

CT-45 (10/87)

For calendar year _____
or fiscal year ended _____

New York State Department of Taxation and Finance

Claim for Tax Credit — Eligible Business Facility Articles 9-A, 32 and 33, Tax Law

Please read instructions on back

Please Print or Type

File with your franchise tax report Form CT-3, CT-32 or CT-33.	Employer identification number	File number	For office use only
	Name		
Attach copy of Form CT-45.1, Certificate of Eligibility	Number	Street	
	City or town	State	

Computation of Tax Credit

1	Value of eligible property from Certificate of Eligibility			1		
2	Average value of New York property:					
	(a) Real property owned	2a				
	(b) Real property rented	2b				
	(c) Tangible personal property owned	2c				
	(d) Tangible personal property rented	2d				
	(e) Total (add lines 2a through 2d)			2e		
3	Percentage of eligible property (divide line 1 by line 2e)			3		%
4	Amount of eligible wages (except general executive officers) from Certificate of Eligibility	4				
5	Wages, salaries and other compensation paid to New York employees (except general executive officers)	5				
6	Percentage of eligible wages (divide line 4 by line 5)			6		%
7	Add line 3 and line 6			7		%
8	Tax credit percentage (divide line 7 by two)			8		%
9	Tax before credit (from Form CT-3, CT-32, or CT-33)			9		
10	Tax credit (multiply line 9 by line 8)			10		

CT-3 Filers: Enter this amount at Form CT-3, line 49
CT-32 Filers: Enter this amount at Form CT-32, Sch. A, line 6
CT-33 Filers: Enter this amount at Form CT-33, Sch. A, line 11

Instructions for Form CT-45

General Information

A credit against the tax imposed by Articles 9-A, 32 and 33 is allowed to any corporation owning or operating an eligible facility that has received initial approval of an application for a Certificate of Eligibility from the Job Incentive Board prior to July 1, 1983.

Since April 1, 1983 the Commissioner of Taxation and Finance has administered the program for corporations which have received approval prior to July 1, 1983. The Tax Commissioner is empowered to issue, renew, extend, revoke or modify the Certificate of Eligibility upon review of the Affidavit of Compliance filed by the taxpayer.

Questions about this program should be addressed to:

New York State Department of Taxation and Finance
Central Office Audit Bureau - Corporation Tax
Building 9, Room 408
W. A. Harriman Campus
Albany, NY 12227
Telephone: (518) 457-5307

The total credits allowed may not exceed the total original cost of the eligible investment as shown on the Certificate of Eligibility.

The tax credit may not reduce the tax to less than the following:

- Article 9-A — The amount required to reduce the tax for the current taxable year to the higher of the tax on the Pre-1990 minimum taxable income or the fixed dollar minimum tax.
- Articles 32 and 33 — The amount required to reduce the tax for the current taxable year to the minimum tax of \$250.

If a Certificate of Eligibility is revoked or modified, the taxpayer must report such revocation or modification in its tax report for the year in which the revocation or modification occurs. Any additional tax resulting from the recomputation of the tax credit may be assessed within three years after the filing of the tax report.

Corporations taxable under Article 9-A may elect under Tax Law Section 210.12(f) to claim an investment tax credit in place of the eligible business facility tax credit. (Use Form CT-46.)

Computation of Tax Credit

Line 1 — Enter value of eligible property shown on your Certificate of Eligibility.

Line 2(a) — Enter the average net book value of your real property owned within New York State.

Line 2(b) — Enter the value of rented real property located within New York State. The value of the rented property is computed at eight times the net annual rental rate (the annual rental rate less any annual rate received from subrentals).

Line 2(c) — Enter the average value of your tangible personal property located within New York State. For periods beginning after July 1, 1976 do not include inventory as part of tangible personal property (Chapter 924, Laws of 1976, amending Article 9-A, Section 210.11(b)(1)).

Line 2(d) — Enter the value of rented tangible personal property located within New York State. The value of the rented tangible personal property is computed at eight times the net annual rate.

~~Line 2 (e) — Add lines 2 (a) through 2 (d).~~

Line 3 — Determine the percentage of eligible property by dividing line 1 by line 2 (e).

Line 4 — Enter the amount of eligible wages, salaries and other personal service compensation (except general executive officers) from your Certificate of Eligibility.

Line 5 — Enter total wages, salaries and other personal service compensation paid to all New York employees (except general executive officers).

Line 6 — Determine the percentage of eligible wages by dividing line 4 by line 5.

If no compensation was paid to employees in New York other than general executive officers, the percentage of eligible property should be used to compute the tax credit.

Line 7 — Add line 3 and line 6.

Line 8 — Determine the tax credit percentage by dividing the total from line 7 by two, or by using the eligible property percentage if no compensation was paid to New York employees other than general executive officers.

Line 9 — Enter tax before any tax credits from Form CT-3, line 48, Form CT-32, line 5 or Form CT-33, line 10.

Line 10 — Tax credit for the current taxable year:

Article 9-A taxpayers:

Multiply line 9 by line 8. Enter this amount or the portion of this amount that will reduce the tax for the current taxable year to the higher of the tax on the Pre-1990 minimum taxable income or the fixed dollar minimum tax.

Article 32 and 33 taxpayers:

Multiply line 9 by line 8. Enter this amount or the portion of this amount that will reduce the tax for the current taxable year to the minimum tax of \$250.