



CT-240

(10/98)

New York State Department of Taxation and Finance

Foreign Corporation License Fee Return

Tax Law — Article 9, Section 181

Based on period ended

_____ 19 ____

Employer identification number		File number	For office use only
Legal name of corporation		Trade name/DBA	
Mailing name and address	Mailing name (if different from legal name) and address c/o		Date received
	PLACE LABEL HERE		
	Number and street or PO box		Date of incorporation
	City	State ZIP code	Foreign corporations: date began business in NYS
If your name, employer identification number, address, or owner/officer information has changed, you must file Form DTF-95 (see instructions). If you need Form DTF-95, call 1 800 462-8100 to request one. From areas outside the U.S. and outside Canada, call (518) 485-6800.		Business telephone number ()	Audit use
Business activity code number (from federal return; see instructions)	<input type="checkbox"/> NAICS <input type="checkbox"/> Other	Principal business activity	
A. Payment — pay amount shown on line 12. Make check payable to: New York State Corporation Tax Attach your payment here.			Payment enclosed

Computation of License Fee (see instructions on back for assistance)

1	Issued and outstanding par value stock at face value	1	
2	Par value stock allocated to New York State (multiply line 1 by line 17, line 20, or line 25)	2	
3	Fee — par value stock (multiply line 2 by .0005)	3	
4	Number of shares of no par value stock issued and outstanding	4	
5	Number of shares of no par value stock allocated to New York State (multiply line 4 by line 17, line 20, or line 25)	5	
6	Fee — No par value stock (multiply line 5 by 5 cents (.05))	6	
7	Total license fee (line 3 plus line 6, or \$10; whichever is greater)	7	
8	License fee previously paid	8	
9	License fee due with this report (subtract line 8 from line 7)	9	
10	Interest (see instructions)	10	
11	Additional charges (see instructions)	11	
12	Balance due (add lines 9, 10 and 11; enter payment on line A above)	12	

Schedule A — License Fee Allocation — Foreign Corporations (including S Corporations) Taxable Under Article 9-A, Tax Law (see instructions)

13	Allocated business and investment capital from Form CT-3 or CT-3-S-ATT, Schedule B	13	
14	Allocated subsidiary capital from Form CT-3 or CT-3-S-ATT, Schedule B	14	
15	Total allocated capital (add lines 13 and 14)	15	
16	Total capital from Form CT-3 or CT-3-S-ATT, Schedule B	16	
17	License fee allocation (divide line 15 by line 16)	17	%

Schedule B — License Fee Allocation — Foreign Corporations Taxable Under Article 9, Tax Law (see instructions)

18	Gross assets, less United States obligations and cash, employed in New York State	18	
19	Gross assets, less United States obligations and cash, wherever employed	19	
20	License fee allocation (divide line 18 by line 19)	20	%

Schedule C — License Fee Allocation — Foreign Corporations Taxable Under Article 32, Tax Law (see instructions)

21	Allocated business capital	21	
22	Allocated subsidiary capital	22	
23	Total allocated business and subsidiary capital (add lines 21 and 22)	23	
24	Total capital	24	
25	License fee allocation (divide line 23 by line 24)	25	%

Certification. I certify that this return and any attachments are to the best of my knowledge and belief true, correct, and complete.

Signature of elected officer or authorized person		Official title	Date
Paid Preparer Use Only	Firm's name (or yours if self-employed)	ID number	Date
	Address		Signature of individual preparing this return

Instructions

A foreign corporation must pay a license fee for the privilege of exercising its corporate franchise or carrying on its business in New York State. This fee is in addition to the annual franchise tax and is payable only once unless the capital share structure changed or the amount of capital stock employed in New York State increased since the last license fee return was filed. Some changes in capital share structure are:

- stock split;
- issuance of authorized stock;
- change of par value stock to no par value stock; and
- change of no par value stock to par value stock.

Who Must File — All foreign corporations, except banking corporations as defined in paragraphs 1 - 8 of section 1452(a) and insurance corporations doing business in New York State, must file Form CT-240. This includes foreign corporations that have elected to be New York State S corporations.

A foreign corporation that is subject to the New York State franchise tax under Article 32, section 1452(a)(9) or a foreign bank holding company that is included in a combined return under Article 32, section 1462(f), is required to file a license fee return. However, a foreign corporation or bank holding company that would not otherwise be taxable in New York State except for its inclusion in a combined return under Article 9-A or Article 32 of the Tax Law is **not** required to file a license fee return.

All foreign corporations included in a combined return under Article 9-A or Article 32 of the Tax Law that would be taxable in New York State if they filed separate returns are required to file the license fee return and compute the license fee on an individual basis.

