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**Mailing Address:**

Georgia Department of Revenue  
Processing Center  
P.O. Box 740316  
Atlanta, Georgia 30374-0316

**2012**

Fiscal Year Beginning   -   -      
 Fiscal Year Ending   -   -

Change in Trust or Estate Name  
 Change in Fiduciary  
 Change of Address  
 500 UET Exception Attached

<b>A. Federal Employer Id. No.</b>		<b>Name of Estate or Trust</b>		<b>Date of Creation of Trust</b>	
<b>B. Date of Decedent's Death</b>		<b>Name of Fiduciary</b>		<b>Title of Fiduciary</b>	<b>Telephone No.</b>
<b>C. Address of Fiduciary (Number and Street)</b>			<b>( Apt., Suite or Building Number)</b>		
<b>City</b>		<b>State</b>	<b>Zip Code</b>		<b>Country</b>
<b>D. If no return was filed last year, state reason</b>					

**Schedule 1 - Computation of Tax**

1. Income of fiduciary (Adjusted total income from attached Form 1041).....	1.	
2. Adjustments: (List of all items in Schedule 3, Page 3).....	2.	
3. <b>Total (Net total of Line 1 and 2)</b> .....	3.	
4. Beneficiaries' Share of Income (Total of Schedule 2).....	4.	
5. <b>Balance (Line 3 less Line 4)</b> .....	5.	
6. Exemptions: <input type="checkbox"/> 6a. Trust \$1350 <input type="checkbox"/> 6b. Estate \$2700 .....	6.	
7. Net taxable income of fiduciary (Line 5 less Line 6).....	7.	
8. <b>Total tax</b> .....	8.	
9. Less Credits:	9a.	
9a. Other State Credit.....		
9b. Pass Through and Business Credits.....	9b.	
9c. <b>Total</b> .....	9c.	
10. <b>Tax less credit (Net total of Line 8 less Line 9, if 0 or less, enter 0)</b> .....	10.	
11. Less payments:	11a.	
11a. Georgia Estimated Tax Paid.....		
11b. Georgia Tax Withheld.....	11b.	
11c. <b>Total</b> .....	11c.	





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TAXPAYER'S FEIN \_\_\_\_\_

**Schedule 2 - Beneficiaries' Share of Income**

A	Name	ID Number	Share of Income	
	Address	City	State	ZIP
B	Name	ID Number	Share of Income	
	Address	City	State	ZIP
C	Name	ID Number	Share of Income	
	Address	City	State	ZIP
Enter total (Including additional Beneficiaries' Share of Income from attached schedule).				

**Schedule 3 - Adjustments to Income**

ADDITIONS			
1. Municipal bond interest - Other states.....		1.	
2. Income tax deduction other than Georgia.....		2.	
3. Expense allocable to exempt income (Other than US obligations).....		3.	
4a. Other <input type="text"/>		4a.	
4b. Other <input type="text"/>		4b.	
<b>TOTAL ADDITIONS</b> .....			
SUBTRACTIONS			
1. Interest - U.S. Government Bonds (Must be reduced by direct and indirect interest expense).....		1.	
2. Income Tax Refund other than Georgia.....		2.	
3a. Other <input type="text"/>		3a.	
3b. Other <input type="text"/>		3b.	
<b>TOTAL SUBTRACTIONS</b> .....			
<b>NET ADJUSTMENT:</b> Total additions less total subtractions. (Enter also on Line 2, Schedule 1).....			

**Schedule 4 - Pass Through and Business Credits - If more than 3 enclose schedule**

Company Name		Credit Code Type
Ownership Percentage	FEIN	Credit Claimed
Company Name		Credit Code Type
Ownership Percentage	FEIN	Credit Claimed
Company Name		Credit Code Type
Ownership Percentage	FEIN	Credit Claimed
Enter total (Including additional Pass Through and Business Credits from attached schedule).		

**Instructions**

Georgia has adopted most of the provisions of **all** federal tax acts (as they relate to the computation of Federal taxable income) that were enacted on or before January 3, 2013. Please see Page 5 for more information.

Every resident and nonresident fiduciary having income from sources within Georgia or managing funds or property for the benefit of a resident of this state is required to file a Georgia income tax return on Form 501.

Returns are required to be filed by the 15th day of the 4th month following the close of the taxable year. The due date for a calendar year 2012 fiduciary is April 15, 2013.

The Georgia Code provides penalties for failure to comply with its provisions and for interest on late payments of tax and deficiencies.

**SPECIFIC INSTRUCTIONS**

**Schedule 1**

Enter on Line 1 the amount of gross income less the itemized deductions shown on the Federal Form 1041.

Enter on Line 2 the net adjustment from Schedule 3.

Enter on Line 4 the total portion of income distributable to all beneficiaries as listed in Schedule 2.

