



# Nonresident and Part-Year Resident Income Tax Return

New York State • City of New York • City of Yonkers

## IT-203-I Instructions

### Instructions for Form IT-203

#### Highlights for 1996 (see page 2)

- New York State tax rates have decreased. The state maximum tax rate is reduced from 7.59375% to 7.125%.
- If you elect to itemize your deductions on your New York return, use Form IT-203-ATT, complete lines 1 through 14 of Part I, and attach it to your return (see pages 21, 28, and 29).
- The New York State earned income credit percentage is increased from 10% to 20% (see the instructions for Form IT-215, included in this booklet).
- Two new charitable funds have been added to the 1996 Form IT-203. You may now make contributions on Form IT-203 to

the United States Olympic Committee/Lake Placid Olympic Training Center Fund, and the Breast Cancer Research and Education Fund as well as the Gift for Wildlife Fund. For more information, see page 2, the instructions for line 54 on page 23, and the inside back cover.

- If you are age 55 or older, you may be able to deduct part of the eligible *long-term care* insurance premiums you paid during 1996. See the instructions for new subtraction (to federal adjusted gross income) S-25 on page 20.

**If you are claiming the New York itemized deduction this year, get New York Form IT-203-ATT and attach it to your Form IT-203.**

#### This booklet also contains:

- Instructions for Form IT-203-ATT, *Itemized Deduction and Other Credits and Taxes, Attachment to Form IT-203*
- Instructions for Form NYC-203, *City of New York Nonresident Earnings Tax Return*
- Instructions for Form IT-215, *Claim for Earned Income Credit*
- Instructions for Form IT-216, *Claim for Child and Dependent Care Credit*
- Form IT-2104, *Employee's Withholding Allowance Certificate and Instructions*

New York State's tax amnesty program is in effect through January 31, 1997. For amnesty information, call toll free 1 888 552-3453.

#### From the Commissioner

The 1996 tax year continues the second year of a three-year tax cut enacted by Governor Pataki and the State Legislature. The state maximum tax rate has been reduced from 7.59375% to 7.125%, and the standard deduction amounts have increased. Overall, the three-year personal income tax reduction program will lower taxes by more than \$6 billion. This represents a 25% cut for three-quarters of our taxpayers.

Also, New York's child and dependent care credit is now refundable for New York residents. If you qualify for the credit and it is more than the amount you owe, we will refund the difference. Previously, this credit could only be used to reduce your tax. The credit is not refundable to nonresidents; however, it is partially refundable to qualifying part-year residents.

As always, we will work diligently to promptly get your tax refund to you. Nonresident Form IT-203 now joins a growing number of New York returns that allow us to use the latest computer imaging technology to quickly process income tax returns. You can help by making entries carefully, as shown in these instructions, and by reviewing the checklist on page 27 before mailing in your return. We have also added a space for you to enter your daytime telephone number, only if you choose. This will allow us to call you to correct any minor errors or omissions and process your return as quickly as possible.

As a reminder, **New York State's tax amnesty program is in effect through January 31, 1997.** If you qualify for tax amnesty, you can pay off taxes you may owe for periods ending December 31, 1994, or earlier, without penalty. You will be charged interest, however. Information and an application form are included in the

1996 New York State income tax packets. You can also call 1 888 552-3453 for amnesty information.

To provide greater confidentiality for taxpayers, we have redesigned our 1996 tax packets to conceal the preprinted peel-off label behind a glued flap on the inside front cover. We believe this will minimize the risk that a social security number might be used for illegitimate purposes. Please be sure to attach the label to your return when you file. This will help ensure that your return is processed efficiently, and if you're entitled to a refund, that you receive it as quickly as possible.

Also new this year is a place on the form where you can contribute to the U.S. Olympic Committee/Lake Placid Olympic Training Center Fund, and to the Breast Cancer Research and Education Fund. The instructions in this booklet contain more information on these new voluntary entries.

Our toll-free telephone assistance is now available to callers throughout the U.S. and Canada. If you need help with your 1996 New York State income tax return, call 1 800 225-5829. From areas outside the U.S. and Canada, call (518) 485-6800. Trained service representatives are on hand to provide the answers to any tax questions you may have.

Michael H. Urbach  
Commissioner

# Highlights for Tax Year 1996

- **New York State Tax Rate Decrease**

Tax rate changes designated in the 1987 tax reform legislation, which were subsequently postponed, have been reinstated. For tax year 1996, the state maximum tax rate has been reduced from 7.59375% to 7.125%.

- **Standard Deduction Amounts Increased**

The standard deduction amounts have increased from last year to as much as \$12,350 for the *married filing joint return* status for tax year 1996. See the *Standard Deduction Table* on page 21 for the standard deduction for your filing status.

- **New York State Earned Income Credit Percentage Increased**

For 1996, the New York State earned income credit percentage is increased from 10% to 20%. If you qualify, complete Form IT-215, *Claim for Earned Income Credit*, and transfer the allowable amount to your return. Your earned income credit will reduce the amount you owe, or if you are a part-year resident, may increase your refund. For more information see the instructions for line 57 on page 23 or the instructions for Form IT-215.

- **Tax Amnesty Program**

New York State's tax amnesty program is in effect through January 31, 1997. If you qualify, you can pay off your tax debt for periods ending December 31, 1994, or earlier, without penalty (interest will be charged). An application (Form AM-2) is included in the tax packets. For amnesty information, call toll free 1 888 552-3453.

- **New Subtraction for Long-Term Care Insurance Premiums**

If you are 55 or over and you paid "long-term care" insurance premiums during 1996 to an approved insurance company, you may be able to deduct part of the premiums paid on your income tax return this year. See the instructions for new subtraction S-25 on page 20.

- **Toll-Free Telephone Service Expanded**

Callers can now access our toll-free numbers for information, forms, publications and refund information from anywhere in the U.S. and Canada. See *Need Help?* on the back cover of these instructions.

- **Certain pension income received while a nonresident is not taxable to New York State and should not be included in the New York State Amount column.**

Section 114 of Title 4 of the U.S. Code creates a limitation on state income taxation of certain pension income. The amended law is effective for taxable years beginning in 1996 or thereafter and prohibits states from taxing certain retirement income of a nonresident. It will protect all income received from pension plans recognized as *qualified* under the Internal Revenue Code and also exempt income received under deferred compensation plans that are *nonqualified* retirement plans under the tax code, but which meet additional requirements. See the line 10 instructions on page 12.

- **United States Olympic Committee/Lake Placid Olympic Training Center Fund**

Beginning in 1996, taxpayers may now elect to make a contribution to the United States Olympic Committee/Lake Placid Olympic Training Center Fund on Form IT-203. If you and your spouse both wish to contribute and you are filing a joint return, you may give \$4. All others may contribute \$2. See the instructions for line 54 on page 23 and the inside back cover for additional information.

- **Breast Cancer Research and Education Fund**

Beginning in 1996, taxpayers may now elect to make a contribution to support New York State's Breast Cancer Research and Education Fund. Moneys contributed to this fund will be used only for breast cancer research and educational projects. See the instructions for line 54 on page 23 and the inside back cover for additional information.

- **Itemized Deductions are on Form IT-203-ATT**

The lines for entering your itemized deductions are on Form IT-203-ATT. If you itemize deductions on your federal return and choose to itemize on your New York return, you must complete lines 1 through 14, in Part I of Form IT-203-ATT and attach it to your return. For more information, see the instructions for line 32 on page 21.

• **Notice to Estimated Tax Filers** — The Tax Department plans to begin mailing estimated tax vouchers in mid-February. Estimated tax filers can expect to receive their IT-2105 payment vouchers in late February or early March. The first installment is due on or before April 15, 1997.

**● Do you need a tax packet?**

If you use a paid preparer, or if you use computer software to prepare your return, or if for any other reason you do not need a tax packet mailed to you for next year's taxes, please check the box at item D of your Form IT-203. By checking this box, you will help us reduce printing and mailing costs.

When you check the box, we will send you a mailing label that you or whoever prepares your return should use on your 1997 return. Be sure to use your preprinted mailing label; if you do not, it may cause a delay in processing your return and your refund, if you are entitled to one.

**How to avoid mistakes that slow down the processing of your return and refund:**

- Be sure to check either the Yes or No box at Item C.**

Item C asks whether or not you can be claimed as a dependent on another taxpayer's federal return. Be sure to check either the *Yes* or *No* box, especially if you are single, since the answer determines the amount of standard deduction allowed.
- New York City IRC 125 flexible benefits program must be included on line 21.**

IRC section 125 amounts deducted or deferred from your salary under a flexible benefits program established by the city of New York and certain other New York City public employers must be included as an "other addition" on line 21 of Form IT-203.
- Check the New York standard deduction table on page 21 and make sure that you have claimed the correct standard deduction for your filing status on line 32.**

For example, do not claim a head of household filing status and then claim a standard deduction for a single or married filer.
- Complete the New York Dependent Exemption Worksheet on page 21 and enter the line c number on line 34.**

Some taxpayers make the mistake of entering the number of exemptions that they claimed on their federal return on line 34 of their Form IT-203. In general, federal exemptions include both personal and dependent exemptions. However, only dependent exemptions are allowed on your New York State return. The value of each New York dependent exemption is \$1,000. To ensure that you receive credit for the correct number of New York dependent
- exemptions, complete the worksheet on page 21 of these instructions before making an entry at line 34 of your return.
- Enter your refund or amount you owe on the correct line of your return.**

Taxpayers sometimes enter the amount they owe on the **refund** line (line 64) instead of on the **amount you owe** line (line 66). The taxpayer then expects a refund, when in fact he or she owes tax. This will result in a bill for the tax owed plus interest and possible penalty. This situation can be avoided by making sure that if you owe tax, you enter the amount owed on the correct line and pay this amount when you file your return.
- Nonobligated spouses should attach Form IT-280 to their returns.**

If you are a nonobligated spouse who is filing Form IT-280 to disclaim your spouse's debt, use the original Form IT-280. Do not use a photocopy. If you need to get this form, see *Need Help?* on the back page of these instructions.
- Amount applied to 1997 estimated tax**

If you elect to apply all or part of the amount overpaid to your 1997 estimated tax, that election generally **cannot** be changed after April 15, 1997.

**How Nonresidents and Part-Year Residents are Taxed**

If you were a nonresident of New York State and received income in 1996 from New York State sources, or if you moved into or out of New York in 1996, you must file Form IT-203, *Nonresident and Part-Year Resident Income Tax Return*. You are subject to New York State tax on income you received from New York sources while you were a nonresident and on all income you received while you were a New York State resident.

First, you must compute a base tax as if you were a resident of New York for the entire year, including items of income, gain, loss and deduction from all sources. You must then divide your New York source amount of New York adjusted gross income by your federal amount of New York adjusted gross income to determine an income percentage. The base tax is multiplied by the income percentage to arrive at the amount of tax apportioned to New York based on New York source income.

If you were a resident of New York for all of 1996, you must use a resident income tax return, Form IT-100, Form IT-200 or Form IT-201.

- Americans with Disabilities Act** — 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** number listed under the **Need Help?** section on the back cover of these instructions.

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# Who Must File

## New York Nonresidents and Part-Year Residents

You must file a New York State nonresident and part-year resident return, Form IT-203, if you meet any of the following six conditions:

- You have New York source income and your New York adjusted gross income (*Federal Amount* column) is more than your New York standard deduction.

New York source income is the sum of the net amount of items of income, gain, loss and deductions derived from or connected with New York sources, including your share of those items from partnerships, S corporations and estates and trusts. See *New York Source Income*, below, for more information.

New York adjusted gross income is simply federal adjusted gross income increased or reduced by any required New York additions and subtractions.

New York additions and subtractions are explained on pages 15 through 20 of these instructions; see the federal instructions to find your filing status and figure your federal adjusted gross income if you do not have to file a federal return.

— Your federal filing status is: **and you had New York source income, and your New York adjusted gross income (*Federal Amount* column) is more than:**

single, and you can be claimed as a dependent on another taxpayer's federal return . . .	\$2,900
single, and you cannot be claimed as a dependent on another taxpayer's federal return . . . . .	\$7,400
married filing joint return . . . . .	\$12,350
married filing separate return . . . . .	\$6,175
head of household . . . . .	\$10,000
qualifying widow(er) . . . . .	\$12,350

- You want to claim a refund of any New York State, city of New York or city of Yonkers income taxes withheld from your pay.

- You are subject to the minimum income tax on tax preference items derived from or connected with New York sources. For further information, see *Other Forms You May Have to File* (Form IT-220, *Minimum Income Tax*) on page 7 of these instructions.

- You are subject to a separate tax on any lump-sum distributions derived from or connected with New York sources. See *Other Forms You May Have to File* (Form IT-230, *Separate Tax on Lump-Sum Distributions*) on page 7 of these instructions.

- You incurred a net operating loss for New York State personal income tax purposes for the tax year without incurring a similar net operating loss for federal income tax purposes. See *New York State Net Operating Loss* on page 8 for more information.

### Did you use federal Form 8814 or federal Form 8615 to report your child's investment income?

If you elected to file federal Form 8814 with your federal return, the amount of your child's investment income over \$1,000 that was included in your federal gross income must be reported in the *Federal Amount* column of your Form IT-203 and taxed at your rate. In this case, you will not file a New York return for your child. However, it will be to your advantage to file a New York return for your child since there will not be any New York tax on the first \$2,900 of your child's investment income. To qualify for filing a New York return for your child, you must first file a federal income tax return and federal Form 8615 (instead of federal Form 8814) to report your child's investment income.

## New York Source Income

### Nonresident

The New York source income of a nonresident is the sum of the income, gain, loss or deduction derived from or connected with New York State included in your New York adjusted gross income. This includes income from:

- real or tangible personal property located in New York;
- services performed in New York;
- a business, trade, profession or occupation carried on in New York;
- a corporation in which you are a shareholder and which makes an election under section 660 of the Tax Law to be taxed as an S corporation;
- your distributive share of New York State partnership income or gain; and
- your share of New York State estate or trust income or gain.

New York source income of a nonresident does **not** include the following income even if it was included in your federal adjusted gross income:

- certain pensions that are exempt from New York State taxation by reason of section 114 of Title 4 of the U.S. Code (see line 10 instructions on page 12), and annuities and pensions which meet the New York State definition of an annuity, unless the annuity is employed in or used as an asset of a business, trade, profession or occupation carried on in New York;
- interest, dividends or gains from the sale or exchange of intangible personal property, unless they are part of the income you received from carrying on a business, trade, profession or occupation in New York;

- compensation you received for active service in the United States military (see *Members of the Armed Forces* on page 6);
- your income as a shareholder of a corporation which did **not** have an election in effect to be taxed as an S corporation under section 660 of the Tax Law; or
- your distributive or pro rata share for federal income tax purposes of income, gain, loss or deduction from an insurance business doing business as a member of the New York Insurance Exchange; or
- compensation you received from an interstate rail carrier, interstate motor carrier or an interstate motor private carrier for regularly assigned duties performed in more than one state.

### Part-year resident

The New York source income of a part-year resident is the sum of the following with adjustments for the special accruals defined below:

1. all income reported on your federal return for the period you are a resident of New York State; and
2. the New York source income for the period you were a nonresident of New York State.

## Special Accruals

**Your accrued income as an individual moving out** of New York State is income you earned in your New York resident period but received after you became a nonresident of New York State. Your accrued income as an individual **moving into** New York State is non-New York source income you earned in your nonresident period but received after you became a New York State resident. Income accrues to you as a taxpayer when the amount becomes fixed and determinable and you have an unrestricted right to receive it. An accrued expense is a cost that has been incurred but not yet paid.

If you **moved out** of New York State, you must accrue any item of income, gain, loss or deduction which, under an accrual method of accounting, would be reportable at the time you changed your residence. This includes income or gain you elected to report on the installment basis. You also have to accrue to New York State items of tax preference subject to the minimum income tax (Form IT-220) and the total taxable amount of lump-sum distributions subject to the separate tax on lump-sum distributions (Form IT-230).

Accruals are not required if you file a bond or other acceptable security in an amount equal to or greater than the amount of additional New York State income tax that would be due if the accrued items were included on your part-year resident return, and you include the accrued amounts on your New York nonresident return for subsequent tax years as if no change in resident status occurred. If you elect to file a bond or other acceptable security instead of accruing income, you will need Form IT-260, *Surety Bond Form*, or Form IT-260.1, *Change of Resident Status - Special*

## Who Must File *(continued)*

### Special Accruals *(continued)*

**Accruals.** For more information on how to file a bond or other acceptable security, see Form IT-260-1, *Instructions for Forms IT-260 and IT-260.1*.

As a resident, if you received proceeds from lottery winnings (the amount of winnings less the amount of wager) of more than \$5,000 from the New York State lottery, the proceeds are subject to New York State, New York City (if applicable) and Yonkers (if applicable) income tax withholding. Continued withholding (as reported on Form IT-2102-G, *Report of Certain Gambling Winnings*) will serve as an acceptable security in making a special accrual of lottery winnings as required by section 639 of the Tax Law.

**If you became a New York State resident** during the tax year, you must accrue any item of income, gain, loss or deduction which, under an accrual method of accounting, would be reportable at the time you changed your residence, except that no accrual is required or allowed for items of income, gain, loss or deduction derived from or connected with New York State sources.

Any item of income, gain, loss or deduction accrued up to the time you changed your residence must be excluded in determining your New York source income, New York adjusted gross income, minimum taxable income or total taxable amount of lump-sum distributions, for the year of change or any subsequent year.

**The New York adjusted gross income of a part-year resident** must include special accruals and any applicable modifications (see *New York Additions* beginning on page 15 and *New York Subtractions* beginning on page 17) as if the accrued items were includable or allowable for federal income tax purposes.

### Resident, Nonresident and Part-Year Resident Defined

**You may have to pay income tax as a New York State resident even if you are not considered a resident for other purposes. For income tax purposes, your resident status depends on where you were domiciled and where you maintained a permanent place of abode during the taxable year.**

**In general, your domicile** is the place you intend to have as your permanent home. Your domicile is, in effect, the **state** where your permanent home is located. It is the place you intend to return to whenever you may be away (as on vacation abroad, business assignment, education leave, or military assignment).

**You can have only one domicile.** Your New York domicile is not changed until you can demonstrate that you have abandoned your New York domicile and established a new permanent domicile outside New York.

A change of domicile must be *clear and convincing*. Easily controlled factors such as where you vote, where your driver's license and registration are issued, where your will is located or similar items are **not** the primary factors to be taken into consideration in determining where you are domiciled. To properly determine whether you have changed

your domicile, you should first consider a comparison of your primary ties in both locations. For example, compare (1) the size, value, and nature of use of your first residence to the size, value, and nature of use of your newly acquired residence, (2) your employment and/or business connections in both locations; (3) the amount of time spent in both locations; (4) the physical location of items that have significant sentimental value to you in both locations; and, (5) your close family ties in both locations. A change of domicile is *clear and convincing* only when your primary ties are clearly greater in the **new** location. When weighing your primary ties, keep in mind that depending upon your overall lifestyle, some ties may weigh more heavily than others. It is the responsibility of the taxpayer to make available, if requested by the Department, documentation showing that the necessary intention to effect a change of domicile existed.

If you move to a new location but intend to stay there only for a limited amount of time (no matter how long), your domicile does not change. For example: *Mr. Green of ABC Electronics in Elmira, New York was temporarily assigned to the Atlanta, Georgia branch office for two years. After his stay in Atlanta, he returned to his job in New York. His domicile did not change during his stay in Georgia; it remained New York State.*

If your domicile is New York State and you go to a foreign country because of a business assignment by your employer, or for study, research or any other purpose, your domicile does not change unless you show that you definitely do not intend to return to New York State.

A *permanent place of abode* is a residence (a building or structure where a person can live) you permanently maintain, whether you own it or not, and usually includes a residence your husband or wife owns or leases. A place of abode is not permanent if you maintain it only during a temporary or limited period of time for a particular purpose. For more information, see Publication 88, *General Tax Information for New York State Nonresidents and Part-Year Residents*.

### Resident

You are a New York State resident if:

- Your domicile is **not** New York State, but you maintain a permanent place of abode in New York and spend *184 days or more* in New York during the taxable year. However, if you are a member of the armed forces, and your domicile is not New York State, you are not a resident under this definition; or
- Your domicile is New York State unless you meet **all three** of the conditions in either Group A or Group B as follows:

#### Group A

- You did not maintain any permanent place of abode in New York State during the taxable year; and
- You maintained a permanent place of abode outside New York State during the entire taxable year; and

- You spent *30 days or less* in New York State during the taxable year.

#### Group B

- You were in a foreign country for at least 450 days during any period of 548 consecutive days; and
- You spent *90 days or less* in New York State during this 548-day period, and your spouse (unless legally separated) or minor children spent *90 days or less* in New York during this 548-day period in a permanent place of abode maintained by you; and
- During the nonresident portion of the taxable year in which the 548-day period either begins or ends, you were present in New York State for no more than the number of days which bears the same ratio to 90 as the number of days in such portion of the taxable year bears to 548. This condition is illustrated by the following formula:

$$\frac{\text{Number of days in the nonresident portion}}{548} \times 90 = \text{Maximum number of days allowed in New York State}$$

For more information, see Publication 88, *General Tax Information for New York State Nonresidents and Part-Year Residents*.

### Nonresident

You are a New York State nonresident if you were not a resident of New York State for any part of the year.

### Part-year resident

You are a New York State part-year resident if you meet the definition of resident or nonresident for only part of the year.

## Joint and Separate Returns for Married Taxpayers

**If you filed a joint federal return and:**

— both spouses are nonresidents and both have New York source income, **or**

— one spouse is a part-year resident and the other is a nonresident with New York source income, **or**

— both spouses are part-year residents,

you must file a joint New York State return using filing status ②. Both spouses must sign the return and will be jointly and severally (individually) liable for the entire tax, penalty or interest due. **Do not complete or attach Form IT-203-C to your return.**

**Exception:** If you meet one of the preceding three conditions but are unable to file a joint New York return because the address or whereabouts of your spouse is unknown or your spouse refuses to sign a joint New York return, you **may** file a separate New York return using filing status ③.

*(continued)*

## Who Must File *(continued)*

### Joint and Separate Returns for Married Taxpayers *(continued)*

A separate return may be filed using the above exception **only** if you meet at least one of the following conditions:

- you can demonstrate that the address and whereabouts of your spouse are unknown, reasonable efforts have been made to locate your spouse, and good cause exists for the failure to file a joint New York return; **or**
- reasonable efforts have been made to have your spouse sign a joint return, there exists objective evidence of alienation from your spouse, such as judicial order of protection, legal separation under a decree of divorce or separate maintenance, or living apart at all times during the preceding year, and good cause exists for the failure to file a joint New York return.

#### If you filed a joint federal return and:

- both spouses are nonresidents but only one has New York source income, **or**
- one spouse is a part-year resident and the other is a nonresident with no New York source income,

you must file a joint New York State return using filing status ② and include in the *Federal Amount* column the joint income as reported on your federal income tax return. However, only the spouse with New York source income (or the part-year resident spouse) should sign Form IT-203. **That spouse must also complete Form IT-203-C, Nonresident or Part-Year Resident Spouse's Certification**, and attach it to the front of Form IT-203. In this case, any refund or notice of tax, penalty or interest due will be issued only in the name of the spouse required to sign Form IT-203.

**If you filed a joint federal return and one spouse is a New York State resident and the other is a nonresident or part-year resident**, you must file separate New York State returns, using filing status ③. The New York State resident must use either Form IT-200 or Form IT-201; the nonresident or the part-year resident, if required to file a New York return, must use Form IT-203. However, if both of you choose to file as New York residents, you may elect to file a joint New York State resident return, using filing status ② on Form IT-200 or Form IT-201. Both spouses must sign the joint return and will be jointly and severally (individually) liable for the entire tax, penalty or interest due.

Generally, you must file a joint New York return if you wish to claim the New York State child and dependent care credit. However, if one spouse is a nonresident or part-year resident and the other spouse is a resident and both spouses have New York source income, and they file separate New York returns, the credit may be claimed on the separate return of the spouse with the lower taxable income.

**If you each filed a separate federal return**, each spouse having New York source income must file a separate New York State return.

### Members of the Armed Forces

If your permanent home (domicile) was outside New York State when you entered the military, you do not become a New York State resident even if you were assigned to duty in New York State and establish a place of abode in New York State. If you are a New York State nonresident, your military pay is not subject to New York State tax. However, if you must file a New York State return on form IT-203, your military pay must be entered in the *Federal Amount* column even if it is not taxable to New York State. Any other income that you receive from New York State sources while you are a nonresident (including your spouse's income) may be subject to tax. If you have a civilian job in New York during your off-duty hours, the income you receive is subject to income tax. Income or gain from property located in New York or from a business, trade or profession carried on in this state is also subject to tax.

If your permanent home (domicile) was in New York State when you entered the military, you are still a New York State resident and must file a resident return even if you are presently assigned to duty in another state or country.

Generally, your domicile does not change when you are serving temporarily in the armed forces of the United States. However, **if you meet all three conditions in Group A** on page 5 and want to file for a refund of any New York State income tax withheld, file nonresident Form IT-203 and attach an explanation which contains the following information:

- a statement that you had no permanent place of abode in New York State during the taxable year; and
- the location and a brief description of the permanent place of abode you maintained outside New York State and the beginning and ending dates of your stay there; and
- the exact number of days you were in New York State during the tax year.

Your barracks, bachelor officer's quarters or quarters on ship generally do not qualify as a permanent place of abode.

**If you meet all three conditions in Group B** on page 5 and want to file for a refund, file Form IT-203 and attach a statement explaining how you meet the three conditions.

If you are stationed in a foreign country when your return is due and you qualify for an automatic two-month extension of time to file your federal return, you are automatically granted a two-month extension of time to file your New York return.

For more information, see Publication 361, *New York State Income Tax Information for Military Personnel and Veterans*.

**City taxes:** If you were a New York City or Yonkers resident when you entered the military and if your military pay is subject to New York State income tax, it is also subject to New York City or Yonkers taxes. However, if you meet the conditions for nonresident status, your military pay is not subject to the New York City or Yonkers nonresident earnings tax.

### Exclusion of, or Deduction from, Foreign Earned Income

If you are entitled to claim a federal exclusion of, or deduction from, your foreign earned income (as stated under section 911 of the Internal Revenue Code), you are also allowed to claim it on your New York State income tax return in the *Federal Amount* column. You would also be allowed to claim that portion of the federal exclusion of, or deduction from, foreign earned income in the *New York State Amount* column to the extent it relates to income reported in the *New York State Amount* column. If you claim either the exclusion or the deduction, attach a copy of your federal Form 2555, *Foreign Earned Income*, or Form 2555-EZ, *Foreign Earned Income Exclusion*, to your New York State income tax return.

If you have not yet qualified for the exclusion or deduction but you have filed a federal return, you must also file a New York State return. You should report all income, including income earned in any foreign country, reported on your federal return. If you later qualify for an exclusion or deduction, you can file a claim for a refund on Form IT-113-X, *Claim for Credit or Refund of Personal Income Tax*, or you can file an amended return on Form IT-203. Attach a copy of federal Form 2555 or 2555-EZ to your Form IT-113-X or to your amended Form IT-203. See *Amending an IT-203 Return* on page 27 in these instructions.

### U.S. Nonresident Aliens

**If you are a U.S. nonresident alien for federal income tax purposes and are required to file federal Form 1040NR, U.S. Nonresident Alien Income Tax Return**, you may be required to file a New York State nonresident return, Form IT-203. See *New York Nonresidents and Part-Year Residents* under *Who Must File* on page 4 of these instructions.

If you must file a New York return and you checked filing status box 3, 4 or 5 on federal Form 1040NR, you must compute your New York State tax as married filing separately and check box 3 at item A on your Form IT-203. It is important to note that some income items and line references used on Form IT-203 do not correspond with those shown on federal Form 1040NR. Item E on the front page of Form IT-203 asks you to enter the number of exemptions from line 6d of your federal Form 1040 or 1040A. For a nonresident alien, the corresponding line to obtain this information is line 7d of federal Form 1040NR. Line 12 of federal Form 1040NR is used to report income from scholarships and fellowships. Since there is no corresponding line on the New York nonresident return, this income should be reported as other income on line 15 of Form IT-203.

Also, if you filed federal Form 1040NR you should claim the New York deduction (itemized or standard) that is more advantageous to you.

Complete your return using the steps and line instructions beginning on page 10.

## Who Must File *(continued)*

### Deceased Taxpayers

If a taxpayer died before filing a return for 1996, the taxpayer's spouse or personal representative may have to file and sign a return for that taxpayer. A personal representative can be an executor, administrator or anyone who is in charge of the deceased taxpayer's property. If a taxpayer did not have to file a federal return but had New York State tax withheld, a New York return must be filed to get a refund. If a joint federal income tax return was filed for the deceased taxpayer and the surviving spouse, a joint New York State return can be filed on Form IT-203. The filing due date is the same as if the taxpayer had lived. The person who files the return for the deceased should write the taxpayer's first name and date of death in the area indicated at the top of the return.

If a refund over \$10,000 is requested and (1) the return is not signed by the fiduciary, or (2) you are a court-appointed representative and are claiming a refund for a deceased taxpayer, file the return and attach a copy of the certificate that shows your appointment. All other filers requesting the deceased taxpayer's refund must file the return and may have to attach Form AU-281.17, *Survivor's Affidavit*. Call or write us for this form. See *Need Help?* on the back page of these instructions.

### Estates and Trusts

Estates and trusts are subject to New York State personal income tax. The fiduciary for an estate or trust must file Form IT-205, *New York State Fiduciary Income Tax Return*.

Each nonresident and part-year resident beneficiary of an estate or trust must include his or her share of the estate or trust income, if any portion of that income is derived from or connected with New York sources, on Form IT-203. For more information on responsibilities of beneficiaries, see

*Beneficiaries (estates and trusts)* on page 15 of these instructions.

### Partnerships/Limited Liability Partnerships or Companies

Partnerships, including Limited Liability Companies (LLC), Limited Liability Investment Companies (LLIC) and Limited Liability Partnerships (LLP), are not subject to the New York State personal income tax but individual members of the partnership are. If your partnership has a partner who is a New York State resident, or if the partnership has any income from New York State sources, it must file Form IT-204, *Partnership Return*. If you were a partner with New York source income, transfer your share of income or loss, deductions and adjustments from Form IT-204 to your Form IT-203. For more information see Form IT-204-1, *Instructions for Form IT-204*. If your partnership carried on a business in New York City, it may also be required to file Form NYC-204, *City of New York Unincorporated Business Tax Partnership Return*. For more information, see the instructions for Form NYC-204. You can get this form and its instructions by calling the NYC Department of Finance. See *How to Get New York City Forms* below.

#### How to Get New York City Forms

If you need to get forms and instructions from the NYC Department of Finance, you can get them by calling New York City Tax Fax at (718) 935-6114 from the telephone connected to your fax machine or modem (24 hours a day, 7 days a week); by calling New York City Taxpayer Assistance at (718) 935-6000 Monday through Friday between the hours of 9:00 a.m. and 4:30 p.m.; or by visiting **Taxpayer Assistance, 25 Elm Place, 4th Floor, Brooklyn, NY**. This office is open from 9 a.m. to 5 p.m., Monday through Friday.

Since New York State does not administer the New York City unincorporated business tax, do not file your Form NYC-204 with your state return.

### Nonresidents of New York City and Yonkers

If you were not a New York City or Yonkers resident for 1996 but you earned wages or self-employment income there and you have to file a New York State income tax return, you must also file Form NYC-203, *City of New York Nonresident Earnings Tax Return*, and/or Form Y-203, *City of Yonkers Nonresident Earnings Tax Return*.

If you are married, you cannot file jointly on Form NYC-203 or Form Y-203. If you each have taxable earnings, you must each file a separate Form NYC-203 and/or Form Y-203. Forms NYC-203 and Y-203 are due at the same time as your state return and must be attached to it. For more information, see the Form NYC-203 and Y-203 instructions.

### Part-Year Residents of New York City and Yonkers

If you changed your New York City or Yonkers resident status during the year, you must complete Form IT-360.1, *Change of City Resident Status*, and pay New York City resident tax or Yonkers resident income tax surcharge for the part of the year that you lived in New York City or Yonkers. If you earned wages in one of these cities or conducted a trade or business there (either as an individual or a member of a partnership) during the part of the year that you were not a New York City or Yonkers resident, you must complete Form NYC-203, *City of New York Nonresident Earnings Tax Return*, or Form Y-203, *City of Yonkers Nonresident Earnings Tax Return*, and pay any tax due. For more information, see Form IT-360.1-1, *Instructions for Form IT-360.1*.

## Other Forms You May Have to File

### Form IT-203-ATT, *Itemized Deduction and Other Credits and Taxes, Attachment to Form IT-203*

Complete this form if you are claiming the itemized deduction on your New York return, are subject to any other New York State or New York City taxes, or are claiming other New York State credits. You must complete Schedule A, which is now located on the front of this form, if you worked both in and out of New York State for an employer, and your income is not based on the volume of business transacted. You must complete Schedule B, which is now located on the front of this form, if you or your spouse maintained living quarters in New York State during any part of 1996. For more information, see the *Instructions for Form IT-203-ATT, Itemized Deduction and Other Credits and Taxes*, beginning on page 28.

### Form IT-220, *Minimum Income Tax*

Complete this form if you have federal tax preference items totaling more than the allowable specific deduction. You may have to file Form IT-220 even if you are not required to file federal Form 6251, *Alternative Minimum Tax - Individuals*. For more information, see the instructions for Form IT-220.

### Form IT-221, *Disability Income Exclusion*

Complete this form to figure the amount of your disability income that may be excluded from income on Form IT-203. To qualify, you must have retired due to permanent and total disability and you must not have reached age 65 when your tax year ended. If you claim this exclusion, the *Physician's Statement* at the bottom of Form IT-221 must also be completed and signed by your doctor. For more information, see Form IT-221.

### Form IT-230, *Separate Tax on Lump-Sum Distributions*

Complete Form IT-230 if you used federal Form 4972 to figure your federal tax on a lump-sum distribution from a qualified retirement plan. For more information, see the instructions for Form IT-230.

### Form IT-399, *New York State Depreciation Schedule*

Complete this form if you are an individual, partnership, estate or trust to figure your New York depreciation deduction for property placed in service during taxable years beginning in 1981, 1982, 1983 and 1984, and for property placed in service outside New York State in taxable years beginning after December 31, 1984, but prior to January 1, 1994 (including property on which ACRS depreciation was figured in accordance with the federal Tax Reform Act of 1986). Also use

*(continued)*

## Other Forms You May Have to File *(continued)*

Form IT-399 to figure your adjustment for the federal ACRS deduction and the year of disposition adjustment. For more information, see Form IT-399.

### Form IT-2105, *Estimated Income Tax Payment Voucher*

The total amount you must pay for 1997 through withholding and estimated tax is the lesser of:

1. 90% of the tax shown on the 1997 return, **or**
2. 100% of the tax shown on the 1996 return (110% of that amount if you are not a farmer or fisherman and the New York adjusted gross income (*Federal Amount* column) shown on that return is more than \$150,000 or, if married filing separately, more than \$75,000).

However, if you did not file a 1996 tax return, or if your 1996 return did not cover all 12 months, item 2 above does not apply.

For more information, see Form IT-2105-I, *Instructions for Form IT-2105 (Estimated Income Tax Payment Voucher For Individuals)*.

You do not have to pay estimated tax if you expect to owe less than \$100 of New York State or New York City or Yonkers tax after deducting tax withheld and credits you are entitled to claim.

If you paid estimated tax for 1996 and filed a 1995 New York State income tax return, you will automatically receive a 1997 estimated tax packet in the mail. Included in your packet will be your account statement for tax year 1996. It will show the total amount recorded in your account as of the date shown on the statement. Review this statement carefully. If you disagree with any of the information, complete Form IT-2105.1 and mail it immediately to: **NYS Tax Department, Estimated Tax Unit (IT-2105.1), W A Harriman Campus, Albany NY 12227**. Do not use a pre-addressed label for this form.

If you did not receive your 1997 estimated tax packet by the date your first payment is due (generally April 15) or you would like to begin making estimated tax payments, call or write us for forms and instructions. See *Need Help?* on the back cover of these instructions.

**Estimated income tax for estates and trusts** – Estates and trusts are required to make estimated tax payments. However, estates (and certain grantor trusts that receive the residue of the decedent's estate under the decedent's will) are exempt from paying estimated tax for the first two years after the decedent's death. Generally, an estate or trust must pay estimated tax if the estate or trust is expected to owe, after subtracting its withholdings and credits, at least \$100 in New York income tax for 1997.

A fiduciary of an estate or trust who makes an election to allocate any portion of the estate's or trust's estimated tax payment among the beneficiaries must file Form IT-205-T, *Allocation of Estimated Tax Payments to Beneficiaries*. For more information, see the instructions for Form IT-205.

### New York State Net Operating Loss (NOL)

**Nonresident** – The New York State net operating loss to be included in the *New York State Amount* column of a nonresident's Form IT-203 must be figured in the same manner as the corresponding federal deduction, but using only New York State items of income, gain, loss and deduction in the computation. New York modifications are **not** included in the computation of the NOL and in determining the amount of loss to be used in the carryback or carryover year.

It is possible, because of the above rules, for a nonresident to have a New York NOL without having a federal NOL, or to have a New York NOL that is larger or smaller than the corresponding federal NOL. Form IT-203 must be filed for any year that a nonresident individual is claiming a net operating loss for New York purposes but not for federal income tax purposes. See *Who Must File* beginning on page 4 of these instructions.

**Part-year resident** – A part-year resident of New York State who incurs losses in the resident or nonresident period, or both, must make a separate NOL computation for each period (resident and nonresident), using only those items of income, gain, loss or deduction attributable to each period. For the resident period, the NOL is computed using only those items of income, gain, loss and deduction that would have been reported if a separate federal return was filed for the period of New York residence. For the nonresident period, the NOL is computed using the above rules for nonresidents.

To report a net operating loss (NOL) on Form IT-203, see the instructions for *Line 15, Other income* on page 13.

File Form IT-113-X to claim a personal income tax refund based upon a net operating loss (NOL) carryback if the NOL and any related adjustments are the only changes being made to the carryback year.

The following material should be attached to Form IT-113-X:

- a copy of the federal return for the loss year;
- for part-year residents, a copy of the federal NOL computation for the resident period and an attachment showing how the New York loss was computed for the nonresident period;
- for nonresidents, a Form IT-203 for the carryback year showing how the loss was computed. Write "Recomputed to Reflect the NOL" at the top of the front page of the Form IT-203 (for the carryback year), **and**
- a copy of the original New York State return for each year affected by the carryback.

For more information on claiming a personal income tax refund based upon an NOL, see Form IT-113-X.

### Amended Returns or Federal Changes

Generally, an amended return claiming credit for, or a refund of, an overpayment must be filed within three years of the date that the original return was filed, or within two years of the date the tax was paid, whichever is later. However, if you file an amended federal return showing a change in your taxable income, tax preference items, total taxable amount or capital gain or ordinary income portion of a lump-sum distribution, or credit for child and dependent care expenses, you must also file an amended New York State return within 90 days from the date you amend your federal return if the change increases or decreases your New York State tax.

You must also file an amended return to correct any error on your original nonresident and part-year resident return and to report changes made by the Internal Revenue Service.

If the Internal Revenue Service changes the taxable income, tax preference items, total taxable amount or capital gain or ordinary income portion of a lump-sum distribution, or disallows your refund claim or credit for child and dependent care expenses that you reported on your federal return and the change increases or decreases your New York State tax, you must report these changes to the New York State Tax Department within 90 days from the date the Internal Revenue Service makes its final determination. See page 27 for more information on completing and filing an amended IT-203 return. A worksheet is also provided to assist you in computing your amended overpayment or tax due.

### Form CT-33-D, *Tax on Premiums Paid or Payable to an Unauthorized Insurer on Risks Located Within New York State*

Complete this form if you have purchased or renewed a taxable insurance contract from an insurer not authorized to transact business in New York State under a Certificate of Authority from the Superintendent of Insurance. You will be liable for a tax of 3.6% of the premium. The return must be filed within 60 days following the end of the calendar quarter in which the contract was purchased or renewed. For more information, see Form CT-33-D and TSB-M-90(9)C.

## Federal/State Tax Agreement

Under authority of federal and New York State laws, the New York State Department of Taxation and Finance and the Internal Revenue Service have entered into a federal/state agreement for the mutual exchange of tax information.

## Reminders

### TIP

### Refunds

Even if you do not have to file a return, you should file to get a refund if New York State, New York City or Yonkers income taxes were withheld from your pay.

### Name and Social Security Number

You must enter your name and social security number on all forms you send to us. **If you are making a payment, write your social security number and 1996 Income Tax on your check or money order.**

### Whole Dollar Amounts

You may round all money items on your return to the nearest dollar. For example, round \$10.49 to \$10; round \$10.50 to \$11. If you round to the nearest dollar, round for all amounts.

### Wage and Tax Statements

Your employer must give you a wage and tax statement — either federal Form W-2 or New York State Form IT-2102. This statement shows your total earnings and the amount of New York State, New York City and Yonkers taxes withheld from your pay during the year.

If you received periodic annuity, pension, retired pay or IRA payments and income tax was withheld, the payer must give you a statement, either federal Form 1099-R or New York State Form IT-2102-P. This statement shows the amount of your gross and taxable retirement plan payments, and the New York State, New York City and Yonkers tax withheld from your payments during the year.

If you received payments of lottery distributions as a New York State resident and income tax was withheld from those payments, you will receive federal Form W-2G or New York State Form IT-2102-G, *Report of Certain Gambling Winnings*. This statement shows your total payments and the amount of New York State, New York City and Yonkers taxes withheld during the year.

You must staple the New York State copy of federal Form W-2 (Copy 2) or New York State Form IT-2102 (Copy 1) to the back of your return as shown in Step 7, *Return Assembly*, on page 26 of these instructions. If you have not received your wage and tax statement by February 15, 1997, or if the statement you received is incorrect or lost, contact your employer.

### Estimated Tax Paid

Enter the amount of estimated tax payments made for New York State, New York City and Yonkers. Before completing this section of your return, review the account statement that was included with your estimated tax packet. Report any discrepancies by completing Form IT-2105.1, provided in your estimated tax packet, and attach Form IT-2105.1 to the front of your Form IT-203.

### Paid Preparers Must Sign Your Return

Anyone you pay to prepare your return must sign it and fill in the other blanks in the paid preparer's area of your return. The preparer required to sign your return must sign it by hand; signature stamps or labels are not acceptable. If someone prepares your return and does not charge you, that person should not sign it.

Paid preparers may be subject to a penalty for failure to comply with certain requirements. For more information, see *Penalties and Interest* on page 32.

### Computer Filled-In Returns

If you use a computer to fill in your return, be sure you meet these requirements:

- If you do not use the official income tax forms that we provide, any computer-generated form you use must comply with the guidelines in Publication 75, *Specifications for Reproduction of 1996 New York State Income Tax Forms*.
- Your software must conform to current federal and state income tax laws.

### Check Your Withholding for 1997

If you want to change the amount of tax withheld from your paycheck, complete the enclosed Form IT-2104, *Employee's Withholding Allowance Certificate*, and give it to your employer.

### Keep Copies of Your Tax Records

Please remember to keep a copy of your income tax return and all supporting schedules. Also keep any books, records, statements or other related documents.

You may be asked by the Tax Department to provide copies of these records subsequent to filing your income tax return.

### Don't Delay Your Refund

We want to send your refund to you as soon as possible. You can help us by filing an error-free return. Be sure that you have checked your correct filing status and that you have signed your return and attached your wage and tax statements so that we do not have to send your return back to you. Please check the figures on your return and carefully follow steps 5, 6, 7, 8 and 9 on pages 25 through 27 of these instructions.

## When to File

File your return as soon as you can after January 1, 1997, but not later than the filing deadline, **April 15, 1997**. If you file late, you may have to pay penalties and interest. See *Penalties and Interest* on page 32.

### Extension of time to file

If you know that you cannot meet the filing deadline, ask for an extension of time by filing Form IT-370, *Application for Automatic Extension of Time to File for Individuals*. The time to file will be automatically extended for four months if you file Form IT-370 on time and, if required, pay any tax you owe with it. If you expect to receive a refund or anticipate having no amount of New York State, New York City or Yonkers income tax remaining unpaid as of the due date of the return, we will accept a copy of federal Form 4868, *Application for Extension of Time to File U.S. Individual Income Tax Return*, on or before the due date of the return. Attach another copy to your return when you file it. Write **New York State Copy** at the top of the federal form.

