# Georgia Form IT CR (Rev. 06/11/19) Georgia Nonresident Composite Tax Return Partners and Shareholders



Mailing Address:
Georgia Department of Revenue
Processing Center PO Box 740320 Atlanta, Georgia 30374-0320

### 2019

Title

Date

Tax Year Beginning	Ending					
Amended S Corp Return File	ed Partnership Return Filed D l	UET Penalty Exc	eption	е	Extens	ion Attached
A. Federal Employer ID No.	Legal Name (please include forme	er legal name i	f applicable)			Type of Business
B. GA Nonresident WH number	Business Address (Number and S	Street)	City or Town		State	Zip Code
(if applicable)						
C. NAICS Code	Location of Records for Audit (City	y)			State	Telephone Number
Total Number of Nonresidents		Number o	of Nonresidents included i	in this r	eturn	
COMPUTATION OF TAX ON G	EORGIA TAXABLE INCOME		(ROUND TO NEARES	T DOL	LAR)	SCHEDULE 1
				Τ.	Ť	
·	e (Attached)			1.	+	
2. Credits used (See Sche	edule 2, Page 2)			2		
3. Balance (Line 1 less Line	ne 2. If Line 2 is greater than Line	e 1, enter 0) .		3.	.	
4. Interest due (See instru	uctions)			4.		
5. Penalties due (See inst	tructions)					
·				5. a		
	e file			5. b		
				5. c.		
	e pay			5. d		
	a. thru 5. c			6		
6. Add Lines 3, 4, and 5. o	d				•	
7. Less: Payments and W	ithholding Credits and Refunda	able Credits				
a. Estimated paym	ents from Form CR-ES and ret	turns		7. a	1	
b. Payments made	with extension			7. b		
c. Other Payments				7. c.		
d. Withholding Cred	dits (G2-A, G2-RP, and/or G2-l	LP)		7. d		
e. Schedule 2B Re	fundable tax credits			7. e		
f Total of Lines 7	a. thru 7. e			7. f.		
	Line 7. f. subtract Line 7. f. fro			8		
-	an Line 6, subtract Line 6 from	•	•	9	_	
•	credited to estimated tax	•		10		
11. Amount of Line 9 to be	refunded			11	.	
knowledge and belief, it is true, correct	e penalties of perjury that I/we have exar i, and complete. If prepared by a person Code Section 48-2-31 stipulates that taxe	other than the ta	xpayer, this declaration is bas	sed on a	all infori	mation of which the preparer has
Signature of Officer or Pa	rtner Signature	of Individual o	r 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
Title	Data	tion or Coolel C	Popurity Number			tax return.

Identification or Social Security Number

## Georgia Form IT CR



(Entity) Name		FEIN
CREDIT USAGE AND CARRYOVER	(ROUND TO NEAREST DOLLAR)	SCHEDULE 2

- 1. Complete a separate schedule for each Credit Code.
- 2. Total the amounts on Line 12 of each schedule and enter the total on the credit line of the return.
- 3. If there is a credit eligible for carryover, please complete a schedule even if the credit is not used for this tax year.
- 4. See the instructions for a list of credit codes.
- 5. See the relevant forms, statutes, and regulations to determine how the credit is allocated to the owners, to determine when carryovers expire, and to see if the credit is limited to a certain percentage of tax.
- 6. If the credit for a particular credit code originated with more than one person or company, enter separate information on Lines 3 through 9 below.
- 7. The credit certificate number is issued by the Department of Revenue for credits that are preapproved. If applicable, please enter the Department of Revenue credit certificate number where indicated.
- 8. Before the Line 13 carryover is applied to the next year, the amount must be reduced by any carryovers that have expired.

For the credit generated this year, list the Company Name, ID number, Credit Certificate number, if applicable, and % of credit (purchased credits should also be included). If the credit originated with this taxpayer, enter this taxpayer's name and ID# below and 100% for the percentage.

