



CT-46

New York State Department of Taxation and Finance

Claim for Investment Tax Credit (Includes Employment Incentive Credit, Retail Enterprise Credit, and Historic Barns Credit) Tax Law — Sections 210.12 and 210.12-D

1997 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, CT-3-S or CT-3-S-A

Computation of Tax Credit(s)

Table with 9 rows for tax credit computation, including Investment tax credit, research and development property, retail enterprise tax credit, etc.

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

Table with 17 rows for unused investment tax credit computation, including Tax, Credits claimed, and carryover amounts.

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 18 and 19 for adding column F and G amounts.

**Schedule B1 — 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 4)	G Investment Tax Credit <i>(column E × column F)</i>	
<b>20</b> Add column G amounts <i>(enter here and on line 3)</i> . . . . .						<b>20</b>	

**Schedule B2 — Rehabilitation Expenditures in New York State for a Historic Barn**

Complete questions A through J to determine if you are eligible to claim this credit.

- A. Has the barn been converted to residential use?  Yes  No  
If Yes, **stop! You do not qualify for this credit.**
- B. Is the barn listed in the National Register?  Yes  No  
If Yes, the barn's rehabilitation must be certified by the federal Secretary of Interior or the NYS Office of Parks, Recreation and Historic Preservation. Attach a copy of the certification. *(see TSB-M-97(5)C)*
- C. If you answered No to B, is the barn located in a registered historic district?  Yes  No
- D. If you answered Yes to C, is the barn of historic significance to the district?  Yes  No  
If Yes, the barn is a certified historic structure and the barn's rehabilitation must be certified by the federal Secretary of Interior or the NYS Office of Parks, Recreation and Historic Preservation. Attach a copy of the certification.  
If No, attach documentation from the NYS Office of Parks, Recreation and Historic Preservation stating the barn is of no historic significance to the district. *(see TSB-M-97(5)C)*
- E. If you answered No to B and C, was the barn originally designed and used for storing farm equipment or agricultural products or for housing livestock, and was the barn first placed into service before 1936?  Yes  No  
If No, **stop! You do not qualify for this credit.**
- F. Has the historic appearance of the barn been materially altered?  Yes  No  
If Yes, **stop! You do not qualify for this credit.**  
If No, attach, if you have it, a copy of the letter from the Office of Parks, Recreation and Historic Preservation stating that the historic appearance of the barn has not been materially altered. *(see TSB-M-97(5)C)*
- G. Describe the measurement period used to determine whether the barn has been substantially rehabilitated *(see instructions)* . . . . . \_\_\_\_\_
- H. What is the adjusted basis of the barn as of the first day of the measurement period? . . . . . \$ \_\_\_\_\_
- I. Do the expenditures incurred during the measurement period to rehabilitate the barn exceed the higher of the amount shown in H or \$5,000?  Yes  No  
If No, **stop! You do not qualify for this credit.**
- J. Did you use the straight-line method of depreciation over a recovery period specified in either section 168(c) or section 168(g) of the Internal Revenue Code, whichever is applicable to you?  Yes  No  
If No, **stop! You do not qualify for this credit.**

Date rehabilitation work was begun		Date rehabilitation work was completed			
A Description of Rehabilitation Expenditures <i>(attach additional sheets if necessary)</i>	B Date of Expenditure(s)	C Life (years)	D Amount of Expenditure(s)	E Rehabilitation Credit <i>(column D x 25%)</i>	
<b>21</b> Add column E amounts <i>(enter here and on line 4)</i> . . . . .				<b>21</b>	



**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).

A 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 or Form CT-3-S-A/C.

**Rate Schedule 2 — Employment Incentive Credit Rates to be used in Schedule C****Investment tax credit for tax periods beginning in 1991 and after:**

<b>Rates</b>	<b>Employment Requirement at least</b>
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%

**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 Registration and Data 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.

**Need Help?**

**Telephone Assistance** is available from 8:30 a.m. to 4:25 p.m., Monday through Friday. **For business tax information and forms**, call the Business Tax Information Center at 1 800 972-1233. **For general information**, call toll free 1 800 225-5829. **To order forms and publications**, call toll free 1 800 462-8100. **From areas outside the U.S. and Canada**, call (518) 485-6800.

**Fax-on-Demand Forms Ordering System** - Most forms are available by fax 24 hours a day, 7 days a week. Call toll free from the U.S. and Canada 1 800 748-3676. You must use a Touch Tone phone to order by fax. A fax code is used to identify each form.

**Internet Access** - <http://www.tax.state.ny.us> Access our website for forms, publications, and information.

**Hotline for the Hearing and Speech Impaired** - If you have access to a telecommunications device for the deaf (TDD), you can get answers to your New York State tax questions by calling toll free from the U.S. and Canada 1 800 634-2110. Assistance is available from 8:30 a.m. to 4:15 p.m., Monday through Friday. If you do not own a TDD, check with independent living centers or community action programs to find out where machines are available for public use.

**Persons with Disabilities** - In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call the information numbers listed above.

**Mailing Address** - If you need to write, address your letter to: NYS Tax Department, Taxpayer Assistance Bureau, W A Harriman Campus, Albany NY 12227.