If you are required to pay your tax when you request your extension, mail Form IT-370 with your payment to: **Extension Request, Box 15106, Albany NY 12212-5106**. If you are not required to pay any tax when you request your extension, mail Form IT-370 (or the copy of your federal Form 4868) to: **Extension Request-NR, Box 15105, Albany NY 12212-5105**.

If you qualify for an automatic two-month extension of time to file your federal income tax return because (1) you are a U.S. citizen or resident and live outside the U.S. and your main place of business or post of duty is outside the U.S. and Puerto Rico, or (2) you are in the military service outside the U.S. and Puerto Rico when your 1996 return is due, you are entitled to a similar two-month automatic extension of time to file your New York State, New York City and city of Yonkers tax (with interest) is also similarly automatically extended. You must attach to your New York State return a statement showing that you qualify for the federal automatic two-month extension. If you cannot file on or before the end of this automatic two-month extension, file Form IT-370 and pay any tax due (with interest) with it to receive an additional two months to file. If you still need more time, you must file Form IT-372, *Application for Additional Extension of Time to File for Individuals*.

## Where to File

Use the preaddressed envelope that came with your tax packet. If you do not have one, address your envelope as follows:

For refund returns —

**STATE PROCESSING CENTER — REFUND '96  
PO BOX 61000  
ALBANY NY 12261-0001**

For all other returns —

**STATE PROCESSING CENTER  
PO BOX 61000  
ALBANY NY 12261-0001**

## Steps for Preparing Your Return

**Prepare your federal return first; much of the information on your New York State nonresident and part-year resident return will be the same.** In many cases when New York State and federal tax laws are similar, the New York instructions do not repeat all the requirements, but instead, explain the differences.

If you used federal Form 8814 or 8615 to report your child's investment income, see page 4 for more information.

### Step 1

#### Get all forms and publications you need.

If you need any forms or publications, see *Need Help?* on the back cover of these instructions.

### Step 2

#### Get your tax records together.

If you received a salary or wages, get all your 1996 wage and tax statements together. These can be either federal Form W-2 or New York Form IT-2102. Only your employer can issue or correct these forms. If you have not received your wage and tax statements by February 15, or if the form you received is incorrect, contact your employer.

If you had tax withheld from annuities, pensions, retired pay or IRA payments, get together all of your federal Form(s) 1099-R or New York Form(s) IT-2102-P. If you had tax withheld from lottery distributions, you will need your federal Form(s) W-2G or New York State Form(s) IT-2102-G.

If you are a part-year resident and you paid income taxes to another state, a local government within another state, the District of Columbia or a province of Canada during your period of New York State residence, get a copy of the income tax return you filed with that taxing authority.

If you made payments during the year for New York State, New York City or Yonkers estimated tax, compare your account statement included in your estimated tax packet with your records.

If you plan to take any credits or deductions, get all the supporting information and records you will need.

### Step 3

#### Fill in your return.

Fill in your return using the line instructions for Form IT-203 that begin on this page. Then continue with Step 4 on page 25.

## Line Instructions for Form IT-203

All information on your return, except for your mailing address, should be for the calendar year January 1 through December 31, 1996, or for your fiscal year. If you are filing for a fiscal year, enter the month and day your tax year began, and the month, day and year that it ended in the area provided at the top of the front page. Make your entries in the **white** areas of Form IT-203.

### Filling in your tax return

You may notice that Form IT-203, its attachment Form IT-203-ATT, and other selected forms and attachments (Forms IT-215, IT-216, NYC-203, etc.) are designed to let us use the latest scanning and image-processing equipment.

Boxes have been printed on the forms to guide you in making your handwritten entries. This will enable our scanning equipment to read your return more accurately and let us process it more efficiently. Please spend a moment reviewing the method below for making your entries:

— Please print (using a blue or black ballpoint pen; no pencils, please) or type all "X" marks and money amounts in the boxes and spaces provided.

— Write your numbers like this:

**9 8 7 6 5 4 3 2 1 0**

— Do not use dollar signs (\$), commas (,), decimal points (.), or any other punctuation marks or symbols. We have already printed the appropriate commas and the decimal points to assist you.

— If you show a loss on lines 1 through 16 or on lines 18, 22 or 30, place a negative sign (—) in the box **immediately to the left** of the loss amount. Do not use brackets or parentheses. A business loss of \$1,024.81 on line 6 should look as follows:

*Example:*

.. **6 . . . — 1 0 2 4 . 8 1**

— Carefully enter your money amounts so that the **dollar amount** ends in the box immediately to the **left** of the decimal point and the **cents amount** starts in the box immediately to the **right** of the decimal point.

— Make your money amount entries in the boxes, allowing one numeral for each box.

— Leave **blank** any spaces and boxes that do not apply to you.

*Example:* If your total amount of *Wages, salaries, tips, etc.* for line 1 of Form IT-203 is \$32,406.18, your money field entry on line 1 of your Form IT-203 should look like this:

... **1 . . . 3 2 4 0 6 . 1 8**

If you are **rounding all money items** on your return (see *Whole Dollar Amounts* on page

9) to the nearest dollar, it should look like this:

... **1 . . . 3 2 4 0 6 . 0 0**

— When rounding or when entering a whole dollar amount, please enter "00" in the cents boxes. Do not leave the cents boxes blank.

### Name and Address Box

**Do not write in this box or attach your mailing label until you have completed and checked your return.**

Do not enter information in the white spaces and boxes to the right of the mailing label if all the information on the mailing label is correct.

You may be required to complete the *Permanent home address* lines on the front of Form IT-203.

Step 5 on page 25 of these instructions will tell you how to complete this section of your return.

### Item A

#### Filing status

After determining your New York filing status, mark an "X" in only one box at Item A on your New York return. In most cases, you must use the same filing status on your New York State return that you used on your federal return. The only exception to this rule applies to married taxpayers. See *Joint and Separate Returns for Married Taxpayers* beginning on page 5 for filing status information for married taxpayers.

### Item B

#### Did you itemize your deductions on your 1996 federal return?

If you itemized your deductions on your 1996 federal income tax return, mark an "X" in the *Yes* box. If you claimed the standard deduction on your federal return, mark an "X" in the *No* box.

### Item D

#### Do you need a tax packet sent to you next year?

If you use a paid preparer, or if you use computer software to prepare your return, or if for any other reason you do not need a tax packet mailed to you for next year's taxes, please mark an "X" in the box at item D. When you check the box, we will send you a mailing label that you or whoever prepares your return should use on your 1997 return. This will help us reduce printing and mailing costs.

Be sure to use your preprinted mailing label; if you do not, it may cause a delay in processing your return and your refund, if you are entitled to one.

Items **F** and **G** on Form IT-203 have been moved to the back of that form, under line 67. The instructions for items F and G have also been moved; see page 25 for these instructions.

## Federal Income and Adjustments

Lines 1 through 18 are a summary of the items that make up your federal adjusted gross income.

Be sure to carefully enter your money amounts in the boxes on lines 1 through 67. See *Filing in your tax return* on page 10 for more information.

If you filed your federal return by telephone, report the same information on Form IT-203 that you would have reported had you filed a federal return on paper.

If you did not have to file a federal return, complete Form IT-203 as if you had filed a return for federal income tax purposes.

**Federal Amount column** – Enter in the *Federal Amount* column the total amount reported on your federal return for each of the items listed. In general, the reporting of income in the *Federal Amount* column must be reported as it appears on your federal return. However, if you were a part-year resident also include in the *Federal Amount* column all items you would be required to include if you were filing a federal return on the accrual basis. For more information see *Special Accruals* beginning on page 4. Also, if you did not file a federal return but are filing a New York return on Form IT-203, you must report in the *Federal Amount* column the amounts you would have reported if a federal return were required.

**New York State Amount column** – Enter in the *New York State Amount* column the following:

- **Nonresidents** – report all the income included in the *Federal Amount* column that you received from New York State sources.
- **Part-year residents** – report the income included in the *Federal Amount* column that you received from all sources earned while you were a New York State resident and your New York State source income for the part of the year you were a nonresident of New York State. **Complete the income allocation worksheet provided on page 14 to determine your New York source income.** The worksheet instructions are also provided on pages 14 and 15.

For more information about income to be reported in the **New York State Amount** column, see *New York Source Income* on page 4.

### Line 1

#### Wages, salaries, tips, etc.

**Federal Amount column** – Enter the total of all wages, salaries, fees, commissions, bonuses, tips, fringe benefits, etc., reported on your 1996 federal return. Include all of these items even if they were not reported by your employer on a wage and tax statement or other income statement.

**New York State Amount column** – Enter that part of the *Federal Amount* column that represents services performed in New York State as a nonresident.

If you were a part-year resident, you must also add the part of the federal amount that was earned while you were a resident.

**Nonresident income earned partially in New York State** – If any amount included in the

*Federal Amount* column, line 1, is income earned partly in New York State and does not depend directly on the volume of business transacted, figure the amount earned in New York State by completing Schedule A, *Allocation of Wage and Salary Income to New York State*, on the front of Form IT-203-ATT.

Using Schedule A, you will figure the amount allocable to New York State by determining the ratio of days (excluding nonwork days such as Saturdays, Sundays, holidays, sick leave, vacation, etc.) you worked in New York State to the total number of days you worked both in and out of the state during the year. This ratio will be applied to your total wage or salary income subject to allocation.

Work days are days on which you were required to perform the usual duties of your job. Any allowance for days worked outside New York State must be based upon the performance of services which, because of necessity (not convenience) of the employer, obligate the employee to out-of-state duties in the service of his employer. Such duties are those which, by their very nature, cannot be performed at the employer's place of business.

Applying the above principles to the allocation formula, normal work days spent at home are considered days worked in New York, and days spent at home that are not normal work days are considered to be non-working days.

If your income subject to allocation depends entirely on the volume of business transacted, as in the case of a salesperson working on commission, do not use Schedule A. Divide your volume of business transacted in the state by your total volume of business transacted both in and out of New York State. Multiply your total income subject to allocation by this percentage. This is the amount of your income allocated to New York State. The location where the services or sales activities were actually performed determines where business is transacted. Attach a schedule to your return showing how you figured this allocation.

If you allocate your personal service income differently than explained above, attach a separate schedule showing complete details.

**Form IT-203-ATT, Schedule A – Allocation of Wage and Salary Income to New York State.**

If any amount included on line 1 of Form IT-203 in the *Federal Amount* column represents wage and salary income earned both inside and outside New York State while a nonresident, and that income does not depend directly on the volume of business transacted, figure the amount earned in New York State by completing a Schedule A for each job where such wages or salaries were earned inside and outside New York State.

However, if you changed your residence into or out of New York State during the year, do not allocate any income earned for the resident period.

If you have to allocate wages or salaries received from more than one job, attach to your return a separate schedule (similar to Schedule A) showing the wages or salaries, and workdays that apply to each job.

If the period of employment is less than a full year, base the figures you enter in Schedule A

on the actual period of employment. For example, if you were employed in and out of New York State for separate periods of 170 days by one employer and 195 days by another employer, enter 170 days on line 1 of the first allocation schedule and 195 days on line 1 of the second schedule.

If you were married and both you and your spouse worked in New York State and earned wages subject to allocation, each of you must complete a separate Schedule A for each job with allocable wages. If you are filing jointly, include the combined amounts of wages allocated to New York from the separate Schedule A's on Form IT-203, line 1, in the *New York State Amount* column.

**TIP** Failure to complete a Schedule A and attach it to your return will result in a delay in the processing of your return.

### Line 2

#### Taxable interest income

**Federal Amount column** – Enter the taxable interest income reported on your federal return.

**New York State Amount column** – Enter that part of the *Federal Amount* column that represents interest income earned as a nonresident that is part of the receipts of a business, trade, profession or occupation carried on in New York State. If you carry on business both in and out of New York State, see the instructions for line 6.

If you were a part-year resident, you must also add the part of the federal amount that was earned while you were a resident.

### Line 3

#### Dividend Income

**Federal Amount column** – Enter the dividend income reported on your federal return.

**New York State Amount column** – Enter that part of the *Federal Amount* column that represents dividend income earned as a nonresident that is part of the receipts of a business, trade, profession or occupation carried on in New York State. If you carry on business both in and out of New York State, see the instructions for line 6.

If you were a part-year resident, you must also add the part of the federal amount that was earned while you were a resident.

### Line 4

#### Taxable refunds, credits, or offsets of state and local income taxes

**Federal Amount column** – Enter the total taxable state and local income tax refunds, credits, or offsets included as income on your federal return. Also enter this amount on line 23, *Federal Amount* column.

**New York State Amount column** – Enter that part of the *Federal Amount* column that represents the amount derived from or connected with New York State sources as a nonresident. Also enter this amount on line 23, *New York State Amount* column.

If you were a part-year resident, include that part of the *Federal Amount* column that you received while you were a New York State resident and any amount derived from or connected with New York sources as a nonresident. Also include this amount on line 23, *New York State Amount* column.

**Line 5****Alimony received**

**Federal Amount column** – Enter the total alimony received as reported on your federal return.

**New York State Amount column** – Do not enter any alimony received for the period you were a nonresident.

If you were a part-year resident, enter only that part of the *Federal Amount* column which represents the total alimony received while you were a New York resident.

**Line 6****Business income or loss**

**Federal Amount column** – Enter your business income or loss reported on your federal return and attach a copy of your federal Schedule C or Schedule C-EZ.

**New York State Amount column** – Enter the part of the *Federal Amount* column that represents business income or loss you received as a nonresident from a business, trade or profession carried on in New York State.

If you were a part-year resident, you must also add the part of the federal amount that represents business income or loss you received while you were a resident.

**Business carried on** – Your business, trade, profession or occupation (not including personal service as an employee) is considered to be carried on in New York State if you have, maintain, operate or occupy desk space, an office, a shop, a store, a warehouse, a factory, an agency or other place where your affairs are regularly carried on in New York State. This definition is not exclusive. Your business is considered to be carried on in New York State if it is transacted here with a fair measure of permanency and continuity.

**Business carried on both in and out of New York State** – If your business, trade or profession is carried on both in and out of New York State and you maintain accounts clearly reflecting income from the New York operations, enter the net profit or loss from business carried on in New York State on line 6 in the *New York State Amount* column.

If the New York State income of the business cannot be determined from your books, income from business carried on both in and out of New York State must be allocated according to a prescribed formula or an approved alternative method. Form IT-203-A, *Nonresident Business Allocation Schedule*, containing the statutory formula and other instructions pertaining to the allocation of business income, must be completed for this purpose and attached to Form IT-203. If you submit an alternative method for allocation, you must also complete Form IT-203-A and submit all information about your own method of allocation.

If you are self-employed and carry on a trade, business or profession in New York City, you may also be required to file Form NYC-202, *City of New York Unincorporated Business Tax Return*. For more information, see the Instructions for Form NYC-202. You can get this form and its instructions by calling the NYC Department of Finance. See *How to Get New York City Forms* on page 7. Since New York State does not administer the New York City unincorporated business tax, **do not** file your Form NYC-202 with your state return.

**Line 7****Capital gain or loss**

**Federal Amount column** – Enter your capital gain or loss from the sale or exchange of property, including securities, as reported on your federal return. Attach a copy of federal Schedule D and any related schedules.

**New York State Amount column** – As a nonresident, figure the amount to be included on line 7, *New York State Amount* column, as capital gain or loss from New York State sources in accordance with federal provisions for determining capital gains and losses. This includes a deduction for any capital loss carryover from New York State sources. Use a copy of federal Schedule D (Form 1040) as a worksheet in determining your New York capital gain or loss. Include in your computations only transactions that were from New York State sources. If these computations result in a net capital loss for New York State purposes, the loss is limited to \$3,000 (\$1,500 if you are married and filing separately) on the New York State return. Any balance of a 1996 net capital loss (in excess of the amount claimed on the 1996 return) will be treated as a carryover loss to be claimed on returns for later years.

If you were a part-year resident, you must also add any capital gains or losses that you realized while you were a resident.

**Capital transactions from New York sources** – Include capital gains or losses derived from real or tangible personal property located within New York State, whether or not connected with a trade or business, and capital gains or losses from stocks, bonds and other intangible personal property used in or connected with a business, trade, profession or occupation carried on in New York State. Also include your share of any capital gain or loss derived from New York sources of a partnership of which you are a member (from Form IT-204), an estate or trust of which you are a beneficiary (from Form IT-205 or IT-205-A) or an electing New York State S corporation of which you are a shareholder (from Form CT-3-S, *New York S Corporation Franchise Tax Return*, or the short Form CT-4-S). If any capital gains or losses are from business property (other than real property) of a business carried on both in and out of New York State, apply the business allocation percentage (from Form IT-203-A) or approved alternative method in determining the New York capital gain or loss. Gains and losses from the sale or disposition of real property are not subject to allocation. In all cases, use the federal basis of property in computing capital gains or losses.

**Line 8****Other gains or losses**

**Federal Amount column** – Enter the other gains or losses from the sale or exchange of assets used in a trade or business, as reported on your federal return. Attach a copy of federal Form 4797.

**New York State Amount column** – As a nonresident, figure the amount(s) to be included on line 8, in the *New York State Amount* column, as the gain or loss from the sale or exchange of noncapital assets by applying the federal provisions for determining gains or losses from the sale or exchange of other than capital assets to your New York State transactions.

If you were a part-year resident, you must also add the part of the federal amount that was from other gains or losses from the sale or exchange of noncapital assets while you were a resident.

**Noncapital transactions from New York State sources** are those noncapital transactions includable in your federal return pertaining to property used in connection with a business, trade, profession or occupation carried on in New York State. Also included is your share of any noncapital gain or loss from a partnership of which you are a member (from Form IT-204) or an estate or trust of which you are a beneficiary (from Form IT-205 or IT-205-A) or an electing New York State S corporation of which you are a shareholder (from Form CT-3-S or Form CT-4-S). Use Form IT-203-A if an allocation is required.

**Line 9****Taxable amount of IRA distributions**

**Federal Amount column** – Enter the amount reported on your federal return.

**New York State Amount column** –

**Nonresidents** – **Do not** enter any part of the *Federal Amount* in the *New York State Amount* column.

If you were a **part-year resident**, enter only that part of the federal amount that was received while you were a resident.

See the instructions for line 27 on page 18 to see if you qualify for the pension and annuity income exclusion.

**Line 10****Taxable amount of pensions and annuities**

**Federal Amount column** – Enter the taxable amount of pensions and annuities reported on your federal return.

**New York State Amount column** –

**Nonresidents:** Certain pension income received while a nonresident is **not** taxable to New York State and should not be included in the New York State Amount column.

Section 114 of Title 4 of the U.S. Code creates a limitation on state income taxation of certain pension income. The new law is effective for pension income received in 1996 or thereafter and prohibits states from taxing certain retirement income of a nonresident. It will protect all income received from pension plans recognized as *qualified* under the Internal Revenue Code and also exempt income received under certain deferred compensation plans that are *nonqualified* retirement plans under the tax code, but which meet additional requirements.

Even if your pension or other retirement benefit is not exempt under Title 4 of the U.S. Code, it is still exempt if it meets the New York definition of an annuity.

If the pension and annuity income is **not** exempt from New York tax, as explained above, and is based on services performed inside and outside New York State, enter on line 10 the amount of pension and annuity income received to the extent that the services were performed in New York State.

**Part-year residents:** Enter that part of the *Federal Amount* column that represents the taxable amount of pensions and annuities received while a New York State resident.

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**Do not enter** that part of the *Federal Amount* column that represents a pension or annuity or other retirement benefit that is exempt from New York tax (as described above) because you received it as a nonresident.

If the amount on line 10 represents a pension or other benefit paid by the New York State or a municipal retirement system (including distributions from the TIAA-CREF Optional Retirement Program) or the United States, its territories or possessions, political subdivisions of these territories or possessions, the District of Columbia or any agency or instrumentality of any of the above (including the military), also include this amount on line 24. For more information, see the instructions for line 24 beginning on page 17.

If you entered an amount on line 10, either column, see the instructions for line 27 on page 18 to see if you qualify for the pension and annuity income exclusion.

## Line 11

**Rental real estate, royalties, partnerships, S corporations, trusts, etc.**

**Federal Amount column** - Enter the amount reported on your federal return and attach a copy of federal Schedule E.

**New York State Amount column** - Enter that part of the *Federal Amount* column that was derived from or connected with New York State sources as a nonresident. See the instructions below relating to each type of income received from these sources.

If you were a part-year resident, you must also add the part of the *Federal Amount* column that was received from these sources while you were a resident.

**Rent and royalty income** - As a nonresident, report in the *New York State Amount* column rents and royalties from: (1) real property located in New York State, whether or not used in connection with a business; (2) tangible personal property not used in a business if such property is located in New York State; and (3) tangible and intangible personal property used in or connected with a business, trade, profession or occupation carried on in New York State.

If a business is carried on both in and out of New York State, apply the business allocation percentage (from Form IT-203-A) or alternate method to items included in item (3) in the preceding paragraph to determine the income from New York State sources. However, do not allocate income from real property. That income must be entirely included if the real property is located in New York State and entirely excluded if the real property is located outside New York State.

Also report in the *New York State Amount* column your share of any rental or royalty income from a partnership of which you are a member (from Form IT-204) or an estate or trust of which you are a beneficiary (from Form IT-205 or IT-205-A).

**Partnerships** - As a nonresident, enter in the *New York State Amount* column your distributive share of partnership income obtained from Form IT-204. If your distributive share includes any other items of partnership income taxable to a nonresident, those items must be included elsewhere in the *New York State Amount* column on the appropriate lines. For example, your share

of a partnership's New York capital gain would be included in determining the amount to be reported on line 7.

**S corporation shareholders** - As a nonresident, enter in the *New York State Amount* column your pro rata share of an electing New York S corporation's items of income and loss from Form CT-3-S, *New York S Corporation Franchise Tax Return* or Form CT-4-S, *New York S Corporation Franchise Tax Return - Short Form for Small Businesses*. If your share includes any other items of income, such as dividends or capital gains, those items must be included elsewhere in the *New York State Amount* column on the appropriate lines. If the corporation carried on business both in and out of New York State, the corporation's business allocation percentage and investment allocation percentage, determined under Article 9-A, must be used to figure the amount of your income or loss that was derived from or connected with New York State sources.

**Part-year resident of a partnership or part-year resident of an S corporation** - If you were a **part-year resident**, you must determine your distributive share of partnership income and your pro rata share of S corporation income to be reported on the *Part-Year Resident Income Allocation Worksheet*, according to **your resident status when the taxable year of the partnership or New York S corporation ends**.

**Estates and trusts** - Report in the *New York State Amount* column your share of estate or trust income as a nonresident or part-year resident from New York State sources obtained from information provided by the fiduciary from Form IT-205 and Form IT-205-A. If your share includes any items of taxable estate or trust income from New York State sources not reported on line 11, those items should be included elsewhere in the *New York State Amount* column on the appropriate line describing that income.

**Passive activity loss limitations** - Any deduction for passive activity losses for a nonresident must be recomputed to determine the amounts that would be allowed if the federal adjusted gross income took into account only items of income, gain, loss or deduction derived from or connected with New York sources.

If you were a **part-year resident**, you must recalculate your passive activity loss limitations as if separate federal returns were filed for your resident and nonresident periods.

## Line 12

**Farm income or loss**

**Federal Amount column** - Enter the amount reported on your federal return and attach a copy of your federal Schedule F, Form 1040.

**New York State Amount column** - Enter that part of the *Federal Amount* column that represents income or loss from farming carried on in New York State as a nonresident.

Reporting farm income is similar to reporting business income. See the instructions for reporting business income (line 6) on page 12, including the instructions for reporting when business is carried on both in and out of New York State.

If you were a part-year resident, you must also add the part of the federal amount that represents farm income or loss for the period you were a resident.

## Line 13

**Unemployment compensation**

**Federal Amount column** - Enter the amount reported on your federal return.

**New York State Amount column** - Enter that part of the *Federal Amount* column that represents taxable unemployment compensation received as a nonresident and derived or resulting from employment in New York State.

If the unemployment compensation received from New York State sources is based on wage or salary income earned partly in and partly out of New York State, figure the amount allocable to New York State in the same manner as the wage and salary income on which it is based.

If you were a part-year resident, you must also add the part of the federal amount that was received while you were a resident.

## Line 14

**Taxable amount of social security benefits**

**Federal Amount column** - Enter the amount of taxable social security (and tier 1 railroad retirement benefits) reported on your federal return. Also enter this amount on line 25.

**New York State Amount column - Nonresidents** - Do not enter any amount received for the period you were a nonresident.

**Part-Year residents** - If you were a part-year resident, enter that part of the *Federal Amount* column that represents any taxable amount of social security (and tier 1 railroad retirement benefits) you received while you were a New York State resident. Also enter this amount on line 25.

## Line 15

**Other income**

**Federal Amount column** - Enter the total other income reported on your federal return. Write each type of income and its amount in the white area on line 15. If you need more room, make a list showing each type of income and its amount, and attach the list to your New York return.

**New York State Amount column** - Enter that part of the *Federal Amount* column derived from or connected with New York State sources as a nonresident.

If you have a net operating loss derived from New York sources (without a corresponding federal net operating loss) that you are carrying forward to 1996, enter the amount of the loss in the *New York State Amount* column on line 15 with a minus sign (-). Attach a statement explaining the loss.

If you were a part-year resident, you must also add the part of the federal amount that was received while you were a resident.

## Line 16

Add lines 1 through 15 of each column, and enter the totals on line 16.

## Line 17

**Total federal adjustments to income**

**Federal Amount column** - Enter the total adjustments to income reported on your

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federal Form 1040, line 30. These include penalty on early withdrawal of savings, IRA deduction and spouse's IRA deduction, deduction for one-half of self-employment tax, and other adjustments. (If you filed federal Form 1040A, use the amount reported on line 15c). Write each adjustment and its amount in the white area on line 17. If you need more room, make a list showing each adjustment and its amount and attach the list to your New York return.

If you did not have to file a federal return, claim the same adjustments to income that you would have claimed for federal income tax purposes.

**New York State Amount column** – Enter that part of the **Federal Amount** column that represents adjustments connected with income from New York State sources while you were a nonresident.

If you were a part-year resident, you must also add the part of the federal adjustment

deductible while you were a New York State resident.

The federal adjustment for alimony paid is not a deduction from New York sources for nonresidents (see Tax Law, section 631(b)(6)).

If you were a part-year resident, include in the **New York State Amount** column only the portion of your alimony adjustment attributable to the part of the year you were a New York State resident.

Any adjustment item that relates to wage or salary income earned partly in New York State or to income from a business that is carried on both in and out of New York State must be allocated to New York State on the same basis as the income to which it relates.

**Example** – You are allowed an adjustment of \$800 on your federal return for payments by a self-employed person to a retirement plan, and these payments were made in connection with

a business you operated both in and out of New York State.

If, in determining your business income from New York State sources, you figure your business allocation percentage on Form IT-203-A to be 75% (see instructions for line 6), then 75% of this adjustment, or \$600, should be included in the New York State Amount column on line 17.

**Line 18**

**Federal adjusted gross income**

Subtract line 17 from line 16 in each column and enter the results on line 18. Generally, the amount in the **Federal Amount** column will be the same as the adjusted gross income reported on your federal return. If you are a **part-year resident**, this amount may include special accruals. (For further information, see **Special Accruals**, beginning on page 4 of these instructions.)

**Part-Year Resident Income Allocation Worksheet (see instructions below and on page 15)**

Adjusted Gross Income	Federal Income (all sources)	New York State Resident Period	New York State Nonresident Period	
	Column A Income from federal return	Column B Income from Column A for resident period	Column C Income from Column A for nonresident period	Column D Income from Column C from New York State sources
1 Wages, salaries, tips, etc. ....	1			
2 Taxable interest income .....	2			
3 Dividend income .....	3			
4 Taxable refunds, credits or offsets of state and local income taxes. . .	4			
5 Alimony received .....	5			
6 Business income or loss (from federal Schedule C or C-EZ) . . . . .	6			
7 Capital gain or loss (from federal Schedule D) .....	7			
8 Other gains or losses (from federal Form 4797) .....	8			
9 Taxable amount of IRA distributions. ....	9			
10 Taxable amount of pensions and annuities. ....	10			
11 Rental real estate, royalties, partnerships, S corporations, trusts, etc. (from federal Schedule E) .....	11			
12 Farm income or loss (from federal Schedule F) .....	12			
13 Unemployment compensation .....	13			
14 Taxable amount of social security benefits .....	14			
15 Other income .....	15			
16 Add lines 1 through 15 .....	16			
17 Total federal adjustments to income. ....	17			
18 Subtract line 17 from line 16 (see instructions below). This is your federal adjusted gross income .....	18			

The combined total of Columns B and C should equal Column A. Add the amounts in Column B and D for each line of the worksheet above and transfer the total to the corresponding line of Form IT-203 in the **New York State Amount** column.

**Worksheet Instructions**

If you moved into or out of New York State during 1996, the *Part-year Resident Income Allocation Worksheet* will help you figure your New York State source income for the entire taxable year. You may round all money amounts on your return to the nearest dollar. For example, round \$10.49 to \$10; round \$10.50 to \$11. If you round to the nearest dollar, round for all amounts.

**Column A** — Enter the amounts of income and adjustments reported on your federal return plus all items you would be required to include if you were filing a federal return on the accrual basis.

**Column B** — Enter that part of the amount from Column A that you received during the period you were a New York State resident.

**Column C** — Enter that part of the amount from Column A that you received during the period you were a New York State nonresident.

Report in Column B if you moved out of New York State, or Column C if you moved into New York State, all items you would be required to report if you were filing a federal return on the accrual basis for the period before you changed your resident status. These accrual amounts are to be combined

with the corresponding income on lines 1 through 18. See **Special Accruals** on page 4.

**Column D** — Enter that part of the amount from Column C that you received from:

- services you performed in New York State
- property located in New York State; and
- businesses, trades, professions or occupations conducted in New York State.

If your salary or wages were earned partially in New York State, you have to determine how much should be allocated to New York State

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and enter that amount in Column D. Complete Schedule A on the front of Form IT-203-ATT.

Refer to each specific line instruction to determine the income from New York State sources earned during your nonresident period.

When you have completed the worksheet, transfer the amount in Column A of the worksheet to the corresponding line on Form IT-203 in the **Federal Amount** column.

Add the amounts in Columns B and D for each line of the worksheet. Transfer the total to the corresponding line on Form IT-203 in the **New York State Amount** column.

**Example 1** — You moved from Indiana to New York on September 15, 1996. On your federal return, you report \$35,000 in total wages. Of this amount, \$12,000 was earned while you were a New York State resident. On line 1, you would enter \$35,000 in Column A, \$12,000 in Column B, \$23,000 in Column C and \$0 in Column D (no income was earned in New York State prior to the move).

**Example 2** — You moved from New York State to Georgia on June 10, 1996. On June 1, 1996, your employer awarded you a guaranteed bonus of \$2,000 that was paid to you on July 1, 1996. You must enter the \$2,000 bonus in Column B, line 1, since this is income accruable to your resident period.

**Example 3** — You moved from New Jersey to New York on May 10, 1996. You own stock in the XYZ Corporation which, on May 1, 1996, declared a \$1,000 dividend payable on June 1, 1996. You also received \$500 a month from rental property which was sold on April 30, 1996, and located in New York. You must report the \$1,000 dividend income in Column C on line 3, since this is considered to be income accruable to the nonresident period. The rental income is reported in Column C and in Column D on line 11, since this income is derived from New York State sources during your nonresident period.

## New York Additions and Subtractions/ New York Adjusted Gross Income

Certain items of income not taxed by the federal government are taxed by New York State. These *New York additions* must be included in your federal adjusted gross income in the *Federal Amount* column and, to the extent they relate to income, loss or deduction derived from or connected with New York State sources, in the *New York State Amount* column. Enter any of the listed additions on lines 19 through 21. There are also certain items of income taxed by the federal government but not taxed by New York State. These *New York subtractions* must be deducted from your federal adjusted gross income in the *Federal Amount* column and, to the extent they relate to income, loss or deduction derived from or connected with New York State sources, in the *New York State Amount* column. Enter any of the listed subtractions on lines 23 through 28. New York additions and subtractions that relate to

intangible items of income, such as interest or dividend income, are only required to the extent the property that generates the income is employed in a business, trade, profession or occupation carried on in New York State. See the instructions for lines 19 through 28 to identify any additions and subtractions that apply to you.

If you were a part-year resident, include the portion of any of the additions and subtractions that relate to your New York State resident period in the *New York State Amount* column. Also, for the period you were a nonresident, include in the *New York State Amount* column the portion of any of the additions and subtractions to the extent they are related to a business, trade, profession or occupation carried on in New York State or are from real or tangible personal property located in New York State.

**Partners** — If you have income from a partnership, include any New York additions and subtractions that apply to that income. Determine your share of partnership additions and subtractions from the partnership return, Form IT-204.

**Beneficiaries (estates and trusts)** — If you have income from an estate or trust, any New York additions and subtractions that apply to that income as well as any additions to or subtractions from federal itemized deductions, will be shown in your share of a single fiduciary adjustment. You, as a nonresident beneficiary, must include in the *Federal Amount* column your share of the total fiduciary adjustment. Include in the *New York State Amount* column **only** that portion of the nonresident beneficiary's share of the fiduciary adjustment that relates to income, loss or deduction derived from or connected with New York State sources. Attach a schedule showing how the fiduciary adjustment was figured. If the adjustment is a net addition, enter this amount on line 21; if the adjustment is a net subtraction, enter this amount on line 28. Identify this item as a **fiduciary adjustment**.

If you filed federal Form 4970, *Tax on Accumulation Distribution of Trusts*, the income you reported on line 1 of Form 4970 is not included on Form IT-203, line 11. The Internal Revenue Code considers the distribution part of federal gross income. **Therefore, you must include on line 21 the amount of income you reported on Form 4970, line 1, less any interest income on state and local bonds and obligations of New York State or its local governments (that was included on Form 4970, line 5).**

**S Corporation Shareholders** — If you are a shareholder of a federal S corporation for which the election to be a New York S corporation was in effect for the taxable year, include in the *Federal Amount* column any of the following additions and subtractions that apply to your pro rata share of S corporation items of income, loss or deduction. Include in the *New York Amount* column any of the additions or subtractions included in the *Federal Amount* column that relate to your pro rata share of S corporation items of income, loss or deduction that are derived from or connected with New York sources. Additions A-17, A-18 and A-19 and subtraction S-21 do **not** apply to you since they apply only to nonelecting S corporations. If the election to treat the corporation as a New York S corporation terminated during the taxable year, you must allocate those items.

Obtain your share of S corporation items of income, loss and deduction from the S corporation's Form CT-3-S or Form CT-4-S.

If you are a shareholder of a federal S corporation that did not make the election to be a New York S corporation, include additions A-17, A-18 and A-19 and subtraction S-21 in the *Federal Amount* column. Include in the *New York State Amount* column additions A-17, A-18 and A-19 and subtraction S-21 **only** if the S corporation stock was held as an asset of another business carried on by the shareholder in New York State. For example, if the S corporation's stock is held as an asset of a sole proprietorship operated by the shareholder in New York State, the shareholder is required to include the above additions and subtraction in the *New York State Amount* column.

If you were not eligible to make the election to treat your corporation as a New York S corporation because the corporation was not subject to Article 9-A franchise tax, include in the *Federal Amount* column any of the additions and subtractions below that apply to your pro rata share of S corporation items of income, loss or deduction. Include in the *New York State Amount* column any additions and subtractions below that relate to S corporation items of income, gain, loss or deductions **only** if the S corporation stock is held as an asset of another business carried on by the shareholder in New York State. For example, if the S corporation's stock is held as an asset of a sole proprietorship operated by the shareholder in New York State, the shareholder is required to include any of the additions and subtractions below in the *New York State Amount* column. Additions A-16, A-17, A-18 and A-19, and subtractions S-20 and S-21 do **not** apply to you since they apply only to electing and nonelecting New York S corporations.

If gain or loss is recognized on your federal income tax return due to the disposition of stock or indebtedness of an S corporation that did not elect to be a New York S corporation for any taxable year after December 31, 1980, make addition A-19 or subtraction S-20, whichever applies to you.

**You must make the additions and subtractions for the taxable year of the S corporation that ends in your taxable year.**

## New York Additions

### Line 19

**Interest income on state and local bonds (but not those of NYS or its localities)**  
**Federal Amount column** — Enter any interest income on bonds or obligations of other states or political subdivisions of those states that you received or that was credited to you during 1996, that was **not** included in your federal adjusted gross income. This includes interest income on state and local bonds (but not those of New York State and local governments within the state), interest and dividend income from tax-exempt bond mutual funds and tax-exempt money market funds that invest in obligations of states other than New York.

(continued)

**New York State Amount column** — Do not make this addition for any period you were a **nonresident** unless the addition is attributable to a business, trade, profession or occupation carried on in New York State.

If you were a part-year resident, you must also add the part of the federal amount that you received or that was credited to you for the period you were a resident.

## Line 20

### Public employee 414(h) retirement contributions

Enter in both the *Federal Amount* column and the *New York State Amount* column the amount of 414(h) retirement contributions shown on your wage and tax statement(s), New York Form IT-2102 (Copy 1) or federal Form W-2 (Copy 2) made by:

- A Tier III or Tier IV member of the New York State and Local Retirement Systems, which include the New York State Employees' Retirement System and the New York State Policemen's and Firemen's Retirement System; **or**
- A Tier III or Tier IV member of the New York State Teachers' Retirement System; **or**
- an employee of the State or City University of New York who belongs to the Optional Retirement Program; **or**
- any tier member of the New York City Employees' Retirement System, the New York City Teachers' Retirement System, the New York City Board of Education Retirement System, the New York City Police Pension Fund or the New York City Fire Department Pension Fund.

Do not enter on line 20 contributions to a section 401(k) deferred arrangement, section 403(b) annuity or section 457 deferred compensation plan.

## Line 21

### Other Additions

Some additions that are not as common as those identified individually on Form IT-203 are reported on line 21 as *Other* additions. The requirement for these additions to federal adjusted gross income are provided for in New York Tax Law sections 612(b)(1) through 612(b)(32).

Identify any of the following additions (below and on page 17) that apply to you by writing the item number (A-1 through A-22) and the amount of each addition in the white area on line 21. Enter the total amount of these other additions on line 21 in the applicable *Federal Amount* column and, to the extent they are from New York State sources, in the *New York State Amount* column.

**A-1 Investment income from certain obligations of U.S. government agencies or affiliations** — Federal laws specifically exempt investment income from certain obligations of U.S. government agencies or affiliations from federal taxation but not from state taxation.

If, during 1996, you received or were credited with any interest or dividend income from any United States authority, commission or instrumentality that federal laws exempt from federal income tax but do not exempt from state income tax, **and if** you did not include that income in figuring your federal adjusted

gross income (as you should not have), **then** include that income on line 21. If you are uncertain whether a particular federal bond or obligation is subject to state income tax, contact the New York State Tax Department at the number on the back cover of these instructions.

### A-2 Personal income taxes and unincorporated business taxes deducted in determining federal adjusted gross income

— No personal income taxes or unincorporated business taxes can be deducted in the computation of New York taxable income.

If you included a deduction for state, local or foreign income taxes, including unincorporated business taxes, when figuring your federal adjusted gross income, **then** you must include the amount of that deduction on line 21. For example, if you operated a business and deducted New York City unincorporated business tax on your federal Form 1040, Schedule C, as an expense of doing business, include this tax on line 21.

**Partners** — Include on line 21 your distributive share of state, local or foreign income taxes, including unincorporated business taxes, deducted in figuring net income.

**S corporation shareholders** — If you are a shareholder of a federal S corporation for which the election to be a New York S corporation was in effect, **and if** that corporation deducted income taxes imposed by Article 9-A of the New York State Tax Law, **then** include your pro rata share of those taxes on line 21. (However, no state or local income taxes of another state, political subdivision of another state, or the District of Columbia need be included.)

### A-3 Interest expense on loans used to buy obligations exempt from New York tax, amortized bond premium on bonds that are exempt from New York State tax and other expenses relating to the production of income exempt from New York State tax —

- (a) If your federal adjusted gross income includes a deduction for interest expense used to buy bonds, obligations or securities whose interest income is taxable for federal purposes but exempt from New York State tax, **then** include that interest expense on line 21.
- (b) If your federal adjusted gross income includes a deduction for the amortization of bond premiums on bonds whose interest income is taxable for federal purposes but exempt from New York State tax, **then** include that amortized premium on line 21.
- (c) If your federal adjusted gross income includes a deduction for expenses relating to the production of income which is taxable for federal purposes but exempt from New York State tax, **then** include that interest expense on line 21.

**A-4 Special additional mortgage recording tax deduction** — If you excluded or deducted special additional mortgage recording tax in figuring your federal adjusted gross income and you were previously allowed a New York State personal income tax credit for that tax, **then** include on line 21 the amount excluded or deducted.

**A-5 Special additional mortgage recording tax basis adjustment** — If property on which you paid a special additional mortgage recording tax is sold or disposed of, and you

claimed the New York State credit in a prior year for the special additional mortgage recording tax paid on that property, and the federal basis of the property was not adjusted to reflect the amount of the credit allowed, **then** include on line 21 the amount of the basis that was not adjusted for the amount of the credit claimed.

**A-6 Special depreciation** — If you made an election for tax years beginning before 1987 for:

- research and development expenditures,
- waste treatment facility expenditures,
- air pollution control equipment expenditures, **or**
- acid deposition control equipment,

**then** include on line 21 the amount of depreciation or expenditures relating to these items that was deducted in determining your federal adjusted gross income. Also see subtraction S-12 on page 19 of these instructions.

**A-7 Percentage depletion** — If you claimed a deduction on your federal return for percentage depletion on mines, oil and gas wells, and other natural deposits, **then** include on line 21 the amount deducted in figuring your federal adjusted gross income. Also see subtraction S-11 on page 19 of these instructions.

**A-8 Individual or partner operating an insurance business** — If you are a resident individual or partner of a partnership doing business as a member of the New York Insurance Exchange, **then** include on line 21 your share of:

- any item of loss or deduction claimed for federal tax purposes; and
- the allocated entire net income from the business' New York State corporation tax Form CT-33-X.

**A-9 Sales or dispositions of assets acquired from decedents** — In certain cases involving assets of decedents, the assets can acquire different bases for state and federal tax purposes. In those cases, adjustments in the gains or losses on the sales or disposition of those assets must eventually be made.

If, during the tax year, there was a sale or other disposition of any stocks, bonds, property or other assets that had been either inherited or sold or disposed of directly by the estate of a decedent, **and if** the estate of the decedent who left behind those assets was not large enough to require the filing of a federal estate tax return, **and if** the executor or administrator of that estate had valued those assets for New York State purposes at less than their value for federal purposes, **then** include on line 21 the **difference between** (a) the gain or loss on that sale or disposition that you figured into your federal adjusted gross income for the tax year and (b) the gain or loss that would have resulted if the executor or administrator had valued the assets for federal purposes at the same value that he or she valued them for New York State purposes.

**A-10 Disposition of solar and wind energy systems** — In certain cases, because the federal government did not have a similar credit to adjust the basis of the system being acquired, New York State credits taken for the purchase and installation of a solar and wind energy system have to be added to federal adjusted gross income when the system is sold or disposed of.

(continued)

If in any tax year beginning on or after January 1, 1981, you took a New York State solar and wind energy credit on property, and if that property was sold or otherwise disposed in 1996, and if a reportable gain resulted for federal income tax purposes from that sale or disposition, and if you had included the cost of the energy system in the federal basis of the property but not reduced the federal basis by the state credit, then include on line 21 the amount of the credit you had previously claimed.

**A-11 New business investment; deferral recognition** — If, in any tax year beginning on or after January 1, 1982, and before 1988, you chose to subtract all or a portion of a long term capital gain from your federal adjusted gross income because that amount had been reinvested in a new New York business, and if that reinvestment was sold in 1996, then include on line 21 the amount that you had previously subtracted.

**A-12 Deductions attributable to safe harbor leases** (Such a lease is a financial arrangement between either a corporation, partnership, or certain grantor trusts and a person, firm, estate, or trust to acquire and use an asset; the arrangement is allowed for federal tax purposes, but is not allowed for state tax purposes unless it involves mass transit vehicles.) —

If, in figuring your federal adjusted gross income, you took deductions attributable to a safe harbor lease (except for mass transit vehicles) made under an election provided for by section 168(f)(8) of the Internal Revenue Code as it was in effect for agreements entered into prior to January 1, 1984, then include those deductions on line 21, and see A-13, S-16, and S-17.

