



Instructions for Form IT-241

Claim for Clean Heating Fuel Credit

General information

The clean heating fuel credit is available to taxpayers for the purchase of *bioheating fuel* used for space heating or hot water production for *residential purposes* within New York State.

The bioheating fuel must contain at least 6% biodiesel per gallon. However, bioheating fuel that is comprised of *renewable hydrocarbon diesel* blended with conventional home *heating oil* may also qualify.

Note: The percentage of biodiesel included in the bioheating fuel is shown in the number or numbers preceded by the letter *B* in the bioheating fuel designation. For example, bioheating fuel designated **B10** contains **10%** biodiesel.

Credit calculation

The credit amount equals one cent per gallon for each percent of *biodiesel* included in the bioheating fuel, not to exceed twenty cents per gallon.

You claim the credit in the tax year you purchased qualifying bioheating fuel. If you do not use the full amount of the credit against your tax liability this year, you may request a refund or apply the overpayment to next year's tax. However, the Tax Department will not pay interest on the refund or overpayment.

To document your purchase, keep copies of all invoices or bills from your suppliers that include **all** of the following:

- date of purchase,
- number of gallons of bioheating fuel purchased, **and**
- the percentage of biodiesel included in the bioheating fuel.

Definitions

Bioheating fuel is a fuel comprised of biodiesel or renewable hydrocarbon diesel blended with conventional home heating oil, which meets the specifications of the ASTM International designation D396 or D975.

Biodiesel is a fuel comprised exclusively of mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats, designated B100 (pure biodiesel), which meets the specifications of the ASTM International designation D6751.

Renewable hydrocarbon diesel is a domestically produced fuel derived from vegetable oils, animal fats, and other renewable feedstocks that meet the most recent specifications of the ASTM International designation D975. Renewable hydrocarbon does not include any fuel from co-processed biomass with a *feedstock* that is not biomass.

Feedstock is soybean oil, oil from annual cover crops, algal oil, biogenic waste oils, fats or greases, or non-food grade corn oil, provided that the Commissioner of the New York State Department of Environmental Conservation (DEC) may, by rules and regulations, modify the definition of feedstock based on the vegetable oils, animal fats, or cellulosic biomass listed in the Code of Federal Regulations, Title 40, section 80.1426 (40 CFR 80.1426), table 1.

Heating oil is petroleum oil refined for the purpose of use as fuel for combustion in a space or water heating system that meets the specifications of the ASTM International designation D396 or other specifications as determined by the Commissioner of the New York State DEC.

Residential purposes means any use of a structure, or part of a structure, as a place of abode maintained by or for a person, whether or not owned by the person, on other than a temporary or transient basis. This includes multi-family dwelling units such as multi-family homes, apartment buildings, condominiums, and cooperative apartments. The structure must be located in New York State. Residential purposes do **not** include the part of a structure used as a hotel, motel, or similar space, except for those units used by the same occupant for at least 90 consecutive days.

Line instructions

If more than one of the following applies to you, complete all appropriate parts on one Form IT-241.

Individual (including sole proprietor): Complete Parts 1 and 5.

Partnership: Complete Parts 1 and 5. File Form IT-241 with your Form IT-204, *Partnership Return*, even though it is your partners that are claiming the credit.

A **married couple** in a business enterprise that made an IRC 761(f) election to **file two federal Schedule C forms** instead of a partnership return: If you file jointly, compute your credit amount as if you were filing one federal Schedule C for the business (enter the total of all applicable amounts from both federal Schedule C forms). Complete Parts 1 and 5.

Fiduciary: Complete Parts 1, 4, and 5.

Partner in a partnership, **shareholder** of a New York S corporation, and **beneficiary** of an estate or trust: Complete Parts 2, 3, and 5.

S corporation: Do not file Form IT-241. You must file Form CT-241, *Claim for Clean Heating Fuel Credit*.

Additional forms: If you have more entries than will fit on the lines provided in Part 1, 2, or 4, submit additional Forms IT-241, completing only the necessary parts. Include your name and taxpayer identification number on each form. On the indicated lines of the first Form IT-241 include the totals from all additional Forms IT-241. Place the extra forms behind the first Form IT-241 and submit them with your return.