Enter on Line 6 the exemption: Trusts \$1,350, Estates \$2,700.

Compute the total income tax on the amount shown on Line 7 from the following tax rate schedule, entering the total tax due on Line 8.

If the amount on Line 7 is	But Not Over	Amount of Tax is	Of Excess Over
Over	\$ 750	1%	
\$ 750	\$ 2250	\$ 7.50+2%	\$ 750
\$ 2250	\$ 3750	\$ 37.50+3%	\$ 2250
\$ 3750	\$ 5250	\$ 82.50+4%	\$ 3750
\$ 5250	\$ 7000	\$ 142.50+5%	\$ 5250
\$ 7000		\$ 230.00+6%	\$ 7000

**Line 9a**

A credit is allowed on Line 9a for income tax period to other States. A copy of the other state's(s) return must be attached.

**Line 9b**

For more information about pass through and business credits, see our website. Submit a schedule for the total credit claimed if more than 3 credits are claimed. The amount on the schedule must equal the amount claimed on Line 9b.

**Line 11b**

Credit for nonresident withholding on distributions from pass through entities and sale of property by nonresidents. See O.C.G.A. Sections 48-7-128 and 48-7-129. **Attach a copy of G 2RP or G 2A or the closing statement showing the amount withheld.**

**The amount withheld from a G-2LP should also be put on line 11b.**

**Schedule 2**

If there are more than 3 beneficiaries, attach a list showing the same information for each. The total of Schedule 2 must be the same as the amount on Line 4, Schedule 1

**Schedule 3**

Georgia taxable income of a fiduciary is its Federal income with certain adjustments as provided in Code Section 48-7-27. List all additions and all subtractions in the appropriate sections of Schedule 3. The more common adjustments are shown.

**Schedule 4**

Pass through and business Credits are from ownership of Sole Proprietor, S Corp., LLC or Partnership interest and other credits. You must list the company name, credit code type, percentage of ownership, FEIN, and the amount of credit claimed for each item listed in Schedule 4. If you claim more than three credits, enclose a schedule. The total of Schedule 4 and the additional pass through and business credits claimed must be the same amount entered on Line 9b, Schedule 1.

**ADDITIONS:** Interest on State and Municipal bonds other than Georgia and its political subdivisions. Any income tax claimed as a deduction on Form 1041 **other than** Georgia. Fiduciary fee and other expense allocable to income exempt from Georgia tax (other than U.S. obligations).

**SUBTRACTIONS:** Interest and dividends on U.S. Government bonds and other U.S. obligations. U.S. obligation income must be reduced by direct and indirect interest expense. To arrive at this reduction, the total interest expense is multiplied by a fraction, the numerator of which is the taxpayers average adjusted basis of the U.S. obligations, and the denominator of which is the average adjusted basis of all assets of the taxpayer. **NOTE:** Interest received from the Federal National Mortgage Association (FNMA), Government National Mortgage Association (GNMA), Federal Home Loan Mortgage Corporation (FHLMC), and interest derived from repurchase agreements are not considered to be obligations of the United States and are taxable. Federally taxable interest on "Build America Bonds" and other Georgia municipal interest for which there is a special exemption under Georgia law. "Recovery Zone Economic Development Bonds" under Section 1400U-2 of the Internal Revenue Code or any other bond treated as a "Qualified Bond" under Section 6431(f) of the Internal Revenue code are considered "Build America Bonds" for this purpose.

Income Tax refunds included as income on Form 1041 other than Georgia. Enter the total adjustments on the indicated line of Schedule 3 and on Line 2, Schedule 1.

**GENERAL INFORMATION**

**PENALTIES AND INTEREST**

**DELINQUENT FILING OF RETURN** - 5% of the tax not paid by original due date for each month or fractional part thereof - up to 25%.

**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: Late payment and late filing penalties together cannot exceed 25% of tax not paid by original due dates.

**A PENALTY OF \$1,000** may be assessed against an individual who files a frivolous return.

**NEGLIGENT underpayment of tax** - 5% of the underpayment.

**FRAUDULENT UNDERPAYMENT** - 50% thereof.

**FAILURE TO FILE ESTIMATED TAX** - 9% per annum for the period of underpayment. Form 500UET is available upon request for computation of underestimated installment payments. If you were eligible for an estimated tax penalty exception on Form 500 UET, please check the "500 UET Exception Attached" box, include the revised penalty on line 18 of the Form 501 (if the revised penalty is zero enter zero), and include the 500UET with the return.

**INTEREST** is computed at 12% per year on any unpaid tax from the date due until paid. An extension of time for filing does not relieve late payment penalty or interest.