**A-13 Safe harbor leases; election for qualified leased property** (see A-12 above for a definition of safe harbor leases) — If your financial matters in 1996 involved a safe harbor lease (except for mass transit vehicles) made under an election provided for by section 168(f)(8) of the Internal Revenue Code as it was in effect for agreements entered into prior to January 1, 1984, then you must include on line 21 the income that you would have included in your federal adjusted gross income if such an election had not been made. Also see A-12, S-16, and S-17.

**A-14 Accelerated cost recovery system (ACRS) deduction** — New York State does not allow ACRS depreciation for property placed in service in certain tax years. You must figure your New York depreciation by using one of the methods provided for in section 167 of the Internal Revenue Code as it was in effect on December 31, 1980 (e.g., straight line, declining balance, etc.). See subtraction S-18 on page 20.

If you claimed ACRS depreciation on your federal return for property not classified as IRC section 280F property (such as luxury automobiles), and:

- that property was placed in service inside or outside New York State during tax years 1981, 1982, 1983 and 1984; or
- that property was placed in service outside New York State in tax years beginning after December 31, 1984, but before January 1, 1994 (including property on which ACRS depreciation was figured in accordance with the Federal Tax Reform Act of 1986);

then include on line 21 the amount that was deducted in figuring your federal adjusted gross income. You must complete and attach Form IT-399, *New York State Depreciation Schedule*.

**A-15 Accelerated cost recovery property; year of disposition adjustment** — If you disposed of property which was depreciated for federal purposes using ACRS, and if ACRS depreciation was not allowed for state purposes, then you must complete Part II of Form IT-399, *New York State Depreciation Schedule*, to figure the amount to include on line 21.

**Additions A-16, A-17, A-18 and A-19 apply to S corporation shareholders only. For additional information, see New York State Publication 35, *New York Tax Treatment of S Corporations and Their Shareholders*.**

**A-16 S corporation shareholders; reduction for taxes** — If you are a shareholder of an S corporation for which the election to be a New York S corporation is in effect for the taxable year, then include on line 21 your pro rata share of the S corporation's reductions for taxes imposed on built-in gains and reductions for taxes imposed on excess net passive income as described in sections 1366(f)(2) and (3) of the Internal Revenue Code.

**A-17 S corporation shareholders; pass-through loss or deduction items** — If you are a shareholder of an S corporation for which the election to be a New York S corporation was not in effect for the taxable year, then include on line 21 any S corporation pass-through items of loss or deduction taken into account in figuring your federal adjusted gross income, pursuant to section 1366 of the Internal Revenue Code.

**A-18 S corporation shareholders; distributions relating to stock, cash distributions during post termination transition period, and distributions of undistributed taxable income** — If you had S corporation distributions that were not included in federal adjusted gross income due to the application of Internal Revenue Code Sections 1368, 1371(e) or 1379(c), and if these distributions were not previously subject to New York personal income tax because the election to be a New York S corporation was not in effect, then include these distributions on line 21.

**A-19 S corporation shareholders; disposition of stock or indebtedness with increased basis** — If you had a gain or loss reported on your federal income tax return because of the disposition of stock or indebtedness of an S corporation, and if that S corporation did not have an election to treat the corporation as a New York S corporation in effect for any taxable year beginning after December 31, 1980, then include on line 21 the increase in basis of stock or indebtedness that is due to the application of Internal Revenue Code sections 1376(a) (as it was in effect for taxable years beginning before January 1, 1983) and 1367(a)(1)(A) and (B) for each taxable year that the New York election was not in effect.

**Note:** The Internal Revenue Code sections referenced above pertain to S corporation undistributed taxable income that was required

to be included in the shareholder's federal adjusted gross income.

**A-20 Interest related to a corporate acquisition** — New York State law specifically requires that, in some cases, up to 5% of interest that is related to a corporate acquisition and that is deducted in figuring New York adjusted gross income (without regard to this modification) be added to federal adjusted gross income.

If you figured in a deduction for interest expense relating to a corporate acquisition when figuring either your federal adjusted gross income or a subtraction modification used to determine your New York adjusted gross income, then include this interest expense on line 21. Attach a separate schedule to your return showing your computation. For more information, see TSB-M-89(10)I, *Mergers and Acquisitions*, dated February 20, 1990.

**A-21 New York city flexible benefits program (IRC 125)** — If your wage and tax statement(s), New York State Form IT-2102 (Copy 1, Box 8) or federal Form W-2 (Copy 2, Box 14), show(s) that an amount was deducted or deferred from your salary under a flexible benefits program established by the city of New York or certain other New York City public employers on your behalf, then include this amount on line 21.

**Note:** For purposes of this addition, certain other New York City public employers include:

- City University of New York;
- New York City Health and Hospitals Corporation;
- New York City Transit Authority;
- New York City Housing Authority;
- New York City Off-Track Betting Corporation;
- New York City Board of Education;
- New York City School Construction Authority;
- New York City Rehabilitation Mortgage Insurance Corporation;
- Manhattan and Bronx Surface Transit Operating Authority; and
- Staten Island Rapid Transit Authority.

**A-22 Health Insurance and the Welfare Benefit Fund Surcharge** — If you were a career pension plan member of the New York City Employees' Retirement System or the New York City Board of Education Retirement System, and if you have an amount shown on your wage and tax statement(s), New York State Form IT-2102 (Copy 1) or federal Form W-2 (Copy 2) that was deducted from your salary for health insurance and the welfare benefit fund surcharge, then include this amount on line 21.

## New York Subtractions

### Line 23

**Taxable refunds, credits, or offsets of state and local income taxes (from line 4)**

Enter the same amount(s) entered on line 4 of your Form IT-203.

### Line 24

**Pensions of New York State and local governments and the federal government**

Enter in both the *Federal Amount* and *New York State Amount* columns, the amount

included in line 10 that represents any pension you received, or distributions made to you from a pension plan which represents a return of contributions in a year prior to retirement, as an officer, employee, or beneficiary of an officer or employee of:

- New York State (including State and City University of New York and New York State Education Department employees who belong to the Optional Retirement Program) and local governments within the state that was included in your federal adjusted gross income;
- The United States, its territories or possessions, political subdivisions of these territories or possessions, the District of Columbia or any agency or instrumentality of any of the above (including the military) that was included in your federal adjusted gross income (section 612(c)(3) of the Tax Law).

**Note:** In the case of the Optional Retirement Program, only that portion of the pension payments or return of contributions that is attributable to your employment with the State or City University of New York or New York State Education Department would qualify for the above subtraction.

The portion of pension payments or return of contributions that was attributable to your employment by an employer other than a New York public employer, such as a private university, and any portion attributable to contributions you made to a supplemental annuity plan which was funded through a salary reduction program do not qualify for the subtraction. However, if these payments are periodic and the individual is 59½ or older, those payments, up to a maximum amount of \$20,000, would qualify for the pension and annuity income exclusion under section 612(c)(3-a) of the Tax Law. For more information, see the instructions for line 27 below.

## Line 25

### Taxable amount of social security benefits (from line 14)

Enter the same amount(s) entered on line 14 of your Form IT-203.

## Line 26

### Interest income on U.S. government bonds

Enter in both the *Federal Amount* and *New York State Amount* columns the amount of interest income from U.S. government bonds or other U.S. government obligations that is included in the amount you reported on line 2. (This may be all or part of the line 2 amount or it may be zero. Check your interest income records to determine the correct amount to enter on line 26.) Interest income on bonds or other obligations of the U.S. government is **not** taxed by New York State. Dividends you received from a regulated investment company (mutual fund) that invests in obligations of the U.S. government and meets the 50% asset requirement each quarter qualify for the subtraction at line 26. Once this requirement is met, the portion of the dividends you receive that may be subtracted is based upon the portion of taxable income received by the mutual fund that is derived from federal obligations (section 612(c)(1) of the Tax Law). Further information relating to meeting the 50% asset requirement and figuring your

allowable subtraction (if any), can be obtained from the mutual fund.

If you include an amount on line 26 from more than one line on Form IT-203, attach a schedule showing the breakdown of the subtraction being claimed for each line.

Do not list the same interest more than once on lines 26 and 28; see line 28, subtractions S-1 and S-4.

## Line 27

### Pension and annuity income exclusion

**Federal Amount column** — If you were age 59½ before January 1, 1996, enter the qualifying pension and annuity income included in your 1996 federal adjusted gross income, **but not more than \$20,000**. If you became 59½ during 1996, enter only the amount received after you became 59½ **but not more than \$20,000**.

**Do not** enter any pension income that you received from New York State, local governments within the state, and the United States here; see the instructions for line 24 beginning on page 17.

### Qualifying pension and annuity income includes:

- periodic payments for services you performed as an employee before you retired;
- periodic and lump-sum payments from an IRA, but **not** payments derived from contributions made after you retired;
- periodic payments from an HR-10 (Keogh) plan, but **not** payments derived from contributions made after you retired;
- lump-sum payments from an HR-10 (Keogh) plan, but only if federal Form 4972 is not used. Do **not** include that part of your payment that was derived from contributions made after you retired; and
- distributions from a cafeteria plan (IRC section 125) or a qualified cash or deferred profit sharing or stock bonus plan (IRC 401(k)) but not distributions derived from contributions made after you retired.

If you and your spouse both qualify, each of you can subtract up to \$20,000 of your own pension and annuity income. However, you cannot claim any unused part of your spouse's exclusion.

If you received the pension and annuity income of a decedent, you may make this subtraction if the decedent would have qualified to make this subtraction at the time of death.

If you are also claiming the disability income exclusion, the total of your pension and annuity income exclusion and disability income exclusion cannot exceed \$20,000.

### New York State Amount column —

**Nonresidents** — If you received pension or annuity income as a nonresident of New York State, and it was required to be reported in the *New York State Amount* column on line 10 and it qualifies for the pension and annuity income exclusion (see above), enter that amount, but not more than \$20,000, on line 27 in the *New York State Amount* column.

However, if the amount included in the line 10, *New York State Amount* column was allocated because you performed services inside and outside New York State, the up to \$20,000 pension and annuity exclusion must be allocated in the same manner, using the same allocation percentage.

**Part-year residents:** you may be entitled to deduct in the *New York Amount* column a pension and annuity income exclusion of up to \$20,000 for each of your taxable periods.

For your period of residence, include that part of the qualifying pension and annuity income that you received during the period you were a resident, but not more than \$20,000.

For your period of nonresidence, include only that part of the qualifying pension and annuity income you received during the period you were a nonresident that was required to be included in the line 10, *New York State Amount* column, but not more than \$20,000. If the pension and annuity income that you received during your nonresident period was allocated to New York because it was attributable to services performed inside and outside New York State, the pension and annuity income exclusion must be allocated using the same allocation percentage applied to your pension and annuity income included on line 10.

For more information, see Publication 99, *New York State Tax Credits, Retirement Benefits and Deductions*.

## Line 28

### Other subtractions

Some subtractions that are not common as those identified individually on Form IT-203 are reported on line 28 as *Other* subtractions. The requirement for these subtractions from federal adjusted gross income is provided for in New York State Tax Law sections 612(c)(1) through 612(c)(31).

Identify any of the following subtractions (below and on pages 19 and 20) that apply to you by writing the item number (S-1 through S-25) and amount of each subtraction in the white area on line 28. Enter the total amount of these other subtractions on line 28 in the *Federal Amount* column and, to the extent they are from New York sources, in the *New York State Amount* column:

### S-1 Certain investment income from U.S. government agencies

— If you included in your federal adjusted gross income any interest or dividend income on bonds or securities of any United States authority, commission or instrumentality that is exempt from state income taxes under federal laws, **then** include that income on line 28. If you are uncertain whether a particular federal bond or security is exempt from state income tax, contact the New York State Tax Department at the number on the back cover of these instructions.

### S-2 Certain railroad retirement income and railroad unemployment insurance benefits

— If you included in your 1996 federal adjusted gross income **either**:

- supplemental annuity or tier 2 benefits received under the Railroad Retirement Act of 1974; **or**
- benefits received under the Railroad Unemployment Insurance Act;

**and if** those benefits are exempt from state income taxes under Title 45 of the United States Code, **then** include that income on line 28.

### S-3 Certain investment income exempted by other New York State laws

— If you included in your federal adjusted gross income any interest or dividend income from any obligations or securities authorized to be

issued by the laws of New York State, **and if** that income is exempt from state taxation by those laws (such as income received from bonds, mortgages, and income debenture certificates of limited dividend housing corporations organized under the Private Housing Finance Law), **then** include that income on line 28. If you are uncertain whether a particular obligation or security is exempt from state income tax, contact the New York State Tax Department at the number on the back cover of these instructions.

**S-4 Trade or business interest expense on loans used to buy federally tax exempt obligations that are taxable to New York State** — If investment income from an obligation is taxable to a trade or business, then interest expense incurred to buy that obligation is deductible when determining New York adjusted gross income.

If you are including, on either line 19 or line 21, interest income from bonds or other obligations that are federally tax exempt but taxable to New York State, **and if** that interest expense is attributable to a trade or business carried on by you (as opposed to personal investments), **then** include that interest expense on line 28.

**S-5 Trade or business expenses (other than interest expense) connected with federally tax-exempt income that is taxable to New York State** — If income from an obligation is taxable to a trade or business, then expenses incurred to acquire or maintain that income is deductible when determining New York adjusted gross income.

If you are including, on either line 19 or line 21, income that is federally tax exempt but taxable to New York State, **and if** you incurred expenses to either produce or collect that income or manage, conserve or protect the assets that produce that income that were not deducted for federal purposes, **and if** those expenses are attributable to a trade or business carried on by you (as opposed to personal investments), **then** include that expense on line 28.

**S-6 Amortizable bond premiums on bonds that are owned by a trade or business and the interest on which is federally tax-exempt income but taxable to New York State** — If investment income from an obligation is taxable to a trade or business, then expenses incurred to buy that obligation are deductible when determining New York adjusted gross income.

If you are including, on either line 19 or line 21, interest income that is federally tax exempt but taxable to New York State, **and if** those bonds were bought for more than their face value (i.e., at a premium), **and if** you did not reduce your federal adjusted gross income by deducting the amortization of that premium attributable to 1996, **and if** those bonds were owned by a trade or business carried on by you in 1996 (as opposed to personal investments), **then** include that amortization on line 28.

**S-7 Professional service corporation shareholders** — Between 1969 and 1988, New York State did not allow certain expenses of professional service corporations that were deductible on federal returns. When income attributable to those expenses is eventually received, it is not taxable to New York State.

If you received or were credited with pension or annuity income or other income or gain from a plan acquired through a professional service corporation (PSC) **that was both**

- based on membership in that PSC, **and**
- included in your federal adjusted gross income for 1996,

**and if**, in a taxable year ending after 1969 and beginning before 1988, you included deductions made by that PSC for contributions to plans that produced that pension, annuity or other income, **then** include on line 28 the portion of those previously added deductions that can be allocated to the income you included in your 1996 federal adjusted gross income.

**S-8 Wage and salary expenses allowed as federal credits but not as federal expenses** — The federal government allows certain wage and salary payments to others to be taken as credits against taxes instead of as expenses against income. New York State does not have comparable credits, but does allow the expenses.

If you are entitled to take either a federal Indian employment credit, a work opportunity credit, or an empowerment zone employment credit for wages and salaries paid in 1996 to one or more people in certain groups, **then** include the amount of wages not deducted on line 28.

**S-9 Sales or dispositions of assets acquired before 1960 with greater state than federal bases** — When federally taxable gains are realized from the sale of certain assets that have higher adjusted bases for state tax purposes, subtraction adjustments must be made to reduce the gain for state tax purposes. State income tax laws prior to 1960 and currently existing state income tax laws about depletion can cause these differences in adjusted bases.

If your federal adjusted gross income included gain that was from **either**:

- property that had a higher adjusted basis for New York State income tax purposes than for federal tax purposes on December 31, 1959 (or on the last day of a fiscal year ending during 1960); **or**
- property that was held in connection with mines, oil or gas wells, and other natural deposits and that had a higher adjusted basis for New York State income tax purposes than for federal tax purposes when sold;

**then** include on line 28 of your return the **lesser of** :

- the gain itself; **or**
- the difference in the adjusted bases.

**Note:** If you divide the gain on the sale or other disposition of jointly owned property between you and your spouse, then you must also divide any subtraction for different adjusted bases between you and your spouse as well.

**S-10 Income earned before 1960 and previously reported to New York State** — Due to a different set of state income tax laws for any tax year ending before 1960 (and any

fiscal tax year ending during 1960), income that is reportable for federal purposes for 1996 that was reported for New York State tax purposes then, is not subject to New York State tax again.

If you included any income (including annuity income) or gain in your 1996 federal adjusted gross income that was properly reported as income to New York State prior to 1960 (or during a fiscal year ending in 1960) by **either**:

- yourself; **or**
- the decedent or estate or trust from whom you acquired that income or gain;

**then** include that income or gain on line 28.

**S-11 Cost depletion** — New York State does not allow percentage depletion of natural resource holdings (see A-7 on page 16) but does allow cost depletion.

If you are making addition number A-7, for any percentage depletion deducted for property in determining your federal adjusted gross income, **then**:

- compute the cost depletion that would be allowed on that property by section 611 of the Internal Revenue Code without any reference to either section 613 or 613-a of that code; **and**
- include that amount on line 28 of your return.

**S-12 Special depreciation expenditures** — The excess expenditures incurred in taxable years beginning before 1987 in connection with depreciable, tangible business property located in New York State may be carried over to the following taxable year or years and subtracted from federal adjusted gross income for that year(s) if those expenses exceeded your New York adjusted gross income before the allowance of those expenditures.

If you incurred such expenditures, **then** complete Form IT-211, *Special Depreciation Schedule*, to figure the amount to include on line 28.

**S-13 Your share of income or gain from an insurance business operating as a member of the New York insurance exchange** — If you are a resident individual or partner of a partnership operating an insurance business as a member of the New York Insurance Exchange, **then** you must include on line 28 any item of income or gain that is your distributive share for federal income tax purposes (section 617-a of the Tax Law).

**S-14 Loss from the sale or disposition of property that would have been realized if a federal estate tax return had been required** — If you acquired property from a decedent and the property was valued by the executor of the estate in such a manner where the estate was insufficient to require the filing of a federal estate tax return, **and** a loss on the sale would have been realized if a federal estate tax return had been required, **then** include on line 28 the amount of the loss that would have been realized.

**S-15 Gain to be subtracted from the sale of a new business investment reported on your federal income tax return** — If you reported a capital gain on your federal income tax return from the sale of a new business investment that was issued before 1988 and was held at least four years but less than five years, **then** you must include on line 28 twenty-five percent (25%) of that federal gain. If the investment was held at least five years but less than six years include fifty percent (50%) of that federal gain. If the investment was held at least six years, include one-hundred percent (100%) of that federal gain.

**S-16 Amount that was included in federal adjusted gross income because the IRC 168(f)(8) election was made** (see A-12 for a definition of safe harbor leases) — If an amount was included in federal adjusted gross income (except for mass transit vehicles) solely because you made the safe harbor election on your federal return for agreements entered into before January 1, 1984, **then** you must include that amount on line 28.

**S-17 Amount that could have been excluded from federal adjusted gross income had the IRC 168(f)(8) election not been made** (see A-12 for a definition of safe harbor leases) — If an amount could have been excluded from federal adjusted gross income (except for mass transit vehicles) had the safe harbor election not been made on your federal return for agreements entered into before January 1, 1984, **then** you must include that amount on line 28.

**S-18 New York depreciation allowed** — New York does not allow ACRS depreciation for property placed in service inside or outside New York State during tax years 1981, 1982, 1983 and 1984, or for property placed in service outside New York State in tax years beginning after December 31, 1984, but before January 1, 1994. Instead, you must compute New York State depreciation by using one of the methods provided for in section 167 of the Internal Revenue Code as it was in effect on December 31, 1980 (e.g., straight line, declining balance, etc.). See addition A-14 on page 17.

If you had this type of property, **then** complete Part I of Form IT-399, *New York State Depreciation Schedule*, to figure the amount of New York depreciation to include on line 28.

**S-19 Amount of ACRS deduction which is greater than depreciation claimed for New York State (year of disposition adjustment)** — If you dispose of property that was placed in service inside or outside New York State after December 31, 1980, but before January 1, 1985, or property that was placed in service outside New York State after December 31, 1984, but before January 1, 1994 (except for section 280F property), **and** your total federal ACRS deduction is more than your New York depreciation deduction for that property, **then** complete Part II of Form IT-399, *New York State Depreciation Schedule*, to figure the amount of the adjustment to enter on line 28. See addition A-15 on page 17.

**Subtractions S-20 and S-21 apply to S corporation shareholders only. For additional information, see New York State Publication 35, *New York Tax Treatment of S Corporations and Their Shareholders*.**

**S-20 S corporation shareholders; disposition of stock or indebtedness with a reduced basis/New York additions previously made for distributions relating to stock, cash distributions during post termination transition period, and distributions of undistributed taxable income** — If you had a gain or loss reported on your federal income tax return because of the disposition of stock or indebtedness of an S corporation, **and** if that S corporation did **not** have an election to treat the corporation as a New York S corporation in effect for any taxable year beginning after December 31, 1980, **then** include on line 28 the reduction in basis of stock or indebtedness that is due to the application of Internal Revenue Code sections 1376(b) (as it was in effect for taxable years beginning before January 1, 1983) and 1367(a)(2)(B) and (C) for each taxable year that the New York election was **not** in effect.

If you previously made any New York additions to federal adjusted gross income required under addition A-18 on page 17 (section 612(b)(20) of the New York Tax Law) that were made with respect to the stock described above, **then** include the total of those additions on line 28.

**Note:** The Internal Revenue Code sections referenced above pertain to the shareholder's pro rata share of S corporation loss and deduction that was required to be taken into account in figuring the shareholder's federal adjusted gross income.

**S-21 S corporation shareholders - pass-through income** — If you are a shareholder of an S corporation for which the election to be a New York S corporation was **not** in effect for the taxable year, **then** include on line 28 any S corporation pass-through income that was included in your federal adjusted gross income pursuant to section 1366 of the Internal Revenue Code.

**S-22 Certain disability income that could have been deducted under former IRC section 105(d)** — Disability income included in your federal adjusted gross income may be subtracted when figuring your New York adjusted gross income.

If you were not yet 65 when your tax year ended **and** you retired on disability and were permanently and totally disabled when you retired, **then** complete Form IT-221, *Disability Income Exclusion*, to compute your disability income exclusion to enter on line 28.

**S-23 Accelerated death benefits received that were includable in federal gross income** — If you included in your federal adjusted gross income an amount received by any person as an accelerated payment or payments of part or all of the death benefit or special surrender value under a life insurance policy or a payment received as a viatical

settlement, as a result of terminal illness defined as life expectancy of 12 months or less, or of a medical condition requiring extraordinary medical care of treatment, regardless of life expectancy, **then** include that amount on line 28.

**S-24 Contributions for Executive Mansion, natural & historical resources, not deducted elsewhere** — If you made contributions for the purpose of the preservation, improvement, and promotion of the Executive Mansion as a historical and cultural resource of the state of New York, **or** if you made contributions for the purpose of the preservation and improvement of the natural and historical resources constituting the natural heritage of the people of the state of New York in furtherance of their welfare and prosperity, **and** you did not deduct the amounts in determining federal adjusted gross income or New York itemized deductions, **then** include that amount on line 28 (section 54.15 and 55.15 of the Arts and Cultural Affairs Law).

**New for 1996**

**S-25 Long-term care insurance** — Eligible long-term care insurance means a policy approved by the superintendent of insurance pursuant to section 1117(g) of the Insurance Law.

If you were at least 55 years old as of December 31, 1996, and paid premiums for eligible long-term care insurance, **then** include on line 28 the amount of premiums paid, up to the limitation shown below.

**Limitation**

If your age at the end of 1996 is:	you cannot claim more than:
at least 55 but not more than 60 .....	\$ 750
at least 61 but not more than 70 .....	2,000
71 or older .....	2,500

## Line 30

### New York Adjusted Gross Income

In the area to the left of the income percentage on line 43, enter the amounts from line 30 in the *Federal Amount* column and the *New York State Amount* column. If the amount on line 30 in either the *Federal Amount* column or the *New York State Amount* column is zero or less, skip lines 31 through 42; enter "0" on line 43 and continue on line 44.

# Tax Computation

The lines for entering your federal itemized deductions are on Form IT-203-ATT. If you itemized your deductions on federal Form 1040, fill in lines 1 through 14 of Part I of Form IT-203-ATT. Compare the Form IT-203-ATT, line 14 amount to your allowable standard deduction amount from the *Standard Deduction Table* below and enter the larger amount on line 32.

## Line 32

### Standard or itemized deduction

The deduction you take on line 32 depends on which deduction you took on your federal return.

— If you took the standard deduction on your federal return or you did not have to file a federal return, you must take the New York standard deduction on line 32. Find the correct amount for your filing status in the following table, enter that amount on line 32 and mark an "X" in the standard deduction box next to line 32.

**Standard Deduction Table**

Filing status	Standard deduction — enter on Form IT-203, line 32
① Single and you marked item C <i>Yes</i> . . . . .	\$ 2,900
① Single and you marked item C <i>No</i> . . . . .	7,400
② Married filing joint return . . . . .	12,350
③ Married filing separate return . . . . .	6,175
④ Head of household (with qualifying person) . . . . .	10,000
⑤ Qualifying widow(er) with dependent child . . . . .	12,350

— If you itemized your deductions on your federal return, complete Form IT-203-ATT, lines 1 through 14 and compare the Form IT-203-ATT, line 14 amount to your standard deduction shown in the table above. Your tax will be less if you enter on line 32 the **larger** of these amounts (if you marked filing status ③, see *Caution* below).

To show which deduction you are taking, be sure to mark an "X" in either the standard or the itemized deduction box next to line 32.

**Caution** If you are married and filing separate returns (filing status ③), both of you must take the standard deduction unless both of you itemized deductions on your federal returns and both of you elect to itemize deductions on your New York returns.

If you elect to itemize deductions on line 32 of your New York return, **you must attach your completed Form IT-203-ATT to your Form IT-203.**

## Line 34

### Dependent exemptions

Enter on line 34 the number of your dependent exemptions from the *Dependent Exemption Worksheet* below. If you filed federal Form 1040EZ, enter "0."

If you did not have to file a federal return, enter on lines a and b of the worksheet the number of exemptions that would be allowed for federal income tax purposes.

Exemptions are allowed only for your dependents. Personal exemptions for you and for your spouse, if you are married, are not allowed.

### Dependent Exemption Worksheet

- Enter the number of exemptions claimed on federal Form 1040A or 1040, line 6d . . . . . a. \_\_\_\_\_
- Enter the total number of boxes checked on federal Form 1040A or 1040, line 6a and line 6b . . . . . b. \_\_\_\_\_
- Subtract line b from line a. This is the number of your dependent exemptions to enter in the box(es) on Form IT-203, line 34 . . . . . c. \_\_\_\_\_

**Example** — If the result on line c above was "2," the entry on Form IT-203, line 34 would be:

34.

Since the value of each dependent exemption is \$1,000, the total value of dependent exemptions in this example is \$2,000.

## Line 35

### Taxable income

Subtract the amount on line 34 from the amount on line 33. The result is your taxable income. Enter this amount on line 35 and use it to find your tax on line 36. If line 34 is more than line 33, enter "0" on line 35.

## Line 36

### New York State Tax

— If your New York adjusted gross income (amount on Form IT-203, line 31) is **\$100,000 or less**, find your New York State tax on the amount on line 35 using the *New York State Tax Table* on tan pages 33 through 40 of these instructions. Be sure you use the correct column. After you have found the correct tax, enter that amount on line 36.

— If Form IT-203, line 31 is **more than \$100,000, but not more than \$150,000**, you must compute your tax using *Tax Computation Worksheet 1* below.

— If Form IT-203, line 31 is **more than \$150,000**, you must compute your tax using *Tax Computation Worksheet 2* below.

### Tax Computation Worksheet 1

- Enter your New York adjusted gross income from Form IT-203, line 31 . . . 1. \_\_\_\_\_
- Enter your taxable income from Form IT-203, line 35 . . . . . 2. \_\_\_\_\_
- Multiply line 2 by 7.125% (.07125) . . . . . 3. \_\_\_\_\_
- Enter your New York State tax on the line 2 amount above from the *New York State Tax Table* on tan pages 33 through 40. . . . . 4.
- Subtract line 4 from line 3 . . . . . 5. \_\_\_\_\_
- Enter the excess of line 1 over \$100,000 (cannot exceed \$50,000) . . . . . 6. \_\_\_\_\_
- Divide line 6 by \$50,000 and carry the result to four decimal places (cannot exceed 1.0000) . . . . 7. \_\_\_\_\_
- Multiply line 5 by line 7 . . . . . 8.
- Add lines 4 and 8.** Enter here and on Form IT-203, line 36. . . . . 9. \_\_\_\_\_

### Tax Computation Worksheet 2

- Enter your taxable income from Form IT-203, line 35 . . . . . 1. \_\_\_\_\_
- Multiply line 1 by 7.125% (.07125). Enter here and on Form IT-203, line 36 . . . . . 2. \_\_\_\_\_

### Line 37

#### New York State household credit

Enter your New York State household credit. You qualify to claim this credit if you marked the *No* box for item C on the front page of your Form IT-203 and if you marked:

- filing status ① **only (Single)** and the amount on Form IT-203, line 18, *Federal Amount* column, is **not** over \$28,000; or
- filing status ②, ③, ④, or ⑤ and the amount on Form IT-203, line 18, *Federal Amount* column, is **not** over \$32,000.

**Filing status ① only (Single)** - Use *Household Credit Table I* below to find the amount of your New York State household **Filing status ②, ④ and ⑤** - Use *Household Credit Table II* below to find the amount of your New York State household credit. Married 1040EZ filers use column 2.  
**Filing status ③ only (Married filing separate return)** - Use *Household Credit Table III* below to find the amount of your New York State household credit.

New York State Household Credit Table I Filing status ① only (Single)		
If Form IT-203, line 18 <i>Federal Amount</i> column is:		
Over	but not over	enter on Form IT-203, line 37:
	\$ 5,000*	\$75
\$ 5,000	6,000	60
6,000	7,000	50
7,000	20,000	45
20,000	25,000	40
25,000	28,000	20
28,000		No credit is allowed; enter "0" on Form IT-203, line 37

\* This may be any amount up to \$5,000, including "0" or a negative amount.

New York State Household Credit Table II Filing status ②, ④ and ⑤									
If Form IT-203, line 18 <i>Federal Amount</i> column is:		And the number of exemptions from your federal return, line 6d (married 1040EZ filers use column 2), is:							
Over	but not over	1	2	3	4	5	6	7	over 7**
Enter on Form IT-203, line 37:									
	\$ 5,000*	\$ 90	105	120	135	150	165	180	15
\$ 5,000	6,000	75	90	105	120	135	150	165	15
6,000	7,000	65	80	95	110	125	140	155	15
7,000	20,000	60	75	90	105	120	135	150	15
20,000	22,000	60	70	80	90	100	110	120	10
22,000	25,000	50	60	70	80	90	100	110	10
25,000	28,000	40	45	50	55	60	65	70	5
28,000	32,000	20	25	30	35	40	45	50	5
32,000		No credit is allowed; enter "0" on Form IT-203, line 37.							

\* This may be any amount up to \$5,000, including "0" or a negative amount.  
 \*\* For each exemption over 7, add amount in this column to column 7 amount.

New York State Household Credit Table III Filing status ③ only (Married filing separate return)									
If Form IT-203, line 18, <i>Federal Amount</i> column total from both returns is:		And the number of exemptions from both federal returns, line 6d, is:							
Over	but not over	1	2	3	4	5	6	7	over 7**
Enter on Form IT-203, line 37:									
	\$ 5,000*	\$ 45	52.50	60	67.50	75	82.50	90	7.50
\$ 5,000	6,000	37.50	45	52.50	60	67.50	75	82.50	7.50
6,000	7,000	32.50	40	47.50	55	62.50	70	77.50	7.50
7,000	20,000	30	37.50	45	52.50	60	67.50	75	7.50
20,000	22,000	30	35	40	45	50	55	60	5
22,000	25,000	25	30	35	40	45	50	55	5
25,000	28,000	20	22.50	25	27.50	30	32.50	35	2.50
28,000	32,000	10	12.50	15	17.50	20	22.50	25	2.50
32,000		No credit is allowed; enter "0" on Form IT-203, line 37.							

\* This may be any amount up to \$5,000, including "0" or a negative amount.  
 \*\* For each exemption over 7, add amount in this column to column 7 amount.

### Line 39

#### New York State child and dependent care credit

To claim this credit, complete Form IT-216, *Claim for Child and Dependent Care Credit*.

Enter on line 39 the amount of child and dependent care credit from Form IT-216, line 13.

Attach your completed Form IT-216 to your Form IT-203. For more information, see Form IT-216 and its instructions, Form IT-216-I (included in this booklet).

### Line 41

#### Earned Income Credit

**You can claim this credit only if you were allowed an earned income credit on your federal income tax return.**

To claim this credit, complete Form IT-215, *Claim for Earned Income Credit*. Enter the amount of credit from Form IT-215, line 14 (or line 15 if married filing a separate return) on line 41 of Form IT-203.

Attach your completed Form IT-215 to your return. For more information, see Form IT-215 and its instructions, Form IT-215-I (included in this booklet).

If you are having the IRS compute your federal earned income credit, complete lines 1 through 7 (and lines 19, 21 and 22 if you are a part-year resident) of Form IT-215 and **write EIC** on line 41 of Form IT-203 in the amount column. Be sure to fill in lines 45, 49 through 54, line 56, and lines 58 through 61 of your return. Do **not** complete lines 62 through 67. The Tax Department will figure your New York State earned income credit for you.

If you are due a refund, we will send you the refund along with a statement that shows how the refund was computed. If you owe tax, you will receive a bill that must be paid within 10 days or by April 15, 1997, whichever is later.

### Line 43

#### Income percentage

To figure your income percentage, divide the amount from line 30 in the *New York State Amount* column by the amount from line 30 in the *Federal Amount* column. (These amounts must be entered in the boxes to the left of line 43.) **Carry your result to four decimal places.** For example, if the amounts used were \$12,000 divided by \$36,000, the result would be .3333.

If the amount on line 30 in either the *Federal Amount* column or *New York State Amount* column is zero or less, enter "0" on line 43.

If the amount on line 30 in the *New York State Amount* column is more than the amount on line 30 in the *Federal Amount* column, **the income percentage will be more than 100%.**

For example, if the amounts used were \$25,000 divided by \$15,000, the result would be 1.6667.

If you used Form IT-230, Part II, you must complete the *Nonresident and Part-Year Resident Income Percentage Schedule* on the back of Form IT-230-I, *Instructions for Form IT-230*, to figure the income percentage to enter on line 43.

### Line 45

#### Other New York State credits

Enter the total amount of other New York State credits from Form IT-203-ATT, line 21. These

(continued)

are: resident credit, accumulation distribution credit, investment credit, special additional mortgage recording tax credit carryover, solar and wind energy credit carryover and economic development zone (EDZ) credit(s). For more information, see *Instructions for Form IT-203-ATT, Part II*, beginning on page 29.

## Line 47

### Net Other New York State taxes

Enter the amount of net other New York State taxes from Form IT-203-ATT, line 38. Other taxes include separate tax on lump-sum distributions, minimum income tax, add-back of investment credit on early dispositions, add-back of EDZ capital tax credit and investment tax credit on early dispositions, add-back of resident credit for taxes paid to a province of Canada, New York State tax on capital gain portion of lump-sum distribution, excess child and dependent care credit, and excess earned income credit. For more information, see the *Instructions for Form IT-203-ATT, Part IV*, on page 31.

**Lines 49 through 53 apply only to New York City and Yonkers taxes. If you are not subject to New York City or Yonkers taxes do not fill in these lines.**

## Line 49

### City of New York nonresident earnings tax

Complete line 49 only if you are subject to the New York City nonresident earnings tax. If you were not a New York City resident but earned wages or conducted a trade or business there (either as an individual or a member of a partnership), you are subject to the New York City nonresident earnings tax. Fill in Form NYC-203, *City of New York Nonresident Earnings Tax Return*, and enter the tax on Form IT-203, line 49. Attach Form NYC-203 to the back of your Form IT-203. For more information, see Form NYC-203-I, *Instructions for Form NYC-203*.

## Line 50

### Other city of New York taxes

Enter on this line the total amount of other New York City taxes from Form IT-203-ATT, line 43. These are: part-year city of New York resident tax, city of New York minimum income tax, city of New York separate tax on lump-sum distributions and part-year city of New York resident tax on capital gain portion of lump-sum distributions. For more information, see the *Instructions for Form IT-203-ATT, Part V*, on page 31.

If you are self-employed and carry on a trade, business or profession in New York City, you may also be required to file Form NYC-202, *City of New York Unincorporated Business Tax Return*. For more information, see the *Instructions for Form NYC-202*. You can get this form and its instructions by calling the NYC Department of Finance. See *How to Get New York City Forms* on page 7. Since New York State does not administer the New York City unincorporated business tax, **do not** file your Form NYC-202 with your Form IT-203.

## Line 51

### City of Yonkers nonresident earnings tax

Complete line 51 only if you are subject to the Yonkers nonresident earnings tax.

If you were not a Yonkers resident but earned wages or conducted a trade or business there (either as an individual or a member of a partnership), you are subject to the Yonkers nonresident earnings tax. Fill in Form Y-203, *City of Yonkers Nonresident Earnings Tax Return*, and enter the tax on line 51. Attach Form Y-203 to the back of Form IT-203. For more information, see Form Y-203-I, *Instructions for Form Y-203*.

## Line 52

### Part-year city of Yonkers resident income tax surcharge

Enter your part-year Yonkers resident income tax surcharge. If you were a Yonkers resident for only part of 1996, fill in Form IT-360.1 and attach it to your return. If you were subject to the Yonkers nonresident earnings tax for the remainder of the year, see the instructions for Form Y-203. For more information, see Form IT-360.1-I, *Instructions for Form IT-360.1*.

## Line 54

### Voluntary Gifts/Contributions

You may elect to make a voluntary gift or contribution to any of the funds shown below. Enter your gift/contribution in the amount boxes to the right of the fund you wish to contribute to. Enter on line 54 the total amount of gifts/contributions made to one or more of the funds.

**Your gift will reduce your refund or increase your tax payment. You cannot change the amount(s) you give after you file your return.**

#### Return a Gift to Wildlife

If you want to return a gift to wildlife, enter the amount of your gift in the designated boxes. The amount you give must be in whole dollars: \$5, \$10, \$20 or any other dollar amount. For more information, see the inside back cover.

#### United States Olympic Committee/Lake Placid Olympic Training Center Fund

If you want to contribute to the United States Olympic Committee/Lake Placid Olympic Training Center Fund, enter \$2 (\$4 if your spouse also wants to contribute and you are filing jointly).

For more information on this fund, see the inside back cover.

#### Breast Cancer Research and Education Fund

If you want to contribute to the Breast Cancer Research and Education Fund, enter any whole dollar amount that you would like to contribute in the designated boxes.

For more information on this fund, see the inside back cover.

## Payments

### Line 56

#### Part-year resident refundable child and dependent care credit

If you are a part-year resident and you claimed the child and dependent care credit, enter on line 56 the amount (if any) from line 21 of Form IT-216, back page.

## Line 57

### Part-year resident refundable earned income credit

If you are a part-year resident and you claimed and computed your own earned income credit, enter on line 57 the amount (if any) from line 24 of Form IT-215, back page. If you are having New York State compute your credit, leave line 57 blank. Continue with line 58.

## Line 58

### Total New York State tax withheld

Enter your total **New York State** tax withheld as shown on your wage and tax statement(s), New York State Form IT-2102 or federal Form W-2.

If you checked filing status  $\textcircled{2}$ , enter the total New York State tax withheld for you and your spouse.

The amount on line 58 should be the same as the total **New York State** tax withheld on your statement(s) unless you are claiming an investment credit refund, the EDZ wage tax credit refund, the zone equivalent area (ZEA) wage tax credit refund or the EDZ investment tax credit refund.

If you are claiming an investment credit refund from Form IT-212, the EDZ wage tax credit refund from Form DTF-601, the ZEA wage tax credit refund from Form DTF-601.1, or the EDZ investment tax credit refund from Form DTF-603, include the amount(s) of all credit refund(s) in the total for line 58. On a separate schedule, identify the credit refund(s) claimed and show the amount(s).

Staple your wage and tax statement(s), New York State Form IT-2102 (Copy 1) or federal Form W-2 (Copy 2), to the **back** of your return as shown in Step 7, *Return Assembly*, on page 26 of these instructions.

If New York State tax was withheld from annuities, pensions, retirement pay or IRA payments, staple Copy 1 of Form IT-2102-P or Copy 2 of federal Form 1099-R to the back of your return.

If New York State tax was withheld from New York State lottery distributions, staple Copy 1 of Form IT-2102-G or Copy 2 of federal Form W-2G to the back of your return.

**If you did not have New York City tax withheld, skip line 59.**

## Line 59

### Total city of New York tax withheld

Enter your total **New York City** tax withheld as shown on your wage and tax statement(s).

If you checked filing status  $\textcircled{2}$ , enter the total New York City tax withheld for you and your spouse.

Staple your wage and tax statement(s), Form IT-2102 (Copy 1) or federal Form W-2 (Copy 2), to the **back** of your return as shown in Step 7, *Return Assembly*, on page 26 of these instructions. The amount on line 59 should be the same as the total **city of New York** tax withheld on your statement(s).

(continued)

If New York City tax was withheld from annuities, pensions, retirement pay or IRA payments, staple Copy 1 of Form IT-2102-P or Copy 2 of federal Form 1099-R to the back of your return.

If New York City tax was withheld from New York State lottery distributions, staple Copy 1 of Form IT-2102-G or Copy 2 of federal Form W-2G to the back of your return.

**If you did not have Yonkers tax withheld, skip line 60.**

## Line 60

### Total city of Yonkers tax withheld

Enter your total **Yonkers** tax withheld as shown on your wage and tax statement(s).

If you checked filing status ②, enter the total Yonkers tax withheld for you and your spouse.

Staple your wage and tax statement(s), Form IT-2102 (Copy 1) or federal Form W-2 (Copy 2), to the **back** of your return as shown in Step 7, *Return Assembly*, on page 26 of these instructions. The amount on line 60 should be the same as the total **city of Yonkers** tax withheld on your statement(s).

If Yonkers tax was withheld from annuities, pensions, retirement pay or IRA payments, staple Copy 1 of Form IT-2102-P or Copy 2 of federal Form 1099-R to the back of your return.

If Yonkers tax was withheld from New York State lottery distributions, staple Copy 1 of Form IT-2102-G or Copy 2 of federal Form W-2G to the back of your return.

## Line 61

### Total of estimated tax payments, and amount paid with extension Form IT-370

Enter on this line the total of your estimated tax payments for New York State, New York City and Yonkers. Also enter the amount you paid with Form IT-370, *Application for Automatic Extension of Time to File for Individuals*.

#### Estimated tax paid

Include on line 61 the total of your 1996 estimated tax payments (include your last installment, even if paid in 1997) and any overpayment from your 1995 return that you asked us to apply to your 1996 estimated tax. If this amount was adjusted by the Tax Department after you filed your 1995 return, enter the adjusted amount.

If you checked filing status ② but made **separate** 1996 estimated tax payments (Form IT-2105), enter your combined total estimated tax paid. If you have separate estimated tax accounts, you will receive separate account statements. If the amount does not agree with the account statement(s) included in your estimated tax packet(s), complete Form IT-2105.1 for each account in error and mail the

Form(s) IT-2105.1 immediately to: **NYS Tax Department, Estimated Tax Unit (IT-2105.1), W A Harriman Campus, Albany NY 12227**. Do not use a pre-addressed label for this form.

If you are the beneficiary of a trust and are claiming your share of any payment of estimated taxes allocated to you by the trust, include your amount on line 61 and attach a copy of the notification issued by the trust to the front of your return. This notification must include the name and identifying number of the trust and the amount allocated to you. **Do not** include any amounts you paid for the **New York City** unincorporated business tax. File the New York City unincorporated business tax directly with the New York City Department of Finance.

