



CT-46

New York State Department of Taxation and Finance

Claim for Investment Tax Credit and Employment Incentive Credit Tax Law — Sections 210.12 and 210.12-D

1996 calendar yr. filers, check box [ ] Other filers enter tax period:

beginning ending

Name Employer identification number File number

File this form with Form CT-3, CT-3-A or CT-3-S

Computation of Investment Tax Credit

Table with 8 rows for investment tax credit computation, including lines 1 through 8.

Computation of Unused Investment Tax Credit Available for Carryover to Future Periods

Table with 8 rows for unused investment tax credit computation, including lines 9 through 16.

Schedule A — Property Located in New York State Eligible for Investment Tax Credit

Table with 7 columns: A Description of Property, B Principal Use, C Date Acquired, D Life (years), E Investment Credit Base, F Investment Tax Credit, G Investment Tax Credit on Research and Development Property.

Amounts from attached list

Summary rows 17 and 18 for adding column F and G amounts.

**Schedule B — Rehabilitation Expenditures in New York State Eligible for Investment Tax Credit**

New York State sales tax vendor registration number: \_\_\_\_\_ Percentage of business receipts from retail sales ..... %  
 Percentage of rehabilitated area used in retail sales ..... %

A Description of Property Rehabilitation Expenditures	B Primary Use of Rehabilitated Area	C Date of Expenditure	D Life (years)	E Rehabilitation Expenditures	F % Rates (see Rate Schedule 1 on page 3)	G Investment Tax Credit (column E × column F)

**19** Add column G amounts (enter here and on line 3) .....

**Schedule C — Employment Incentive Credits (see Schedule D, below, to determine eligibility)  
 Allowed on Property Acquired on or After January 1, 1987 (section 210.12-D)**

A Tax Year in which Acquisition, Construction Reconstruction or Erection Began	B Tax Year in which Investment Tax Credit was Allowed	C Amount of Investment Credit Base upon which Original Investment Tax Credit Was Allowed (excluding R&D property at optional rate)	D Employment Incentive Credit - (multiply column C by the appropriate rate from Rate Schedule 2 on page 3)

**20**      **21**  
**22** Add column D amounts (enter here and on line 4) .....

**Schedule D — Employment Information Required to Determine Eligibility for  
 Employment Incentive Credit Under Section 210.12-D (Schedule C)**

A. Use in conjunction with Schedule C, line 20	Year	March 31	June 30	September 30	December 31	Average
Number of New York employees in employment base year						
Number of New York employees in period covered by this claim						
B. Use in conjunction with Schedule C, line 21	Year	March 31	June 30	September 30	December 31	Average
Number of New York employees in employment base year						
Number of New York employees in period covered by this claim						

**Schedule E — Computation of Recapture of Investment Tax Credit (section 210.12), Additional Investment Tax Credit (section 210.12-A) and Employment Incentive Credit (section 210.12-D)**

A Description of Property	B Date Acquired	C Date Property Ceased to Qualify	D Life (months)	E Unused Life (months)	F Percentage (column E ÷ column D)	G Total Investment Tax Credit Allowed	H Recaptured Investment Tax Credit (column F × column G)	I Recaptured Additional Investment Tax Credit and/or Employment Incentive Credit

Amounts from attached list

<b>23</b> Recaptured investment tax credit (add column H amounts) .....	
<b>24</b> Recaptured additional investment tax credit and/or employment incentive credit (add column I amounts) .....	
<b>25</b> Additional recapture (see instructions) .....	
<b>26</b> Add lines 23, 24 and 25 (enter here and on line 7) .....	

**Schedule F — Computation of Refund**

27	Tax from Form CT-3, line 73 or Form CT-3-A, line 75 .....	27	
28	Eligible business facility tax credit from Form CT-45.....	28	
29	Wage tax credit from Form DTF-601 or DTF-601.1 .....	29	
30	Unused investment tax credit, additional investment tax credit and employment incentive credit from line 5 .....	30	
31	Employment incentive credit from line 4.....	31	
32	Total (add lines 28 through 31) .....	32	
33	Recaptured investment tax credit, additional investment tax credit or employment incentive credit from line 7 .....	33	
34	Total (subtract line 33 from line 32) .....	34	
35	Adjusted tax (subtract line 34 from line 27) This amount cannot be less than the higher of the tax on minimum taxable income or the fixed dollar minimum (see Special Instructions on page 4 of the instructions) .....	35	
36	Investment tax credit from lines 1 through 3.....	36	
37	Refundable investment tax credit (subtract line 35 from line 36; enter this amount on line 15 and on Form CT-3, line 93 or Form CT-3-A, line 100).....	37	

**Rate Schedule 1 — Investment Tax Credit Rates to be used in Schedules A and B**

**Rates for property acquired during tax periods beginning in 1991 and after:** Standard Rate: 5% (.05) on first \$350,000,000 of investment credit base  
4% (.04) on excess of \$350,000,000 of investment credit base  
\* Optional Rate: 9% (.09) on research and development property

For credit rates prior to 1991, refer to section 210.12(a) of the NYS Tax Law

\* A New York C corporation may compute the investment tax credit on research and development property at either the standard rate or the optional rate. However, only research and development property on which the investment tax credit was computed at the standard rate may be included in the investment credit base when computing the employment incentive credit under section 210.12-D (see Schedule C).

An electing New York S Corporation must compute its investment tax credit at the rate of 4% (.04) on property other than research and development property and at 7% (.07) on research and development property. The pro rata share of the investment tax credit, computed at these rates, will be allowed to each individual shareholder on Form CT-3-S.

**Rate Schedule 2 — Employment Incentive Credit Rates to be used in Schedule C**

Investment tax credit for tax periods beginning in 1991 and after:	Rates	Employment Requirement At least
	1½% (.015) of investment credit base	101% but less than 102%
	2% (.02) of investment credit base	102% but less than 103%
	2½% (.025) of investment credit base	103%

An electing New York S Corporation is not entitled to an employment incentive credit.

**Privacy Notification**

The right of the Commissioner of Taxation and Finance and the Department of Taxation and Finance to collect and maintain personal information, including mandatory disclosure of social security numbers in the manner required by tax regulations, instructions and forms, is found in Articles 8, 9, 9-A, 13, 19, 27, 32, 33 and 33-A of the Tax Law and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer corporate tax liabilities under the Tax

Law, for certain tax refund offsets, and for any other purpose authorized by law.

Failure to provide the required information may result in civil or criminal penalties, or both, under the Tax Law.

This information will be maintained by the Director of the Data Management Services Bureau, NYS Tax Department, Building 8 Room 905, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829; from areas outside the U.S. and Canada, call (518) 485-6800.