1. Credit Code			
2. Credit remaining from previous years			
3. Company Name			ID Number
Credit Certificate #	% of Credit		Credit Generated this Tax Year
4. Company Name			ID Number
Credit Certificate #	% of Credit		Credit Generated this Tax Year
5. Company Name			ID Number
Credit Certificate #	% of Credit		Credit Generated this Tax Year
6. Company Name			ID Number
Credit Certificate #	% of Credit		Credit Generated this Tax Year
7. Company Name			ID Number
Credit Certificate #	% of Credit		Credit Generated this Tax Year
8. Company Name			ID Number
Credit Certificate #	% of Credit		Credit Generated this Tax Year
9. Company Name			ID Number
Credit Certificate #	% of Credit		Credit Generated this Tax Year
10. Total available credit this tax year (sum of Lines 2			
11. Enter the amount of the credit sold (only certain cr	11.		
12. Credit used this tax year	12.		
13. Potential carryover to next tax year (Line 10 less L			

## 

#### **SCHEDULE 2B**

Entity) Name		FEIN	
REFUNDABLE TAX CREDITS	(ROUND TO NEAREST DOLLAR)	SCHEDULE 2B	

1. Complete a separate schedule for each Credit Code.

- 2. Total the amounts on Line 12 of each schedule and enter the total on the credit line of the return.
- 3. If there is a credit eligible for carryover, please complete a schedule even if the credit is not used for this tax year.
- 4. See the instructions for a list of credit codes.
- 5. See the relevant forms, statutes, and regulations to determine how the credit is allocated to the owners and to determine when carryovers expire.
- 6. If the credit for a particular credit code originated with more than one person or company, enter separate information on Lines 3 through 9 below.
- 7. The credit certificate number is issued by the Department of Revenue for credits that are preapproved. If applicable, please enter the Department of Revenue credit certificate number where indicated.
- 8. Before the Line 13 carryover is applied to the next year, the amount must be reduced by any carryovers that have expired.

For the credit generated this year, list the Company Name, ID number, Credit Certificate number, if applicable, and % of credit (purchased credits should also be included). If the credit originated with this taxpayer, enter this taxpayer's name and ID# below and 100% for the percentage.

Note: A purchased Timber Tax Credit is not a refundable tax credit. Use Schedule 2 if the Timber Tax Credit was purchased.

1. Credit Code		
2. Credit remaining from previous years		
3. Company Name		ID Number
Credit Certificate #	% of Credit	Credit Generated this Tax Year
4. Company Name		ID Number
Credit Certificate #	% of Credit	Credit Generated this Tax Year
5. Company Name		ID Number
Credit Certificate #	% of Credit	Credit Generated this Tax Year
6. Company Name		ID Number
Credit Certificate #	% of Credit	Credit Generated this Tax Year
7. Company Name		ID Number
Credit Certificate #	% of Credit	Credit Generated this Tax Year
8. Company Name		ID Number
Credit Certificate #	% of Credit	Credit Generated this Tax Year
9. Company Name		ID Number
Credit Certificate #	% of Credit	Credit Generated this Tax Year
10. Total available credit this tax year (sum of Lines 2	through 9)	0.
11. Enter the amount of the credit sold (only certain cr	1.	
12. Credit used this tax year	1	2.
13. Potential carryover to next tax year (Line 10 less L	3.	

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. 03/20/19) **Composite Return Payment** Telephone No. 1-877-423-6711

2019



#### MAIL TO:

Processing Center Georgia Department of Revenue PO Box 740240 Atlanta GA 30374-0240

Name Change Address Change			
FEI Number	Tax Period Ending	Vendor Code	NAME AND ADDRESS
		040	
Under penalty of perjury, I declare that this return has and belief it is true, correct and complete. Georgia Pu shall be paid in lawful money of the United States, fre	iblic Revenue Code Section 48-2-31	1 stipulates that taxes	
Signature	Title		
Telephone	Date		

PLEASE DO NOT STAPLE. REMOVE ALL CHECK STUBS.

Amount Paid \$

#### **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). See Regulation 560-7-8-34 for more information.

**UET Penalty Exception:** Estimates are required if the composite tax exceeds \$500 for the year. If the entity qualifies for an underestimated 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. In accordance with O.C.G.A § 48-2-32(f)(2), composite estimate taxpayers with quarterly payments of more than \$10,000 must pay electronically using the Georgia Tax Center (GTC). A penalty of 10% will be added if the payment is not submitted electronically on GTC.