#### Amount paid with Form IT-370

If you filed Form IT-370 to get an extension of time to file Forms IT-203, NYC-203 and Y-203, include on line 61 the amount you paid with Form IT-370.

If you checked filing status ② but filed **separate** Forms IT-370, enter the total amount paid by you and your spouse with your separate Forms IT-370.

## Refund or Amount You Owe

### Line 63

#### Amount overpaid

**If line 62 is more than line 55**, subtract line 55 from line 62. Enter the result on line 63 unless you owe an estimated tax penalty.

If you owe an estimated tax penalty (see line 67 instructions on page 25) subtract the penalty amount from the overpayment and enter the net result on line 63. (If your estimated tax penalty is greater than your overpayment (line 63), enter the difference on line 66 and leave line 63 blank.)

Your net overpayment can be (1) refunded to you, (2) applied to your 1997 estimated tax, or (3) apportioned between (1) and (2). Any overpayment credited toward your 1997 estimated tax cannot be refunded after April 15, 1997.

### Line 64

#### Refund

Enter the amount of overpayment from line 63 that you want refunded to you. You must file a return to get a refund. The Tax Department will not refund an amount of one dollar or less unless you attach to your return a signed statement asking for it.

**Collection of debts from your refund** — We will keep all or part of your refund if (1) you owe a federal, New York State, New York City or Yonkers tax liability, or (2) we have been notified by the New York State Department of Social Services that you owe past-due support, or (3) you owe a past-due debt because you have defaulted on (or a judgment was filed against you because you have not repaid) a student loan guaranteed by the New York State Higher Education Services Corporation or a Perkins/National Defense/

National Direct, health professions or nursing student loan provided to students at state-operated units of the State University of New York or the City University of New York.

We will also keep all or part of your refund if you owe a past-due legally enforceable debt to a New York State agency. This includes any state department, board, bureau, division, commission, committee, public authority, public benefit corporation, council, office, or other entity performing a governmental or proprietary function for the state or a social services district.

Any amount over your debt will be refunded.

**Disclaiming of spouse's debt** — If you checked filing status ② and you do not want to apply your part of the refund to your spouse's debt because you are not liable for it, complete Form IT-280, *Nonobligated Spouse Allocation, and attach it (not a photocopy) to your original return*. We need the information on it to process your refund as quickly as possible. Once you have filed your return, you cannot file an amended return to disclaim your spouse's defaulted student loan, past-due support liability or past-due legally enforceable debt owed to a state agency. (However, you will be notified if your refund is applied against your spouse's defaulted student loan, past-due support or past-due legally enforceable debt owed to a state agency and you did not attach Form IT-280 to your return. You will then have ten days from the date of notification to file Form IT-280. However, this will result in a delay of your refund and extra work for you.) For more information, see Form IT-280.

If you have any questions about whether you owe a past-due legally enforceable debt to a state agency, contact that particular state agency.

If you have any questions about whether you owe a federal, New York State, New York City or Yonkers tax liability, past-due support liability, whether you have repaid your HESC guaranteed or state or city university student loan, or about the amount owed, call or write to the appropriate agency shown below.

#### For a federal tax liability only —

(718) 488-9150  
INTERNAL REVENUE SERVICE  
PO BOX 911 G P O  
BROOKLYN NY 11202

1 800 829-1040  
INTERNAL REVENUE SERVICE  
PO BOX 1040  
NIAGARA SQUARE STATION  
BUFFALO NY 14202

(212) 732-0100  
INTERNAL REVENUE SERVICE  
625 FULTON STREET  
BROOKLYN NY 11201

#### For a New York State, New York City or Yonkers tax liability only —

1 800 835-3554  
From areas outside the U.S. and Canada, call  
(518) 485-6800

NYS TAX DEPARTMENT  
TAX COMPLIANCE DIVISION  
W A HARRIMAN CAMPUS  
ALBANY NY 12227

**For past-due support only —**

(518) 473-8029  
 NYS DEPARTMENT OF SOCIAL SERVICES  
 OFFICE OF CHILD SUPPORT ENFORCEMENT  
 FISCAL OPERATIONS UNIT  
 PO BOX 14 - ONE COMMERCE PLAZA  
 ALBANY NY 12260

**For NYS HESC guaranteed student loans only —**

1 800 666-0991  
 NYSHESC  
 99 WASHINGTON AVENUE  
 ALBANY NY 12255

**For State University student loans only —  
 (Federal Perkins/NDSL/HPSL/NSL only)**

(518) 443-5626  
 STUDENT LOAN SERVICE CENTER  
 STATE UNIVERSITY OF NEW YORK  
 SUNY PLAZA  
 ALBANY NY 12246

**For City University student loans only —**

(212) 397-5620  
 FEDERAL PERKINS/NDSL/NSL DEPARTMENT  
 ROOM 1420  
 CITY UNIVERSITY OF NEW YORK  
 UNIVERSITY ACCOUNTING OFFICE  
 555 WEST 57TH STREET  
 NEW YORK NY 10019

**Line 65**

**New York State, city of New York and city of Yonkers estimated tax for 1997**

Enter the amount of overpayment from line 63 that you want credited to your New York State, New York City and Yonkers estimated tax for 1997. Do not include any amount that you claimed as a refund on line 64. Subtract line 64 from line 63 to determine how much you can apply to 1997. **This election to apply all or part of the amount overpaid to your 1997 estimated tax cannot be changed after April 15, 1997.**

**Line 66**

**Amount you owe**

If line 62 is less than line 55, subtract line 62 from line 55.

If you owe more than one dollar, include full payment with your return. (You do not have to pay one dollar or less.) Make your check or money order payable to **New York State Income Tax** and write your social security number and **1996 Income Tax** on it. **Do not send cash.**

If you also have to pay an underpayment of estimated tax penalty (line 67), that amount must be included with any tax you owe on line 66. Send one check or money order for the total amount (estimated tax penalty plus tax due).

Attach your payment to the area indicated on the front of your return.

If you include penalties or interest with your check or money order, identify and enter these amounts in the right margin of the back page of Form IT-203 (but not underpayment of estimated tax penalty; see line 67).

**New for 1996** **Installment Payments**

If you cannot pay the full amount you owe as shown on line 66 of your 1996 income tax return, you can ask to make monthly installment payments. However, you will be charged interest and may be charged a late payment penalty on any tax not paid by April 15, 1997, even if your request to pay in installments is granted. To limit the interest and penalty charges, file your return on time and pay as much of the tax as possible with your return.

Before you request an installment payment agreement, you should consider other alternatives such as a commercial or private loan.

To be considered for an installment agreement, you must complete New York State Form DTF-383, *Income Tax Installment Payment Agreement Request*. To get Form DTF-383, use the *Income Tax Forms Order Blank* (Form IT-86) that came with your income tax packet. If you do not have an order blank, see the back cover for a listing of our phone numbers.

**You must attach your completed Form DTF-383 to the 1996 income tax return you file.** Your request for an income tax installment payment agreement will be considered based upon the information you provide. We will notify you if your request is approved or denied.

**Line 67**

**Estimated tax penalty**

Generally, you are not subject to a penalty if your 1996 prepayments equal at least 100% of your 1995 tax (110% of that amount if you are not a farmer or fisherman and the New York adjusted gross income (*Federal Amount* column), on that return is more than \$150,000 or, if married filing separately, more than \$75,000) based upon a return covering 12 months. However, if line 66 is at least \$100 and, in addition, represents more than 10% of the tax shown on your return or you underpaid your estimated tax liability for any payment period, you may owe a penalty. For more information, get Form IT-2105.9, *Underpayment of Estimated Tax by Individuals and Fiduciaries*, to see if you owe a penalty and to figure the amount.

If you owe an estimated tax penalty, and you computed an overpayment, see the line 63 instructions. If you computed an amount due, see the line 66 instructions. Be sure to attach Form IT-2105.9 to your return.

Do not include any other penalty or interest amounts on line 67. **If you include penalties or interest with your check or money order, identify and enter these amounts in the right margin on the back page of Form IT-203.**

**Item F**

**Part-year residents**

If you were a New York State resident for part of the year, enter the date you moved in the appropriate box, review the explanation for items (1), (2), and (3)

below, and check the box that describes your situation on the last day of the tax year:

- (1) If you moved into New York State, check box 1. The Tax Department will mail you a resident tax packet next year.
- (2) If you moved out of New York State and you continue to receive income from New York State sources, check box 2. The Tax Department will mail you a nonresident and part-year resident tax packet (IT-203-P) next year.
- (3) If you moved out of New York State and no longer receive income from New York State sources, check box 3. The Tax Department will not mail you a tax packet next year.

**Item G**

**Nonresidents - Did you maintain living quarters in New York State?**

If you or your spouse had living quarters available for your use in New York State during any part of 1996, check the **Yes** box and complete Schedule B on Form IT-203-ATT. These living quarters would include a house, apartment, co-op or any other living quarters maintained or paid for by you or your spouse, or any New York State living quarters **maintained for your primary use** by another person, family member or employer.

For an example of living quarters maintained for your primary use, see the instructions for Form IT-203-ATT, Schedule B, on page 28.

**Now continue with Step 4.**

**Step 4**

**Check the figures on your return and any attachments.**

**Step 5**

**Complete the top of the front page of your return.**

**Mailing label** – Remove the peel-off label from the flap inside the front cover of your packet (or from your postcard if you received one instead of a packet) and place it in the name and address box at the top of Form IT-203. Check the label to make sure the information on it is complete and correct. The mailing label has been redesigned to include 2 bar codes which represent the numeric information on the label. This new label has been designed to allow us to take advantage of the latest technology available to process your return.

School District Code	County
Social Security Number(s)	
Name	
Number and Street	
City	State ZIP code

On the label is a series of numbers which shows your social security number(s) and a single letter that indicates the form you filed last year.

If your name (or your spouse's name) or address is wrong, cross it out and make

the corrections directly on the label. Space for names on the label is limited to 36 characters. Do not correct the label if it is correct except for some missing final characters.

- If your social security number is incorrect or missing - or if you do not have a mailing label - print or type the correct information in the designated spaces at the top of Form IT-203. (Your social security number is printed near the upper left corner of the label, above your name.)
- If you file a joint return and you and your spouse have different last names, separate the names with the word *and* (e.g., Brown, Mary L. and Smith, John C.). All joint filers - be sure your social security numbers are in the same order as your names.
- If you were a part-year resident, print or type in the white space at the top of Form IT-203 the county of the last residence you occupied in New York State.  
If you were a **nonresident** of New York State for the **entire** year, enter the abbreviation **NR** in the county space.

**School district name and code number**

**If you were a part-year resident**, enter the name and code number of your public school district for the period you were a New York resident. This is the district where you were a resident on December 31, 1996, or the district where you were a resident of New York before you moved out of the state. School districts and code numbers are on pages 51 through 54 of these instructions. If you do not know the name of the school district, contact the nearest public school to your New York State home.

**You must enter your school district name and code number** even if you were absent from the school district temporarily, if the school your children attended was not in your school district, or if you had no children attending school. School aid may be affected if the school district or code number is not correct.

If you were a **nonresident** of New York State for the **entire** year, enter the abbreviation **NR**.

**Permanent home address**

**Part-year residents** - Enter your permanent home address for the portion of the year that you were a resident of New York State, if it is **not** the same as your mailing address.

If you moved into the state, enter your permanent home address as of December 31, 1996.

If you moved out of the state prior to December 31, 1996, enter as your permanent home address the address of the New York State residence you occupied last in 1996.

We ask for your permanent home address to verify your school district name and code number, which are used in figuring state aid to local school districts.

Your permanent home address is the address of the dwelling place in New York State that you occupied last in the taxable year, whether you or your spouse own or rent it. A summer or vacation home is not your permanent home.

Your permanent home address is not always the same as the mailing address that is entered on your income tax return. For

example, you may use a post office box number for your mailing address; this is not your permanent home address.

- If you use a paid preparer and you use the preparer's address as your mailing address, enter the address of your permanent home in the space provided.
- If you are a permanent resident of a nursing home, enter the nursing home address as your permanent home address.
- If you are married and maintain separate New York State residences and are filing separate New York State returns, enter as your permanent home address the address of your own residence.

**Nonresidents** - enter the address of your residence outside New York State that you consider to be your domicile and your permanent place of abode if it is different from your mailing address. For definitions of *domicile* and *permanent place of abode*, see *Resident, Nonresident and Part-Year Resident Defined* on page 5 of these instructions. If you moved into New York State after December 31, 1996, enter the address of the residence that you maintained during 1996 outside New York State that you considered to be your domicile and your permanent place of abode.

**Members of the Armed Forces** - If your permanent home was in New York State when you entered the military, enter your New York permanent home address regardless of where you were stationed during 1996.

**Death of taxpayer**

If a taxpayer is deceased, enter the decedent's **first name** and **date of death**.

**If you do not have a peel-off mailing label**, enter all of the following information in the white spaces and boxes at the top of the front page of your return.

- name and address** (both names if filing a joint return);
- permanent home address** (if different from mailing address);
- the decedent's first name and date of death** (if taxpayer is deceased);
- social security number(s)**;
- New York State county of residence** (on December 31, 1996 or the date you last occupied your New York residence, if you are a part-year resident);
- school district name and code number** (if you are a part-year resident).

**Step 6**

**Sign and date your return at the bottom on the back page**

**Enter your daytime telephone number including the area code.** This **voluntary** entry will enable the Tax Department to correct minor errors or omissions quickly by calling you rather than writing or sending back your return. You are not required to give your telephone number.

You must sign and date your return. If you are married filing a joint return and you are not required to attach Form IT-203-C to your return, you must both sign Form IT-203. If you are married filing a joint return and you are required to attach Form IT-203-C to your return, only the spouse with New York source income (shown in the *New York State Amount* column) must sign Form IT-203. **Your return cannot be processed if you do not properly sign it and attach a signed Form IT-203-C, if required.**

**If the return is for someone who died and there is no surviving spouse to sign it, the name and address of the person signing it must be printed or typed below the signature.**

**You should keep a copy of your return and any attachments in a safe place in case you need to refer to them at a later date. If someone prepares your return for you, be sure to get a copy for your records.**

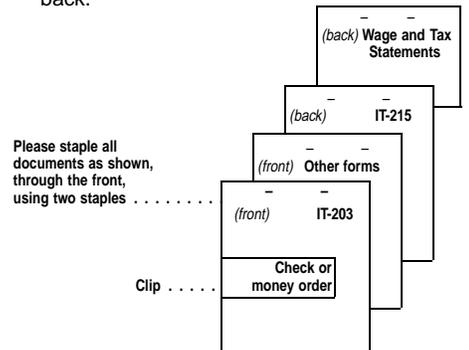
**If you pay someone to prepare your return, the paid preparer must also sign it** and fill in the other blanks in the paid preparer's area of your return. A person who prepares your return and does not charge you should not fill in the paid preparer's area.

**Step 7**

**Return Assembly**

Illustrated below is the correct way to assemble your return and the various attachments for the most efficient handling. You can help ensure that your return (and your refund, if you are entitled to one) is processed as quickly as possible by taking a few moments to assemble your forms as shown.

- **Clip** payments, if any, to the front of your return.
- If you are filing Form IT-280, *Nonobligated Spouse Allocation*, please clip it, along with any correspondence and payments, to the front of your return, with the payments on top.
- Form IT-203, face up.
- Attach any other forms you may have had to fill out, face up, behind your return.
- If you are filing Form IT-215, attach that form behind the others, face down.
- Staple your wage and tax statements last, face down.
- Please attach photocopied forms back to back.



**Step 8**

**Checklist**

Before you mail your return, a quick check will help you avoid common errors that may delay your return. **Did you:**

- attach your peel-off label?** If you do not have a label, did you enter your name, address and social security number(s) and other information required in Step 5 (if you are a part-year resident), at the top of your return?
- enter your permanent home address, if required?** See *Permanent home address*, on page 26.
- mark an "X" in your filing status box at item A?**
- mark an "X" in the Yes or No box at items B, C and G?**
- mark the box at item D if you do not need forms mailed to you next year?**
- enter the number of exemptions claimed on your federal return at item E?**
- mark an "X" in box 1, 2 or 3 at item F because you moved into or out of New York State in 1996, and enter the date you moved?**
- mark an "X" in the Standard or Itemized Deduction box next to line 32?**

- enter your dependent exemption amount on line 34**
- use the correct column of the tax table?**
- attach Form IT-215 if you are claiming the New York State earned income credit and transfer the amount of the credit you are claiming to your return?**
- attach Form IT-216 if you are claiming the New York State child and dependent care credit and transfer the amount of the credit you are claiming to your return?**
- claim any adjustments or credits that you may qualify for?**
- sign your return** (unless filing Form IT-203-C, both husband and wife must sign a joint return)?
- staple your wage and tax statement(s), Form IT-2102 (Copy 1) or federal Form W-2 (Copy 2), to the back of your return according to Step 7?**
- attach Form IT-203-ATT if you:**
  - (1) are claiming the New York itemized deduction;
  - (2) are claiming other New York State credits;
  - (3) are subject to other New York State or New York City taxes;

- (4) are allocating wage or salary income on Schedule A, *Allocation of Wage and Salary Income to New York State*; or
- (5) marked the Yes box at item G of Form IT-203 and must complete Schedule B, *Living Quarters Maintained in New York State by a Nonresident?*
- make your check or money order payable to New York State Income Tax for the full amount you owe?**
- write your social security number and 1996 Income Tax on your check or money order?**

**Step 9**

**Use the preaddressed mailing envelope**

To speed your refund, use the preaddressed envelope that came with your tax packet. If you are claiming a refund, mark an "X" in the box on the front of the envelope. If you do not have a preaddressed envelope, address your envelope —

**For refund returns:**

STATE PROCESSING CENTER — REFUND '96  
PO BOX 61000  
ALBANY NY 12261-0001

**For all other returns:**

STATE PROCESSING CENTER  
PO BOX 61000  
ALBANY NY 12261-0001

**Amending an IT-203 Return**

See page 8 for more information on amended returns.

Attach a separate sheet explaining all information and amounts that differ from what you reported on your original return.

If you have to file an amended return due to federal audit changes, attach a copy of the federal report of examination changes and a signed statement indicating that you concede the federal audit changes. If you do **not** concede the federal audit changes, attach a signed statement explaining why.

To amend your original Form IT-203, get a blank Form IT-203 for the tax year involved and write **Amended** at the top of the front page. Complete the form by entering the corrected information.

To determine your refund or balance due, use the worksheet to the right.

Attach payment for any additional tax computed at line h of the worksheet, plus interest. Send it to: **STATE PROCESSING CENTER, PO BOX 61000, ALBANY NY 12261-0001.**

Since we cannot act on your amended return until we have completed the processing of all original returns, there may be some delay in processing your amended return.

Amended Return Worksheet	
a. Total taxes computed on your amended return .....	a. <input style="width: 100%;" type="text"/>
b. Total prepayments .....	b. <input style="width: 100%;" type="text"/>
c. Amount paid with your original return or additional tax paid after it was filed (do not include interest or penalty amounts) .....	c. <input style="width: 100%;" type="text"/>
d. Add lines b and c. ....	d. <input style="width: 100%;" type="text"/>
e. Overpayment from original return .....	e. <input style="width: 100%;" type="text"/>
f. Subtract line e from line d .....	f. <input style="width: 100%;" type="text"/>
g. <b>Amount overpaid</b> - if line f is more than line a, subtract line a from line f. Enter here and on the <i>Amount to be refunded to you</i> line of your Form IT-203, marked <b>Amended</b> at the top. ....	g. <input style="width: 100%;" type="text"/>
h. <b>Amount you owe</b> - if line f is less than line a, subtract line f from line a. Enter here and on the <i>Amount you owe</i> line of your Form IT-203, marked <b>Amended</b> at the top. ....	h. <input style="width: 100%;" type="text"/>

# Instructions for Form IT-203-ATT

## Itemized Deduction and Other Credits and Taxes

**Purpose of Form IT-203-ATT** — If you elect to claim the New York itemized deduction, or if you are claiming other New York State credits, or if you are subject to other New York State or New York City taxes, fill in Form IT-203-ATT and attach it to your return. If you need more forms or schedules, see *Need Help?* on the back cover of these instructions.

The lines for entering your federal itemized deductions are on **Form IT-203-ATT**. If you itemized your deductions on federal Form 1040, fill in **lines 1 through 14, Part I, of Form IT-203-ATT**. Compare the line 14 amount to your allowable standard deduction amount from the **Standard Deduction Table** on page 21 and enter the larger amount on line 32 of Form IT-203.

## Schedule A

### Allocation of Wage and Salary Income to New York State

Complete a separate Schedule A for each job that you had during the year for which you earned income in and out of New York State and for which your income was not based on the volume of business transacted.

If you need more than one Schedule A, you can either photocopy or create a facsimile of this schedule.

**Failure to complete Schedule A and attach it to your Form IT-203 will result in a delay in the processing of your return.**

For more information about Schedule A, see the instructions for Form IT-203, line 1 on page 11 of these instructions.

## Schedule B

### Living Quarters Maintained in New York State by a Nonresident

Complete this schedule if you marked the **Yes** box for item G on the back of Form IT-203. If you or your spouse had living quarters available for your use in New York State during any part of 1996, enter the address(es). These living quarters would include a house, apartment, co-op or any other living quarters maintained or paid for by you or your spouse, or any living quarters **maintained for your use** by another person, family member or employer.

For example, if a company were to lease an apartment for the use of the company's president or chief executive officer, and the dwelling was principally available to that individual, the individual would be considered as maintaining living quarters in New York even though others might use the apartment on an occasional basis.

Give the number of days you were in New York State, even if on personal business. Do not count days you traveled through New York State to use a common carrier such as an airplane, train or bus.

## Part I — New York State Itemized Deduction

### Lines 1 through 8

Enter on each line the total of each group of itemized deductions (medical and dental, taxes, moving expenses, etc.) and total itemized deductions exactly as you reported them on your federal Schedule A (Form 1040), *Itemized Deductions*. If your federal adjusted gross income is more than \$117,950 (\$58,975 if married filing separately), you may not be able to deduct all of your itemized deductions. For those taxpayers with income above this amount, the total of Form IT-203-ATT, lines 1 through 7 in most instances will not equal the amount on line 8. The difference represents itemized deductions disallowed for federal purposes.

### Line 9

#### State, local and foreign income taxes and other subtraction adjustments

If your Form IT-203, line 18, **federal** amount is \$117,950 or less (\$58,975 or less if you are married filing separately), and you itemized your deductions on your federal return:

— enter the amount of state, local and foreign income taxes included on line 2 and any other subtraction adjustments (from itemized deductions), A through F, listed below.

If your Form IT-203, line 18, **federal** amount is **more than \$117,950** (more than \$58,975 if you are married filing separately), and you itemized your deductions on your federal return, you may elect to either:

— enter the amount of state, local and foreign income taxes included on line 2 and any other subtraction adjustments (from itemized deductions), A through F, listed below; or

— complete the **Subtraction Adjustment Limitation Worksheet** on page 29.

If you elect to complete the *Subtraction Adjustment Limitation Worksheet*, add to the result on line 2 or line 7 (whichever applies) of the worksheet any other subtraction adjustments (from itemized deductions), A through F, listed below that apply to you and that are related to federal itemized deductions not subject to the 3% limit (e.g., investment interest expense related to tax exempt U.S. obligations). Enter the total of your subtraction adjustments on Form IT-203-ATT, line 9.

#### Exception for city of New York nonresident earnings tax

— If you included the New York City nonresident earnings tax on federal Schedule A, line 5, you do **not** have to include on line 9 the difference between the New York City nonresident earnings tax on wages figured at the old rate (0.25%) and the tax figured at the current rate (0.45%). To figure the amount of New York City nonresident earnings tax you have to include on line 9, multiply your New York City taxable wages (from NYC-203, line 3) by .0020 and subtract the result from your state, local and foreign

income tax deduction included on federal Schedule A, line 5.

*Example* — Your federal Schedule A, line 5 amount includes your New York City nonresident earnings tax as well as other state, local and foreign income taxes, for a total income tax deduction of \$1,000. Your taxable wages from Form NYC-203, line 3, are \$16,000. Multiply \$16,000 by .0020 which equals \$32, the amount you do **not** have to include on line 9. Then subtract \$32 from \$1,000 to find the difference of \$968, the amount to enter on line 9.

The above also applies to the New York City nonresident earnings tax on net earnings from self-employment. The amount you do not have to include on line 9 is the difference between the tax figured at the old rate (0.375%) and the tax figured at the current rate (0.65%). To figure the amount you have to include on line 9, multiply your New York City taxable net earnings tax from self-employment (Form NYC-203, line 7) by .00275 and subtract the result from your state, local and foreign income tax deduction included on federal Schedule A, line 5.

#### Other subtraction adjustments from itemized deductions

On a separate sheet marked **Form IT-203-ATT, Line 9 — Other Subtraction Adjustments**, identify by item letter (from the list of subtractions below) other subtraction adjustments that apply to you. Show the amount of each and attach this sheet to your return. Total all your subtractions and include that amount in the total for line 9.

- A** Interest expense on money borrowed to purchase or carry bonds or securities whose interest is exempt from New York income tax.
- B** Ordinary and necessary expenses paid or incurred during 1996 in connection with income, or property held for the production of income, which is exempt from New York income tax but only to the extent deducted in figuring your federal taxable income.
- C** Amortization of bond premium attributable to 1996 on any bond whose interest income is exempt from New York income tax, but only to the extent deducted in figuring your federal taxable income.
- D** Your distributive or pro rata share of deductions from an insurance business operating as a member of the New York Insurance Exchange (section 617-A of the Tax Law).
- E** If you are a shareholder of a federal S corporation that did not elect to be a New York S corporation, any S corporation deductions included in your federal itemized deductions. If an S corporation short year is involved, you must allocate those deductions.
- F** Subject to the limitation amount, five percent of your deduction for interest related to corporate acquisitions to the extent the interest was deducted in figuring the New York itemized deduction (section 615(c)(7) of the Tax Law). If this subtraction applies, complete Form IT-244, *Acquisition Information Report*. Attach a separate schedule to your return showing your computation.

**Partners** — Include on line 9 the subtractions described above that apply to your share of partnership deduction items (if not included in your New York subtractions on the front page of Form IT-203). Determine your share of partnership items from Form IT-204, *Partnership Return*.

**S corporation shareholders** — If you are a shareholder of a federal S corporation for which the election to treat the corporation as a New York S corporation was in effect for the tax year, or if you were not eligible to make the election to treat your corporation as a New York S corporation because the corporation is not subject to Article 9-A franchise tax, include on line 9 subtractions *A* through *D* and *F*, described above, that apply to your pro rata share of S corporation items of income, loss or deduction. If the election to be a New York S corporation terminated during the tax year, you must allocate those items. Obtain your share of S corporation items from the S corporation's Form CT-3-S, *New York S Corporation Franchise Tax Return*, or Form CT-4-S, *New York S Corporation Franchise Tax Return - Short Form for Small Businesses*.

If you are a shareholder of a federal S corporation that did not elect to be a New York S corporation, include subtraction *E*.

**Subtraction Adjustment  
Limitation Worksheet**

1. Federal itemized deductions subject to the federal limitation from federal worksheet, line 3 ..... 1. \_\_\_\_\_
2. Amount of state, local and foreign income taxes and other subtraction adjustments included on line 1\* ..... 2.
3. Subtract line 2 from line 1. .... 3. \_\_\_\_\_
4. Enter amount from federal itemized deduction worksheet, line 9. .... 4. \_\_\_\_\_
5. Multiply line 3 by 80% (.80). If line 5 is greater than or equal to line 4, transfer the above line 2 amount to Form IT-203-ATT, line 9. **Do not continue with this worksheet.**  
If line 5 is less than line 4, continue with line 6. .... 5. \_\_\_\_\_
6. Subtract line 5 from line 4 ..... 6.
7. **Subtract line 6 from line 2.** Add this amount to any other applicable subtraction adjustments listed (A through F). Enter the total on Form IT-203-ATT, line 9. .... 7. \_\_\_\_\_

\* For a description of subtraction adjustments, see the instructions for line 9 beginning on page 28.

**Line 10**

Subtract line 9 from line 8 and enter the result. If you made no entry on line 9, enter the amount from line 8 on line 10.

**Line 11**

**Addition adjustments for itemized deductions**

On a separate sheet marked **Form IT-203-ATT, Line 11 - Addition Adjustments to Itemized Deductions**, identify by item letter (from the list of additions below) addition adjustments that apply to you. Show the amount of each and attach this sheet to your return. Total all your additions and include that amount in the total for line 11.

- G** Interest expense on money borrowed to purchase or carry bonds or securities whose interest is subject to New York income tax, but exempt from federal income tax, if this interest expense was not deducted on your federal return or shown as a New York subtraction on the front page of your state return.
- H** Ordinary and necessary expenses paid or incurred during 1996 in connection with income, or property held for the production of income, which is subject to New York income tax but exempt from federal income tax, if these expenses were not deducted on your federal return or shown as a New York subtraction on the front page of your state return.
- I** Amortization of bond premium attributable to 1996 on any bond whose interest income is subject to New York income tax, but exempt from federal income tax, if this amortization was not deducted on your federal return or shown as a New York subtraction on the front page of your state return.

**Partners** — Include on line 11 the additions described above that apply to your share of partnership deduction items (if not included in your New York additions on the front page). Determine your share of partnership items from Form IT-204, *Partnership Return*.

**S corporation shareholders** — If you are a shareholder of a federal S corporation for which the election to treat the corporation as a New York S corporation was in effect for the tax year, or if you were not eligible to make the election to treat your corporation as a New York S corporation because the corporation is not subject to Article 9-A franchise tax, include on line 11 additions *G* through *I*, described above, that apply to your pro rata share of S corporation items of income, loss or deduction. If the election to be a New York S corporation terminated during the tax year, you must allocate those items. Obtain your share of S corporation items from the S corporation's Form CT-3-S, *New York S Corporation Franchise Tax Return*, or Form CT-4-S, *New York S Corporation Franchise Tax Return - Short Form for Small Businesses*.

**Line 12**

Add lines 10 and 11 and enter the total on line 12.

If you made no entry on line 11, enter the amount from line 10 on line 12.

**Line 13**

**Itemized deduction adjustment**

Enter the amount of your itemized deduction adjustment. If Form IT-203, line 31 is:

- \$100,000 or less, enter "0" on line 13.
- more than \$100,000 but not more than \$475,000, fill in **Worksheet A** below.
- more than \$475,000 but not more than \$525,000, fill in **Worksheet B** below.
- more than \$525,000, enter 50% (.50) of line 12 on line 13.

**Worksheet A**

1. New York adjusted gross income from Form IT-203, line 31. .... 1. \_\_\_\_\_
2. Filing status <sup>①</sup> or <sup>③</sup> enter \$100,000, or filing status <sup>④</sup> enter \$150,000 or filing status <sup>②</sup> or <sup>⑤</sup> enter \$200,000 ..... 2. \_\_\_\_\_
3. Subtract line 2 from line 1. (If line 2 is more than line 1, enter "0" on Form IT-203-ATT, line 13. **Do not continue with this worksheet.**) ..... 3. \_\_\_\_\_
4. Enter the lesser of line 3 or \$50,000 ..... 4. \_\_\_\_\_
5. Divide line 4 by \$50,000 and carry the result to four decimal places ..... 5. \_\_\_\_\_
6. Enter 25% (.25) of Form IT-203-ATT, line 12 ..... 6. \_\_\_\_\_
7. Multiply line 5 by line 6. .... 7. \_\_\_\_\_

**Transfer the line 7 amount to Form IT-203-ATT, line 13.**

**Worksheet B**

1. Enter the excess of New York adjusted gross income from Form IT-203, line 31, over \$475,000 (cannot exceed \$50,000). .... 1. \_\_\_\_\_
2. Divide line 1 by \$50,000 and carry the result to four decimal places ..... 2. \_\_\_\_\_
3. Enter 25% (.25) of Form IT-203-ATT, line 12. .... 3. \_\_\_\_\_
4. Multiply line 2 by line 3. .... 4. \_\_\_\_\_
5. Add lines 3 and 4. .... 5. \_\_\_\_\_

**Transfer the line 5 amount to Form IT-203-ATT, line 13.**

If you elected to itemize deductions on your New York return, **you must attach your completed Form IT-203-ATT to your Form IT-203.**

**Part II — Other New York State Credits**

If you are claiming other New York State credits listed below, fill in Part II. These credits do not apply to New York City taxes.

## Line 15

### Resident credit (Part-year residents only)

Enter the amount of resident credit. If your income was from sources outside New York State while you were a New York State resident and you paid income taxes to another state, to a local government of another state, to the District of Columbia or to a province of Canada, you may qualify for a tax credit against your New York State tax (section 620 of the Tax Law).

If you qualify, figure this credit on Form IT-112-R, *Resident Tax Credit*, and transfer the amount to Form IT-203-ATT, line 15. Attach Form IT-112-R and a copy of the tax return filed with the other state, or province of Canada, to your New York State return. For more information, see Form IT-112-R. For information on the resident credit against the separate tax on lump-sum distributions, see the line 27 instructions on page 31.

## Line 16

### Accumulation distribution credit

Enter the amount of New York State accumulation distribution credit. If you are a beneficiary of a trust who received an accumulation distribution, you may be allowed a credit for New York State income taxes paid by the trust (sections 621 and 635 of the Tax Law). Attach a schedule showing how you figured your credit.

## Line 17

### Investment credit

Enter the amount of investment credit. You can claim an investment credit if 1) you produce goods by manufacturing, processing, mining, agriculture or similar activities; 2) you use certain property for research and development purposes, pollution control purposes, waste treatment purposes; or 3) your business is a retail enterprise and you have qualified rehabilitation expenditures on property located in New York State (section 606(a) of the Tax Law). To figure this credit, fill in Form IT-212, *Investment Credit*, and attach it to your return. For more information, see Form IT-212-I, *Instructions for Form IT-212*.

## Line 18

### Special additional mortgage recording tax credit

#### Shareholders of electing New York S corporations

— this credit is no longer allowed. However, any unused credit from a prior year can be carried over. Include on line 18 your prorated share of the S corporation's special additional mortgage recording tax credit carryover from corporation tax years beginning before 1994.

**All others** — 1987 was the last year that this credit could be claimed. However, any unused credit from a prior year can be carried over. Include on line 18 your special additional mortgage recording tax credit carryover for 1996. Attach a schedule showing how you figured your credit carryover.

See additions A-4 and A-5 on page 16 of these instructions.

## Line 19

### Solar and wind energy credit carryover from 1995

Enter the amount of solar and wind energy credit carryover. 1985 was the last year that this credit could be claimed. Section 606(g)(6) provides that any unused credit can be carried over to the following year or years. Taxpayers carrying over any unused credit from 1995 to 1996 must attach Form IT-218.1, *Solar and Wind Energy Credit Carryover*, to their 1996 IT-203 return.

## Line 20

### Economic development zone credits

**Wage tax credit** — Enter the amount of wage tax credit. In order to claim the wage tax credit, a taxpayer must be certified under Article 18-B of the General Municipal Law as eligible to receive the wage tax credit. The wage tax credit is available in those areas designated as economic development zones and zone equivalent areas:

*Economic development zone* — The computation of the wage tax credit in an economic development zone is limited to five consecutive taxable years beginning with the first year that economic development zone wages are paid. The credit may only be claimed up to four years following the taxable year in which the designation of the economic development zone expired (section 606(k) of the Tax Law).

*Zone equivalent area* — The computation of the wage tax credit in a zone equivalent area is limited to two consecutive taxable years beginning with the first year that economic development zone wages are paid. The credit must be claimed during the five-year period immediately following the date of designation as a zone equivalent area (section 606(k) of the Tax Law).

If you qualify, figure this credit on Form DTF-601, *Claim for EDZ Wage Tax Credit*, or DTF-601.1, *Claim for ZEA Wage Tax Credit*, or both, and include the amount on Form IT-203-ATT, line 20. Attach Form DTF-601, DTF-601.1, or both, to your return. For more information, see Forms DTF-601 and DTF-601.1 and their instructions.

**Capital tax credit** — Enter the amount of capital tax credit. The EDZ capital tax credit is allowed for qualified investments or contributions to an economic development zone capital corporation, qualified investments in certified zone businesses and contributions of money to certain community development projects from one or more economic development zone capital corporations established pursuant to section 964 of the General Municipal Law (section 606(l) of the Tax Law).

If you qualify, figure this credit on Form DTF-602, *Claim for EDZ Capital Tax Credit*, and include the amount on Form IT-203-ATT, line 20. Attach Form DTF-602 to your return. For more information, see Form DTF-602.

**EDZ investment tax credit** — Enter the amount of investment tax credit. The EDZ investment tax credit is 8% of the cost (or other federal basis) of qualified property which was acquired, constructed, reconstructed or erected in an economic development zone

after its date of designation and prior to its date of expiration as an economic development zone. To claim this credit, you must also be certified pursuant to Article 18-B of the General Municipal Law (section 606(j) of the Tax Law).

If you qualify, figure this credit on Form DTF-603, *Claim for EDZ Investment Tax Credit and Additional EDZ Investment Tax Credit*, and include the amount on Form IT-203-ATT, line 20. Attach Form DTF-603 to your return. For more information, see Form DTF-603 and its instructions, Form DTF-603-I.

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## Part III — Carryover and Refund: NYS Credit/EDZ Credits

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## Line 22

### Net investment credit available for carryover to 1997

Enter the amount of net credit available for carryover to 1997 from Form IT-212, line 28.

## Line 23

### Net economic development zone credit available for carryover to 1997

Enter the amount of net credit available for carryover to 1997 from Form(s) DTF-601, DTF-601.1, DTF-602 or DTF-603.

## Line 24

### Investment credit refund for new businesses

Enter the amount of investment credit refund for new businesses. If your new business qualifies, you can claim a refund for the amount of your current year's unused investment credit instead of carrying it over to next year. For more information see Form IT-212-I, *Instructions for Form IT-212*.

**Also include the amount of your investment credit refund for new businesses on Form IT-203 in the total for line 58.**

## Line 25

### Economic development zone (including zone equivalent area) wage tax credit and investment tax credit refund(s)

Enter the total amount(s) of your wage tax credit refund computed for the economic development zone from Form DTF-601, line 27, zone equivalent area from Form DTF-601.1, line 27, and the economic development zone investment tax credit refund from Form DTF-603, line 11. If you qualify as the owner of a new business, you can elect to claim a refund of 50 percent of your unused credit carryover as an overpayment of tax, to be credited or refunded for the tax year for which the credit is allowed.

*Unused credit carryover* is defined as the amount of credit, including any carryover that exceeds your tax, plus the portion of the credit that may not be deducted because of the restriction that the credit may not exceed 50% of your 1996 tax liability. For more information, see the instructions for Forms DTF-601, DTF-601.1 and DTF-603.

Include the amount of your EDZ (including ZEA) wage tax credit and EDZ investment tax credit refund(s) on Form IT-203 in the total for line 58. For more information, see the instructions for line 58 on page 23.

## Part IV — Other New York State Taxes

If you are subject to other New York State taxes as listed below, complete Part IV.

### Line 26

#### New York State separate tax on lump-sum distributions

Enter your New York State separate tax on lump-sum distributions which you received while a resident of New York or which were wholly or partly derived from or connected with New York sources while you were a nonresident. If you used federal Form 4972 to figure your federal tax on lump-sum distributions, figure your state separate tax on Form IT-230 for the distributions described above and attach it to your return. For more information, see Form IT-230-I, *Instructions for Form IT-230*.

### Line 27

#### Resident credit against separate tax on lump-sum distributions

Enter the amount of resident credit you are claiming against the separate tax on lump-sum distributions. If you received a distribution that is considered a lump-sum distribution for federal income tax purposes, you may qualify for a credit against the state separate tax on lump-sum distributions reported on line 27. This distribution must be from sources outside New York State which you received while you were a resident of New York State and must be subject to income tax or to a separate tax by another state, by a local government of another state, by the District of Columbia, or by a province of Canada.

To claim this credit, fill in Form IT-112.1, *Resident Credit Against Separate Tax on Lump-Sum Distributions*. Attach Form IT-112.1 and a copy of the tax return filed with the other state or province of Canada to your New York State return.

### Line 29

#### New York State minimum income tax

Enter your New York State minimum income tax. If you had tax preference items during the period you were a New York State resident or if you had tax preference items from New York State sources during the period you were a nonresident that total more than your allowable specific deduction of \$5,000 (\$2,500 if married and filing separately), you may be subject to the state minimum income tax. Fill in Form IT-220 and attach it to your return. For more information, see Form IT-220-I, *Instructions for Form IT-220*.

### Line 30

#### Add-back of investment credit on early dispositions

Enter the amount of add-back of investment credit on early dispositions of investment credit property. If you dispose of property on which an investment credit has been taken, or prior to January 1, 1987, a research and

development credit was taken, or if the property ceases to be in qualified use before the end of its useful life or specified holding period ends, you must add back in the year of disposition the difference between the investment credit or research and development credit taken and the investment credit or research and development credit allowed. Fill in Form IT-212 and attach it to your return.

### Line 31

#### Add-back of economic development zone capital tax credit and investment tax credit on early dispositions

Enter the amount of add-back of economic development zone capital tax credit on early dispositions of stock, a partnership interest or other ownership interest arising from the making of a qualified investment. If you sell, transfer or otherwise dispose of corporate stock, a partnership interest or other ownership interest that was the basis for the allowance of the EDZ capital tax credit or where a contribution or investment is in any manner recovered by you, you must add back in the year of disposition the difference between the EDZ capital tax credit taken and the EDZ capital tax credit allowed. Fill in Form DTF-602 and attach it to your return.

Enter the amount of add-back of economic development zone investment tax credit on early dispositions of qualified property located within the economic development zone. If you dispose of property on which an EDZ investment tax credit has been taken or if the property ceases to be in qualified use before the end of its useful life or specified holding period ends, you must add back in the year of disposition the difference between the EDZ investment tax credit taken and the EDZ investment tax credit allowed. Fill in Form DTF-603 and attach it to your return.

### Line 32

#### Add-back of resident credit for taxes paid to a province of Canada

Enter the amount of add-back of resident credit for taxes paid to a province of Canada while you were a New York State resident from Form IT-112-R. If any part of the provincial tax that entitled you to a resident credit in a previous year is claimed as a foreign tax credit on your federal return in a succeeding year, you must add back the amount that exceeded your provincial resident tax credit in that succeeding tax year. Attach Form IT-112-R to your return.

### Line 33

#### New York State tax on capital gain portion of lump-sum distribution

Enter the amount of New York State tax on the capital gain portion of your lump-sum distribution after completing **Worksheet A** on the bottom of the back page of Form IT-203-ATT. If you used federal Form 4972, Part II, to figure your federal tax on the capital gain portion of a lump-sum distribution, figure your state tax on Form IT-230, *Separate Tax on Lump-Sum Distributions*, Part II, and attach it to your return. For more information, see Form IT-230-I, *Instructions for Form IT-230*.

### Line 35

#### Excess child and dependent care credit

If you are a part-year resident and are claiming the New York State child and

dependent care credit, enter the amount (if any) from Form IT-216, *Claim for Child and Dependent Care Credit*, back page, line 15.

### Line 37

#### Excess earned income credit

If you are a part-year resident and are claiming the New York State earned income credit, enter the amount (if any) from Form IT-215, *Claim for Earned Income Credit*, back page, line 18.

## Part V — Other City of New York Taxes

If you are subject to other New York City taxes as listed below, complete Part V.

### Line 39

#### Part-year city of New York resident tax

Enter your part-year New York City resident tax. If you were a New York City resident for only part of 1996, fill in Form IT-360.1 and attach it to your return. If you were subject to the New York City nonresident earnings tax for the remainder of the year, see the instructions for Form NYC-203. For more information, see IT-360.1-1, *Instructions for Form IT-360.1*.

### Line 40

#### City of New York minimum income tax

Enter your New York City minimum income tax. If you were a New York City resident for part of 1996 and you are subject to the New York State minimum income tax, you must also figure your **New York City** minimum income tax for that part of the year you were a New York City resident on Form IT-220 and attach it to your return. For more information, see IT-220-I, *Instructions for Form IT-220*.

### Line 41

#### City of New York separate tax on lump-sum distributions

Enter your New York City separate tax on lump-sum distributions that you received while a resident of New York City. If you were a New York City resident for part of 1996 and if you used federal Form 4972 to figure your federal tax on lump-sum distributions, figure your New York City separate tax on lump-sum distributions for that part of the year you were a New York City resident on Form IT-230 and attach it to your return. For more information, see IT-230-I, *Instructions for Form IT-230*.