When and Where to File — File Form CT-240 with the first franchise tax return, within 2½ months after the end of the fiscal or calendar year, and whenever a change is made in the capital share structure of the corporation or whenever the amount of capital stock employed in New York State has increased since the last license fee return was filed. When filing Form CT-240 other than with your franchise tax return, mail to: **NYS CORPORATION TAX, PROCESSING UNIT, PO BOX 22038, ALBANY NY 12201-2038.**

Private Delivery Services — The date recorded or marked by certain private delivery services, as designated by the U.S. Secretary of the Treasury or the Commissioner of Taxation and Finance, will be treated as a postmark, and that date will be considered to be the date of delivery in determining whether your return was filed on time. (Designated delivery services are listed in Publication 55, *Designated Private Delivery Services*. See **Need Help?** below for information on ordering forms and publications.) If you use **any** private delivery service, address your return to: State Processing Center, 431C Broadway, Menands, NY 12204.

Business Activity Code Number

Enter the business activity code number from your federal return. Please check the appropriate box for the type of code you are using. Check the box marked *NAICS* if you use the North American Industry Classification System. If you have entered a Principal Industrial Activity (PIA) or Standard Industrial Classification (SIC) code, check the box marked *Other*.

License Fee Rates — The license fee rate is five cents on each share of no par value stock and 1/20th of 1% of the value of par value stock. The minimum license fee is \$10.

When the license fee is recomputed, the amount of any license fee previously paid may be taken as a credit against the recomputed license fee. However, no credit for license fees previously paid will be allowed for a foreign corporation that merges or reincorporates in another state. Refunds will not be made to a corporation when a recomputed fee is less than the fee previously paid.

Line Instructions

Computation of License Fee

Whole Dollar Amounts — You may elect to show amounts in whole dollars rather than dollars and cents. Round an amount from 50 cents through 99 cents to the next higher dollar, and round any amount less than 50 cents to the next lower dollar.

Percentages — When computing allocation percentages, convert decimals into percentages by moving the decimal point two spaces to the right. Percentages should be carried out to four decimal places. For example: $5,000/7,500 = .666666 = 66.6667\%$.

Negative amounts, if any, should be shown in parentheses.

- Line 1** — Enter the total face value of issued par value stock. **Do not include treasury stock.**
- Line 4** — Enter the total number of shares of no par value stock issued. **Do not include treasury stock.**
- Line 8** — Enter total license fee paid with prior license fee returns. **Do not include interest paid with prior returns.**
- Line 10** — If you do not pay the license fee on time, you must pay interest. Call the Taxpayer Assistance Bureau for the current rate.

Line 11 — Additional Charges — Late Filing and Late Payment

Additional charges for late filing and late payment are computed on the amount of the fee less any payment made on or before the due date determined **with** regard to any extension of time for filing.

- A. If you do not file a return when due, add to the fee 5% per month up to 25% (section 1085(a)(1)(A)).
- B. If you do not file a return within 60 days of the due date, the addition to the fee in item A above cannot be less than the smaller of \$100 or 100% of the amount required to be shown (section 1085(a)(1)(B)).
- C. If you do not pay the fee shown on a return, add to the fee ½% per month up to 25% (section 1085(a)(2)).
- D. The total of the additional charges in items A and C above may not exceed 5% for any one month, except as provided for in item B above (section 1085(a)).

If you think you are not liable for these additional charges, attach a statement to your return explaining the delay in filing and/or payment (section 1085).

Note: You may have the interest (line 10) and/or penalty (line 11) computed for you by calling the Business Tax Information Center at 1 800 972-1233.

Schedule A — License Fee Allocation — Foreign Corporations (including S Corporations) Taxable Under Article 9-A, Tax Law

Add the allocated New York State business capital, allocated New York State investment capital and the allocated New York State subsidiary capital, then divide the result by total capital. Get these figures from Form CT-3, *General Business Corporation Franchise Tax Return, Computation of Capital Base*.

Example:	<i>Allocated NYS Capital</i>	<i>Capital Everywhere</i>
<i>Business Capital</i>	\$750,000	\$1,000,000
<i>Investment Capital</i>	5,000	50,000
<i>Subsidiary Capital</i>	<u>100,000</u>	<u>100,000</u>
	\$855,000	\$1,150,000

License fee allocation percentage: $74\% (855,000 \div 1,150,000 = .74)$

If you file Form CT-3-S, determine your total capital, business capital, and investment capital on Form CT-3-S-ATT. Allocate business and investment capital by using the allocation percentages from Form CT-3-S.

Schedule B — License Fee Allocation — Foreign Corporations Taxable Under Article 9, Tax Law

Compute your license fee allocation percentage by dividing assets employed in New York State by total assets. Do not include cash or U.S. obligations as part of assets.

Schedule C — License Fee Allocation — Foreign Corporations Taxable Under Article 32, Tax Law

Add together business capital and subsidiary capital allocated to New York State and divide the result by total capital. Foreign corporations taxable under section 1452(a)(9) and foreign bank holding companies included in a combined return under section 1462(f) are required to compute the license fee allocation in the same manner as the issuer's allocation percentage. The computation of the issuer's allocation percentage is described in the instructions for Form CT-32, *Banking Corporation Franchise Tax Return*.

Need Help?

Telephone Assistance is available from 8:30 a.m. to 4:25 p.m. (eastern time), 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 outside 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. (eastern time), 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.