \$2,700. The credit for dependents is \$3,000.

Information required in each case: Nonresident partner's or shareholder's name, identification number, Georgia income, marital status and tax due.

### OPTION 1

Pay tax on the nonresident's income from Georgia operation. Computed from tax rate schedule.

NAME	ID#	GEORGIA INCOME	MARITAL STATUS	TAX DUE
JOHN DOE	040-16-7856	15,000	Single	710.00
JOHN JONES	133-72-8901	6,000	Married	150.00
ED SMITH	132-64-8765	9,000	Head/Household	290.00
ANN MOORE	259-73-4661	11,000	Married/Separate	<u>530.00</u>
				1,680.00

### OPTION 2

Allows the nonresidents to deduct: (a) standard deduction and (b) personal exemption and credit for dependents. Both (a) and (b) to be apportioned on the ratio of the individual partner's or shareholder's Georgia income to the individual partner's or shareholder's share of the total partnership or S Corporation income. Amount to which the ratio is applied under (a) shall not exceed \$2,300 single/head of household, \$3,000 married filing joint or \$1,500 married filing separate.

NAME	ID#	G.I.P.	T.I.P.	GA%	S.D.	P.E. & D. TOTAL	GA. D.	N.T.I.	MARITAL STATUS	TAX DUE	
JOHN DOE	040-16-7856	15,000	40,000	37.50	2,300	2,700	5,000	1,875	13,125	S	598.00
JOHN JONES	133-72-8901	6,000	35,000	17.14	3,000	5,400	8,400	1,440	4,560	M	97.00
ED SMITH	132-64-8765	9,000	58,000	15.52	2,300	5,700	8,000	1,242	7,758	HH	228.00
ANN MOORE	259-73-4661	11,000	40,000	27.50	1,500	2,700	4,200	1,155	9,845	MS	<u>461.00</u>
											1,384.00

### OPTION 3

(Flat 6% tax on Entity's income)

NAME	ID#	G.I.P.	TAX RATE	TAX DUE
JOHN DOE	040-16-7856	15,000	6%	900.00
JOHN JONES	133-72-8901	6,000	6%	360.00
ED SMITH	132-64-8765	9,000	6%	540.00
ANNE MOORE	259-73-4661	11,000	6%	<u>660.00</u>
				2,460.00

#### SYMBOLS:

G.I.P.	NONRESIDENT'S SHARE OF PARTNERSHIP OR S CORPORATION GEORGIA INCOME
T.I.P.	NONRESIDENT'S SHARE OF TOTAL PARTNERSHIP OR S CORPORATION INCOME
GA.%	RATIO OF GEORGIA INCOME TO TOTAL PARTNERSHIP OR S CORPORATION INCOME
S.D.	STANDARD DEDUCTION
P.E.&D.	PERSONAL EXEMPTION AND DEPENDENTS
TOTAL	STANDARD DEDUCTION PLUS PERSONAL EXEMPTION AND DEPENDENTS (100%)
GA. D.	TOTAL X GA.% = DEDUCTION AND EXEMPTION APPORTIONED TO GEORGIA
N.T.I.	NET TAXABLE INCOME (G.I.P. - GA. D. = N.T.I.)
MARITAL STATUS	S-SINGLE, M-MARRIED, HH-HEAD/HOUSEHOLD, MS-MARRIED FILING SEPARATE

## **Low Income Housing Credit Recapture**

A partnership, S Corporation or Limited Liability Company may elect to pay the recapture of the low income housing credit for its members on Form IT-CR.

This may be done for nonresident members as well as resident members. Such recaptured credits shall be added to the composite tax on Line 1 of the Form IT-CR for the year of recapture.

In the event there is no composite tax due, the total recaptured credits should be put on Line 1.

A schedule should also be attached which lists the member's name, ID number, and amount of credits recaptured. The payment on the IT-CR shall relieve the member from reporting and paying the recaptured credits on the member's income tax return. The same rules regarding penalties (including the underestimated tax penalty) and interest that apply to normal composite tax shall apply to the recaptured credits.