### Line 42

#### Part-year city of New York resident income tax on capital gain portion of lump-sum distribution

After completing **Worksheet B** on the bottom of the back page of Form IT-203-ATT, enter the amount of part-year city of New York tax on the capital gain portion of your lump-sum distribution received while you were a resident of New York City. If you used federal Form 4972, Part II, to figure your federal tax on the capital gain portion of a lump-sum distribution, figure your part-year city of New York tax on Form IT-230, *Separate Tax on Lump-Sum Distributions*, Part II, for that part of the year you were a resident of New York City and attach it to Form IT-203. For more information, see IT-230-I, *Instructions for Form IT-230*.

## Penalties and Interest

**Interest** — Interest will be charged on income tax that is not paid on or before the due date of your return, even if you received an extension of time to file your return. Interest is a charge for the use of money and in most cases may not be waived. Interest is compounded daily and the rate is adjusted quarterly.

If you are due a refund, you may also be entitled to receive interest on your overpayment. Interest is compounded daily and the rate is adjusted quarterly. If the refund is made within 45 days after the due date of your return, no interest will be paid. If you file your return after the due date (including extensions), no interest will be paid if the refund is made within 45 days after the date you filed. If the refund is not made within this 45-day period, interest will be paid from the due date of the return or from the date you filed, whichever is later. However, interest will not be paid to you:

- (1) on the portion of your refund that is attributable to the child and dependent care credit or earned income credit; **or**
- (2) if your return cannot be processed.

**To be processed, your return must show your name, address, social security number, signature and the information needed to mathematically verify your tax liability.**

**Late filing penalty** — If you file late, you will be charged a penalty of 5% of the tax due for each month, or part of a month, the return is late, up to a maximum of 25%, unless you extend the time to file or attach to your return an explanation showing reasonable cause for the delay. If your return is more than 60 days late, this penalty will not be less than the lesser of \$100 or 100% of the amount required to be shown as tax due on the return, reduced by any tax paid and by any credit that may be claimed. For information on getting an extension of time to file your return, see *When to File* on page 9 of these instructions.

**Late payment penalty** — If you do not pay your tax when due, you will be charged a penalty of ½ of 1% of the unpaid amount for each month or part of a month it is not paid, up to a maximum of 25%. This penalty is in addition to the interest charged for late payments.

This penalty may not be charged if you attach to your return an explanation showing reasonable cause for paying late.

**If you figure your tax incorrectly** — You may have to pay a penalty if the tax you report on your return is **less** than your correct tax. If you are off by more than 10% or \$2,000, whichever is more, you may have to pay this penalty. The penalty is 10% of the difference between the tax you reported and the tax you actually owe.

**Underpayment of estimated tax penalty** — If your 1996 withholding and estimated tax payments do not equal at least 90% of the tax shown on your return for the taxable year or 100% of the tax shown on your return for the preceding taxable year (110% of that amount if you are not a farmer or fisherman and the New York adjusted gross income shown on that return is more than \$150,000 or, if married filing separately, more than \$75,000) based on a return covering 12 months, you may be subject to a penalty for underpayment of estimated income tax.

For more information, see Form IT-2105.9, *Underpayment of Estimated Tax by Individuals and Fiduciaries*, and its instructions, to see if you owe the penalty, how to figure the penalty and which exceptions to the penalty apply.

**Negligence penalty** — If your return does not show all of the tax imposed under the Tax Law, its rules or regulations, due to negligence or intentional disregard but not with intent to defraud, you will be charged a penalty of 5% of any deficient amount. In general, a deficiency is the difference between the correct tax and the tax shown on your return. In addition, 50% of the interest due on any underpayment resulting from negligence will be added to your tax.

**Fraudulent returns** — If any part of a deficiency is due to fraud, you will be charged a penalty of 50% of the deficiency. In general, a deficiency is the difference between the correct tax and the tax shown on your return. In addition, 50% of the interest due on any deficiency resulting from a fraudulent act will be added to your tax.

**Frivolous returns** — A penalty of up to \$500 will be imposed on any person who files a frivolous tax return. A return is considered

frivolous when it does not contain information needed to judge the correctness of the tax return, or reports information that is obviously and substantially incorrect, and intended to delay or impede the administration of Article 22 of the Tax Law or the processing of the return. This includes altering or striking out the preprinted language above the space provided for your signature.

This penalty is added to any other penalty provided by law.

**Failure of paid preparers to conform to certain requirements** - A penalty of \$50 per return or claim for refund will be assessed a paid preparer for failure to comply with any of the following requirements:

- failure to sign the tax return or claim for refund;
- failure to include the identifying number of the paid preparer (if an individual paid preparer is an employee of an employer or a partner in a partnership that is a paid preparer, the return or claim for refund must also include the identifying number of the employer or partnership);
- failure to furnish a completed copy of the tax return or claim for refund to the taxpayer not later than the time it is presented for the taxpayer's signature;
- failure to keep a completed copy of the return or claim for refund prepared for each taxpayer or to keep the name and identification number of each taxpayer for whom a return or claim for refund was prepared on a list and to make the copy or list available for inspection upon request.

The period for keeping a complete copy of the return or information on the list is three years after the due date of the return (without regard to extensions) or three years after the date the return was presented to the taxpayer for signature, whichever is later.

The period for keeping a completed copy of a claim for refund is three years from the time the claim for refund was presented to the taxpayer for signature.

For each of the requirements listed above, a paid preparer may be subject to a maximum penalty of \$25,000.



# 1996 New York State Tax Table

**\$0 - \$5,999**      **33**

## Based on Taxable Income - line 35 of Form IT-203

**Example:** Mr. and Mrs. Jones are filing a joint return. Their taxable income on line 35 of Form IT-203 is \$38,275. First, they find the 38,250 - 38,300 income line. Next, they find the column for married filing jointly and read down the column. The amount shown where the income line and filing status column meet is \$2,205. This is the tax amount they must write on line 36 of Form IT-203.

At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household
<b>Your New York State tax is:</b>				
38,200	38,250	2,462	2,201	2,367
38,250	38,300	2,466	2,205	2,371
38,300	38,350	2,469	2,208	2,374
38,350	38,400	2,473	2,212	2,378

**Important:** If your New York adjusted gross income (line 31 of Form IT-203) is more than \$100,000, you must complete either "Tax Computation Worksheet 1" or "Worksheet 2" on page 21 of these instructions.

If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -										
At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household								
<b>\$0</b>		\$0	\$0	\$0	<b>\$2,000</b>		<b>Your New York State tax is:</b>			<b>\$4,000</b>		<b>Your New York State tax is:</b>										
13	25	1	1	1	2,000	2,050	81	81	81	4,000	4,050	161	161	161								
25	50	2	2	2	2,050	2,100	83	83	83	4,050	4,100	163	163	163								
50	100	3	3	3	2,100	2,150	85	85	85	4,100	4,150	165	165	165								
100	150	5	5	5	2,150	2,200	87	87	87	4,150	4,200	167	167	167								
150	200	7	7	7	2,200	2,250	89	89	89	4,200	4,250	169	169	169								
200	250	9	9	9	2,250	2,300	91	91	91	4,250	4,300	171	171	171								
250	300	11	11	11	2,300	2,350	93	93	93	4,300	4,350	173	173	173								
300	350	13	13	13	2,350	2,400	95	95	95	4,350	4,400	175	175	175								
350	400	15	15	15	2,400	2,450	97	97	97	4,400	4,450	177	177	177								
400	450	17	17	17	2,450	2,500	99	99	99	4,450	4,500	179	179	179								
450	500	19	19	19	2,500	2,550	101	101	101	4,500	4,550	181	181	181								
500	550	21	21	21	2,550	2,600	103	103	103	4,550	4,600	183	183	183								
550	600	23	23	23	2,600	2,650	105	105	105	4,600	4,650	185	185	185								
600	650	25	25	25	2,650	2,700	107	107	107	4,650	4,700	187	187	187								
650	700	27	27	27	2,700	2,750	109	109	109	4,700	4,750	189	189	189								
700	750	29	29	29	2,750	2,800	111	111	111	4,750	4,800	191	191	191								
750	800	31	31	31	2,800	2,850	113	113	113	4,800	4,850	193	193	193								
800	850	33	33	33	2,850	2,900	115	115	115	4,850	4,900	195	195	195								
850	900	35	35	35	2,900	2,950	117	117	117	4,900	4,950	197	197	197								
900	950	37	37	37	2,950	3,000	119	119	119	4,950	5,000	199	199	199								
950	1,000	39	39	39	<b>1,000</b>			<b>Your New York State tax is:</b>			<b>3,000</b>			<b>Your New York State tax is:</b>			<b>5,000</b>			<b>Your New York State tax is:</b>		
1,000	1,050	41	41	41	3,000	3,050	121	121	121	5,000	5,050	201	201	201								
1,050	1,100	43	43	43	3,050	3,100	123	123	123	5,050	5,100	203	203	203								
1,100	1,150	45	45	45	3,100	3,150	125	125	125	5,100	5,150	205	205	205								
1,150	1,200	47	47	47	3,150	3,200	127	127	127	5,150	5,200	207	207	207								
1,200	1,250	49	49	49	3,200	3,250	129	129	129	5,200	5,250	209	209	209								
1,250	1,300	51	51	51	3,250	3,300	131	131	131	5,250	5,300	211	211	211								
1,300	1,350	53	53	53	3,300	3,350	133	133	133	5,300	5,350	213	213	213								
1,350	1,400	55	55	55	3,350	3,400	135	135	135	5,350	5,400	215	215	215								
1,400	1,450	57	57	57	3,400	3,450	137	137	137	5,400	5,450	217	217	217								
1,450	1,500	59	59	59	3,450	3,500	139	139	139	5,450	5,500	219	219	219								
1,500	1,550	61	61	61	3,500	3,550	141	141	141	5,500	5,550	221	221	221								
1,550	1,600	63	63	63	3,550	3,600	143	143	143	5,550	5,600	223	223	223								
1,600	1,650	65	65	65	3,600	3,650	145	145	145	5,600	5,650	225	225	225								
1,650	1,700	67	67	67	3,650	3,700	147	147	147	5,650	5,700	227	227	227								
1,700	1,750	69	69	69	3,700	3,750	149	149	149	5,700	5,750	231	229	229								
1,750	1,800	71	71	71	3,750	3,800	151	151	151	5,750	5,800	234	231	231								
1,800	1,850	73	73	73	3,800	3,850	153	153	153	5,800	5,850	236	233	233								
1,850	1,900	75	75	75	3,850	3,900	155	155	155	5,850	5,900	239	235	235								
1,900	1,950	77	77	77	3,900	3,950	157	157	157	5,900	5,950	241	237	237								
1,950	2,000	79	79	79	3,950	4,000	159	159	159	5,950	6,000	244	239	239								

\* This column must also be used by a qualifying widow(er)



If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -		
At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household
<b>6,000</b>		Your New York State tax is:			<b>9,000</b>		Your New York State tax is:			<b>12,000</b>		Your New York State tax is:		
6,000	6,050	246	241	241	9,000	9,050	407	361	376	12,000	12,050	597	491	537
6,050	6,100	249	243	243	9,050	9,100	410	363	379	12,050	12,100	600	494	540
6,100	6,150	251	245	245	9,100	9,150	413	365	381	12,100	12,150	604	496	543
6,150	6,200	254	247	247	9,150	9,200	416	367	384	12,150	12,200	607	499	546
6,200	6,250	256	249	249	9,200	9,250	419	369	386	12,200	12,250	611	501	549
6,250	6,300	259	251	251	9,250	9,300	422	371	389	12,250	12,300	614	504	552
6,300	6,350	261	253	253	9,300	9,350	425	373	391	12,300	12,350	618	506	555
6,350	6,400	264	255	255	9,350	9,400	428	375	394	12,350	12,400	621	509	558
6,400	6,450	266	257	257	9,400	9,450	431	377	396	12,400	12,450	625	511	561
6,450	6,500	269	259	259	9,450	9,500	434	379	399	12,450	12,500	628	514	564
6,500	6,550	271	261	261	9,500	9,550	437	381	401	12,500	12,550	632	516	567
6,550	6,600	274	263	263	9,550	9,600	440	383	404	12,550	12,600	635	519	570
6,600	6,650	276	265	265	9,600	9,650	443	385	406	12,600	12,650	639	521	573
6,650	6,700	279	267	267	9,650	9,700	446	387	409	12,650	12,700	642	524	576
6,700	6,750	281	269	269	9,700	9,750	449	389	411	12,700	12,750	646	526	579
6,750	6,800	284	271	271	9,750	9,800	452	391	414	12,750	12,800	649	529	582
6,800	6,850	286	273	273	9,800	9,850	455	393	416	12,800	12,850	653	531	585
6,850	6,900	289	275	275	9,850	9,900	458	395	419	12,850	12,900	656	534	588
6,900	6,950	291	277	277	9,900	9,950	461	397	421	12,900	12,950	660	536	591
6,950	7,000	294	279	279	9,950	10,000	464	399	424	12,950	13,000	663	539	594
<b>7,000</b>		Your New York State tax is:			<b>10,000</b>		Your New York State tax is:			<b>13,000</b>		Your New York State tax is:		
7,000	7,050	296	281	281	10,000	10,050	467	401	426	13,000	13,050	667	541	597
7,050	7,100	299	283	283	10,050	10,100	470	403	429	13,050	13,100	670	544	600
7,100	7,150	301	285	285	10,100	10,150	473	405	431	13,100	13,150	674	546	603
7,150	7,200	304	287	287	10,150	10,200	476	407	434	13,150	13,200	677	549	606
7,200	7,250	306	289	289	10,200	10,250	479	409	436	13,200	13,250	681	551	609
7,250	7,300	309	291	291	10,250	10,300	482	411	439	13,250	13,300	685	554	612
7,300	7,350	311	293	293	10,300	10,350	485	413	441	13,300	13,350	688	556	615
7,350	7,400	314	295	295	10,350	10,400	488	415	444	13,350	13,400	692	559	618
7,400	7,450	316	297	297	10,400	10,450	491	417	446	13,400	13,450	695	561	621
7,450	7,500	319	299	299	10,450	10,500	494	419	449	13,450	13,500	699	564	624
7,500	7,550	321	301	301	10,500	10,550	497	421	451	13,500	13,550	702	566	627
7,550	7,600	324	303	304	10,550	10,600	500	423	454	13,550	13,600	706	569	630
7,600	7,650	326	305	306	10,600	10,650	503	425	456	13,600	13,650	710	571	633
7,650	7,700	329	307	309	10,650	10,700	506	427	459	13,650	13,700	713	574	636
7,700	7,750	331	309	311	10,700	10,750	509	429	461	13,700	13,750	717	576	639
7,750	7,800	334	311	314	10,750	10,800	512	431	464	13,750	13,800	720	579	642
7,800	7,850	336	313	316	10,800	10,850	515	433	466	13,800	13,850	724	581	645
7,850	7,900	339	315	319	10,850	10,900	518	435	469	13,850	13,900	727	584	648
7,900	7,950	341	317	321	10,900	10,950	521	437	471	13,900	13,950	731	586	651
7,950	8,000	344	319	324	10,950	11,000	524	439	474	13,950	14,000	734	589	654
<b>8,000</b>		Your New York State tax is:			<b>11,000</b>		Your New York State tax is:			<b>14,000</b>		Your New York State tax is:		
8,000	8,050	347	321	326	11,000	11,050	527	441	477	14,000	14,050	738	591	657
8,050	8,100	350	323	329	11,050	11,100	530	444	480	14,050	14,100	742	594	660
8,100	8,150	353	325	331	11,100	11,150	534	446	483	14,100	14,150	745	596	663
8,150	8,200	356	327	334	11,150	11,200	537	449	486	14,150	14,200	749	599	666
8,200	8,250	359	329	336	11,200	11,250	541	451	489	14,200	14,250	752	601	669
8,250	8,300	362	331	339	11,250	11,300	544	454	492	14,250	14,300	756	604	672
8,300	8,350	365	333	341	11,300	11,350	548	456	495	14,300	14,350	759	606	675
8,350	8,400	368	335	344	11,350	11,400	551	459	498	14,350	14,400	763	609	678
8,400	8,450	371	337	346	11,400	11,450	555	461	501	14,400	14,450	767	611	681
8,450	8,500	374	339	349	11,450	11,500	558	464	504	14,450	14,500	770	614	684
8,500	8,550	377	341	351	11,500	11,550	562	466	507	14,500	14,550	774	616	687
8,550	8,600	380	343	354	11,550	11,600	565	469	510	14,550	14,600	777	619	690
8,600	8,650	383	345	356	11,600	11,650	569	471	513	14,600	14,650	781	621	693
8,650	8,700	386	347	359	11,650	11,700	572	474	516	14,650	14,700	784	624	696
8,700	8,750	389	349	361	11,700	11,750	576	476	519	14,700	14,750	788	626	699
8,750	8,800	392	351	364	11,750	11,800	579	479	522	14,750	14,800	791	629	702
8,800	8,850	395	353	366	11,800	11,850	583	481	525	14,800	14,850	795	631	705
8,850	8,900	398	355	369	11,850	11,900	586	484	528	14,850	14,900	799	634	708
8,900	8,950	401	357	371	11,900	11,950	590	486	531	14,900	14,950	802	636	711
8,950	9,000	404	359	374	11,950	12,000	593	489	534	14,950	15,000	806	639	714

\* This column must also be used by a qualifying widow(er)



1996 New York State Tax Table

\$15,000 - \$23,999

If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -		
At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household
<b>15,000</b>		Your New York State tax is:			<b>18,000</b>		Your New York State tax is:			<b>21,000</b>		Your New York State tax is:		
15,000	15,050	809	641	717	18,000	18,050	1,023	812	928	21,000	21,050	1,237	992	1,142
15,050	15,100	813	644	720	18,050	18,100	1,027	815	932	21,050	21,100	1,240	995	1,145
15,100	15,150	816	646	724	18,100	18,150	1,030	818	935	21,100	21,150	1,244	998	1,149
15,150	15,200	820	649	727	18,150	18,200	1,034	821	939	21,150	21,200	1,247	1,001	1,152
15,200	15,250	824	651	731	18,200	18,250	1,037	824	942	21,200	21,250	1,251	1,004	1,156
15,250	15,300	827	654	734	18,250	18,300	1,041	827	946	21,250	21,300	1,255	1,007	1,160
15,300	15,350	831	656	738	18,300	18,350	1,044	830	949	21,300	21,350	1,258	1,010	1,163
15,350	15,400	834	659	741	18,350	18,400	1,048	833	953	21,350	21,400	1,262	1,013	1,167
15,400	15,450	838	661	745	18,400	18,450	1,052	836	957	21,400	21,450	1,265	1,016	1,170
15,450	15,500	841	664	748	18,450	18,500	1,055	839	960	21,450	21,500	1,269	1,019	1,174
15,500	15,550	845	666	752	18,500	18,550	1,059	842	964	21,500	21,550	1,272	1,022	1,177
15,550	15,600	848	669	755	18,550	18,600	1,062	845	967	21,550	21,600	1,276	1,025	1,181
15,600	15,650	852	671	759	18,600	18,650	1,066	848	971	21,600	21,650	1,280	1,028	1,185
15,650	15,700	856	674	762	18,650	18,700	1,069	851	974	21,650	21,700	1,283	1,031	1,188
15,700	15,750	859	676	766	18,700	18,750	1,073	854	978	21,700	21,750	1,287	1,034	1,192
15,750	15,800	863	679	769	18,750	18,800	1,076	857	981	21,750	21,800	1,290	1,037	1,195
15,800	15,850	866	681	773	18,800	18,850	1,080	860	985	21,800	21,850	1,294	1,040	1,199
15,850	15,900	870	684	776	18,850	18,900	1,084	863	989	21,850	21,900	1,297	1,043	1,202
15,900	15,950	873	686	780	18,900	18,950	1,087	866	992	21,900	21,950	1,301	1,046	1,206
15,950	16,000	877	689	783	18,950	19,000	1,091	869	996	21,950	22,000	1,304	1,049	1,209
<b>16,000</b>		Your New York State tax is:			<b>19,000</b>		Your New York State tax is:			<b>22,000</b>		Your New York State tax is:		
16,000	16,050	881	692	787	19,000	19,050	1,094	872	999	22,000	22,050	1,308	1,052	1,213
16,050	16,100	884	695	790	19,050	19,100	1,098	875	1,003	22,050	22,100	1,312	1,055	1,217
16,100	16,150	888	698	794	19,100	19,150	1,101	878	1,006	22,100	22,150	1,315	1,059	1,220
16,150	16,200	891	701	797	19,150	19,200	1,105	881	1,010	22,150	22,200	1,319	1,062	1,224
16,200	16,250	895	704	801	19,200	19,250	1,109	884	1,014	22,200	22,250	1,322	1,066	1,227
16,250	16,300	898	707	804	19,250	19,300	1,112	887	1,017	22,250	22,300	1,326	1,069	1,231
16,300	16,350	902	710	808	19,300	19,350	1,116	890	1,021	22,300	22,350	1,329	1,073	1,234
16,350	16,400	905	713	811	19,350	19,400	1,119	893	1,024	22,350	22,400	1,333	1,076	1,238
16,400	16,450	909	716	815	19,400	19,450	1,123	896	1,028	22,400	22,450	1,337	1,080	1,242
16,450	16,500	913	719	818	19,450	19,500	1,126	899	1,031	22,450	22,500	1,340	1,083	1,245
16,500	16,550	916	722	822	19,500	19,550	1,130	902	1,035	22,500	22,550	1,344	1,087	1,249
16,550	16,600	920	725	825	19,550	19,600	1,133	905	1,038	22,550	22,600	1,347	1,090	1,252
16,600	16,650	923	728	829	19,600	19,650	1,137	908	1,042	22,600	22,650	1,351	1,094	1,256
16,650	16,700	927	731	832	19,650	19,700	1,141	911	1,046	22,650	22,700	1,354	1,097	1,259
16,700	16,750	930	734	836	19,700	19,750	1,144	914	1,049	22,700	22,750	1,358	1,101	1,263
16,750	16,800	934	737	839	19,750	19,800	1,148	917	1,053	22,750	22,800	1,361	1,104	1,266
16,800	16,850	938	740	843	19,800	19,850	1,151	920	1,056	22,800	22,850	1,365	1,108	1,270
16,850	16,900	941	743	846	19,850	19,900	1,155	923	1,060	22,850	22,900	1,369	1,111	1,274
16,900	16,950	945	746	850	19,900	19,950	1,158	926	1,063	22,900	22,950	1,372	1,115	1,277
16,950	17,000	948	749	853	19,950	20,000	1,162	929	1,067	22,950	23,000	1,376	1,118	1,281
<b>17,000</b>		Your New York State tax is:			<b>20,000</b>		Your New York State tax is:			<b>23,000</b>		Your New York State tax is:		
17,000	17,050	952	752	857	20,000	20,050	1,166	932	1,071	23,000	23,050	1,379	1,122	1,284
17,050	17,100	955	755	860	20,050	20,100	1,169	935	1,074	23,050	23,100	1,383	1,125	1,288
17,100	17,150	959	758	864	20,100	20,150	1,173	938	1,078	23,100	23,150	1,386	1,129	1,291
17,150	17,200	962	761	867	20,150	20,200	1,176	941	1,081	23,150	23,200	1,390	1,132	1,295
17,200	17,250	966	764	871	20,200	20,250	1,180	944	1,085	23,200	23,250	1,394	1,136	1,299
17,250	17,300	970	767	875	20,250	20,300	1,183	947	1,088	23,250	23,300	1,397	1,139	1,302
17,300	17,350	973	770	878	20,300	20,350	1,187	950	1,092	23,300	23,350	1,401	1,143	1,306
17,350	17,400	977	773	882	20,350	20,400	1,190	953	1,095	23,350	23,400	1,404	1,146	1,309
17,400	17,450	980	776	885	20,400	20,450	1,194	956	1,099	23,400	23,450	1,408	1,150	1,313
17,450	17,500	984	779	889	20,450	20,500	1,198	959	1,103	23,450	23,500	1,411	1,153	1,316
17,500	17,550	987	782	892	20,500	20,550	1,201	962	1,106	23,500	23,550	1,415	1,157	1,320
17,550	17,600	991	785	896	20,550	20,600	1,205	965	1,110	23,550	23,600	1,418	1,160	1,323
17,600	17,650	995	788	900	20,600	20,650	1,208	968	1,113	23,600	23,650	1,422	1,164	1,327
17,650	17,700	998	791	903	20,650	20,700	1,212	971	1,117	23,650	23,700	1,426	1,167	1,331
17,700	17,750	1,002	794	907	20,700	20,750	1,215	974	1,120	23,700	23,750	1,429	1,171	1,334
17,750	17,800	1,005	797	910	20,750	20,800	1,219	977	1,124	23,750	23,800	1,433	1,174	1,338
17,800	17,850	1,009	800	914	20,800	20,850	1,223	980	1,128	23,800	23,850	1,436	1,178	1,341
17,850	17,900	1,012	803	917	20,850	20,900	1,226	983	1,131	23,850	23,900	1,440	1,181	1,345
17,900	17,950	1,016	806	921	20,900	20,950	1,230	986	1,135	23,900	23,950	1,443	1,185	1,348
17,950	18,000	1,019	809	924	20,950	21,000	1,233	989	1,138	23,950	24,000	1,447	1,188	1,352

\* This column must also be used by a qualifying widow(er)



If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -		
At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household
<b>24,000</b>		Your New York State tax is:			<b>27,000</b>		Your New York State tax is:			<b>30,000</b>		Your New York State tax is:		
24,000	24,050	1,451	1,192	1,356	27,000	27,050	1,664	1,403	1,569	30,000	30,050	1,878	1,617	1,783
24,050	24,100	1,454	1,195	1,359	27,050	27,100	1,668	1,407	1,573	30,050	30,100	1,882	1,620	1,787
24,100	24,150	1,458	1,199	1,363	27,100	27,150	1,671	1,410	1,576	30,100	30,150	1,885	1,624	1,790
24,150	24,200	1,461	1,202	1,366	27,150	27,200	1,675	1,414	1,580	30,150	30,200	1,889	1,627	1,794
24,200	24,250	1,465	1,206	1,370	27,200	27,250	1,679	1,417	1,584	30,200	30,250	1,892	1,631	1,797
24,250	24,300	1,468	1,209	1,373	27,250	27,300	1,682	1,421	1,587	30,250	30,300	1,896	1,635	1,801
24,300	24,350	1,472	1,213	1,377	27,300	27,350	1,686	1,424	1,591	30,300	30,350	1,899	1,638	1,804
24,350	24,400	1,475	1,216	1,380	27,350	27,400	1,689	1,428	1,594	30,350	30,400	1,903	1,642	1,808
24,400	24,450	1,479	1,220	1,384	27,400	27,450	1,693	1,432	1,598	30,400	30,450	1,907	1,645	1,812
24,450	24,500	1,483	1,223	1,388	27,450	27,500	1,696	1,435	1,601	30,450	30,500	1,910	1,649	1,815
24,500	24,550	1,486	1,227	1,391	27,500	27,550	1,700	1,439	1,605	30,500	30,550	1,914	1,652	1,819
24,550	24,600	1,490	1,230	1,395	27,550	27,600	1,703	1,442	1,608	30,550	30,600	1,917	1,656	1,822
24,600	24,650	1,493	1,234	1,398	27,600	27,650	1,707	1,446	1,612	30,600	30,650	1,921	1,660	1,826
24,650	24,700	1,497	1,237	1,402	27,650	27,700	1,711	1,449	1,616	30,650	30,700	1,924	1,663	1,829
24,700	24,750	1,500	1,241	1,405	27,700	27,750	1,714	1,453	1,619	30,700	30,750	1,928	1,667	1,833
24,750	24,800	1,504	1,244	1,409	27,750	27,800	1,718	1,456	1,623	30,750	30,800	1,931	1,670	1,836
24,800	24,850	1,508	1,248	1,413	27,800	27,850	1,721	1,460	1,626	30,800	30,850	1,935	1,674	1,840
24,850	24,900	1,511	1,251	1,416	27,850	27,900	1,725	1,464	1,630	30,850	30,900	1,939	1,677	1,844
24,900	24,950	1,515	1,255	1,420	27,900	27,950	1,728	1,467	1,633	30,900	30,950	1,942	1,681	1,847
24,950	25,000	1,518	1,258	1,423	27,950	28,000	1,732	1,471	1,637	30,950	31,000	1,946	1,684	1,851
<b>25,000</b>		Your New York State tax is:			<b>28,000</b>		Your New York State tax is:			<b>31,000</b>		Your New York State tax is:		
25,000	25,050	1,522	1,262	1,427	28,000	28,050	1,736	1,474	1,641	31,000	31,050	1,949	1,688	1,854
25,050	25,100	1,525	1,265	1,430	28,050	28,100	1,739	1,478	1,644	31,050	31,100	1,953	1,692	1,858
25,100	25,150	1,529	1,269	1,434	28,100	28,150	1,743	1,481	1,648	31,100	31,150	1,956	1,695	1,861
25,150	25,200	1,532	1,272	1,437	28,150	28,200	1,746	1,485	1,651	31,150	31,200	1,960	1,699	1,865
25,200	25,250	1,536	1,276	1,441	28,200	28,250	1,750	1,489	1,655	31,200	31,250	1,964	1,702	1,869
25,250	25,300	1,540	1,279	1,445	28,250	28,300	1,753	1,492	1,658	31,250	31,300	1,967	1,706	1,872
25,300	25,350	1,543	1,283	1,448	28,300	28,350	1,757	1,496	1,662	31,300	31,350	1,971	1,709	1,876
25,350	25,400	1,547	1,286	1,452	28,350	28,400	1,760	1,499	1,665	31,350	31,400	1,974	1,713	1,879
25,400	25,450	1,550	1,290	1,455	28,400	28,450	1,764	1,503	1,669	31,400	31,450	1,978	1,717	1,883
25,450	25,500	1,554	1,293	1,459	28,450	28,500	1,768	1,506	1,673	31,450	31,500	1,981	1,720	1,886
25,500	25,550	1,557	1,297	1,462	28,500	28,550	1,771	1,510	1,676	31,500	31,550	1,985	1,724	1,890
25,550	25,600	1,561	1,300	1,466	28,550	28,600	1,775	1,513	1,680	31,550	31,600	1,988	1,727	1,893
25,600	25,650	1,565	1,304	1,470	28,600	28,650	1,778	1,517	1,683	31,600	31,650	1,992	1,731	1,897
25,650	25,700	1,568	1,307	1,473	28,650	28,700	1,782	1,521	1,687	31,650	31,700	1,996	1,734	1,901
25,700	25,750	1,572	1,311	1,477	28,700	28,750	1,785	1,524	1,690	31,700	31,750	1,999	1,738	1,904
25,750	25,800	1,575	1,314	1,480	28,750	28,800	1,789	1,528	1,694	31,750	31,800	2,003	1,741	1,908
25,800	25,850	1,579	1,318	1,484	28,800	28,850	1,793	1,531	1,698	31,800	31,850	2,006	1,745	1,911
25,850	25,900	1,582	1,321	1,487	28,850	28,900	1,796	1,535	1,701	31,850	31,900	2,010	1,749	1,915
25,900	25,950	1,586	1,325	1,491	28,900	28,950	1,800	1,538	1,705	31,900	31,950	2,013	1,752	1,918
25,950	26,000	1,589	1,328	1,494	28,950	29,000	1,803	1,542	1,708	31,950	32,000	2,017	1,756	1,922
<b>26,000</b>		Your New York State tax is:			<b>29,000</b>		Your New York State tax is:			<b>32,000</b>		Your New York State tax is:		
26,000	26,050	1,593	1,332	1,498	29,000	29,050	1,807	1,546	1,712	32,000	32,050	2,021	1,759	1,926
26,050	26,100	1,597	1,335	1,502	29,050	29,100	1,810	1,549	1,715	32,050	32,100	2,024	1,763	1,929
26,100	26,150	1,600	1,339	1,505	29,100	29,150	1,814	1,553	1,719	32,100	32,150	2,028	1,766	1,933
26,150	26,200	1,604	1,342	1,509	29,150	29,200	1,817	1,556	1,722	32,150	32,200	2,031	1,770	1,936
26,200	26,250	1,607	1,346	1,512	29,200	29,250	1,821	1,560	1,726	32,200	32,250	2,035	1,774	1,940
26,250	26,300	1,611	1,350	1,516	29,250	29,300	1,825	1,563	1,730	32,250	32,300	2,038	1,777	1,943
26,300	26,350	1,614	1,353	1,519	29,300	29,350	1,828	1,567	1,733	32,300	32,350	2,042	1,781	1,947
26,350	26,400	1,618	1,357	1,523	29,350	29,400	1,832	1,570	1,737	32,350	32,400	2,045	1,784	1,950
26,400	26,450	1,622	1,360	1,527	29,400	29,450	1,835	1,574	1,740	32,400	32,450	2,049	1,788	1,954
26,450	26,500	1,625	1,364	1,530	29,450	29,500	1,839	1,578	1,744	32,450	32,500	2,053	1,791	1,958
26,500	26,550	1,629	1,367	1,534	29,500	29,550	1,842	1,581	1,747	32,500	32,550	2,056	1,795	1,961
26,550	26,600	1,632	1,371	1,537	29,550	29,600	1,846	1,585	1,751	32,550	32,600	2,060	1,798	1,965
26,600	26,650	1,636	1,375	1,541	29,600	29,650	1,850	1,588	1,755	32,600	32,650	2,063	1,802	1,968
26,650	26,700	1,639	1,378	1,544	29,650	29,700	1,853	1,592	1,758	32,650	32,700	2,067	1,806	1,972
26,700	26,750	1,643	1,382	1,548	29,700	29,750	1,857	1,595	1,762	32,700	32,750	2,070	1,809	1,975
26,750	26,800	1,646	1,385	1,551	29,750	29,800	1,860	1,599	1,765	32,750	32,800	2,074	1,813	1,979
26,800	26,850	1,650	1,389	1,555	29,800	29,850	1,864	1,603	1,769	32,800	32,850	2,078	1,816	1,983
26,850	26,900	1,654	1,392	1,559	29,850	29,900	1,867	1,606	1,772	32,850	32,900	2,081	1,820	1,986
26,900	26,950	1,657	1,396	1,562	29,900	29,950	1,871	1,610	1,776	32,900	32,950	2,085	1,823	1,990
26,950	27,000	1,661	1,399	1,566	29,950	30,000	1,874	1,613	1,779	32,950	33,000	2,088	1,827	1,993

\* This column must also be used by a qualifying widow(er)



1996 New York State Tax Table

\$33,000 - \$41,999

If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -		
At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household
<b>33,000</b>		Your New York State tax is:			<b>36,000</b>		Your New York State tax is:			<b>39,000</b>		Your New York State tax is:		
33,000	33,050	2,092	1,831	1,997	36,000	36,050	2,306	2,044	2,211	39,000	39,050	2,519	2,258	2,424
33,050	33,100	2,095	1,834	2,000	36,050	36,100	2,309	2,048	2,214	39,050	39,100	2,523	2,262	2,428
33,100	33,150	2,099	1,838	2,004	36,100	36,150	2,313	2,051	2,218	39,100	39,150	2,526	2,265	2,431
33,150	33,200	2,102	1,841	2,007	36,150	36,200	2,316	2,055	2,221	39,150	39,200	2,530	2,269	2,435
33,200	33,250	2,106	1,845	2,011	36,200	36,250	2,320	2,059	2,225	39,200	39,250	2,534	2,272	2,439
33,250	33,300	2,110	1,848	2,015	36,250	36,300	2,323	2,062	2,228	39,250	39,300	2,537	2,276	2,442
33,300	33,350	2,113	1,852	2,018	36,300	36,350	2,327	2,066	2,232	39,300	39,350	2,541	2,279	2,446
33,350	33,400	2,117	1,855	2,022	36,350	36,400	2,330	2,069	2,235	39,350	39,400	2,544	2,283	2,449
33,400	33,450	2,120	1,859	2,025	36,400	36,450	2,334	2,073	2,239	39,400	39,450	2,548	2,287	2,453
33,450	33,500	2,124	1,863	2,029	36,450	36,500	2,338	2,076	2,243	39,450	39,500	2,551	2,290	2,456
33,500	33,550	2,127	1,866	2,032	36,500	36,550	2,341	2,080	2,246	39,500	39,550	2,555	2,294	2,460
33,550	33,600	2,131	1,870	2,036	36,550	36,600	2,345	2,083	2,250	39,550	39,600	2,558	2,297	2,463
33,600	33,650	2,135	1,873	2,040	36,600	36,650	2,348	2,087	2,253	39,600	39,650	2,562	2,301	2,467
33,650	33,700	2,138	1,877	2,043	36,650	36,700	2,352	2,091	2,257	39,650	39,700	2,566	2,304	2,471
33,700	33,750	2,142	1,880	2,047	36,700	36,750	2,355	2,094	2,260	39,700	39,750	2,569	2,308	2,474
33,750	33,800	2,145	1,884	2,050	36,750	36,800	2,359	2,098	2,264	39,750	39,800	2,573	2,311	2,478
33,800	33,850	2,149	1,888	2,054	36,800	36,850	2,363	2,101	2,268	39,800	39,850	2,576	2,315	2,481
33,850	33,900	2,152	1,891	2,057	36,850	36,900	2,366	2,105	2,271	39,850	39,900	2,580	2,319	2,485
33,900	33,950	2,156	1,895	2,061	36,900	36,950	2,370	2,108	2,275	39,900	39,950	2,583	2,322	2,488
33,950	34,000	2,159	1,898	2,064	36,950	37,000	2,373	2,112	2,278	39,950	40,000	2,587	2,326	2,492
<b>34,000</b>		Your New York State tax is:			<b>37,000</b>		Your New York State tax is:			<b>40,000</b>		Your New York State tax is:		
34,000	34,050	2,163	1,902	2,068	37,000	37,050	2,377	2,116	2,282	40,000	40,050	2,591	2,329	2,496
34,050	34,100	2,167	1,905	2,072	37,050	37,100	2,380	2,119	2,285	40,050	40,100	2,594	2,333	2,499
34,100	34,150	2,170	1,909	2,075	37,100	37,150	2,384	2,123	2,289	40,100	40,150	2,598	2,336	2,503
34,150	34,200	2,174	1,912	2,079	37,150	37,200	2,387	2,126	2,292	40,150	40,200	2,601	2,340	2,506
34,200	34,250	2,177	1,916	2,082	37,200	37,250	2,391	2,130	2,296	40,200	40,250	2,605	2,344	2,510
34,250	34,300	2,181	1,920	2,086	37,250	37,300	2,395	2,133	2,300	40,250	40,300	2,608	2,347	2,513
34,300	34,350	2,184	1,923	2,089	37,300	37,350	2,398	2,137	2,303	40,300	40,350	2,612	2,351	2,517
34,350	34,400	2,188	1,927	2,093	37,350	37,400	2,402	2,140	2,307	40,350	40,400	2,615	2,354	2,520
34,400	34,450	2,192	1,930	2,097	37,400	37,450	2,405	2,144	2,310	40,400	40,450	2,619	2,358	2,524
34,450	34,500	2,195	1,934	2,100	37,450	37,500	2,409	2,148	2,314	40,450	40,500	2,623	2,361	2,528
34,500	34,550	2,199	1,937	2,104	37,500	37,550	2,412	2,151	2,317	40,500	40,550	2,626	2,365	2,531
34,550	34,600	2,202	1,941	2,107	37,550	37,600	2,416	2,155	2,321	40,550	40,600	2,630	2,368	2,535
34,600	34,650	2,206	1,945	2,111	37,600	37,650	2,420	2,158	2,325	40,600	40,650	2,633	2,372	2,538
34,650	34,700	2,209	1,948	2,114	37,650	37,700	2,423	2,162	2,328	40,650	40,700	2,637	2,376	2,542
34,700	34,750	2,213	1,952	2,118	37,700	37,750	2,427	2,165	2,332	40,700	40,750	2,640	2,379	2,545
34,750	34,800	2,216	1,955	2,121	37,750	37,800	2,430	2,169	2,335	40,750	40,800	2,644	2,383	2,549
34,800	34,850	2,220	1,959	2,125	37,800	37,850	2,434	2,173	2,339	40,800	40,850	2,648	2,386	2,553
34,850	34,900	2,224	1,962	2,129	37,850	37,900	2,437	2,176	2,342	40,850	40,900	2,651	2,390	2,556
34,900	34,950	2,227	1,966	2,132	37,900	37,950	2,441	2,180	2,346	40,900	40,950	2,655	2,393	2,560
34,950	35,000	2,231	1,969	2,136	37,950	38,000	2,444	2,183	2,349	40,950	41,000	2,658	2,397	2,563
<b>35,000</b>		Your New York State tax is:			<b>38,000</b>		Your New York State tax is:			<b>41,000</b>		Your New York State tax is:		
35,000	35,050	2,234	1,973	2,139	38,000	38,050	2,448	2,187	2,353	41,000	41,050	2,662	2,401	2,567
35,050	35,100	2,238	1,977	2,143	38,050	38,100	2,452	2,190	2,357	41,050	41,100	2,665	2,404	2,570
35,100	35,150	2,241	1,980	2,146	38,100	38,150	2,455	2,194	2,360	41,100	41,150	2,669	2,408	2,574
35,150	35,200	2,245	1,984	2,150	38,150	38,200	2,459	2,197	2,364	41,150	41,200	2,672	2,411	2,577
35,200	35,250	2,249	1,987	2,154	38,200	38,250	2,462	2,201	2,367	41,200	41,250	2,676	2,415	2,581
35,250	35,300	2,252	1,991	2,157	38,250	38,300	2,466	2,205	2,371	41,250	41,300	2,680	2,418	2,585
35,300	35,350	2,256	1,994	2,161	38,300	38,350	2,469	2,208	2,374	41,300	41,350	2,683	2,422	2,588
35,350	35,400	2,259	1,998	2,164	38,350	38,400	2,473	2,212	2,378	41,350	41,400	2,687	2,425	2,592
35,400	35,450	2,263	2,002	2,168	38,400	38,450	2,477	2,215	2,382	41,400	41,450	2,690	2,429	2,595
35,450	35,500	2,266	2,005	2,171	38,450	38,500	2,480	2,219	2,385	41,450	41,500	2,694	2,433	2,599
35,500	35,550	2,270	2,009	2,175	38,500	38,550	2,484	2,222	2,389	41,500	41,550	2,697	2,436	2,602
35,550	35,600	2,273	2,012	2,178	38,550	38,600	2,487	2,226	2,392	41,550	41,600	2,701	2,440	2,606
35,600	35,650	2,277	2,016	2,182	38,600	38,650	2,491	2,230	2,396	41,600	41,650	2,705	2,443	2,610
35,650	35,700	2,281	2,019	2,186	38,650	38,700	2,494	2,233	2,399	41,650	41,700	2,708	2,447	2,613
35,700	35,750	2,284	2,023	2,189	38,700	38,750	2,498	2,237	2,403	41,700	41,750	2,712	2,450	2,617
35,750	35,800	2,288	2,026	2,193	38,750	38,800	2,501	2,240	2,406	41,750	41,800	2,715	2,454	2,620
35,800	35,850	2,291	2,030	2,196	38,800	38,850	2,505	2,244	2,410	41,800	41,850	2,719	2,458	2,624
35,850	35,900	2,295	2,034	2,200	38,850	38,900	2,509	2,247	2,414	41,850	41,900	2,722	2,461	2,627
35,900	35,950	2,298	2,037	2,203	38,900	38,950	2,512	2,251	2,417	41,900	41,950	2,726	2,465	2,631
35,950	36,000	2,302	2,041	2,207	38,950	39,000	2,516	2,254	2,421	41,950	42,000	2,729	2,468	2,634

\* This column must also be used by a qualifying widow(er)