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.

**BusinessCredits:** Information about business tax credits is available on page 8.

Enter the information as specified on each line of schedule 2 and 2B. With respect to Line 11, the "Tax Credit Summaries" on the Department's website dor.ga.gov includes information regarding which credits can be sold.

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

Net operating losses (NOLs) for tax years 2018 and later that are applied to Georgia income cannot exceed 80% of Georgia income before NOLs. Use the schedule below to compute the net operating losses that can be used in the current year. The following must be applied on a member by member basis. See Regulation 560-7-8-.34 for more information regarding composite return NOLs.

1.	NOL carry forward available for current year from years before 2018	
2.	NOL carry forward available for current year from years 2018 and later	
3.	Income before GA NOL	
4.	NOL from line 1 applied to current year	
5.	NOL from line 2 applied to current year (cannot exceed 80% of Line 3)	
6.	Total NOL applied - add Lines 4 and 5	

#### 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 accruing for months beginning before July 1, 2016 accrues at the rate of 12 percent annually. Interest that accrues for months beginning on or after July 1, 2016 accrues at an annual rate equal to the Federal Reserve prime rate plus 3 percent. The interest rate will be reviewed and may be adjusted in January of each subsequent calendar year based on the Federal Reserve Rate.

Forms: Additional forms may be obtained by calling 1-877-423-6711 or by downloading them from our website at dor.georgia.gov

#### TAX RATE SCHEDULES

#### SINGLE PERSON

If the amount is:	Amount of Tax is:
Not over \$750	1% of Taxable Income
Over \$ 750but not over\$2,250	\$ 8.00plus 2% of amount over\$750
Over \$2,250but not over\$3,750	\$ 38.00plus 3% of amount over\$2,250
Over \$3,750but not over\$5,250	\$ 83.00\$3,750
Over \$5,250but not over\$7,000	\$143.00\$5,250
Over \$7,000	\$230.00plus 5.75% of amount over\$7,000

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

If the amount is: Not over \$1,000	Amount of Tax is: 1% of Taxable Income
Over \$ 1,000	\$ 10.00

#### MARRIED PERSONS FILING A SEPARATE RETURN

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

TRUSTS, ESTATES, CORPORATIONS, AND PARTNERSHIPS-5.75% of Georgia Taxable net income.

Using option 1, 2 or 3 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 PO Box 740320 Atlanta GA 30374-0320

#### 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. The personal exemption for each married taxpayer is \$3,700 and is \$2,700 for other individual taxpayers. The exemption for dependents is \$3,000. For option 3, a 5.75% 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 5.75% Georgia income tax rate.

Information required: 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	690.00
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>515.00</u>
			-	1,645.00

#### **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 \$4,600 single/head of household, \$6,000 married filing joint or \$3,000 married filing separate.

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										MARITA	<b>L</b>
NAME	ID#	G.I.P.	T.I.P.	GA%	S.D.	P.E.&	D.TOTAL	GA. D.	N.T.I	STATUS	TAX DUE
JOHN DOE	040-16-7856	15,000	40,000	37.50	4,600	2,700	7,300	2,738	12,262	S	533.00
JOHN JONES	133-72-8901	6,000	35,000	17.14	6,000	7,400	13,400	2,297	3,703	M	72.00
ED SMITH	132-64-8765	9,000	58,000	15.52	4,600	5,700	10,300	1,599	7,401	HH	212.00
ANN MOORE	259-73-4661	11,000	40,000	27.50	3,000	3,700	6,700	1,843	9,157	MS	409.00
											1,226.00
				(	OPTION	3					,
			(F		6 tax on I		income)				
			(1	1at 5.757	o tax on i	Diffity 5	income)				
NAME	ID#		G.I.P.			T	AX RATE				TAX DUE
JOHN DOE	040-16-7	7856	15,000			5	.75%				863.00
JOHN JONES	133-72-8	3901	6,000			5	.75%				345.00
ED SMITH	132-64-8	3765	9,000			5	.75%				518.00
ANNE MOORE	259-73-4	4661	11,000			5	.75%				633.00
										,	2,359.00
										•	-,,-
SYMBOLS:											