Part 1: Individual (including sole proprietor), partnership, and estate or trust

In columns A through D, enter the information relating to each purchase of bioheating fuel used for space heating or hot water production for *residential purposes* within New York State you made during the tax year. Use a separate line for each purchase of bioheating fuel. If needed, see *Additional forms*.

Column A

Enter the date you purchased the bioheating fuel:

- If you purchased the bioheating fuel under a **plan that requires prepayment** to the supplier for a stipulated number of gallons of bioheating fuel at a fixed price, enter the date of the prepayment as the date of purchase.
- If you purchased the bioheating fuel through a **budget payment plan** where you make monthly payments to the supplier and the supplier deducts the amount of the sale from your account at the time of delivery, enter the date of delivery as the date of purchase.

Column B

Enter the gallons of bioheating fuel you purchased on each date you entered in column A.

If you purchased bioheating fuel for a location that has both residential and nonresidential space but has only one tank for the storage of bioheating fuel, use the following steps to determine the percentage of the location used for *residential purposes* to compute the credit properly.

1. Divide the square footage of residential areas by the total square footage (excluding *common areas** in both).
2. Round the result to four decimal places. This is the percentage used for residential purposes.
3. Multiply the percentage from Step 2 by the number of gallons of bioheating fuel you purchased to determine the number of gallons.
4. Enter the result in column B.

* *Common area* means any area on the premises used without distinction for both residential and nonresidential purposes.

Column C

Enter as a decimal the percentage of biodiesel per gallon of bioheating fuel you purchased. This percentage will be listed on your receipt preceded by the letter *B*.

Note: The amount you enter cannot exceed .20 (20%).

Example: Your receipt shows **B10** in the description of the bioheating fuel. Enter **.10** in column C for that purchase.

Column D

Enter the amount of credit allowed for each purchase.

Example: On February 1, you purchased 250 gallons of bioheating fuel to be used for residential heating purposes within New York State. The bioheating fuel contains 20% biodiesel (B20). The amount of credit allowed for this purchase is \$50 (250 x .20).

Line 2

If you are the only taxpayer who made the purchase of bioheating fuel for the location: enter the line 2 amount on line 7.

If you shared in the purchase of bioheating fuel with one or more other taxpayers:

1. Prorate the amount of the credit allowable for each taxpayer according to the percentage of the total bioheating fuel purchased by each taxpayer. (If you are filing a joint return, **do not** prorate the credit between you and your spouse.)
2. Enter only your share of the line 2 amount on line 7.
3. Submit a statement with your return showing the name, address, and share of the credit allowable for each taxpayer.

Part 2: Partnership, New York S corporation, estate, and trust information

Enter the requested information for each partnership, New York S corporation, or estate or trust from which you received a share of the credit. If needed, see *Additional forms*.

Part 3: Partner's, shareholder's, or beneficiary's share of credit

Enter your share of the credit you received from a partnership, New York S corporation, or estate or trust in Part 3. You may obtain this information from the partnership, corporation, or estate or trust. If you belong to more than one partnership, New York S corporation, or estate or trust, enter the **total** of all your shares on the appropriate line.

Estate or trust: Include on line 5 only your share of the credit from another estate or trust.

Part 4: Beneficiary's and fiduciary's share of credit

An estate or trust must complete Part 4. If an estate or trust allocates or assigns the credits to its beneficiaries, it must base the division on each beneficiary's proportionate share of the income of the estate or trust. Provide the beneficiaries with their share of the credit. If needed, see *Additional forms*.

Part 5: Computation of clean heating fuel credit

Individuals: Enter the amount from line 10 and code **301** on:

- Form IT-201-ATT, line 12, or
- Form IT-203-ATT, line 12.

Partnerships: Enter the amount from line 10 and code **301** on Form IT-204, line 147.

Fiduciaries: Do not enter any amounts on lines 7 and 8. Include the amount from line 10 and code **301** on Form IT-205, line 33.