If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -		
At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household
<b>42,000</b>		Your New York State tax is:			<b>45,000</b>		Your New York State tax is:			<b>48,000</b>		Your New York State tax is:		
42,000	42,050	2,733	2,472	2,638	45,000	45,050	2,947	2,686	2,852	48,000	48,050	3,161	2,899	3,066
42,050	42,100	2,737	2,475	2,642	45,050	45,100	2,950	2,689	2,855	48,050	48,100	3,164	2,903	3,069
42,100	42,150	2,740	2,479	2,645	45,100	45,150	2,954	2,693	2,859	48,100	48,150	3,168	2,906	3,073
42,150	42,200	2,744	2,482	2,649	45,150	45,200	2,957	2,696	2,862	48,150	48,200	3,171	2,910	3,076
42,200	42,250	2,747	2,486	2,652	45,200	45,250	2,961	2,700	2,866	48,200	48,250	3,175	2,914	3,080
42,250	42,300	2,751	2,490	2,656	45,250	45,300	2,965	2,703	2,870	48,250	48,300	3,178	2,917	3,083
42,300	42,350	2,754	2,493	2,659	45,300	45,350	2,968	2,707	2,873	48,300	48,350	3,182	2,921	3,087
42,350	42,400	2,758	2,497	2,663	45,350	45,400	2,972	2,710	2,877	48,350	48,400	3,185	2,924	3,090
42,400	42,450	2,762	2,500	2,667	45,400	45,450	2,975	2,714	2,880	48,400	48,450	3,189	2,928	3,094
42,450	42,500	2,765	2,504	2,670	45,450	45,500	2,979	2,718	2,884	48,450	48,500	3,193	2,931	3,098
42,500	42,550	2,769	2,507	2,674	45,500	45,550	2,982	2,721	2,887	48,500	48,550	3,196	2,935	3,101
42,550	42,600	2,772	2,511	2,677	45,550	45,600	2,986	2,725	2,891	48,550	48,600	3,200	2,938	3,105
42,600	42,650	2,776	2,515	2,681	45,600	45,650	2,990	2,728	2,895	48,600	48,650	3,203	2,942	3,108
42,650	42,700	2,779	2,518	2,684	45,650	45,700	2,993	2,732	2,898	48,650	48,700	3,207	2,946	3,112
42,700	42,750	2,783	2,522	2,688	45,700	45,750	2,997	2,735	2,902	48,700	48,750	3,210	2,949	3,115
42,750	42,800	2,786	2,525	2,691	45,750	45,800	3,000	2,739	2,905	48,750	48,800	3,214	2,953	3,119
42,800	42,850	2,790	2,529	2,695	45,800	45,850	3,004	2,743	2,909	48,800	48,850	3,218	2,956	3,123
42,850	42,900	2,794	2,532	2,699	45,850	45,900	3,007	2,746	2,912	48,850	48,900	3,221	2,960	3,126
42,900	42,950	2,797	2,536	2,702	45,900	45,950	3,011	2,750	2,916	48,900	48,950	3,225	2,963	3,130
42,950	43,000	2,801	2,539	2,706	45,950	46,000	3,014	2,753	2,919	48,950	49,000	3,228	2,967	3,133
<b>43,000</b>		Your New York State tax is:			<b>46,000</b>		Your New York State tax is:			<b>49,000</b>		Your New York State tax is:		
43,000	43,050	2,804	2,543	2,709	46,000	46,050	3,018	2,757	2,923	49,000	49,050	3,232	2,971	3,137
43,050	43,100	2,808	2,547	2,713	46,050	46,100	3,022	2,760	2,927	49,050	49,100	3,235	2,974	3,140
43,100	43,150	2,811	2,550	2,716	46,100	46,150	3,025	2,764	2,930	49,100	49,150	3,239	2,978	3,144
43,150	43,200	2,815	2,554	2,720	46,150	46,200	3,029	2,767	2,934	49,150	49,200	3,242	2,981	3,147
43,200	43,250	2,819	2,557	2,724	46,200	46,250	3,032	2,771	2,937	49,200	49,250	3,246	2,985	3,151
43,250	43,300	2,822	2,561	2,727	46,250	46,300	3,036	2,775	2,941	49,250	49,300	3,250	2,988	3,155
43,300	43,350	2,826	2,564	2,731	46,300	46,350	3,039	2,778	2,944	49,300	49,350	3,253	2,992	3,158
43,350	43,400	2,829	2,568	2,734	46,350	46,400	3,043	2,782	2,948	49,350	49,400	3,257	2,995	3,162
43,400	43,450	2,833	2,572	2,738	46,400	46,450	3,047	2,785	2,952	49,400	49,450	3,260	2,999	3,165
43,450	43,500	2,836	2,575	2,741	46,450	46,500	3,050	2,789	2,955	49,450	49,500	3,264	3,003	3,169
43,500	43,550	2,840	2,579	2,745	46,500	46,550	3,054	2,792	2,959	49,500	49,550	3,267	3,006	3,172
43,550	43,600	2,843	2,582	2,748	46,550	46,600	3,057	2,796	2,962	49,550	49,600	3,271	3,010	3,176
43,600	43,650	2,847	2,586	2,752	46,600	46,650	3,061	2,800	2,966	49,600	49,650	3,275	3,013	3,180
43,650	43,700	2,851	2,589	2,756	46,650	46,700	3,064	2,803	2,969	49,650	49,700	3,278	3,017	3,183
43,700	43,750	2,854	2,593	2,759	46,700	46,750	3,068	2,807	2,973	49,700	49,750	3,282	3,020	3,187
43,750	43,800	2,858	2,596	2,763	46,750	46,800	3,071	2,810	2,976	49,750	49,800	3,285	3,024	3,190
43,800	43,850	2,861	2,600	2,766	46,800	46,850	3,075	2,814	2,980	49,800	49,850	3,289	3,028	3,194
43,850	43,900	2,865	2,604	2,770	46,850	46,900	3,079	2,817	2,984	49,850	49,900	3,292	3,031	3,197
43,900	43,950	2,868	2,607	2,773	46,900	46,950	3,082	2,821	2,987	49,900	49,950	3,296	3,035	3,201
43,950	44,000	2,872	2,611	2,777	46,950	47,000	3,086	2,824	2,991	49,950	50,000	3,299	3,038	3,204
<b>44,000</b>		Your New York State tax is:			<b>47,000</b>		Your New York State tax is:			<b>50,000</b>		Your New York State tax is:		
44,000	44,050	2,876	2,614	2,781	47,000	47,050	3,089	2,828	2,994	50,000	50,050	3,303	3,042	3,208
44,050	44,100	2,879	2,618	2,784	47,050	47,100	3,093	2,832	2,998	50,050	50,100	3,307	3,045	3,212
44,100	44,150	2,883	2,621	2,788	47,100	47,150	3,096	2,835	3,001	50,100	50,150	3,310	3,049	3,215
44,150	44,200	2,886	2,625	2,791	47,150	47,200	3,100	2,839	3,005	50,150	50,200	3,314	3,052	3,219
44,200	44,250	2,890	2,629	2,795	47,200	47,250	3,104	2,842	3,009	50,200	50,250	3,317	3,056	3,222
44,250	44,300	2,893	2,632	2,798	47,250	47,300	3,107	2,846	3,012	50,250	50,300	3,321	3,060	3,226
44,300	44,350	2,897	2,636	2,802	47,300	47,350	3,111	2,849	3,016	50,300	50,350	3,324	3,063	3,229
44,350	44,400	2,900	2,639	2,805	47,350	47,400	3,114	2,853	3,019	50,350	50,400	3,328	3,067	3,233
44,400	44,450	2,904	2,643	2,809	47,400	47,450	3,118	2,857	3,023	50,400	50,450	3,332	3,070	3,237
44,450	44,500	2,908	2,646	2,813	47,450	47,500	3,121	2,860	3,026	50,450	50,500	3,335	3,074	3,240
44,500	44,550	2,911	2,650	2,816	47,500	47,550	3,125	2,864	3,030	50,500	50,550	3,339	3,077	3,244
44,550	44,600	2,915	2,653	2,820	47,550	47,600	3,128	2,867	3,033	50,550	50,600	3,342	3,081	3,247
44,600	44,650	2,918	2,657	2,823	47,600	47,650	3,132	2,871	3,037	50,600	50,650	3,346	3,085	3,251
44,650	44,700	2,922	2,661	2,827	47,650	47,700	3,136	2,874	3,041	50,650	50,700	3,349	3,088	3,254
44,700	44,750	2,925	2,664	2,830	47,700	47,750	3,139	2,878	3,044	50,700	50,750	3,353	3,092	3,258
44,750	44,800	2,929	2,668	2,834	47,750	47,800	3,143	2,881	3,048	50,750	50,800	3,356	3,095	3,261
44,800	44,850	2,933	2,671	2,838	47,800	47,850	3,146	2,885	3,051	50,800	50,850	3,360	3,099	3,265
44,850	44,900	2,936	2,675	2,841	47,850	47,900	3,150	2,889	3,055	50,850	50,900	3,364	3,102	3,269
44,900	44,950	2,940	2,678	2,845	47,900	47,950	3,153	2,892	3,058	50,900	50,950	3,367	3,106	3,272
44,950	45,000	2,943	2,682	2,848	47,950	48,000	3,157	2,896	3,062	50,950	51,000	3,371	3,109	3,276

\* This column must also be used by a qualifying widow(er)



1996 New York State Tax Table

\$51,000 - \$59,999

If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -		
At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household
<b>51,000</b>		Your New York State tax is:			<b>54,000</b>		Your New York State tax is:			<b>57,000</b>		Your New York State tax is:		
51,000	51,050	3,374	3,113	3,279	54,000	54,050	3,588	3,327	3,493	57,000	57,050	3,802	3,541	3,707
51,050	51,100	3,378	3,117	3,283	54,050	54,100	3,592	3,330	3,497	57,050	57,100	3,805	3,544	3,710
51,100	51,150	3,381	3,120	3,286	54,100	54,150	3,595	3,334	3,500	57,100	57,150	3,809	3,548	3,714
51,150	51,200	3,385	3,124	3,290	54,150	54,200	3,599	3,337	3,504	57,150	57,200	3,812	3,551	3,717
51,200	51,250	3,389	3,127	3,294	54,200	54,250	3,602	3,341	3,507	57,200	57,250	3,816	3,555	3,721
51,250	51,300	3,392	3,131	3,297	54,250	54,300	3,606	3,345	3,511	57,250	57,300	3,820	3,558	3,725
51,300	51,350	3,396	3,134	3,301	54,300	54,350	3,609	3,348	3,514	57,300	57,350	3,823	3,562	3,728
51,350	51,400	3,399	3,138	3,304	54,350	54,400	3,613	3,352	3,518	57,350	57,400	3,827	3,565	3,732
51,400	51,450	3,403	3,142	3,308	54,400	54,450	3,617	3,355	3,522	57,400	57,450	3,830	3,569	3,735
51,450	51,500	3,406	3,145	3,311	54,450	54,500	3,620	3,359	3,525	57,450	57,500	3,834	3,573	3,739
51,500	51,550	3,410	3,149	3,315	54,500	54,550	3,624	3,362	3,529	57,500	57,550	3,837	3,576	3,742
51,550	51,600	3,413	3,152	3,318	54,550	54,600	3,627	3,366	3,532	57,550	57,600	3,841	3,580	3,746
51,600	51,650	3,417	3,156	3,322	54,600	54,650	3,631	3,370	3,536	57,600	57,650	3,845	3,583	3,750
51,650	51,700	3,421	3,159	3,326	54,650	54,700	3,634	3,373	3,539	57,650	57,700	3,848	3,587	3,753
51,700	51,750	3,424	3,163	3,329	54,700	54,750	3,638	3,377	3,543	57,700	57,750	3,852	3,590	3,757
51,750	51,800	3,428	3,166	3,333	54,750	54,800	3,641	3,380	3,546	57,750	57,800	3,855	3,594	3,760
51,800	51,850	3,431	3,170	3,336	54,800	54,850	3,645	3,384	3,550	57,800	57,850	3,859	3,598	3,764
51,850	51,900	3,435	3,174	3,340	54,850	54,900	3,649	3,387	3,554	57,850	57,900	3,862	3,601	3,767
51,900	51,950	3,438	3,177	3,343	54,900	54,950	3,652	3,391	3,557	57,900	57,950	3,866	3,605	3,771
51,950	52,000	3,442	3,181	3,347	54,950	55,000	3,656	3,394	3,561	57,950	58,000	3,869	3,608	3,774
<b>52,000</b>		Your New York State tax is:			<b>55,000</b>		Your New York State tax is:			<b>58,000</b>		Your New York State tax is:		
52,000	52,050	3,446	3,184	3,351	55,000	55,050	3,659	3,398	3,564	58,000	58,050	3,873	3,612	3,778
52,050	52,100	3,449	3,188	3,354	55,050	55,100	3,663	3,402	3,568	58,050	58,100	3,877	3,615	3,782
52,100	52,150	3,453	3,191	3,358	55,100	55,150	3,666	3,405	3,571	58,100	58,150	3,880	3,619	3,785
52,150	52,200	3,456	3,195	3,361	55,150	55,200	3,670	3,409	3,575	58,150	58,200	3,884	3,622	3,789
52,200	52,250	3,460	3,199	3,365	55,200	55,250	3,674	3,412	3,579	58,200	58,250	3,887	3,626	3,792
52,250	52,300	3,463	3,202	3,368	55,250	55,300	3,677	3,416	3,582	58,250	58,300	3,891	3,630	3,796
52,300	52,350	3,467	3,206	3,372	55,300	55,350	3,681	3,419	3,586	58,300	58,350	3,894	3,633	3,799
52,350	52,400	3,470	3,209	3,375	55,350	55,400	3,684	3,423	3,589	58,350	58,400	3,898	3,637	3,803
52,400	52,450	3,474	3,213	3,379	55,400	55,450	3,688	3,427	3,593	58,400	58,450	3,902	3,640	3,807
52,450	52,500	3,478	3,216	3,383	55,450	55,500	3,691	3,430	3,596	58,450	58,500	3,905	3,644	3,810
52,500	52,550	3,481	3,220	3,386	55,500	55,550	3,695	3,434	3,600	58,500	58,550	3,909	3,647	3,814
52,550	52,600	3,485	3,223	3,390	55,550	55,600	3,698	3,437	3,603	58,550	58,600	3,912	3,651	3,817
52,600	52,650	3,488	3,227	3,393	55,600	55,650	3,702	3,441	3,607	58,600	58,650	3,916	3,655	3,821
52,650	52,700	3,492	3,231	3,397	55,650	55,700	3,706	3,444	3,611	58,650	58,700	3,919	3,658	3,824
52,700	52,750	3,495	3,234	3,400	55,700	55,750	3,709	3,448	3,614	58,700	58,750	3,923	3,662	3,828
52,750	52,800	3,499	3,238	3,404	55,750	55,800	3,713	3,451	3,618	58,750	58,800	3,926	3,665	3,831
52,800	52,850	3,503	3,241	3,408	55,800	55,850	3,716	3,455	3,621	58,800	58,850	3,930	3,669	3,835
52,850	52,900	3,506	3,245	3,411	55,850	55,900	3,720	3,459	3,625	58,850	58,900	3,934	3,672	3,839
52,900	52,950	3,510	3,248	3,415	55,900	55,950	3,723	3,462	3,628	58,900	58,950	3,937	3,676	3,842
52,950	53,000	3,513	3,252	3,418	55,950	56,000	3,727	3,466	3,632	58,950	59,000	3,941	3,679	3,846
<b>53,000</b>		Your New York State tax is:			<b>56,000</b>		Your New York State tax is:			<b>59,000</b>		Your New York State tax is:		
53,000	53,050	3,517	3,256	3,422	56,000	56,050	3,731	3,469	3,636	59,000	59,050	3,944	3,683	3,849
53,050	53,100	3,520	3,259	3,425	56,050	56,100	3,734	3,473	3,639	59,050	59,100	3,948	3,687	3,853
53,100	53,150	3,524	3,263	3,429	56,100	56,150	3,738	3,476	3,643	59,100	59,150	3,951	3,690	3,856
53,150	53,200	3,527	3,266	3,432	56,150	56,200	3,741	3,480	3,646	59,150	59,200	3,955	3,694	3,860
53,200	53,250	3,531	3,270	3,436	56,200	56,250	3,745	3,484	3,650	59,200	59,250	3,959	3,697	3,864
53,250	53,300	3,535	3,273	3,440	56,250	56,300	3,748	3,487	3,653	59,250	59,300	3,962	3,701	3,867
53,300	53,350	3,538	3,277	3,443	56,300	56,350	3,752	3,491	3,657	59,300	59,350	3,966	3,704	3,871
53,350	53,400	3,542	3,280	3,447	56,350	56,400	3,755	3,494	3,660	59,350	59,400	3,969	3,708	3,874
53,400	53,450	3,545	3,284	3,450	56,400	56,450	3,759	3,498	3,664	59,400	59,450	3,973	3,712	3,878
53,450	53,500	3,549	3,288	3,454	56,450	56,500	3,763	3,501	3,668	59,450	59,500	3,976	3,715	3,881
53,500	53,550	3,552	3,291	3,457	56,500	56,550	3,766	3,505	3,671	59,500	59,550	3,980	3,719	3,885
53,550	53,600	3,556	3,295	3,461	56,550	56,600	3,770	3,508	3,675	59,550	59,600	3,983	3,722	3,888
53,600	53,650	3,560	3,298	3,465	56,600	56,650	3,773	3,512	3,678	59,600	59,650	3,987	3,726	3,892
53,650	53,700	3,563	3,302	3,468	56,650	56,700	3,777	3,516	3,682	59,650	59,700	3,991	3,729	3,896
53,700	53,750	3,567	3,305	3,472	56,700	56,750	3,780	3,519	3,685	59,700	59,750	3,994	3,733	3,899
53,750	53,800	3,570	3,309	3,475	56,750	56,800	3,784	3,523	3,689	59,750	59,800	3,998	3,736	3,903
53,800	53,850	3,574	3,313	3,479	56,800	56,850	3,788	3,526	3,693	59,800	59,850	4,001	3,740	3,906
53,850	53,900	3,577	3,316	3,482	56,850	56,900	3,791	3,530	3,696	59,850	59,900	4,005	3,744	3,910
53,900	53,950	3,581	3,320	3,486	56,900	56,950	3,795	3,533	3,700	59,900	59,950	4,008	3,747	3,913
53,950	54,000	3,584	3,323	3,489	56,950	57,000	3,798	3,537	3,703	59,950	60,000	4,012	3,751	3,917

\* This column must also be used by a qualifying widow(er)



If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -			If line 35 (taxable income) is -		And you are -		
At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household	At least	But less than	Single or Married filing separately	Married filing jointly *	Head of a household
<b>60,000</b>		Your New York State tax is:			<b>62,000</b>		Your New York State tax is:			<b>64,000</b>		Your New York State tax is:		
60,000	60,050	4,016	3,754	3,921	62,000	62,050	4,158	3,897	4,063	64,000	64,050	4,301	4,039	4,206
60,050	60,100	4,019	3,758	3,924	62,050	62,100	4,162	3,900	4,067	64,050	64,100	4,304	4,043	4,209
60,100	60,150	4,023	3,761	3,928	62,100	62,150	4,165	3,904	4,070	64,100	64,150	4,308	4,046	4,213
60,150	60,200	4,026	3,765	3,931	62,150	62,200	4,169	3,907	4,074	64,150	64,200	4,311	4,050	4,216
60,200	60,250	4,030	3,769	3,935	62,200	62,250	4,172	3,911	4,077	64,200	64,250	4,315	4,054	4,220
60,250	60,300	4,033	3,772	3,938	62,250	62,300	4,176	3,915	4,081	64,250	64,300	4,318	4,057	4,223
60,300	60,350	4,037	3,776	3,942	62,300	62,350	4,179	3,918	4,084	64,300	64,350	4,322	4,061	4,227
60,350	60,400	4,040	3,779	3,945	62,350	62,400	4,183	3,922	4,088	64,350	64,400	4,325	4,064	4,230
60,400	60,450	4,044	3,783	3,949	62,400	62,450	4,187	3,925	4,092	64,400	64,450	4,329	4,068	4,234
60,450	60,500	4,048	3,786	3,953	62,450	62,500	4,190	3,929	4,095	64,450	64,500	4,333	4,071	4,238
60,500	60,550	4,051	3,790	3,956	62,500	62,550	4,194	3,932	4,099	64,500	64,550	4,336	4,075	4,241
60,550	60,600	4,055	3,793	3,960	62,550	62,600	4,197	3,936	4,102	64,550	64,600	4,340	4,078	4,245
60,600	60,650	4,058	3,797	3,963	62,600	62,650	4,201	3,940	4,106	64,600	64,650	4,343	4,082	4,248
60,650	60,700	4,062	3,801	3,967	62,650	62,700	4,204	3,943	4,109	64,650	64,700	4,347	4,086	4,252
60,700	60,750	4,065	3,804	3,970	62,700	62,750	4,208	3,947	4,113	64,700	64,750	4,350	4,089	4,255
60,750	60,800	4,069	3,808	3,974	62,750	62,800	4,211	3,950	4,116	64,750	64,800	4,354	4,093	4,259
60,800	60,850	4,073	3,811	3,978	62,800	62,850	4,215	3,954	4,120	64,800	64,850	4,358	4,096	4,263
60,850	60,900	4,076	3,815	3,981	62,850	62,900	4,219	3,957	4,124	64,850	64,900	4,361	4,100	4,266
60,900	60,950	4,080	3,818	3,985	62,900	62,950	4,222	3,961	4,127	64,900	64,950	4,365	4,103	4,270
60,950	61,000	4,083	3,822	3,988	62,950	63,000	4,226	3,964	4,131	64,950	65,000	4,368	4,107	4,273
<b>61,000</b>		Your New York State tax is:			<b>63,000</b>		Your New York State tax is:			<b>\$65,000 or more** use schedule below:</b>				
61,000	61,050	4,087	3,826	3,992	63,000	63,050	4,229	3,968	4,134	If you are:		Your New York State tax is:		
61,050	61,100	4,090	3,829	3,995	63,050	63,100	4,233	3,972	4,138	Single		\$4,370 plus		
61,100	61,150	4,094	3,833	3,999	63,100	63,150	4,236	3,975	4,141	or		7.125% (. 7125) of		
61,150	61,200	4,097	3,836	4,002	63,150	63,200	4,240	3,979	4,145	Married filing separately		amount over \$65,000		
61,200	61,250	4,101	3,840	4,006	63,200	63,250	4,244	3,982	4,149	Married filing jointly *		\$4,109 plus		
61,250	61,300	4,105	3,843	4,010	63,250	63,300	4,247	3,986	4,152	Head of a Household		7.125% (. 7125) of		
61,300	61,350	4,108	3,847	4,013	63,300	63,350	4,251	3,989	4,156			amount over \$65,000		
61,350	61,400	4,112	3,850	4,017	63,350	63,400	4,254	3,993	4,159					
61,400	61,450	4,115	3,854	4,020	63,400	63,450	4,258	3,997	4,163					
61,450	61,500	4,119	3,858	4,024	63,450	63,500	4,261	4,000	4,166					
61,500	61,550	4,122	3,861	4,027	63,500	63,550	4,265	4,004	4,170					
61,550	61,600	4,126	3,865	4,031	63,550	63,600	4,268	4,007	4,173					
61,600	61,650	4,130	3,868	4,035	63,600	63,650	4,272	4,011	4,177					
61,650	61,700	4,133	3,872	4,038	63,650	63,700	4,276	4,014	4,181					
61,700	61,750	4,137	3,875	4,042	63,700	63,750	4,279	4,018	4,184					
61,750	61,800	4,140	3,879	4,045	63,750	63,800	4,283	4,021	4,188					
61,800	61,850	4,144	3,883	4,049	63,800	63,850	4,286	4,025	4,191					
61,850	61,900	4,147	3,886	4,052	63,850	63,900	4,290	4,029	4,195					
61,900	61,950	4,151	3,890	4,056	63,900	63,950	4,293	4,032	4,198					
61,950	62,000	4,154	3,893	4,059	63,950	64,000	4,297	4,036	4,202					

\* This column must also be used by a qualifying widow(er)

**\*\* Important:** If your New York adjusted gross income (line 31 of Form IT-203) is more than \$100,000, and your taxable income (line 35 of Form IT-203) is **\$65,000 or more**, compute your New York State tax from the schedule above, transfer the amount to "Tax Computation Worksheet 1," line 4, on page 21 and complete the worksheet.

If your New York adjusted gross income is more than \$100,000, and your taxable income is **less than \$65,000**, find your New York State tax from the tax table (pages 33 through 40), transfer the amount to "Tax Computation Worksheet 1," line 4 on page 21 and complete the worksheet.

If your New York adjusted gross income is **more than \$150,000**, compute your New York State tax by completing "Tax Computation Worksheet 2" on page 21; do not use the state tax table or the schedule above.

# Instructions for Form NYC-203, City of New York Nonresident Earnings Tax Return

## Changes for 1996

There has been a change in the method of allocation of Schedule C if you file Form NYC-202, *City of New York Unincorporated Business Tax Return for Individuals, Estates and Trusts*, or Form NYC-204, *City of New York Unincorporated Business Tax Partnership Return*, for taxable years beginning on or after July 1, 1996. See page 3, Schedule C instructions for further information.

## Who Must File

You must file Form NYC-203, *City of New York Nonresident Earnings Tax Return*, if you file or have to file a New York State return and you are a nonresident of New York City who earns wages there or carries on a trade or business there or are a member of a partnership which carries on a trade or business there.

If you and your spouse are both subject to the New York City nonresident earnings tax, you each must file a separate Form NYC-203 and **attach it to your New York State return**. If you filed a joint New York State return, combine your New York City nonresident earnings tax from each Form NYC-203 and enter the total on your New York State return.

### You have to file a return to get a refund.

If you do not have to file a New York State income tax return, you do not have to file a New York City nonresident earnings tax return if you meet **all** of these conditions:

- you were a New York City nonresident for the entire year; and
- your income from New York City sources consisted only of wages; and
- total wages you received for the year (from all employers) subject to New York City nonresident earnings tax was not more than \$3,000; or
- you received wages from only one employer and the correct amount of New York City nonresident earnings tax was withheld.

For the definition of a New York City nonresident, refer to the instructions for Form IT-201 or Form IT-203 under *Resident, nonresident and part-year resident defined* and substitute **New York City for New York State** in those instructions.

## Definitions

**Wages** as defined under section 3401(a) of the Internal Revenue Code (IRC) include all payments and the cash value of all payments made in any form other than cash for services performed by an employee for an employer.

Wages also include the amount of member or employee contributions to a retirement system or pension fund picked up by the employer pursuant to sections 517(f) or 613(d) of the Retirement and Social Security Law, or sections 13-225.1, 13-327.1, 13-125.1, 13-125.2 or 13-521.1 of the Administrative Code of the City of New York, or section 2575.19 of the Education Law and the amount deducted or deferred from an employee's salary under a New York City flexible benefits program (IRC section 125 plan) established by the city of New York and certain other New York City public employers pursuant to section 23 of the general municipal law or section 1210-a of the public authorities law, and the salary reduction for the health insurance and welfare benefits fund surcharge of former fractional plan members of the New York City Employees or Board of Education Employees Retirement System pursuant to section 12-126.1 of the New York City Administrative Code, and of certain correction and sanitation workers pursuant to section 12-126.2 of the New York City Administrative Code.

Wages do not include unemployment compensation, or fees paid to a public officer or payment for active service as a member of the armed forces of the United States, or income of a nonresident individual or partner doing an insurance business as a member of the New York Insurance Exchange.

**Other employee compensation** includes but is not limited to salaries, fees, bonuses, tips, commissions on sales or on insurance premiums, severance pay and vacation allowances that are subject to withholding under section 3401(a) of the IRC.

**Net earnings from self-employment** as defined under section 1402(a) of the IRC consist of your gross income from any trade or business carried on by you, less trade or business deductions allowed under the IRC, plus your distributive share (whether or not distributed) of income or loss from a trade or business carried on by a partnership of which you are a member. **Limited partners** are only considered to receive net earnings from self-employment if the income received represents guaranteed payments for services rendered. The deduction for wages and salaries paid or incurred for the taxable year that was disallowed according to section 280C of the IRC regarding the federal targeted jobs credit is allowed in figuring your net earnings from self-employment.

Net earnings from self-employment **do not** include:

- rental income from real estate and from personal property leased with the real estate, together with the deductions attributed to it, unless received in the course of a trade or business as a real estate dealer;
- dividends and interest not received in the ordinary course of a trade or business as a dealer in stocks or securities;
- gain or loss from the sale or exchange of capital assets, or from the sale, exchange or involuntary conversion of property other than stock in trade;
- any deduction for net operating losses;
- retirement payments received by a partner according to a written plan excluded under IRC section 1402(a)(10); or
- income, gain, loss or deduction resulting from activities as a dealer or partner doing business as a member of the New York Insurance Exchange.

## Limitations

As a New York City nonresident, you do not have to pay a higher tax than you would if you were a New York City resident. Use Form IT-201 and instructions to figure your tax liability as a New York City resident. If your New York City resident tax is less than your New York City nonresident earnings tax, attach a separate schedule to Form NYC-203 showing your computation. Enter the New York City resident tax on line 9 of Form NYC-203.

You are not subject to tax on payments you received for active service in the armed forces of the United States.

## Which Form to File

Figure your New York City nonresident earnings tax on Form NYC-203. This tax is based on your wages and net earnings from self-employment derived from services performed in New York City. If you are a nonresident of New York City and you performed services both in and out of New York City, you must allocate your wages and net earnings from self-employment. You can

use Schedule A on the back of this form to determine the portion to be allocated to New York City. If you are married, you cannot file a joint New York City nonresident earnings tax return. If you each have taxable earnings, you each must use a separate Form NYC-203 to figure your tax. Transfer your total New York City nonresident earnings tax to your New York State income tax return.

If you are a part-year New York City resident, see *Part-Year Residents* on page 4.

If you are required to file New York City unincorporated business tax, file Form NYC-202, *City of New York Unincorporated Business Tax Return for Individuals, Estates and Trusts*, directly with the New York City Department of Finance. Do **not** include it with your New York State return.

See *Need Help?* on page 4 for information on how to get forms.

Complete your return using the line instructions that begin on page 2.

## When to File

Form NYC-203 is due when your New York State income tax return is due. Attach it to your New York State return.

## Payments of Estimated Tax

You must pay estimated New York City nonresident earnings tax if you expect your withholding to be less than 90% of the tax shown on your 1997 return and less than 100% of the tax shown on your 1996 return, 110% of that amount if you are not a farmer or fisherman and the New York adjusted gross income shown on that return is more than \$150,000 or, if married filing separately, more than \$75,000, assuming the return covered 12 months and you expect to owe, after withholding and credits, at least \$100 of earnings tax for 1997. **Do not include the city unincorporated business tax.** Use Form IT-2105, *Estimated Income Tax Payment Voucher*, to pay 1997 New York City estimated tax.

## Refund or Tax Due

Your New York State, New York City, and Yonkers taxes are combined into a single amount of tax due or overpayment on your New York State return. The Tax Department will issue one check for the amount of a refund due, or you can credit the overpayment (or part of it) to your 1997 estimated tax. If you decide to credit your overpayment to your 1997 estimated tax, you cannot change this decision after April 15, 1997.

If your combined New York State, New York City and Yonkers taxes result in a balance due, send one check or money order payable to *New York State Income Tax* and write your social security number and **1996 Income Tax** on it. Do not send cash.

## Changes in Your Federal Income Tax

If the Internal Revenue Service changes your taxable income or net earnings from self-employment or if you file an amended federal return, you must report these changes to the New York State Tax Department within 90 days from the date the Internal Revenue Service makes its final determination or 90 days from the date you amended your federal return. Report any changes for New York City nonresident

earnings tax purposes on your amended state return with Form NYC-203 attached. Include a check or money order for the full amount of any tax and interest due.

## Filling in your tax return

Rectangular boxes have been printed on the form for the social security number, number of days, and total tax lines, to guide you in making your entries, so that we can more accurately "read" them and process your return more efficiently. Please spend a moment reviewing the method for making your entries:

- Please print (using a blue or black ballpoint pen; no pencils please) or type all numbers in the boxes provided.
- Do not enter a dollar sign (\$), comma, decimal point or any other punctuation marks or symbols. We have already printed the appropriate comma and the decimal point to assist you in filling in the total tax line, and the dashes to help you fill in your social security number.
- Write your numerals like this:

1	2	3	4	5	6	7	8	9
---	---	---	---	---	---	---	---	---

- Carefully enter your money amount so that the whole dollar amount starts immediately to the left of the decimal point and the cents amount (if any) starts immediately to the right of the decimal point. Leave blank any boxes that do not apply to you.

*Example:* If your total nonresident earnings tax for line 9 of Form NYC-203 is \$329.68, your money field entry on line 9 should look like this:

9			3	2	9	.	6	8
---	--	--	---	---	---	---	---	---

## Line Instructions

Print or type your name, and enter your social security number in the boxes provided. Please write the numbers clearly, entering only one digit per box.

**Item A** — If you were a New York City resident during any part of the year, check the **Yes** box, enter the beginning and ending dates of your period of residence (month, day and year) and see *Part-Year Residents* on page 4 of these instructions.

If you were not a New York City resident for any part of 1996, check the **No** box and skip to Item B.

Whether you checked **Yes** or **No**, if you earned wages or had income from a trade or business in New York City, you must complete items A and B and lines 1 through 9. If required, also complete item C and Schedules A, B and C.

**Item B** — If you or your spouse had living quarters available for your use in New York City during any part of 1996, check the **Yes** box and give the address of the living quarters. Also, give the number of days that you were in New York City, even if you were on personal business. Do not count days you traveled through New York City to use common carriers such as an airplane, train or bus. Place only one numeral in each entry box.

Living quarters include a house, apartment, co-op or any other living quarters maintained or paid for by you or your spouse or any New York City living quarters maintained for your primary use by another person, family member or employer.

**Item C** — Complete this section if you are reporting income from self-employment on line 5 of this form.

### Line 1

#### Gross wages

Enter the amount of your wages (see *Definitions* on the front page) earned in New York City. Include any amount of 414(h) retirement contributions shown on your wage and tax statement(s), Form IT-2102 (Copy 1) or federal Form W-2 (Copy 2).

Also include any amount deducted or deferred from your salary under a New York City flexible benefits program (IRC section 125 plan) established by the city of New York or certain other New York City public employers. For more information, see the instructions for Form IT-201 or IT-203.

If your wages were earned partially in New York City, figure the amount earned in New York City by completing Schedule A on the back of Form NYC-203.

### Line 2

#### Allowable exclusion

Enter your allowable exclusion.

You are allowed an exclusion against the total amount of wages and net earnings from self-employment allocated to New York City (total of line 1 and line 5 amounts). Use the *Exclusion Table* on the front of Form NYC-203 to find your allowable exclusion.

If you earned only wages during the taxable year, enter your allowable exclusion on line 2.

If you earned only net earnings from self-employment, enter your allowable exclusion on line 6.

If you had **both** wages and net earnings from self-employment during the taxable year, **prorate the exclusion** against wages and net earnings, and enter the amount excluded from each source on lines 2 and 6.

For example, if you had wages of \$15,000 and net earnings from self-employment of \$5,000, your total income of \$20,000 would entitle you to an exclusion of \$2,000. Since your wages are 75% of your total income, you would enter 75% of the \$2,000 exclusion (\$1,500) on line 2. You would enter the remainder of the exclusion (\$500) on line 6.

If you changed your residence to or from New York City during your taxable year or had a taxable period of less than one year, **divide the exclusion by 12, then multiply by the number of months for the period of New York City nonresidence**. For this purpose, count any period of more than one-half month as a full month; do not count any period of one-half month or less.

### Line 5

#### Net earnings from self-employment

Enter the amount of your net earnings from self-employment (see *Definitions* on the front page) in New York City for the entire taxable year.

This is the amount reported on federal Form 1040, Schedule SE, *Social Security Self-Employment Tax*, minus the deduction for wages or salaries paid or incurred for the taxable year that was disallowed according to section 280C of the IRC regarding the federal Indian employment credit, targeted jobs credit and empowerment zone employment credit. If the amount in Schedule SE includes profit or loss from a trade or business carried on by you

wholly outside of New York City, or your distributive share of the profit or loss of a partnership that does not engage in business in New York City, deduct these amounts from (or add them to, if they are losses) the amount shown in Schedule SE to figure the amount of your net earnings from self-employment that are subject to the New York City nonresident earnings tax. Attach a schedule showing the amount of each deduction (or addition).

The net earnings from self-employment of ordained, commissioned or licensed ministers of churches, members of religious orders and Christian Science practitioners are subject to the tax even if they have elected exemption from social security coverage.

If you have no regular place of business outside New York City, allocate all net earnings from self-employment to New York City.

If your net earnings from self-employment were from sources both in and out of New York City, figure the amount to be allocated to New York City first.

If you kept books and records that fairly and equitably show net earnings from self-employment in New York City, you can figure the part to be allocated to New York City from these books and records. If not, use the formula in Schedule C.

### Line 6

#### Allowable exclusion

See the instructions for line 2 and use the *Exclusion Table* shown on the front of Form NYC-203 to figure your exclusion.

### Line 9

#### Total nonresident earnings tax

Add lines 4 and 8 and enter the result. Follow the instructions on Form NYC-203, line 9, and enter only one numeral in each box, verifying that the digits are placed to correctly represent the dollar amount of the tax computed. Also transfer your total New York City nonresident earnings tax to your New York State return. **Attach Form NYC-203 to your New York State return.**

If you and your spouse are filing a joint New York State return and you each completed Form NYC-203 because each had taxable earnings, combine your New York City nonresident earnings tax from each Form NYC-203 and enter the total on your New York State return.

## Payments and Credits

Enter on your New York State return the total New York City nonresident earnings tax withheld by all your employers. **Be sure that the amounts of withholding are for New York City withholding tax only.**

Enter on your New York State return the total payments of your 1996 estimated New York City nonresident earnings tax. **Do not include city unincorporated business tax payments.**

## Sign Your Return

Sign and date your return at the bottom of Form NYC-203. **Form NYC-203 cannot be processed if you do not sign it.**

## Checklist

Use the checklist on the front of Form NYC-203 to make sure you have properly completed your return and to avoid common errors that will delay the processing of your return, and refund if you are entitled to one.

## Paid Preparers

Anyone you pay to prepare your return must sign it and fill in the other blanks in the paid preparer's area of your return. The preparer must sign it by hand; signature stamps or labels are not acceptable. If someone prepares your return but does not charge you, that person should not sign it.

Paid preparers may be subject to a penalty for failure to conform to certain requirements. For more information, see the instructions for Form IT-201 or Form IT-203.

## Schedule A

### Allocation of wage and salary income

Use Schedule A on the back of Form NYC-203 if your wage or salary income is earned partly in New York City and does not depend directly on the volume of business transacted.

If your income subject to allocation depends entirely on the volume of business transacted, as in the case of a salesperson working on commission, do not use Schedule A. Divide your volume of business transacted in New York City by your total volume of business transacted both in and out of New York City. Multiply the total income subject to allocation by this ratio. This is the amount of your income allocated to New York City. The location where the services or sales activities were actually performed determines where business is transacted. Attach a schedule to your return showing how you figured this allocation.

If you allocate your personal service income differently than explained above, attach a separate schedule showing complete details.

### Lines 10 through 24

Complete lines 10 through 24. Figure the amount allocable to New York City by determining the ratio of days (excluding nonwork days such as Saturdays, Sundays, holidays, sick leave, vacation, etc.) you worked in the city of New York to the total number of days you worked both in and out of the city during the year. Multiply this ratio by your total wage or salary income subject to allocation. Enter this amount on line 1.

Work days are days on which you were required to perform the usual duties of your job. This does not ordinarily include duties performed at your home.

If you have to allocate wage or salary income received from more than one employer, you must allocate the wage or salary income separately for each job and attach to your return a separate statement (similar to Schedule A) showing the work days and income earned in New York City that apply to each job.

If your period of employment is less than a full year, base the figures you enter in Schedule A on the actual period of employment. For example, if you were employed in and out of New York City for separate periods of 170 days by one employer and 195 days by another employer, enter 170 days and 195 days on line 10 of your separate allocation schedules.

## Schedule B

### List all places, both in and out of the city of New York, where you carry on business

If you have net earnings from self-employment, list in columns (1) and (2) the exact locations, both in and out of New York City, where you

carry on business. Describe in column (3) the places listed in columns (1) and (2) (e.g., branch office, agency, factory, warehouse, etc.) and state whether you rent or own these places.

## Schedule C

### Allocation of net earnings from self-employment to the city of New York

The amount to be allocated to New York City is that part of your total net earnings from self-employment (line 33) that results from multiplying total net earnings by the average of the property percentage, payroll percentage and gross income percentage (line 32).

If you receive net earnings from self-employment from more than one business activity carried on both in and out of New York City, complete a separate Schedule C for each business activity and attach it to your return.

If your taxable year began before July 1, 1996 and if you file Form NYC-202, *City of New York Unincorporated Business Tax Return for Individuals, Estates and Trusts*, or Form NYC-204, *City of New York Unincorporated Business Tax Partnership Return*, instead of completing lines 25 through 31 of Schedule C, you may enter on line 32 the business allocation percentage figures from either of those returns. Attach a copy of the completed return. If your taxable year began on or after July 1, 1996, you are **no longer** able to use the business allocation percentage determined by the formula in either of those returns. You must use the lines provided on Form NYC-203, Schedule C.

You may use the business allocation percentage determined by the formula on Form IT-204-NYC, *City of New York Nonresident Partner Allocation*. If you use the percentage from Form IT-204-NYC, skip lines 25 through 31 on Form NYC-203 and enter the allocation percentage from Form IT-204-NYC on line 32. Attach a copy of Form IT-204-NYC to Form NYC-203.

If Schedule C is used and the net earnings are from a partnership, the factors used must be the partnership's property, payroll and gross income.

## Property percentage

### Lines 25, 26 and 27

Figure the average value of real and tangible personal property connected with your net earnings from self-employment by completing lines 25, 26 and 27.

## Line 25

### Real property owned

Enter in column (1) the average value of all real property you own that is connected with net earnings from self-employment. Enter in column (2) the average value of this real property located in New York City.

The average value of the property is determined by (1) adding its adjusted basis at the beginning of the taxable year to its adjusted basis at the end of the taxable year and (2) dividing by two.

## Line 26

### Real property rented from others

Enter in column (1) the value of all real property you rented that is connected with net earnings from self-employment. Enter in column (2) the value of this rented real property that is located in New York City.

The fair market value of rented real property included on line 26 is generally eight times the gross rent payable during the taxable year for which the return is filed. Gross rent includes:

- any amount payable for the use or possession of real property, or any part of it, whether designated as a fixed sum of money or as a percentage of sales, profits or otherwise;
- any amount payable as additional rent or in lieu of rent, such as interest, taxes, insurance, repairs or any other amount required to be paid by the terms of a lease or other agreement; and
- a portion of the cost of any improvement to real property made by you or on your behalf that reverts to the owner or lessor upon termination of a lease or other arrangement. However, if a building is erected on leased land by you or on your behalf, the value of the building is figured the same way as if you owned it.

## Line 27

### Tangible personal property owned

Enter in column (1) the average value of all tangible personal property you own that is connected with net earnings from self-employment. Enter in column (2) the average value of this tangible personal property located in New York City.

## Line 28

### Property percentage

Add lines 25, 26 and 27 in column (1) and (2) and enter the total on line 28.

Divide the column (2) total by the column (1) total and carry the result to four decimal places. For example, if the total in column (1) is \$15,000 and the total in column (2) is \$10,000, divide the \$10,000 by the \$15,000 and enter the result (.6667) as a percentage (66.67%) in column (3).

## Line 29

### Payroll percentage

Enter the total of the wages, salaries and other personal service compensation paid to your **employees** in connection with your net earnings from self-employment derived from a trade, business or profession carried on in New York City. Do not include payments to independent contractors or independent sales agents.

Enter in column (1) the total of the compensation paid to your employees during the taxable year in connection with your net earnings from self-employment carried on both in and out of New York City. Enter in column (2) the amount paid in connection with operations carried on in New York City.

The compensation paid to an employee is in connection with operations carried on in New York City if the employee works in or travels out of an office or other place of business located in New York City.

Divide the column (2) total by the column (1) total. Carry the result to four decimal places and enter it as a percentage in column (3).

## Line 30

### Gross income percentage

Enter in column (1) the total gross sales made or charges for services performed by you or your employees, agents, agencies or independent contractors of the business in and out of New York City. Enter in column (2) the part of the total gross sales or charges that represents sales made, or services performed, by or through an agency in New York City. This includes sales made or services performed by employees, agents, agencies or independent contractors

situated at, connected with or sent out from offices of the business (or its agencies) located in New York City. For example, if a salesperson working out of the New York City office of the business covers New York State, New Jersey and Pennsylvania, **all sales** made by that salesperson are allocated to New York City and must be included in column (2) on line 30.