**ESTIMATED TAX**

Code Section 48-7-114 requires Fiduciaries to pay estimated tax. Each Fiduciary subject to Georgia Income Tax who reasonably expects to have during the year gross income which exceeds: (1) The personal exemption; plus (2) Estimated deductions; plus (3) \$1,000 income not subject to withholding is required to file. However, a fiduciary shall not be required to pay estimated tax with respect to any taxable year ending before the date two years after the date of the decedants death in the case of:

1. the estate of a decedent; or
2. a testamentary trust as defined in IRC section 6654(l)(2)(B)

**WHEN AND WHERE TO FILE ESTIMATED TAX.** Estimated tax payments required to be filed by persons not regarded as farmers or fishermen shall be filed on or before April 15th of the taxable year, except that if the above requirements are first met on or after April 1st, and before June 1st, the tax must be paid by June 15th; on or after June 1st and before September 1st, by September 15th; and on or after September 1st, by January 15th of the following year. If the due date falls on a weekend or holiday, the tax shall be due on the next day that is not a weekend or holiday. Fiduciaries filing on a fiscal-year basis ending after December 31st, must file on corresponding dates.

The estimate coupon, Form 500ES, should be mailed to the Department of Revenue, Processing Center, P.O. Box 740319, Atlanta, GA 30374-0319.

**PAYMENT OF ESTIMATED TAX.** Payment in full or your estimated tax may be made with the first required payment or in equal installments during this year on or before April 15th, June 15th, September 15th, and the following January 15th. Make your check or money order payable to "Georgia Department of Revenue." 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."

**NEW INFORMATION**

**Federal Tax Changes**

The Governor signed House Bill 266 into law. Consequently, for taxable years beginning on or after January 1, 2012, with exceptions discussed below, Georgia has adopted the provisions of all federal acts (as they relate to the computation of federal adjusted gross income (AGI) for individuals or federal taxable income for non-individuals) that were enacted **on or before** January 3, 2013. For 2012, the I.R.C. Section 179 deduction is **\$250,000** and the related phase out is **\$800,000**. Georgia has not adopted the Section 179 deduction for certain real property.

**Exceptions**

Georgia has **Not** adopted I.R.C. Section 168(k) (the 30%, 50% and 100% bonus depreciation rules) except for I.R.C. Section 168(k)(2)(A)(i) (the definition of qualified property), I.R.C. Section 168(k)(2)(D)(i) (exceptions to the definition of qualified property), and I.R.C. Section 168(k)(2)(E) (special rules for qualified property) and Georgia has not adopted I.R.C. Section 199 (federal deduction for income attributable to domestic production activities).

Georgia has also **not** adopted the following:

- The exclusion of \$2,400 of unemployment income for 2009, I.R.C. Section 85(c).
- Additional itemized deduction for the sales tax on the purchase of a new vehicle in 2009, I.R.C. Sections 164(a)(6) and 164(b)(6). Please note: Georgia also does not allow the increased standard deduction for sales tax on the purchase of a new vehicle in 2009 because Georgia has its own standard deduction.
- The election to increase the normal two year net operating loss carryback to 3, 4, or 5 years for tax years 2008 and 2009, I.R.C. Sections 172(b)(1)(H) and 810(b)(4).
- The transition rule that would allow a taxpayer to revoke a prior election to forego the net operating loss carryback period.
- Deferral of debt income from reacquisitions of business debt at a discount in 2009 and 2010; federally deferred for up to five years, then included ratably over five years, I.R.C. Section 108(i).
- Modified rules for high yield original issue discount obligations, I.R.C. Sections 163(e)(5)(F) and 163(i)(1).
- New York Liberty Zone Benefits, I.R.C. Section 1400L.
- 50% first year depreciation for post 8/28/2006 Gulf Opportunity Zone property, I.R.C. Section 1400N(d)(1).
- 50% bonus depreciation for most tangible property and computer software bought after May 4, 2007 and placed in service in the Kansas Disaster Area, I.R.C. Section 1400N(d)(1).
- 50% bonus depreciation for "qualified reuse and recycling property", I.R.C. Section 168(m).
- 50% bonus depreciation in connection with disasters federally declared after 2007, I.R.C. Section 168(n).
- Increased (\$8,000) first-year depreciation limit for passenger automobiles if the passenger automobile is "qualified property," I.R.C. Section 168(k).
- 15 year straight-line cost recovery period for certain improvements to retail space, I.R.C. Sections 168(e)(3)(E)(ix), 168(e)(8), and 168(b)(3)(l).
- Modified rules relating to the 15 year straight-line cost recovery for qualified restaurant property (allowing buildings to now be included), I.R.C. Section 168(e)(7).
- 5 year depreciation life for most new farming machinery and equipment, I.R.C. Section 168(e)(3)(B)(vii).
- Special rules relating to Gulf Opportunity Zone public utility casualty losses, I.R.C. Section 1400N(j).
- 5 year carryback of NOLs attributable to Gulf Opportunity Zone losses, I.R.C. Section 1400N(k).