G.I.P. T.I.P.	NONRESIDENT'S SHARE OF PARTNERSHIP OR S CORPORATION GEORGIA INCOME 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

#### TAX CREDITS

The following Credits from the Entity or from the ownership of an S Corp, LLC, LLP or Partnership Interest which will be reflected on the Entity's K-1 must be listed on Form IT-CR, Schedule 2. The entity information and credit code must be included. Additional documentation for claiming a credit is required where indicated.

NOTE: Credit code numbers are subject to change annually. Current code numbers are listed below.

Disregarded Single Member LLC Credit Instructions. If the taxpayer owns or is owned by a disregarded single member LLC, the single member LLC should be disregarded for filing purposes. All credits should be claimed on the owner's return. All tax credit forms should be filed in the name of the single member LLC but included with the owner's return. This is necessary so that the returns can be processed and the credits flow to the proper taxpayer.

For additional information on the below-listed credits, please visit the Georgia Department of Revenue website at dor.georgia.gov.

#### Code Name of Credit

- 101 Employer's Credit for Basic Skills Education
- 102 Employer's Credit for Approved Employee Retraining
- 103 Employer's Jobs Tax Credit
- 104 Employer's Credit for Purchasing Child Care Property
- **105** Employer's Credit for Providing or Sponsoring Child Care for Employees
- 106 Manufacturer's Investment Tax Credit
- 107 Optional Investment Tax Credit
- **108** Qualified Transportation Credit (only carryover can be used)
- **109** Low Income Housing Credit (enclose Form IT-HC and K-1)
- 111 Business Enterprise Vehicle Credit
- 112 Research Tax Credit
- 113 Headquarters Tax Credit
- 114 Port Activity Tax Credit
- 115 Bank Tax Credit
- **116** Low Emission Vehicle Credit (enclose DNR certification)
- **117** Zero Emission Vehicle Credit (enclose DNR certification)
- 118 New Facilities Job Credit
- 119 Electric Vehicle Charger Credit (enclose DNR certification)
- 120 New Manufacturing Facilities Property Credit
- **121** Historic Rehabilitation Credit for Historic Homes (enclose Form IT-RHC and DNR certification)
- **122** Film Tax Credit (Use code 133 if the credit is for a Qualified Interactive Entertainment Production Company)

#### Code Name of Credit

- **124** Land Conservation Credit (enclose Form IT-CONSV and DNR certification)
- 125 Qualified Education Expense Credit (enclose Form IT-QEE-TP2)
- 126 -Seed-Capital Fund Credit
- 127 Clean Energy Property Credit (enclose Form IT-CEP)
- 128 Wood Residual Credit
- 129 Qualified Health Insurance Expense Credit (enclose Form IT-QHIE)
- 130 -Quality Jobs Tax Credit
- 131 Alternate Port Activity Tax Credit
- 132 Qualified Investor Tax Credit
- **133** Film Tax Credit for a Qualified Interactive Entertainment Production Company
- **134** Alternative Fuel Heavy-Duty Vehicle and Alternative Fuel Medium-Duty Vehicle Tax Credits
- **135** Historic Rehabilitation Tax Credit for any Other Certified Structures (not a historic home)
- **136** Qualified Rural Hospital Organization Expense Tax Credit
- 137 Qualified Parolee Jobs Tax Credit
- 138 Postproduction Film Tax Credit
- 139 Small Postproduction Film Tax Credit
- 140 Qualified Education Donation Tax Credit
- 141 Musical Tax Credit
- 142 Rural Zone Tax Credits
- 143 Agribusiness and Rural Jobs Tax Credit
- 144 Post Consumer Waste Material Tax Credit
- 145 Timber Tax Credit
- 146 Railroad Track Maintenance Tax Credit

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#### **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. The year of recapture is the tax year that the credit is being recaptured for (not the year that the recapture happened).

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.