**Special rule for real estate:** Income and deductions from the rental of real property and gain or loss from the sale, exchange or other disposition of real property are not subject to allocation but are considered to be entirely derived from or connected with the place in which the property is located.

Divide the column (2) total by the column (1) total. Carry the result to four decimal places and enter it as a percentage in column (3).

## Line 32

### Business allocation percentage

Divide the amount on line 31 by three (or by the actual number of percentages if less than three). Carry the result to four decimal places and enter it as a percentage.

## Line 33

### Net earnings from self-employment to be allocated

Enter your net earnings from self-employment, as defined on the front page of these instructions, on line 33.

## Part-Year Residents

If you changed your residence to or from New York City during the year, you may have to pay a part-year New York City resident tax for the part of the year you were a resident. If you earned wages in New York City or carried on a trade or business there (either as an individual or a member of a partnership) during the part of the year that you were not a New York City resident, you may have to pay the New York City nonresident earnings tax.

## Returns to be Filed

If you are required to file a New York State return and you were a resident of New York City for part of the year, you must file Form IT-360.1, *Change of City Resident Status*, for the part of the year you were a New York City resident. You may also be required to file Form NYC-203 for the part of the year you were a nonresident and transfer the tax to your New York State Form IT-201 or IT-203.

You are not required to file Form NYC-203 for the period that you were a nonresident of New York City if you had no wages or net earnings from self-employment from New York City sources during this period. Instead, attach a statement to your return for the resident period explaining that you had no taxable income during the nonresident period.

**Form IT-360.1-I, Instructions for Form IT-360.1**, explains the computation of your New York City resident tax and certain required special accruals. The instructions will help you compute your New York City taxable income for the resident period. Form IT-360.1 must be attached to your completed New York State income tax return.

## Returns for Married Taxpayers

If you and your spouse changed your New York City resident status at the same time and file a joint New York State return, you must compute your New York City resident tax jointly on Form IT-360.1. For the period of nonresidence, if you each have taxable earnings, you must use separate Forms NYC-203.

If you file separate New York State returns, or you changed your New York City resident status at different times, you must compute your New York City resident tax separately on separate Forms IT-360.1 for the period of residence. For the period of nonresidence, you must use separate Forms NYC-203.

If you are married, filing a joint New York State return and only one spouse changed city residence during the taxable year, you must compute your New York City taxes separately. The spouse who changed city residence must complete Form IT-360.1 and Form NYC-203, if applicable, and attach them to Form IT-201 or IT-203. The other spouse, if a resident, must compute a separate New York City resident tax for the entire taxable year on Form IT-201 as if separate federal returns were filed, or, if a nonresident subject to the nonresident earnings tax, must file Form NYC-203.

## How to File

If you changed your New York City residence but were a New York State resident all year, get the instructions for Form IT-360.1 and complete Form IT-360.1 for the period of New York City residence. Transfer the tax computed on Form IT-360.1 to Form IT-201-ATT, line 35. For the nonresident period, compute your New York City nonresident earnings tax on Form NYC-203 and transfer the tax to Form IT-201, line 46. Attach Form NYC-203, if applicable, and Forms IT-360.1 and IT-201-ATT to your New York State resident return, Form IT-201.

If you changed both your New York City and New York State residence during the year, get the instructions for Form IT-360.1 and complete Form IT-360.1 for the period of New York City residence. Transfer the tax computed on Form IT-360.1 to Form IT-203-ATT, line 39. For the nonresident period, compute your New York City nonresident earnings tax on Form NYC-203 and enter the tax on line 49 of Form IT-203, *New York State Nonresident and Part-Year Resident Income Tax Return*. Attach Form NYC-203, if applicable, and Forms IT-360.1 and IT-203-ATT to Form IT-203.

## Special Accruals

The return for the period before the change of residence must include all items of income, gain, loss or deduction accrued to the taxpayer up to the time of change of residence. This includes any amounts not otherwise includable in the return because of an election to report income on an installment basis.

For complete details on special accruals, see *Income and Deductions* in IT-360.1-I, *Instructions for Form IT-360.1*. See *Need Help?* below for information on how to get forms.

## 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 22, 26, 26-A, 26-B, 30, 30-A and 30-B of the Tax Law, Article 2-E of the General City Law and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs.

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.

Attach Form NYC-203 to your New York State income tax return and mail them to:

STATE PROCESSING CENTER  
PO BOX 61000  
ALBANY NY 12261-0001

or for Refund Returns:

STATE PROCESSING CENTER - REFUND 96  
PO BOX 61000  
ALBANY NY 12261-0001

## Need Help?

**For information**, call toll free 1 800 225-5829. **For forms or publications**, call toll free 1 800 462-8100. Telephone assistance is available from 8:30 a.m. to 4:25 p.m., Monday through Friday.

From areas outside the U.S. and Canada, call (518) 485-6800.

**Hotline for the Hearing and Speech Impaired** - If you have a hearing or speech impairment and 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. Hours of operation are 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.

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

# Instructions for Form IT-215, Claim for Earned Income Tax Credit

## General Information Who Qualifies

To qualify for the New York State earned income credit you must:

- have claimed the federal earned income credit for tax year 1996; **and**
- file (or have filed) a New York State return for 1996.

If you are a resident or part-year resident, you may qualify for a refund of any earned income credit in excess of your New York State tax liability. Nonresidents **do not** qualify for a refund of the New York State earned income credit.

## How to Claim the Credit

In order to claim the New York State earned income credit you must:

- complete Form IT-215 using the information from your federal return, worksheets, and, if applicable, federal Schedule EIC; **or**
- if you file the IT-100 return, complete the *Claim for Earned Income Credit for IT-100 Filers* on the back of the return.

## Changes for 1996

- The amount of the New York earned income credit has been increased to 20% of your federal credit.
- The earned income credit must now be reduced by the amount of any household credit you are allowed.

## Filling in Your Claim Form

Form IT-215 for 1996 has been designed to let us use the latest scanning and image-processing equipment. Rectangular boxes and white entry areas have been printed on the form to guide you in making your handwritten entries. This will enable our scanning equipment to read your return more accurately and let us process it more efficiently. Please spend a moment reviewing the method below for making your entries:

- Please print (using a blue or black ballpoint pen; no pencils, please) or type all "X" marks and money amounts in the boxes or spaces provided.
- Do not use dollar signs, commas, decimal points, dashes or any other punctuation marks or symbols.
- Write your numerals like this:

1	2	3	4	5	6	7	8	9	0
---	---	---	---	---	---	---	---	---	---

- Carefully enter your money amounts so that the whole **dollar amount** ends in the box immediately to the **left** of the cents decimal and the **cents amount** starts in the box immediately to the **right** of the cents decimal.

- Make your money amount entries in the boxes allowing one numeral for each area.

**Example:** If your entry for line 4 is \$13,525.50, your money field entry should look like:

4	1	3	5	2	5	.	5	0
---	---	---	---	---	---	---	---	---

- Leave blank any spaces and boxes that do not apply to you.

## Line Instructions for Residents and Nonresidents (part-year residents see back page)

**All resident and nonresident filers** complete lines 1 through 15 as applicable. (**Form IT-100 filers** - Do not file Form IT-215 unless you have already filed your Form IT-100 for 1996.)

**Line 1** — File Form IT-215 with your original 1996 New York State income tax return. If you have already filed your original return, you may file Form IT-215 by itself. If you haven't previously filed your income tax return for this year, you **must** file one with this claim.

**Line 2** — If you filed federal schedule EIC, be sure to list the name, relationship, number of months the child lived with you, social security number and year of birth for the **same** children you claimed on the federal schedule. Also, be sure to place an **X** in the box under the heading *Person with disability* if your child was born before 1978 and was permanently disabled during any part of 1996. Place an **X** in this box **only** if you put a checkmark in the **Yes** box on your 1996 federal schedule EIC, line 3b.

**Line 3** — If you answered *Yes*, complete lines 4 through 7; the Tax Department will compute the credit for you. If you answered *No*, complete lines 4 through 15.

**Line 4** — This amount can be found on the appropriate line of the **federal** return you filed.

**Lines 5, 6 and 7** — If you received a taxable scholarship or fellowship that was not reported on a federal Form W-2, or had nontaxable earned income or business income or loss, you must enter the amount from your **Earned Income Credit Worksheet** found in the **instructions** for your **federal** return. Nontaxable earned income also includes 414(h) retirement contributions shown on your wage and tax statement(s), New York State Form IT-2102 (Copy 1) or federal Form W-2 (Copy 2). Line 7, *Business income or loss*, applies only to federal Form 1040 filers.

**Line 7** — Be sure to check the appropriate box indicating if the line 7 amount is a profit or a loss. Do not use a minus sign or brackets to show a loss. If you have income or loss from more than one business, enter the Employer Identification Number (EIN) representing your **primary** business activity. If your primary business activity doesn't have an EIN, use your social security number.

**Line 8** — This amount can be found on the appropriate line of your **federal** return. If you owe the federal alternative minimum tax, disregard the preceding instruction and enter the amount of the federal earned income credit, **before** any reduction for the alternative minimum tax, from the *EIC Worksheet* in your federal instructions.

**Line 9** — For 1996, the New York State earned income credit is 20% (.20) of the federal earned income credit reduced by any household credit allowed. The rate has already been filled in for you.

**Line 10** — This amount represents your earned income credit **before** it has been reduced by the amount of household credit allowed. **IT-100 filers stop**; the department will compute your earned income credit for you.

**Lines 11-14** — If you are filing, or previously filed, a 1996 IT-200 return, proceed with line

11. If you are filing, or previously filed, a 1996 IT-201 or IT-203 return, complete Worksheet A on the back of the form. Then continue with line 11.

**Line 14** — If you are attaching this claim to your original 1996 New York State income tax return and you answered *No* at line 1:

**For filing status ①, ②, ④ or ⑤**

- **Residents** - Transfer the line 14 amount to Form IT-200, line 34, or Form IT-201, line 55.
- **Nonresidents** - Transfer the line 14 amount to Form IT-203, line 41.

**For filing status ③, Married filing separate return**

- The line 14 amount represents both spouses' combined (total) earned income credit. You must complete line 15 and indicate the amount of line 14 that you are claiming.

If you have previously filed your 1996 New York State income tax return and you answered *Yes* at line 1:

**For filing status ①, ②, ④ or ⑤**

- **Residents and nonresidents** - mail your completed form to:  
STATE PROCESSING CENTER  
PO BOX 61000  
ALBANY NY 12261-0001

**For filing status ③ Married filing separate return**

- The line 14 amount represents both spouses' combined (total) earned income credit. You must complete line 15 and indicate the amount of line 14 that you are claiming.

**Line 15** — You need to complete this line **only** if your filing status is ③ Married filing separate return.

If you are attaching this claim to your original return and answered *No* at line 1, show the portion of line 14 that you are claiming as your share of the earned income credit and follow the appropriate instructions below. Remember, while the credit can be split in any manner you and your spouse agree to, the combined amount of both spouses' credits cannot be more than the amount on line 14.

- **Residents** - Transfer the line 15 amount to Form IT-200, line 34, or Form IT-201, line 55.

- **Nonresidents** - Transfer the line 15 amount to Form IT-203, line 41.

If you have already filed your 1996 New York State income tax return and answered *Yes* at line 1:

- **Residents and nonresidents** - Mail your completed form to:

STATE PROCESSING CENTER  
PO BOX 61000  
ALBANY NY 12261-0001

## Line Instructions for Part-Year Residents (residents and nonresidents see front page)

**All part-year resident filers complete lines 1 through 24 as applicable.**

**Line 1** — File Form IT-215 with your original 1996 IT-203, *Nonresident and Part-Year Resident Income Tax Return*. If you have already filed your original return, you may file Form IT-215 by itself. If you haven't previously filed your income tax return for this year, you **must** file one with this claim.

**Line 2** — If you filed federal schedule EIC, be sure to list the name, relationship, number of months the child lived with you, social security number and year of birth for the **same** children you claimed on the federal schedule. Also be sure to place an **X** in the box under the heading *Person with disability* if your child was born before 1978 and was permanently disabled during any part of 1996. Place an **X** in this box **only** if you put a checkmark in the **Yes** box on your 1996 federal schedule EIC, line 3b.

**Line 3** — If you answered *Yes*, complete lines 4 through 7, and lines 19, 21 and 22. The Tax Department will compute the credit for you. If you answered *No*, complete lines 4 through 24.

**Line 4** — This amount can be found on the appropriate line of the **federal** return you filed.

**Lines 5, 6 and 7** — If you received a taxable scholarship or fellowship that was not reported on a federal Form W-2, or had nontaxable earned income or business income or loss, you must enter the amount from your **Earned Income Credit Worksheet** found in the **instructions** for your **federal** return. Nontaxable earned income also includes 414(h) retirement contributions shown on your wage and tax statement(s), New York State Form IT-2102 (Copy 1) or federal Form W-2 (Copy 2). Line 7, *Business income or loss*, applies only to **federal** Form 1040 filers.

**Line 7** — Be sure to check the appropriate box indicating if the line 7 amount is a profit or a loss. Do not use a minus sign or brackets to show a loss. If you have income or loss from more than one business, enter the Employer Identification Number (EIN) representing your **primary** business activity. If your primary business activity doesn't have an EIN, use your social security number.

**Line 8** — This amount can be found on the appropriate line of your **federal** return. If you owe the federal alternative minimum tax, disregard the preceding instruction and enter the amount of the federal earned income credit, **before** any reduction for the alternative minimum tax, from the *EIC Worksheet* in your federal instructions.

**Line 9** — For 1996, the New York State earned income credit is 20% (.20) of the federal earned income credit reduced by any household credit allowed. The rate has already been filled in for you.

**Lines 11-14** — Complete Worksheet A on the back of the form. Then continue with line 11.

**Line 14** — If you are attaching this claim to your original 1996 New York State income tax return and you answered *No* at line 1:

**For filing status ①, ②, ④ or ⑤**

– Transfer the line 14 amount to Form IT-203, line 41 **and complete** lines 16 through 24.

**For filing status ③, Married filing separate return**

– The line 14 amount represents both spouses' combined (total) earned income credit. You must complete line 15 and indicate the amount of line 14 that you are claiming.

**Line 15** — You need to complete this line **only** if your filing status is ③ Married filing separate return.

If you and your spouse both agree, **one** of you may claim the entire amount or you may split the credit in any manner you both agree to.

If you are attaching this claim to your original return and answered *No* at line 1, show the portion of line 14 that you are claiming as your share of the earned income credit. Transfer the amount to Form IT-203, line 41 and complete lines 16 through 24. The combined amount of both spouses' credits cannot be more than the amount on line 14.

**Lines 16 through 24** need to be completed **only** by part-year residents claiming the earned income credit who are filing, or have previously filed, an IT-203, *Nonresident and Part-Year Resident Income Tax Return*, for this year. The amounts for these lines can be found on the appropriate lines of the IT-203 or IT-203-ATT, *Itemized Deduction and Other Credits and Taxes*, or their instructions.

The earned income credit must first reduce your tax liability to zero before the remaining excess earned income credit is eligible to be refunded. The amount to be refunded will be based on the ratio of resident period income to the combined income from both the resident and nonresident periods.

**Line 23** — Divide line 21 by line 22 and carry the result to four decimal places. (Do not enter more than 100% (1.0000) even if your actual result is more than 100%.) If the result is zero percent (0%), you have no remaining excess earned income credit available to be refunded. Do not complete line 24.

**Line 24** — If line 23 is greater than 0%, multiply line 20 by line 23. If you answered *No* at line 1, transfer the line 24 amount to Form IT-203, line 57 and attach Form IT-215 to your Form IT-203. This amount represents the refundable portion of your part-year resident earned income credit.

If you have previously filed your 1996 New York State income tax return and you answered *Yes* at line 1, mail your completed form to:

STATE PROCESSING CENTER  
PO BOX 61000  
ALBANY NY 12261-0001

### 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 22, 26, 26-A, 26-B, 30, 30-A and 30-B of the Tax Law, Article 2-E of the General City Law and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs.

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.

# Instructions for Form IT-216, Claim for Child and Dependent Care Credit

## General Information

### Changes to the New York State child and dependent care credit for tax year 1996

- The percentage of the federal credit can be as high as 30%, depending on your income. See the instructions for line 12 on page 4.
- Your credit may be refundable** — Beginning this year, if you are a resident or part-year resident, you may qualify for a refund of any child and dependent care credit in excess of your New York State tax liability. Nonresidents **do not** qualify for a refund of the New York State child and dependent care credit.

## Who Qualifies

Beginning in 1996, if you **qualify** to claim the federal child and dependent care credit, you can **claim** the New York State credit (whether you actually claim the federal credit or not).

If you did not file federal Form 2441, you can still claim the New York State child and dependent care credit on Form IT-216 if **all five** of the following apply.

- Your filing status is *Single, Head of household, Qualifying widow(er) with dependent child, or Married filing jointly*. However, see *Special Rule for Married Persons Filing Separate Returns* below.
- The care was provided so you (and your spouse, if you were married) could work or look for work. However, if you did not find a job and have no earned income for the year, you cannot take the credit. If your spouse was a student or disabled, see the line 6 instructions for Form IT-216 on page 3.
- You (and your spouse, if you were married) paid over half the cost of keeping up your home. The cost includes rent, mortgage interest, real estate taxes, utilities, home repairs, and food eaten at home.
- You and your child (or other qualifying person(s) for whom the care was provided) lived in the same home.
- The person who provided the care was not your spouse or a person whom you can claim as a dependent. If your child provided

the care, he or she must have been age 19 or older by the end of 1996.

### Special Rule for Married Persons Filing Separate Returns

If your filing status is married filing separately and **all** of the following apply, you are considered unmarried for purposes of figuring the child and dependent care credit.

- You lived apart from your spouse during the last 6 months of 1996, **and**
- the qualifying person lived in your home more than half of 1996, **and**
- you provided over half the cost of keeping up your home.

If you meet **all** the requirements to be treated as unmarried and meet items 2 through 5 above, you may claim the credit. If you do not meet all the requirements to be treated as unmarried, you **cannot** claim the credit.

### Special Rule for Married Persons Not Required to File a Federal Return

If you and your spouse are not required to file a federal income tax return, the New York State child and dependent care credit is allowed only if you file a joint New York State tax return (Form IT-100, IT-200, IT-201 or IT-203).

## How to Claim the Credit

In addition to the above federal requirements, to claim the New York State child and dependent care credit you must:

- file (or have filed) a New York State return for 1996,
- report the required information about the care provider on line 2 of Form IT-216, **and**
- complete Form IT-216.

## Important Terms

### Qualifying Person(s)

A qualifying person is:

- Any child **under age 13** whom you can claim as a dependent (but see *Exception for Children of Divorced or Separated Parents* on this page). If the child turned 13 during the year, the child is a qualifying person for the part of the year he or she was under age 13.
- Your disabled spouse who is not able to care for himself or herself.

- Any disabled person not able to care for himself or herself whom you can claim as a dependent for federal purposes (or could claim as a dependent for federal purposes, except that the person had gross income of \$2,500 or more). If this person is your child, see *Exception for Children of Divorced or Separated Parents* below. To find out who is a dependent, see the instructions to federal Form 1040 or 1040A, line 6c.

**Caution:** To be a qualifying person, the person **must** have shared the same home with you in 1996.

### Exception for Children of Divorced or Separated Parents

If you were divorced, legally separated, or lived apart from your spouse during the last 6 months of 1996, you may be able to take the credit even if your child is not your dependent. If your child is not your dependent, he or she is a qualifying person only if **all five** of the following **federal** requirements apply to you:

- You had custody of the child for a longer time in 1996 than the other parent. For the definition of custody, see federal Publication 501, *Exemptions, Standard Deduction, and Filing Information*.
- One or both of the parents provided over half of the child's support in 1996.
- One or both of the parents had custody of the child for more than half of 1996.
- The child was under age 13 or was disabled and could not care for himself or herself.
- The other parent claims the child as a dependent because
  - as the custodial parent, you signed federal Form 8332, *Release of Claim to Exemption for Child of Divorced or Separated Parents*, or a similar statement agreeing not to claim the child's exemption for 1996, **or**
  - your divorce decree or written agreement went into effect before 1985 and it states that the other parent can claim the child as a dependent, and the other parent gave at least \$600 for the child's support in 1996. This rule does not apply if your decree or agreement

was changed after 1984 to say that the other parent cannot claim the child as a dependent.

### Qualified Expenses

These include amounts paid for household services and care of the qualifying person(s) while you worked or looked for work. Child support payments are **not** qualified expenses. Also, expenses reimbursed by a state social service agency are **not** qualified expenses unless you included the reimbursement in your income.

### Household Services

These are services needed to care for the qualifying person as well as to run the home. They include, for example, the services of a cook, maid, babysitter, housekeeper, or cleaning person if the services were partly for the care of the qualifying person(s). Do not include services of a chauffeur or gardener.

You may also include your share of the employment taxes paid on wages for qualifying child and dependent care services.

### Care of the Qualifying Person

Care includes the cost of services for the qualifying person's well-being and protection. It does not include the cost of clothing or entertainment.

You may include the cost of care provided outside your home for your dependent under age 13 or any other qualifying person(s) who regularly spends at least 8 hours a day in your home. If the care was provided by a dependent care center, the center must meet all applicable state and local regulations. A **dependent care center** is a place that provides care for more than six persons (other than persons who live there) and receives a fee, payment, or grant for providing services for any of those persons, even if the center is not run for profit.

You may include amounts paid for food and schooling **only** if these items are part of the total care and cannot be separated from the total cost. But **do not** include the cost of schooling for a child in the first grade or above. Also, **do not** include any expenses for sending your child to an overnight camp.

### Prior Year's Expenses

If you had qualified expenses for 1995 that you didn't pay until 1996, you may be able to claim these qualified expenses and increase the amount of credit you can take in 1996. For more information, see *Amount of Credit in federal Publication 503, Child and Dependent Care Expenses*. Also, see the instructions for line 10 on page 4.

### Earned Income

Generally, this is your wages, salaries, tips, and other employee compensation. This is usually the amount shown on federal Form 1040, line 7. But earned income does not include a scholarship or fellowship grant if you did not get a wage and tax statement (federal Form W-2) for it.

Earned income does include certain nontaxable earned income, such as meals and lodging provided for the convenience of your employer. Earned income also includes 414(h) retirement contributions shown on your wage and tax statement(s), New York State Form IT-2102 (Copy 1) or federal Form W-2 (Copy 2). For more information, see federal Publication 503, *Child and Dependent Care Expenses*. However, including nontaxable earned income will only give you a larger credit if your other earned income (and your spouse's other earned income if filing a joint return) is less than the qualified expenses entered on line 4 of Form IT-216.

If you were a statutory employee and are filing Schedule C or C-EZ with your federal return, to report income and expenses as a statutory employee, earned income also includes the amount from line 1 of that Schedule C or C-EZ.

If you were self-employed, earned income also includes the amount shown on federal Schedule SE, line 3, minus any deduction you claim on federal Form 1040, line 25. If you use either optional method to figure self-employment tax, subtract any deduction you claim on federal Form 1040, line 25, from the total of the amounts on federal Schedule SE, Section B, lines 3 and 4b to figure your earned income.

**Note:** You must reduce your earned income by any loss from self-employment.

If you are **filing a joint federal return**, disregard community property laws. If your spouse died in 1996 and had no earned income, see federal Publication 503. If your spouse was a student or disabled in 1996, see the line 6 instructions for Form IT-216.

### Filling in Your Claim Form

Form IT-216 for 1996 has been designed to let us use the latest scanning and image-processing equipment. Rectangular boxes have been printed on the form to guide you in making your handwritten entries. This will enable our scanning equipment to read your return more accurately and let us process it more efficiently. Please spend a moment reviewing the method below for making your entries:

- Please print (using a blue or black ballpoint pen; no pencils, please) or type all "X" marks and money amounts in the boxes or spaces provided.
- Do not use dollar signs, commas, decimal points, dashes or any other punctuation marks or symbols.
- Write your numerals like this:

1	2	3	4	5	6	7	8	9	0	X
---	---	---	---	---	---	---	---	---	---	---

- Carefully enter your money amounts so that the whole dollar amount ends in the box immediately to the left of the cents decimal and the cents amount starts in the box immediately to the right of the cents decimal.
- Make your money amount entries in the boxes, allowing one numeral for each area.

**Example:** If your entry for line 4 is \$3,525.50, your money field entry should look like:

4	3	5	2	5	.	5	0
---	---	---	---	---	---	---	---

- Leave blank any spaces and boxes that do not apply to you.

### Line Instructions (for all filers)

**All filers** complete lines 1 through 13 as applicable. (**Form IT-100 filers** - Do not file Form IT-216 unless you have already filed your Form IT-100 for 1996 and did not claim the child and dependent care credit on it.)

#### Line 1

File Form IT-216 with your original 1996 New York State income tax

return. If you have already filed your original return, you may file Form IT-216 by itself. If you haven't previously filed your income tax return for this year, you **must** file one with this claim.

**Line 2**

Complete columns (A) through (D) for each person or organization that provided the care. If you have more than four providers, list the information on a separate sheet. You can use federal Form W-10, *Dependent Care Provider's Identification and Certification*, or any other source listed in its instructions to get the information from the care provider. If you do not give correct or complete information, your credit may be disallowed unless you can show you used due diligence in trying to get the required information.

**Due Diligence**

You can show a serious and earnest effort (due diligence) to get the information by keeping in your records a federal Form W-10 completed by the care provider. Or you may keep one of the other sources of information listed in the instructions for Form W-10. If the provider does not give you the information, complete the entries you can on line 2 of Form IT-216. For example, enter the provider's name and address. Write **See Attached** in the columns for which you do not have the information. Then, attach an explanation to your Form IT-216 indicating that the care provider did not give you the information you requested.

**Columns (A) and (B)**

Enter the care provider's name and address. If you were covered by your employer's dependent care plan and your employer furnished the care (either at your workplace or by hiring a care provider), enter your employer's name in column (A). Next, write **See wage and tax statement** in column (B). Then leave columns (C) and (D) blank. If your employer paid a third party (not hired by your employer) on your behalf to provide the care, you must give information on the third party in columns (A) through (D).

**Column (C)**

If the care provider is an individual, enter his or her social security number (SSN). Otherwise,

enter the provider's employer identification number (EIN). If the provider is a tax-exempt organization, write **Tax-Exempt** in column (C).

**Column (D)**

Enter the total amount you **actually paid** in 1996 to the care provider. Also, include amounts your employer paid to a third party on your behalf. It does not matter when the expenses were incurred. Do not reduce this amount by any reimbursement you received.

**Line 3**

List the name, social security number and year of birth for the qualifying person(s) for which you are claiming the New York State child and dependent care credit. Also, be sure to place an **X** in the box under the heading *Person with disability* if the qualifying person was permanently disabled during 1996.

**Line 4**

Using the filing description below that fits you, enter the amount of your qualified expenses as instructed.

- If you filed federal Form 2441 to claim the federal child and dependent care credit, enter on Form IT-216, line 4, the amount from federal Form 2441, line 4.
- If you filed Form 2441 **only** to complete Part III because you have dependent care benefits reported in box 10 of your federal Form W-2, enter on Form IT-216, line 4, the amount from line *e* of the *Worksheet* below.

— If you did not file federal Form 2441 but are completing Form IT-216 to claim the New York State child and dependent care credit, enter the amount of qualifying expenses you incurred and paid in 1996. **Do not include** the following expenses on line 4.

1. Qualified expenses you incurred in 1996 but did not pay until 1997. However, next year you may be able to use these expenses to increase your 1997 credit.
2. Qualified expenses you incurred in 1995 but did not pay until 1996. If you had prior year expenses you did not pay until 1996, see the instructions for line 10 on the next page.

For more information, see *Qualified Expenses* on page 2.

**Line 5**

Enter **only your** earned income on line 5 (do not include your spouse's). For more information, see *Earned Income* on page 2.

**Line 6**

If you are filing your return using filing status ②, *Married filing joint return*, enter **only your spouse's** earned income on line 6. If you are using any other filing status, enter the amount from line 5 on line 6.

**Spouse Who Was a Student or Disabled**

Your spouse was a **student** if he or she was enrolled as a full-time student at a school during any 5 months of 1996. Your spouse was **disabled** if he or she was not capable of self-care. Figure your spouse's earned income on a monthly basis.

For each month or part of a month your spouse was a student or was disabled, he or she is considered to have worked and earned income. His other earned income for each month is considered to be at least \$200 (\$400 if more than one qualifying person was cared for in 1996). If your spouse also worked during that month, use the higher of \$200 (or \$400) or his or her actual earned income for that month. If, in the same month, both you and your spouse were either students or disabled, this rule applies to only one of you for that month.

**Worksheet**

a.	Enter the amount of qualified expenses you incurred and paid in 1996. <b>Do not</b> include on this line any excluded benefits shown on federal Form 2441, line 19. . . . .	a. _____
b.	Enter \$2,400 (\$4,800 if two or more qualifying persons) . . . . .	b. _____
c.	Enter the amount from federal Form IT-2441, line 19. . . . .	c. _____
d.	Subtract line c from line b. If zero or less, <b>STOP!</b> You cannot take the credit. <b>Exception:</b> If you paid prior year (1995) expenses in 1996, see the line 10 instructions on page 4 . . . . .	d. _____
e.	Enter the smaller of line a or line d here and on Form IT-216, line 4. . . . .	e. _____

For any month that your spouse was not disabled or a student, use your spouse's actual earned income if he or she worked during the month.

### Line 7

Enter the smallest of line 4, 5 or 6. Federal limitations require you to use the lesser of qualified expenses, your earned income, or your spouse's earned income (if applicable), in the computation of the federal credit.

### Line 8

Enter your federal adjusted gross income from Form IT-200, line 8, IT-201, line 18, or Form IT-203, line 18, *Federal Amount* column.

### Line 9

Enter on line 9 the appropriate decimal amount for your federal adjusted gross income shown on line 8.

### Line 10

This is your eligible federal child and dependent care credit. If you claimed the child and dependent care credit on your federal return, the amount shown on Form IT-216, line 10, should be the same as the amount shown on federal Form 2441, line 10, before any federal limitation.

If you had qualified expenses for 1995 that you didn't pay until 1996, you may be able to claim these qualified expenses and increase the amount of credit you can take in 1996. If you can take a credit for 1995 expenses paid in 1996, write **PYE** and the amount of the credit you are claiming for prior year expenses on the dotted line next to line 10. Also include this amount in the line 10 amount box. Attach a statement showing how you figured the credit for 1995 expenses.

### Line 11

Transfer the amount from line 10 to line 11 and complete the remainder of Form IT-216.

### Line 12

For 1996, the New York State child and dependent care credit is a minimum of 20% and as much as 30% of the federal credit, depending on the amount of your New York adjusted gross income. Enter in the space provided, your New York adjusted gross income using the following:

- **Form IT-200 filers** — amount from line e of the worksheet in the next column.

- **Form IT-201 filers** — amount from line 31 of Form IT-201
- **Form IT-203 filers** — amount from line 31 of Form IT-203

Worksheet for IT-200 Filers	
a. Enter the amount from Form IT-200, line 11 . . . . .	a. _____
b. Enter the amount from Form IT-200, line 12 . . . . .	b. _____
c. Enter the amount from Form IT-200, line 13 . . . . .	c. _____
d. Add lines b and c . . . . .	d. _____
e. Subtract line d from line a. Enter this amount here and on Form IT-216, in the New York adjusted gross income space . . . . .	e. _____

Use the table on Form IT-216 to determine the decimal to be entered on line 12.

### Line 13

If you are attaching this claim to your original 1996 New York State income tax return and you answered No at line 1:

- **Residents** — Transfer the line 13 amount to Form IT-200, line 33, or Form IT-201, line 54.
- **Nonresidents** — Transfer the line 13 amount to Form IT-203, line 39.
- **Part-year residents** — Continue on line 14 of Form IT-216.

If you have previously filed your 1996 New York State income tax return and you answered Yes at line 1:

- **Residents and nonresidents** — mail your completed form to:  
STATE PROCESSING CENTER  
PO BOX 61000  
ALBANY, NY 12261-0001

## Line Instructions for Part-Year Residents Only (Lines 14-21)

**Lines 14 through 21** need to be completed **only** by part-year residents claiming the New York State child and dependent care credit who are filing, or have previously filed, an IT-203, *Nonresident and Part-Year Resident Income Tax Return*, for 1996. The amounts for these lines can be found on the appropriate lines of Form IT-203 or Form IT-203-ATT, *Itemized Deductions and Other Credits and Taxes*, or the instructions for Form IT-203.

The New York State child and dependent care credit must first reduce your tax liability to zero

before the remaining excess is eligible to be refunded. The amount to be refunded will be based on the ratio of resident period income to the combined income from both the resident and nonresident periods.

### Line 20

Divide line 18 by line 19 and carry the result to four decimal places. **Do not enter more than 100% (1.0000)** even if your actual result is more than 100%. If the result is zero percent (0%), you have no remaining excess child care credit available to be refunded. Do not complete line 21.

### Line 21

If line 20 is greater than 0%, multiply line 17 by line 20. If you answered No at line 1, transfer the line 21 amount to Form IT-203, line 56 and attach Form IT-216 to your Form IT-203. This amount represents the refundable portion of your part-year resident child and dependent care credit.

If you have previously filed your 1996 New York State income tax return and you answered Yes at line 1, mail your completed form to:

STATE PROCESSING CENTER  
PO BOX 61000  
ALBANY, NY 12261-0001.

#### 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 22, 26, 26-A, 26-B, 30, 30-A and 30-B of the Tax Law, Article 2-E of the General City Law and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs.

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.



# School Districts and Code Numbers

Albany - Erie

If you were a part-year resident of New York State, use this list to find the name and code number of the public school district located in the county where you were last a New York State resident. (If you were also a part-year resident of New York City, look for your listing after Nassau County.) Enter the school district name and code number at the top of the front of your return in the spaces provided. If you do not know the name of your school district, contact your nearest public school to your New York State home.

**Caution:** You must enter your school district and code number even if you were absent temporarily, if the school your children attended was not in your school district, or if you had no children attending school. School aid may be affected if the school district or code number is not correct.

| School District Name<br>School District Code Number |
|---|---|---|---|
| <b>Albany</b>                                       |   |   |   |
| Albany 005  |   |   |   |
| Berne-Knox (Westerlo) 050                           |   |   |   |
| Bethlehem 051                                       |   |   |   |
| Cairo (Durham) 076                                  |   |   |   |
| Cohoes 122  |   |   |   |
| Duanesburg 153                                      |   |   |   |
| Green Island 236                                    |   |   |   |
| Greenville 240                                      |   |   |   |
| Guilderland 246                                     |   |   |   |
| Maplewood (Colonie) 371                             |   |   |   |
| Menands 388   |   |   |   |
| Middleburgh 393                                     |   |   |   |
| Mohonasen-Draper (Rotterdam) 402                    |   |   |   |
| Niskayuna 439                                       |   |   |   |
| North Colonie 443                                   |   |   |   |
| Ravena-Coeymans (Selkirk) 524                       |   |   |   |
| Schalmont (Rotterdam) 568                           |   |   |   |
| Schoharie 572                                       |   |   |   |
| South Colonie 595                                   |   |   |   |
| Voorheesville 660                                   |   |   |   |
| Watervliet 674                                      |   |   |   |
| <b>Allegany</b>                                     |   |   |   |
| Alfred Almond 010                                   |   |   |   |
| Andover 017   |   |   |   |
| Angelica-Belmont 018                                |   |   |   |
| Arkport 021   |   |   |   |
| Belfast 044   |   |   |   |
| Bolivar-Richburg 054                                |   |   |   |
| Canaseraga 083                                      |   |   |   |
| Cuba-Rushford 138                                   |   |   |   |
| Fillmore 192  |   |   |   |
| Friendship 209                                      |   |   |   |
| Greenwood 242                                       |   |   |   |
| Hinsdale 277  |   |   |   |
| Keshequa (Dalton-Nunda) 320                         |   |   |   |
| Letchworth (Gainsville) 339                         |   |   |   |
| Pioneer (Yorkshire) 498                             |   |   |   |
| Portville 512                                       |   |   |   |
| Scio 575  |   |   |   |
| Wellsville 683                                      |   |   |   |
| Whitesville 702                                     |   |   |   |
| <b>Broome</b>                                       |   |   |   |
| Afton 003   |   |   |   |
| Bainbridge Guilford 031                             |   |   |   |
| Binghamton 053                                      |   |   |   |
| Chenango Forks 107                                  |   |   |   |
| Chenango Valley 108                                 |   |   |   |
| Cincinnatus 113                                     |   |   |   |
| Deposit 146   |   |   |   |
| Greene 238  |   |   |   |
| Harpursville 259                                    |   |   |   |
| Johnson City 313                                    |   |   |   |
| Maine Endwell 364                                   |   |   |   |
| Marathon 372  |   |   |   |
| Newark Valley 432                                   |   |   |   |
| South Mountain-Hickory 720                          |   |   |   |
| Susquehanna Valley 627                              |   |   |   |
| Union-Endicott 651                                  |   |   |   |
| Vestal 658  |   |   |   |
| Whitney Point 703                                   |   |   |   |
| Windsor 710   |   |   |   |
| <b>Cattaraugus</b>                                  |   |   |   |
| Allegany-Limestone 011                              |   |   |   |
| Cattaraugus 094                                     |   |   |   |
| <b>Cattaraugus (Cont'd)</b>                         |   |   |   |
| Cuba-Rushford 138                                   |   |   |   |
| Ellicottville 181                                   |   |   |   |
| Forestville 198                                     |   |   |   |
| Franklinville 205                                   |   |   |   |
| Frewsburg 208                                       |   |   |   |
| Gowanda 230   |   |   |   |
| Griffith Institute (Springville) 244                |   |   |   |
| Hinsdale 277  |   |   |   |
| Little Valley 347                                   |   |   |   |
| Olean 462   |   |   |   |
| Pine Valley (South Dayton) 497                      |   |   |   |
| Pioneer (Yorkshire) 498                             |   |   |   |
| Portville 512                                       |   |   |   |
| Randolph 522  |   |   |   |
| Randolph Children's Home 723                        |   |   |   |
| Salamanca 556                                       |   |   |   |
| West Valley 690                                     |   |   |   |
| <b>Cayuga</b>                                       |   |   |   |
| Auburn 025  |   |   |   |
| Cato Meridian 092                                   |   |   |   |
| Groton 245  |   |   |   |
| Hannibal 257  |   |   |   |
| Homer 281   |   |   |   |
| Jordan Elbridge 315                                 |   |   |   |
| Moravia 407   |   |   |   |
| Oswego 472  |   |   |   |
| Port Byron 507                                      |   |   |   |
| Red Creek 525                                       |   |   |   |
| Skaneateles 588                                     |   |   |   |
| Southern Cayuga 609                                 |   |   |   |
| Union Springs 650                                   |   |   |   |
| Weedsport 681                                       |   |   |   |
| <b>Chautauqua</b>                                   |   |   |   |
| Bemus Point 048                                     |   |   |   |
| Brocton 067   |   |   |   |
| Cassadaga Valley 091                                |   |   |   |
| Chautauqua Lake (Mayville) 104                      |   |   |   |
| Clymer 119  |   |   |   |
| Dunkirk 155   |   |   |   |
| Falconer 189  |   |   |   |
| Forestville 198                                     |   |   |   |
| Fredonia 206  |   |   |   |
| Frewsburg 208                                       |   |   |   |
| Gowanda 230   |   |   |   |
| Jamestown 306                                       |   |   |   |
| Jamestown (Southwestern) 611                        |   |   |   |
| Panama 479  |   |   |   |
| Pine Valley (South Dayton) 497                      |   |   |   |
| Randolph 522  |   |   |   |
| Ripley 536  |   |   |   |
| Sherman 583   |   |   |   |
| Silver Creek 587                                    |   |   |   |
| Westfield 692                                       |   |   |   |
| <b>Chemung</b>                                      |   |   |   |
| Corning 132   |   |   |   |
| Elmira 182  |   |   |   |
| Elmira Heights 183                                  |   |   |   |
| Horseheads 287                                      |   |   |   |
| Newfield 436  |   |   |   |
| Odessa Montour 460                                  |   |   |   |
| Spencer Van Etten 613                               |   |   |   |
| Watkins Glen 675                                    |   |   |   |
| Waverly 676   |   |   |   |
| <b>Chenango</b>                                     |   |   |   |
| Afton 003   |   |   |   |
| Bainbridge Guilford 031                             |   |   |   |
| Brookfield 070                                      |   |   |   |
| Chenango Forks 107                                  |   |   |   |
| Cincinnatus 113                                     |   |   |   |
| De Ruyter 141                                       |   |   |   |
| Gilbertsville-Mt. Upton 222                         |   |   |   |
| Greene 238  |   |   |   |
| Harpursville 259                                    |   |   |   |
| Norwich 455   |   |   |   |
| Otselic Valley (Georgetown-South Otselic) 606       |   |   |   |
| Oxford 475  |   |   |   |
| Sherburne-Earlville 582                             |   |   |   |
| Sidney 586  |   |   |   |
| Unadilla Valley (New Berlin-South New Berlin) 422   |   |   |   |
| Whitney Point 703                                   |   |   |   |
| <b>Clinton</b>                                      |   |   |   |
| Ausable Valley (Keeseville) 026                     |   |   |   |
| Beekmantown 043                                     |   |   |   |
| Chateaugay 102                                      |   |   |   |
| Chazy 105   |   |   |   |
| N. Eastern Clinton 418                              |   |   |   |
| Northern Adirondack 453                             |   |   |   |
| Peru 492  |   |   |   |
| Plattsburgh 503                                     |   |   |   |
| Saranac (Dannemora) 560                             |   |   |   |
| Saranac Lake 561                                    |   |   |   |
| <b>Columbia</b>                                     |   |   |   |
| Chatham 103   |   |   |   |
| East Greenbush 158                                  |   |   |   |
| Germantown 221                                      |   |   |   |
| Hudson 289  |   |   |   |
| Ichabod Crane (Kinderhook) 294                      |   |   |   |
| New Lebanon 426                                     |   |   |   |
| Pine Plains 496                                     |   |   |   |
| Red Hook 526  |   |   |   |
| Schodack 571  |   |   |   |
| Taconic Hills (Copake) 632                          |   |   |   |
| Webutuck (Northeast) 680                            |   |   |   |
| <b>Cortland</b>                                     |   |   |   |
| Cincinnatus 113                                     |   |   |   |
| Cortland 134  |   |   |   |
| De Ruyter 141                                       |   |   |   |
| Dryden 152  |   |   |   |
| Fabius (Pompey) 187                                 |   |   |   |
| Greene 238  |   |   |   |
| Groton 245  |   |   |   |
| Homer 281   |   |   |   |
| Marathon 372  |   |   |   |
| McGraw 385  |   |   |   |
| Newark Valley 432                                   |   |   |   |
| Tully 646   |   |   |   |
| Whitney Point 703                                   |   |   |   |
| <b>Delaware</b>                                     |   |   |   |
| Andes 016   |   |   |   |
| Bainbridge Guilford 031                             |   |   |   |
| Charlotte Valley 101                                |   |   |   |
| Delaware Valley 143                                 |   |   |   |
| Delhi 144   |   |   |   |
| Deposit 146   |   |   |   |
| Downsville 150                                      |   |   |   |
| Franklin 203  |   |   |   |
| <b>Delaware (Cont'd)</b>                            |   |   |   |
| Gilboa Conesville 223                               |   |   |   |
| Hancock 256   |   |   |   |
| Jefferson 310                                       |   |   |   |
| Livingston Manor 349                                |   |   |   |
| Margaretville 375                                   |   |   |   |
| Oneonta 464   |   |   |   |
| Roscoe 545  |   |   |   |
| Roxbury 547   |   |   |   |
| Sidney 586  |   |   |   |
| South Kortright 601                                 |   |   |   |
| Stamford 620  |   |   |   |
| Unatego (Otego-Unadilla) 649                        |   |   |   |
| Walton 663  |   |   |   |
| Worcester 711                                       |   |   |   |
| <b>Dutchess</b>                                     |   |   |   |
| Arlington 022                                       |   |   |   |
| Beacon 040  |   |   |   |
| Carmel 089  |   |   |   |
| Dover Union Free 149                                |   |   |   |
| Haldane (Philipstown) 249                           |   |   |   |
| Hyde Park 293                                       |   |   |   |
| Millbrook 396                                       |   |   |   |
| Pawling 483   |   |   |   |
| Pine Plains 496                                     |   |   |   |
| Poughkeepsie 514                                    |   |   |   |
| Red Hook 526  |   |   |   |
| Rhinebeck 531                                       |   |   |   |
| Spackenkill 612                                     |   |   |   |
| Taconic Hills (Copake) 632                          |   |   |   |
| Wappingers Falls 665                                |   |   |   |
| Webutuck (Northeast) 680                            |   |   |   |
| <b>Erie</b>   |   |   |   |
| Akron 004   |   |   |   |
| Alden 007   |   |   |   |
| Amherst 719   |   |   |   |
| Attica 024  |   |   |   |
| Buffalo 073   |   |   |   |
| Cheektowaga 106                                     |   |   |   |
| Cheektowaga-Maryvale 378                            |   |   |   |
| Cheektowaga-Sloan 589                               |   |   |   |
| Clarence 114  |   |   |   |
| Cleveland Hill 115                                  |   |   |   |
| Depew 145   |   |   |   |
| East Aurora 156                                     |   |   |   |
| Eden 171  |   |   |   |
| Frontier 210  |   |   |   |
| Gowanda 230   |   |   |   |
| Grand Island 232                                    |   |   |   |
| Griffith Institute (Springville) 244                |   |   |   |
| Hamburg 251   |   |   |   |
| Holland 278   |   |   |   |
| Iroquois 300  |   |   |   |
| Kenmore-Town of Tonawanda 319                       |   |   |   |
| Lackawanna 326                                      |   |   |   |
| Lake-Shore (Evans-Brant) 330                        |   |   |   |
| Lancaster 332                                       |   |   |   |
| Maryvale (Cheektowaga) 378                          |   |   |   |
| North Collins 442                                   |   |   |   |
| Orchard Park 468                                    |   |   |   |
| Pioneer (Yorkshire) 498                             |   |   |   |
| Silver Creek 587                                    |   |   |   |
| Sloan (Cheektowaga) 589                             |   |   |   |
| Sweet Home 628                                      |   |   |   |
| Tonawanda (City of) 638                             |   |   |   |
| West Seneca 689                                     |   |   |   |
| Williamsville 706                                   |   |   |   |