- 5 year carryback of NOLs incurred in the Kansas disaster area after May 3, 2007, I.R.C. Section 1400N(k).
- 5 year carryback of certain disaster losses, I.R.C. Sections 172(b)(1)(J) and 172(j).
- The election to deduct public utility property losses attributable to May 4, 2007 Kansas storms and tornadoes in the fifth tax year before the year of the loss, I.R.C. Section 1400N(o).
- Special rules relating to a financial institution being able to use ordinary gain or loss treatment for the sale or exchange of certain preferred stock after Dec. 31, 2007, I.R.C. Section 1221.
- Temporary tax relief provisions relating to the Midwestern disaster area, I.R.C. Sections 1400N(f) and 1400N(k).

**Depreciation Differences.** Depreciation differences due to the Federal acts mentioned above should be treated as follows (If the taxpayer has depreciation differences from more than one Federal act, it is not necessary to make a separate adjustment for each act):

- A. Depreciation must be computed one way for Federal purposes and another way for Georgia purposes. To compute depreciation for Federal purposes, taxpayers should use the current year IRS Form 4562 and attach it to the Georgia return. This should be entered on the other addition line of the return.
- B. Depreciation must also be computed for Georgia purposes. Taxpayers should use Georgia Form 4562 to compute depreciation for Georgia purposes and attach it to the Georgia return. This should be entered on the other subtraction line of the return.

**Federal deduction for income attributable to domestic production activities (IRC Section 199).** This adjustment should be entered on the addition line of the applicable return. An adjustment to the Georgia partnership or S Corporation return is not required if the partnership or S Corporation is not allowed the Section 199 deduction directly, but instead passes through the information, needed to compute the deduction, to the partners or shareholders.

**Other Differences.** Other differences should be placed on the other addition or subtraction line of the applicable return. Attach a statement to the return explaining these differences.

Additionally, the provisions listed above may have an indirect effect on the calculation of Georgia taxable income.

Adjustments for the items listed below should be added or subtracted on your Georgia income tax form.

1. When property is sold for which the bonus depreciation was claimed, there will be a difference in the gain or loss on the sale of the property.
2. The depreciation adjustment may be different if the taxpayer is subject to the passive loss rules and is not able to claim the additional depreciation on the Federal return.
3. Other Federal items that are computed based on federal adjusted gross income or federal taxable income will have to be recomputed if the provisions of the Federal Acts are claimed.

Furthermore, in 2003 the IRS started requiring separate reporting, to shareholders of S Corporations and partners of partnerships, for the gain from asset sales for which an I.R.C. Section 179 deduction was claimed. Georgia follows the separate reporting treatment of the gain and the Section 179 deduction. Accordingly, the gain should not be reported directly on the S Corporation or partnership return, but the gain, along with any Georgia adjustment to the gain (due to the Federal acts), should be reported separately to the shareholders or partners.

## TAX CREDITS

The following Pass Through Credits from Ownership of Sole Proprietorship or from the ownership of, S Corp, LLC, LLP or Partnership Interest will be reflected on the Fiduciary's K-1 and must be listed on Form 501, Schedule 4. The entity information and credit type 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. See Form IND-CR for information about additional tax credits.*

**For additional information on the below-listed credits, please visit the Georgia Department of Revenue website at [www.etax.dor.ga.gov/inctax/taxcredits.aspx](http://www.etax.dor.ga.gov/inctax/taxcredits.aspx).**

<u>Code</u>	<u>Name of Credit</u>
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
109	Low Income Housing Credit <i>(enclose Form IT-HC and K-1)</i>
110	Diesel Particulate Emission Reduction Technology Equipment
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 <i>(enclose DNR certification)</i>
117	Zero Emission Vehicle Credit <i>(enclose DNR certification)</i>
118	New Facilities Job Credit
119	Electric Vehicle Charger Credit <i>(enclose DNR certification)</i>
120	New Facilities Property Credit
121	Historic Rehabilitation Credit <i>(enclose Form IT-RHC and DNR certification)</i>
122	Film Tax Credit
123	Teleworking Credit
124	Land Conservation Credit <i>(enclose Form IT-CONSV and DNR certification)</i>
125	Qualified Education Expense Credit <i>(enclose Form IT-QEE-SS01 and Form IT-QEE-TP2)</i>
126	Seed-Capital Fund Credit
127	Clean Energy Property Credit <i>(enclose Form IT-CEP)</i>
128	Wood Residual Credit
129	Qualified Health Insurance Expense Credit <i>(enclose Form IT-QHIE)</i>
130	Quality Jobs Tax Credit
131	Alternate Port Activity Tax Credit