# School Districts and Code Numbers



School District Name School District Code Number	School District Name School District Code Number	School District Name School District Code Number	School District Name School District Code Number
<b>Essex</b>	<b>Hamilton</b>	<b>Livingston (Cont'd)</b>	<b>Montgomery (Cont'd)</b>
Ausable Valley (Keeseville) 026	Indian Lake 296	Honeoye 282	Fonda Fultonville 197
Crown Point 137	Inlet 298	Honeoye Falls-Lima 283	Fort Plain 201
Elizabethtown (Lewis) 179	Lake Pleasant 329	Keshequa (Dalton-Nunda) 320	Galway 212
Keene 317	Long Lake 354	Le Roy 338	Johnstown 314
Lake Placid 328	Northville 454	Livonia 350	Owen D. Young (Hornesville) 474
Minerva 399	Piseco (Morehouse) 499	Mount Morris 413	Schalmont (Rotterdam) 568
Moriah 408	Poland 506	Naples 420	Schoharie 572
Newcomb 434	Raquette Lake 523	Pavilion 482	Scotia Glenville 576
Putnam 517	Wells 682	Perry 490	Sharon Springs 579
Saranac Lake 561	<b>Herkimer</b>	Wayland-Cohocton 677	St. Johnsville 618
Schroon Lake 573	Adirondack (Boonville) 002	Wheatland Chili 697	<b>Nassau</b>
Ticonderoga 636	Cherry	York 716	Amityville 014
Westport 696	Valley-Springfield 616	<b>Madison</b>	Baldwin 032
Willsboro 707	Dolgeville 148	Brookfield 070	Bellmore 046
<b>Franklin</b>	Fort Plain 201	Canastota 084	Bellmore-Merrick CHS*
Ausable Valley (Keeseville) 026	Frankfort (Schuyler) 202	Cazenovia 095	Bethpage 052
Brasher Falls (St. Lawrence) 058	Herkimer 268	Chittenango 111	Carle Place 088
Brushton Moira 072	Holland Patent 279	De Ruyter 141	Cold Spring Harbor 123
Chateaugay 102	Ilion 295	East Syracuse (Minoa) 167	East Meadow 162
Malone 365	Little Falls 346	Edmeston 174	East Rockaway 166
Northern Adirondack 453	Mohawk 401	Fabius (Pompey) 187	East Williston 168
Salmon River 558	Mount Markham (Bridgewater- W. Winfield) 412	Hamilton 252	Elmont 184
Saranac Lake 561	New Hartford 424	Madison 361	Farmingdale 191
St. Regis Falls 619	Oppenheim Ephratah 467	Manlius (Fayetteville) 370	Floral Park (Bellerose) 195
Tupper Lake 647	Owen D. Young (Hornesville) 474	Morrisville Eaton 411	Franklin Square 204
<b>Fulton</b>	Poland 506	Mount Markham (Bridgewater- W. Winfield) 412	Freeport 207
Amsterdam 015	Remsen 528	Oneida (Sylvan) 463	Garden City 214
Broadalbin-Perth 065	Richfield Springs 533	Otselic Valley (Georgetown- South Otselic) 606	Glen Cove 224
Dolgeville 148	Sauquoit Valley 564	Sherburne-Earlville 582	Great Neck 234
Edinburg 173	St. Johnsville 618	Sherrill 584	Hempstead 265
Fonda Fultonville 197	Town of Webb 639	Stockbridge Valley 624	West Hempstead 687
Fort Plain 201	West Canada Valley 685	Unadilla Valley (New Berlin- South New Berlin) 422	Herricks 270
Galway 212	Whitesboro 701	Waterville 673	Hewlett Woodmere 272
Gloversville 227	<b>Jefferson</b>	<b>Monroe</b>	Hicksville 273
Johnstown 314	Alexandria Bay	Avon 029	Island Park 302
Mayfield 383	(Alexandria) 009	Brighton 063	Island Trees 303
Northville 454	Belleville-Henderson 045	Brockport 066	Jericho 311
Oppenheim Ephratah 467	Carthage 090	Byron Bergen 075	Lawrence 337
St. Johnsville 618	Copenhagen 129	Caledonia Mumford 077	Levittown 340
Wheelerville 698	General Brown 217	Churchville Chili 112	Locust Valley 352
<b>Genesee</b>	Gouverneur 229	East Irondequoit 160	Long Beach 353
Akron 004	Hammond (Alexandria Common) 253	Fairport 188	Lynbrook 357
Albion 006	Indian River 297	Gates Chili 216	Malverne 366
Alden 007	La Fargeville 324	Greece 235	Manhasset 368
Alexander 008	Lyme 356	Hilton 276	Massapequa 379
Attica 024	Sackets Harbor (Hounsfield) 288	Holley 280	Merrick 389
Batavia 036	Sandy Creek 559	Honeoye Falls-Lima 283	North Merrick 444
Brockport 066	South Jefferson 600	Irondequoit (West Irondequoit) 299	Mineola 398
Byron Bergen 075	Thousand Islands 634	East Irondequoit 160	New Hyde Park (Garden City Park) 425
Caledonia Mumford 077	Watertown 672	Kendall 318	North Bellmore 441
Elba 177	<b>Lewis</b>	Penfield 488	North Merrick 444
Le Roy 338	Adirondack (Boonville) 002	Pittsford 500	North Shore (Sea Cliff) 448
Medina 387	Beaver River 041	Rochester 538	Oceanside 459
Oakfield Alabama 458	Camden 079	East Rochester 165	Oyster Bay (East Norwich) 476
Pavilion 482	Carthage 090	Rush Henrietta 549	Plainedge 501
Pembroke 487	Copenhagen 129	Spencerport 614	Plainview (Old Bethpage) 502
Royalton Hartland 548	Harrisville 261	Victor 659	Port Washington 511
Wyoming 714	Lowville 355	Wayne 678	Rockville Centre 539
<b>Greene</b>	Sandy Creek 559	Webster 679	Roosevelt 544
Cairo (Durham) 076	South Jefferson 600	Wheatland Chili 697	Roslyn 546
Catskill 093	South Lewis 602	<b>Montgomery</b>	Seaford 577
Coxsackie Athens 135	<b>Livingston</b>	Amsterdam 015	Sewanhaka*
Gilboa Conesville 223	Avon 029	Broadalbin-Perth 065	Syosset 630
Greenville 240	Caledonia Mumford 077	Canajoharie 081	Uniondale 652
Hunter Tannersville 291	Canaseraga 083	Cherry	Valley Stream CHS*
Margaretville 375	Dansville 140	Valley-Springfield 616	Valley Stream
Onteora 466	Genesee 218	Cobleskill-Richmondville 120	Hempstead-13 655
Ravena-Coeymans (Selkirk) 524	<b>Livingston</b>	Duanesburg 153	Valley Stream
Windham Ashland (Jewett) 709	Adirondack (Boonville) 002		Hempstead-24 656
	Cherry		Valley Stream
	Valley-Springfield 616		Hempstead-30 657
	Wheatland Chili 697		Wantagh 664
	York 716		West Hempstead 687
			Westbury 691

\* Do not use a high school district (CHS) in Bellmore-Merrick, Sewanhaka or Valley Stream. Use the code number for the elementary school district where you live.



# School Districts and Code Numbers

New York City - Schuyler

School District Name School District Code Number	School District Name School District Code Number	School District Name School District Code Number	School District Name School District Code Number
<b>New York City</b>			
Bronx 068			
Brooklyn (Kings County) 071			
Manhattan (NY County) 369			
Queens 519			
Staten Island (Richmond County) 622			
<b>Niagara</b>			
Akron 004			
Barker 035			
Lewiston Porter 341			
Lockport 351			
Medina 387			
Newfane 435			
Niagara Falls 437			
Niagara Wheatfield 438			
North Tonawanda 450			
Royalton Hartland 548			
Star Point 621			
Wilson 708			
<b>Oneida</b>			
Adirondack (Boonville) 002			
Brookfield 070			
Camden 079			
Central Square 098			
Clinton 117			
Holland Patent 279			
Madison 361			
Mount Markham (Bridgewater- W. Winfield) 412			
New Hartford 424			
New York Mills 430			
Oneida (Sylvan) 463			
Oriskany 469			
Poland 506			
Remsen 528			
Rome 541			
Sauquoit Valley 564			
Sherrill 584			
Stockbridge Valley 624			
Town of Webb 639			
Utica 653			
Waterville 673			
West Canada Valley 685			
Westmoreland 695			
Whitesboro 701			
<b>Onondaga</b>			
Baldwinsville 033			
Cato Meridian 092			
Cazenovia 095			
Central Square 098			
Chittenango 111			
De Ruyter 141			
East Syracuse (Minoa) 167			
Fabius (Pompey) 187			
Homer 281			
Jamesville-Dewitt 307			
Jordan Elbridge 315			
La Fayette 325			
Liverpool 348			
Lyncourt (Salina) 358			
Manlius (Fayetteville) 370			
Marcellus 373			
Moravia 407			
North Syracuse 449			
Onondaga 465			
Phoenix 494			
Skaneateles 588			
Solvay 593			
Syracuse 631			
East Syracuse (Minoa) 167			
North Syracuse 449			
Tully 646			
West Genesee (Camillus) 686			
Westhill 694			
<b>Ontario</b>			
Canandaigua 082			
East Bloomfield (Bloomfield) 157			
Geneva 219			
Honeoye 282			
Honeoye Falls-Lima 283			
Livonia 350			
Lyons 360			
Marcus Whitman (Gorham- Middlesex) 374			
Naples 420			
Newark 431			
Palmyra-Macedon 478			
Penn Yan 489			
Phelps-Clifton Springs 493			
Pittsford 500			
Red Jacket (Manchester- Shortsville) 527			
Victor 659			
Wayland-Cohocton 677			
<b>Orange</b>			
Chester 110			
Cornwall 133			
Eldred 178			
Florida (S.S. Seward) 196			
Goshen 228			
Greenwood Lake 243			
Highland Falls 275			
Kiryas Joel Village 725			
Marlboro 377			
Middletown 394			
Minisink Valley 400			
Monroe Woodbury 403			
Montgomery (Valley Central) 405			
Newburgh 433			
North Rockland (Haverstraw- Stony Point) 445			
Pine Bush 495			
Port Jervis 510			
Suffern (Ramapo) 626			
Tuxedo 648			
Wallkill 662			
Warwick Valley 668			
Washingtonville 669			
<b>Orleans</b>			
Albion 006			
Barker 035			
Brockport 066			
Byron Bergen 075			
Holley 280			
Kendall 318			
Lyndonville 359			
Medina 387			
Oakfield Alabama 458			
Royalton Hartland 548			
<b>Oswego</b>			
Altmar Parish (Williamstown) 012			
Camden 079			
Cato Meridian 092			
Central Square 098			
Fulton 211			
Hannibal 257			
Mexico 390			
Oswego 472			
Phoenix 494			
Pulaski 516			
Sandy Creek 559			
South Jefferson 600			
<b>Otsego</b>			
Bainbridge Guilford 031			
Charlotte Valley 101			
<b>Otsego (Cont'd)</b>			
Cherry			
Valley-Springfield 616			
Cobleskill-Richmondville 120			
Cooperstown 128			
Edmeston 174			
Franklin 203			
Gilbertsville-Mt. Upton 222			
Laurens 336			
Milford 395			
Morris 409			
Mount Markham (Bridgewater- W. Winfield) 412			
Oneonta 464			
Owen D. Young (Hornesville) 474			
Richfield Springs 533			
Schenevus (Andrew S. Draper) 570			
Sharon Springs 579			
Sidney 586			
Unadilla Valley (New Berlin- South New Berlin) 422			
Unatego (Otego-Unadilla) 649			
Worcester 711			
<b>Putnam</b>			
Brewster 060			
Carmel 089			
Garrison 215			
Haldane (Philipstown) 249			
Lakeland (Shrub Oak) 331			
Mahopac 363			
North Salem 447			
Pawling 483			
Putnam Valley 518			
Wappingers Falls 665			
<b>Rensselaer</b>			
Averill Park (George Washington) 027			
Berlin 049			
Brittonkill (Brunswick Central) 064			
Cambridge 078			
East Greenbush 158			
Hoosic Valley 284			
Hoosick Falls 285			
Ichabod Crane (Kinderhook) 294			
Lansingburgh 334			
Mechanicville 386			
New Lebanon 426			
Rensselaer 530			
Schodack 571			
Stillwater 623			
Troy 642			
Williams 704			
Wynantskill 713			
<b>Rockland</b>			
Nanuet 419			
New City (Clarkstown) 423			
North Rockland (Haverstraw- Stony Point) 445			
Nyack 457			
Pearl River 484			
S. Orangetown 605			
Spring Valley (East Ramapo) 615			
Suffern (Ramapo) 626			
<b>St. Lawrence</b>			
Alexandria Bay (Alexandria) 009			
Brasher Falls (St. Lawrence) 058			
Brushton Moira 072			
Canton 087			
Clifton Fine 116			
<b>St. Lawrence (Cont'd)</b>			
Colton Pierrepoint 124			
Edwards-Knox 724			
Gouverneur 229			
Hammond (Alexandria Common) 253			
Harrisville 261			
Hermon Dekalb 269			
Heuvelton 271			
Indian River 297			
Lisbon 345			
Madrid Waddington 362			
Massena 380			
Morristown 410			
Norwood Norfolk 456			
Ogdensburg 461			
Parishville-Hopkinton 480			
Potsdam 513			
Salmon River 558			
St. Regis Falls 619			
Tupper Lake 647			
<b>Saratoga</b>			
Amsterdam 015			
Ballston Spa 034			
Broadalbin-Perth 065			
Burnt Hills (Ballston Lake) 074			
Corinth 131			
Edinburg 173			
Galway 212			
Hadley Luzerne 247			
Hudson Falls 290			
Mechanicville 386			
Niskayuna 439			
Northville 454			
Saratoga Springs 562			
Schuylerville 574			
Scotia Glenville 576			
Shenendehowa 581			
South Glens Falls 597			
Stillwater 623			
Waterford (Halfmoon) 670			
<b>Schenectady</b>			
Amsterdam 015			
Burnt Hills (Ballston Lake) 074			
Duanesburg 153			
Galway 212			
Mohonasen-Draper (Rotterdam) 402			
Niskayuna 439			
Schalmont (Rotterdam) 568			
Schenectady 569			
Schoharie 572			
Scotia Glenville 576			
South Colonie 595			
<b>Schoharie</b>			
Berne-Knox (Westerlo) 050			
Cairo (Durham) 076			
Canajoharie 081			
Charlotte Valley 101			
Cobleskill-Richmondville 120			
Duanesburg 153			
Fonda Fultonville 197			
Gilboa Conesville 223			
Greenville 240			
Jefferson 310			
Middleburgh 393			
Schoharie 572			
Sharon Springs 579			
Stamford 620			
<b>Schuyler</b>			
Bradford 057			
Corning 132			
Dundee 154			
Hammondsport 254			

# School Districts and Code Numbers



| School District Name<br>School District Code Number |
|---|---|---|---|
| <b>Schuyler (Cont'd)</b>                            | <b>Suffolk (Cont'd)</b>                             | <b>Tompkins</b>                                     | <b>Wayne (Cont'd)</b>                               |
| Horseheads 287                                      | Islip 304   | Candor 085  | Penfield 488  |
| Odessa Montour 460                                  | Central Islip 097                                   | Cortland 134  | Phelps-Clifton Springs 493                          |
| South Seneca 607                                    | East Islip 161                                      | Dryden 152  | Port Byron 507                                      |
| Spencer Van Etten 613                               | West Islip 688                                      | Groton 245  | Red Creek 525                                       |
| Trumansburg 643                                     | Kings Park 321                                      | Homer 281   | Sodus 592   |
| Watkins Glen 675                                    | Laurel 335  | Ithaca 305  | Victor 659  |
| <b>Seneca</b>                                       | Lindenhurst 344                                     | Lansing 333   | Wayne 678   |
| Clyde-Savannah 118                                  | Longwood (Middle Island) 392                        | Moravia 407   | Webster 679   |
| Geneva 219  | Mastic Beach (William Floyd) 381                    | Newark Valley 432                                   | Williamson 705                                      |
| Lyons 360   | Mattituck (Cutchogue) 382                           | Newfield 436  | <b>Westchester</b>                                  |
| Phelps-Clifton Springs 493                          | Middle Country 391                                  | Odessa Montour 460                                  | Ardley 019  |
| Romulus 542   | Miller Place 397                                    | Southern Cayuga 609                                 | Armonk (Byram Hills) 023                            |
| Seneca Falls 578                                    | Montauk 404   | Spencer Van Etten 613                               | Bedford (Mt. Kisco) 042                             |
| South Seneca 607                                    | Mount Sinai 414                                     | Trumansburg 643                                     | Blind Brook-Rye 535                                 |
| Trumansburg 643                                     | New Suffolk 429                                     | <b>Ulster</b>                                       | Briarcliff Manor 061                                |
| Waterloo (Border City) 671                          | North Babylon 440                                   | Ellenville 180                                      | Bronxville 069                                      |
| <b>Steuben</b>                                      | Northport (East Northport) 452                      | Fallsburgh 190                                      | Chappaqua 100                                       |
| Addison 001   | Oyster Ponds 477                                    | Highland 274  | Croton Harmon 136                                   |
| Alfred Almond 010                                   | Patchogue (Medford) 481                             | Kingston 322  | Dobbs Ferry 147                                     |
| Andover 017   | Port Jefferson 509                                  | Livingston Manor 349                                | Eastchester 169                                     |
| Arkport 021   | Quogue 521  | Margaretville 375                                   | Edgemont (Greenburgh) 172                           |
| Avoca 028   | East Quogue 164                                     | Marlboro 377  | Elmsford 185  |
| Bath (Haverling) 037                                | Remsenburg (Speonk) 529                             | Montgomery (Valley Central) 405                     | Greenburgh 237                                      |
| Bradford 057  | Riverhead 537                                       | New Paltz 427                                       | Harrison 260  |
| Campbell-Savona 080                                 | Rocky Point 540                                     | Onteora 466   | Hastings-on-Hudson 263                              |
| Canaseraga 083                                      | Sachem (Holbrook) 553                               | Pine Bush 495                                       | Hendrick Hudson 267                                 |
| Canisteo 086  | Sag Harbor 554                                      | Rondout Valley 543                                  | Irvington 301                                       |
| Corning 132   | Sagaponack 555                                      | Saugerties 563                                      | Katonah Lewisboro 316                               |
| Dansville 140                                       | Sayville 566  | Tri Valley 640                                      | Lakeland (Shrub Oak) 331                            |
| Elmira 182  | Shelter Island 580                                  | Walkkill 662  | Mamaroneck 367                                      |
| Greenwood 242                                       | Shoreham-Wading River 585                           | <b>Warren</b>                                       | Mt. Pleasant Central 417                            |
| Hammondsport 254                                    | Smithtown 590                                       | Bolton 055  | Mount Vernon 416                                    |
| Hornell 286   | South Country (South Haven) 596                     | Corinth 131   | New Rochelle 428                                    |
| Jasper-Troupsburg 308                               | South Huntington 599                                | Glens Falls 225                                     | North Salem 447                                     |
| Naples 420  | South Manor (West Manor) 603                        | Glens Falls Common (Abraham Wing) 226               | Ossining 471  |
| Penn Yan 489  | Southampton 608                                     | Hadley Luzerne 247                                  | Peekskill 485                                       |
| Prattsburg 515                                      | Southold 610  | Hudson Falls 290                                    | Pelham 486  |
| Wayland-Cohocton 677                                | Springs 617   | Johnsburg 312                                       | Pleasantville 504                                   |
| Whitesville 702                                     | Three Village 635                                   | Lake George 327                                     | Pocantico Hills 505                                 |
| <b>Suffolk</b>                                      | Tuckahoe Common (Southampton) 645                   | Minerva 399   | Port Chester (Rye) 508                              |
| Amagansett 013                                      | Wainscott 661                                       | North Warren 451                                    | Putnam Valley 518                                   |
| Amityville 014                                      | West Babylon 684                                    | Queensbury 520                                      | Rye 551   |
| Babylon 030   | West Islip 688                                      | Schroon Lake 573                                    | Rye Neck 552  |
| North Babylon 440                                   | Westhampton Beach 693                               | Ticonderoga 636                                     | Scarsdale 567                                       |
| West Babylon 684                                    | Wyandanch 712                                       | Warrensburg 666                                     | Somers 594  |
| Bay Shore 038                                       | <b>Sullivan</b>                                     | <b>Washington</b>                                   | Tarrytown 633                                       |
| Bayport Blue Point 039                              | Delaware Valley 143                                 | Argyle 020  | Tuckahoe 644  |
| Brentwood 059                                       | Eldred 178  | Cambridge 078                                       | Valhalla 654  |
| Bridgehampton 062                                   | Ellenville 180                                      | Fort Ann 199  | White Plains 699                                    |
| Center Moriches 096                                 | Fallsburgh 190                                      | Fort Edward 200                                     | Yonkers 715   |
| Central Islip 097                                   | Jeff Youngsville 309                                | Granville 233                                       | Yorktown Heights (Yorktown) 717                     |
| Cold Spring Harbor 123                              | Liberty 342   | Greenwich 241                                       | <b>Wyoming</b>                                      |
| Commack 125   | Livingston Manor 349                                | Hartford 262  | Alden 007   |
| Comsewogue (Brookhaven) 126                         | Minisink Valley 400                                 | Hoosic Valley 284                                   | Alexander 008                                       |
| Connetquot (Islip) 127                              | Monticello 406                                      | Hoosick Falls 285                                   | Attica 024  |
| Copiague 130  | Narrowsburg 421                                     | Hudson Falls 290                                    | Fillmore 192  |
| Deer Park 142                                       | Pine Bush 495                                       | Lake George 327                                     | Holland 278   |
| East Hampton 159                                    | Port Jervis 510                                     | Putnam 517  | Iroquois 300  |
| East Islip 161                                      | Roscoe 545  | Salem 557   | Keshequa (Dalton-Nunda) 320                         |
| East Moriches 163                                   | Tri Valley 640                                      | Schuylerville 574                                   | Letchworth (Gainsville) 339                         |
| East Quogue 164                                     | <b>Tioga</b>  | Stillwater 623                                      | Pavilion 482  |
| Eastport 170  | Candor 085  | Whitehall 700                                       | Perry 490   |
| Elwood 186  | Dryden 152  | <b>Wayne</b>  | Pioneer (Yorkshire) 498                             |
| Farmingdale 191                                     | Ithaca 305  | Cato Meridian 092                                   | Warsaw 667  |
| Fire Island (Ocean Beach) 193                       | Maine Endwell 364                                   | Clyde-Savannah 118                                  | Wyoming 714   |
| Fishers Island 194                                  | Marathon 372  | Gananda 213   | York 716  |
| Greenport 239                                       | Newark Valley 432                                   | Lyons 360   | <b>Yates</b>  |
| Half Hollow Hills 250                               | Owego-Apalachin 473                                 | Marion 376  | Dundee 154  |
| Hampton Bays 255                                    | Spencer Van Etten 613                               | North Rose-Wolcott 446                              | Geneva 219  |
| Harborfields 258                                    | Tioga 637   | Newark 431  | Marcus Whitman (Gorham-Middlesex) 374               |
| Hauppauge 264                                       | Union-Endicott 651                                  | Palmyra-Macedon 478                                 | Naples 420  |
| Huntington 292                                      | Vestal 658  |   | Penn Yan 489  |
| South Huntington 599                                | Waverly 676   |   | Prattsburg 515                                      |
|   | Whitney Point 703                                   |   |   |



# Employee's Withholding Allowance Certificate

New York State • City of New York • City of Yonkers

Print or type	Last name	First name and middle initial	Your social security number	
	Permanent mailing address (number and street or rural route)		Apartment number	<input type="checkbox"/> Single/Head of Household <input type="checkbox"/> Married <input type="checkbox"/> Married, but withhold at higher single rate <input type="checkbox"/> Qualifying widow(er)
	City, village or post office	State	ZIP code	<b>Note:</b> If married but legally separated, check the <i>Single/Head of Household</i> box.

**Complete the worksheet on the back before making any entries.**

1 Total number of allowances you are claiming for New York State and the city of Yonkers, if applicable (from line 18) . . . . .	1	
<b>Lines 2 and 3 apply only to city of New York taxpayers.</b>		
2 Allowances for New York State credits, if applicable (from lines 8 through 11 on the back) . . . . .	2	
3 Total number of allowances for city of New York (subtract line 2 from line 1) . . . . .	3	
<b>Use lines 4, 5 and 6 below to have additional withholding per pay period under special agreement with your employer.</b>		
4 New York State amount . . . . .	4	
5 City of New York amount . . . . .	5	
6 City of Yonkers amount . . . . .	6	

I certify that I am entitled to the number of withholding allowances claimed on this certificate.

Employee's signature	Date
Employer's name and address (Employer: complete this section only if sending to New York State Tax Department.)	Employer identification number

..... Cut here and give the completed certificate to your employer .....

## Instructions

### Change for 1997

Employers may use Form IT-2104 to report newly hired employees.

### Who Should File This Form

The certificate, Form IT-2104, is completed by an employee and given to the employer to instruct the employer how much New York State (and New York City and Yonkers) tax to withhold from the employee's pay. The more allowances claimed, the lower the amount of tax withheld.

If you do not file Form IT-2104, your employer may use the same number of allowances you claimed on federal Form W-4. Due to differences in tax law, this may result in an inappropriate amount of tax withheld for New York State, New York City and Yonkers. Complete a Form IT-2104 each year, and file it with your employer if the number of allowances you may claim is different than on federal Form W-4 or has changed. Common reasons why you should complete a new Form IT-2104 include the following:

- you started a new job;
- you are no longer a dependent;
- your individual circumstances may have changed (for example, you were married or have an additional child);
- you itemize your deductions on your personal income tax return;
- you claim allowances for New York State credits;
- you owed tax or received a large refund when you filed your personal income tax return for the past year;
- you have significantly more or less income from other sources or from another job;
- you no longer qualify for exemption from withholding; **or**
- you have been advised by the Internal Revenue Service that you are entitled to fewer allowances than claimed on your original federal Form W-4, and the disallowed allowances were claimed on your original IT-2104.

### Exemption From Withholding

You cannot use this Form IT-2104 to claim exemption from withholding.

To claim exemption from income tax withholding, you **must** file Form IT-2104-E, *Certificate of*

*Exemption from Withholding*, with your employer. You must file a new certificate each year. This exemption from withholding is allowable only if you had no New York income tax liability in the prior year, you expect none in the current year, **and** you are over 65 years of age, under 18, or a full-time student under 25. If you are a dependent who is under 18 or a full-time student, you are liable for tax if your income is more than \$3,000.

### Avoid Underwithholding

You may **not** claim a withholding allowance for yourself or, if married, your spouse. Claim the number of withholding allowances you figure in Part I on the back of this form. If you want more tax withheld, you may claim fewer allowances. If you arrive at negative allowances (less than zero) on lines 1, 3 or 18, and your employer cannot accommodate negative allowances, enter "0" and ask your employer to withhold an additional dollar amount each pay period by completing lines 4, 5 and 6 on the allowance certificate. You may also consider filing estimated tax. Estimated tax requires that payments be made by the employee directly to the Tax Department on a quarterly basis. For more information see the instructions for Form IT-2105, *Estimated Income Tax Payment Voucher*. If you need assistance, see *Need Help?* on the back of this form. If you claim more than 14 allowances, your employer must send a copy of your Form IT-2104 to the New York State Tax Department. You may then be asked to verify your allowances.

**Penalty** - A penalty of \$500 will be imposed for any false statement you make that decreases the amount of money you have withheld from your wages. You may also be subject to criminal penalties.

### Income From Sources Other Than Wages

If you have more than \$1,000 of income from sources other than wages (such as interest, dividends or alimony received), reduce the number of allowances claimed on line 1 of the IT-2104 certificate by one for each \$1,000 of nonwage income. If you arrive at negative allowances (less than zero), see *Avoid Underwithholding* above.

### Lines 8 and 11

When a taxpayer is eligible for both the household credit and the earned income credit, the earned income credit must be reduced by the household

credit. If you expect to claim the earned income credit on line 11, enter "0" on line 8.

### Heads of Households With Only One Job

If you will use the head-of-household filing status on your state income tax return, check the *Single/Head of Household* box on the front of the certificate. If you have only one job, you may also wish to claim two additional withholding allowances on Part I, line 12.

### Married Couples With Only One Spouse Working

If your spouse does not work and has no income subject to state income tax, check the *Married* box on the front of the certificate. You may also wish to claim two additional allowances on Part I, line 13.

### Married Couples With Both Spouses Working

If you and your spouse both work, you should each file a separate IT-2104 certificate with your respective employers. You should each check the box *Married but withhold at higher single rate* on the certificate front, and divide the total number of allowances that you compute on line 18 between you and your working spouse. Your withholding will better match your final tax if the higher-wage earning spouse claims all of the couple's allowances and the lower-wage earning spouse claims zero allowances. **Do not** claim more allowances than you are entitled to. If the total income of you and your spouse is between \$100,000 and \$150,000, use the chart in Part III to compute the number of allowances to transfer to Part I, line 17.

### Taxpayers With More Than One Job

If you have more than one job, file a separate IT-2104 certificate with each of your employers. Be sure to claim only the total number of allowances that you are entitled to. Your withholding will better match your final tax if you claim all of your allowances at your higher-paying job and zero allowances at the lower-paying job. In addition, to make sure that you have enough tax withheld, if you are a single taxpayer or head of household with two or more jobs, reduce the number of allowances by one on line 1 on the certificate you file with your higher-paying job employer. If you arrive at negative allowances (less than zero), see *Avoid Underwithholding* above.

**Part I - Complete this worksheet to figure your withholding allowances.**

7 Enter the number of dependents that you will claim on your state return (*do not include yourself or, if married, your spouse*) . . . . . 7 \_\_\_\_\_

**For lines 8 through 11, enter "1" for each credit you expect to claim on your state return.**

8 New York State household credit (*see instructions*) . . . . . 8 \_\_\_\_\_

9 Child and dependent care credit . . . . . 9 \_\_\_\_\_

10 Real property tax credit . . . . . 10 \_\_\_\_\_

11 Earned income credit (*see instructions*) . . . . . 11 \_\_\_\_\_

**For lines 12 and 13, enter "2" if either situation applies.**

12 Head of household status **and** only one job . . . . . 12 \_\_\_\_\_

13 Married couples with only **one** spouse working **and** only one job . . . . . 13 \_\_\_\_\_

14 Enter an estimate of your federal adjustments to income, such as alimony you will pay for the tax year and deductible IRA contributions you will make for the tax year. Total estimate \$ \_\_\_\_\_. Divide this estimate by \$1,000. Drop any fraction and enter the number . . . . . 14 \_\_\_\_\_

15 If you expect to itemize deductions on your state tax return, complete the worksheet below and enter the number from line 24. All others enter "0" . . . . . 15 \_\_\_\_\_

16 Add lines 7 through 15. . . . . 16 \_\_\_\_\_

17 Married couples with both spouses working, whose total wages are between \$100,000 and \$150,000, enter the appropriate number from Part III below. All others enter "0" . . . . . 17 \_\_\_\_\_

18 Subtract line 17 from line 16. Enter the result, including negative amounts, here and on line 1. If your employer cannot accommodate negative allowances, enter "0" here and on line 1 and see *Avoid Underwithholding* in the instructions. (*If you have more than one job, or if you and your spouse both work, see instructions.*) . . . . . 18 \_\_\_\_\_

**Part II - Complete this worksheet only if you expect to itemize deductions on your state return.**

19 Enter your estimated federal itemized deductions for the tax year. . . . . 19 \_\_\_\_\_

20 Enter your estimated state, local and foreign income taxes included on line 19 . . . . . 20 \_\_\_\_\_

21 Subtract line 20 from line 19 . . . . . 21 \_\_\_\_\_

22 Based on your federal filing status, enter the applicable amount from the table below . . . . . 22 \_\_\_\_\_

**Standard Deduction Table**

Single (cannot be claimed as a dependent) .. \$ 7,500	Qualifying widow(er)..... \$13,000
Single (can be claimed as a dependent)..... \$ 3,000	Married filing jointly . . . . . \$13,000
Head of household . . . . . \$10,500	Married filing separate returns . . . . . \$ 6,500

23 Subtract line 22 from line 21 (*if line 22 is larger than line 21, enter "0" here and on line 15 above*) . . . . . 23 \_\_\_\_\_

24 Divide line 23 by \$1,000. Drop any fraction and enter the result here and on line 15 above . . . . . 24 \_\_\_\_\_

**Part III - Chart for married couples with both spouses working whose combined income from all sources is between \$100,000 and \$150,000. Use this chart to compute either the number of allowances to transfer to Part I, line 17, or the dollar amount to transfer to line 4 of Form IT-2104 to request additional withholding. All others do not have to use this chart.**

Total income of both spouses	\$100,000 to 105,000	\$105,000 to 110,000	\$110,000 to 115,000	\$115,000 to 120,000	\$120,000 to 125,000	\$125,000 to 130,000	\$130,000 to 135,000	\$135,000 to 140,000	\$140,000 to 145,000	\$145,000 to 150,000
Allowances for higher wage earner with wages under \$90,000,* or additional withholding per week**	1 \$1.50	2 \$3.00	3 \$4.50	4 \$6.00	5 \$7.50	6 \$9.00	7 \$10.50	8 \$12.00	9 \$13.50	10 \$15.00
Allowances for higher wage earner with wages between \$90,000 and \$110,000,* or additional withholding per week**			1 \$1.50	2 \$3.00	3 \$4.50	4 \$6.00	5 \$7.50	6 \$9.00	7 \$10.50	8 \$12.00
Allowances for higher wage earner with wages between \$110,000 and \$120,000,* or additional withholding per week**						1 \$1.50	2 \$3.00	3 \$4.50	4 \$6.00	
Allowances for higher wage earner with wages between \$120,000 and \$130,000,* or additional withholding per week**									1 \$1.50	2 \$3.00
Higher wage earner with wages over \$130,000	no additional withholding is required									

\* Transfer the number of allowances to Part I, line 17, above.  
\*\* Transfer the dollar amount to line 4 of Form IT-2104. If paid other than weekly, adjust this amount accordingly.

**Need Help?**

For information, call toll free 1 800 225-5829. For forms or publications, call toll free 1 800 462-8100. Telephone assistance is available from 8:30 a.m. to 4:25 p.m., Monday through Friday.

From areas outside the U.S. and Canada, call (518) 485-6800.

**Hotline for the Hearing and Speech Impaired** - If you have a hearing or speech impairment and 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. Hours of operation are 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.

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

**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 22, 26, 26-A, 26-B, 30, 30-A and 30-B of the Tax Law, Article 2-E of the General City Law and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs.

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.

### Return a Gift to Wildlife

Imagine hundreds of creatures that sprint, swim, fly or slither. That is exactly how diverse New York's fish and wildlife species are. You too, can take an active part in ensuring the fish and wildlife diversity in New York State.

Picture yourself involved in learning about the wildlife in New York State, observing various fish and wildlife resources and helping to restore and manage them to benefit both wildlife and people.

This can be done when you *Return a Gift to Wildlife* on your New York State tax form. Also, remind your tax preparer that you wish to contribute to this worthwhile program. Remember to *Return a Gift to Wildlife*, the program dedicated to conserving New York's fish and wildlife diversity.

For additional program information or to donate directly, please write to:

**Return a Gift to Wildlife, NYS DEC, Room 122, Program 5, 50 Wolf Road, Albany NY 12233-4830.**



### Breast Cancer Research and Education Fund

In New York State, about 3,700 women die each year from breast cancer. Now you can make a contribution on your New York State tax return and join the fight against this dreaded disease.

Your contribution will enhance public awareness of the need for early detection, and support medical research into the causes of breast cancer and effective medical treatments.

By entering an amount in the Gift for *Breast Cancer Research and Education Fund* area on your tax return, you will be helping to conquer this serious health threat to women. Together, we can make a difference.



### Lake Placid Olympic Training Center Fund

New York State is home to one of just three U.S. Olympic Training Centers. The \$16 million Lake Placid complex, constructed by the New York State Olympic Regional Development Authority, features 96 hotel-style rooms, a gymnasium, sports medicine, weight training and dining facilities. Your voluntary contribution on your tax return to the Olympic Training Center fund will help provide the necessary facilities for America's Olympic hopefuls. The Lake Placid training center is used principally by the Olympic winter sports of bobsled, biathlon, luge, speed skating, figure skating, ice hockey and skiing.

### Don't Delay Your Refund

We want to send your refund to you as soon as possible. You can help us by filing an error-free return. Be sure that you have checked your correct filing status and that you have signed your return and attached your wage and tax statements so that we do not have to send your return back to you. Please check the figures on your return and carefully follow steps 5, 6, 7, 8 and 9 on pages 25 through 27 of these instructions.

### Where to File

Use the preaddressed envelope that came with your tax packet. If you do not have one, address your envelope as follows:

For refund returns —

**STATE PROCESSING CENTER — REFUND '96  
PO BOX 61000  
ALBANY NY 12261-0001**

For all other returns —

**STATE PROCESSING CENTER  
PO BOX 61000  
ALBANY NY 12261-0001**

### 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 22, 26, 26-A, 26-B, 30, 30-A and 30-B of the Tax Law, Article 2-E of the General City Law and 42 USC 405(c)(2)(C)(i).

The Tax Department will use this information primarily to determine and administer tax liabilities due the state and city of New York and the city of Yonkers. We will also use this information for certain tax offset and exchange of tax information programs authorized by law, and for any other purpose authorized by law.

Information concerning quarterly wages paid to employees and identified by unique random identifying code numbers to preserve the privacy of the employees' names and social security numbers will be provided to certain state agencies for research purposes to evaluate the effectiveness of certain employment and training programs.

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.

## Need Help?

**We will answer your tax questions if you call us (see *Information* below), but we cannot fill in your return for you.**

You can get help filling in your return from:

- Volunteer Income Tax Assistance (VITA) and Tax Counseling for the Elderly (TCE). Volunteers will give free help to lower income, elderly, handicapped and non-English-speaking individuals. Watch for VITA and TCE information in your community or call toll-free 1 800 225-5829 for the location of the volunteer assistance site nearest you.
- Senior citizens centers; contact center for dates and times.
- Social service agencies.

### Information —

For **information** or answers to your New York State tax questions, call toll free **1 800 225-5829**.

Telephone assistance is available from 8:30 a.m. to 4:25 p.m., Monday through Friday. To make sure that Tax Department employees give courteous responses and correct information to taxpayers, a Tax Department supervisor sometimes monitors telephone calls. No record is kept of any taxpayer's name, address or social security number.

### Forms and Publications —

You can get **forms and publications** at many banks and public libraries, or by using the **Forms Order Blank** in the tax packet mailed to you. You can also get forms by calling toll free **1 800 462-8100**.

For **New York City Finance** forms - see page 7.

### When to Call About Your Refund —

Generally, early filers get their refund checks first. If you file after April 1, you may not receive your refund check for up to 8 weeks. If you have to call to ask where your refund check is, please wait until April 16; then call our automated system toll free 1 800 443-3200. Have a copy of your tax return available when you call.

### Callers from Outside the U.S. and Canada —

If you are calling from areas outside of the U.S. and Canada and you need New York State tax information or forms, call (518) 485-6800

### Trying to Resolve a Problem with the Tax Department —

New York State has a Problem Resolution Program for taxpayers who have been unable to resolve a problem with the Tax Department. For more information, see *Resolving Tax Problems* below.

### Hotline for the Hearing and Speech Impaired —

If you have a hearing or speech impairment and have access to a telecommunications device for the deaf (TDD), you can get answers to your New York State tax questions by calling 1 800 634-2110 toll free from anywhere in the U.S. and Canada. Hours of operation are 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.

### If You Want to Write Instead —

If you want to write instead of calling, address your letter to **NYS Tax Department, Taxpayer Assistance Bureau, W A Harriman Campus, Albany NY 12227**.

### 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 and assistance numbers listed above.

## Resolving Tax Problems

The best ways to avoid tax problems are to keep accurate tax records and to stay on top of current tax requirements. These instructions contain information that can help you do both; the instructions list free publications you can order and give toll-free numbers you can call for answers to your specific questions.

Most tax problems can be resolved informally. If your refund is late, call our toll-free refund information number; if you receive a tax deficiency notice that you think is in error, promptly call the number listed on the notice. These instructions also list a toll-free number for ordering any forms you might need.

If you have a problem with the Tax Department which you have not been able to resolve through normal channels, or if for any reason you have a complaint about the Tax Department, call toll free 1 800 225-5829. From areas outside the U.S. and Canada, call (518) 485-6800.

Our representatives will, depending upon the nature of your complaint, either give you the address and phone number of the Problem Resolution Officer in your area, or refer your complaint for further investigation and analysis.

Our Problem Resolution Officers are available to assist you when you have repeatedly attempted to clear up a difficulty and you have been unable to do so.

Problem Resolution Officers help remedy specific taxpayer circumstances that have not been resolved through routine department procedures.

If you have made two or more attempts to resolve your problem and feel that you aren't getting anywhere, you may want to turn to our Problem Resolution Program. The program is set up specifically for taxpayers who have tried to resolve their problems through the normal channels but have been unsuccessful.

Only a relative handful of tax problems fail to be resolved by these informal means. However, if you are issued a *Notice of Deficiency* or a

refund denial and you feel that the Tax Department has made a mistake, you still have a number of options available to you:

- You can request a **conciliation conference** through the Bureau of Conciliation and Mediation Services. The conference is conducted informally by a conferee who issues an order that is binding on the Tax Department, but not on you (you can appeal by filing a petition for a formal hearing, as explained below). To set up a conference, get a *Request for Conciliation Conference* by calling toll free 1 800 462-8100 or by writing to the Bureau of Conciliation and Mediation Services, NYS Tax Department, W A Harriman Campus, Albany NY 12227.
- You can request a **small claims hearing** before an impartial presiding officer if the disputed amount is within certain dollar limitations set by the *Rules of Practice and Procedure*. The presiding officer's decision is final, but at any time before the end of the small claims hearing, you can request a transfer to a formal hearing before an administrative law judge. A copy of the *Rules of Practice and Procedure* will be sent to you when you request a petition form as explained below.
- You can file a petition for a **tax appeals hearing**. The hearing is held before an administrative law judge, and both you and the Tax Department may appeal the judge's decision to the Tax Appeals Tribunal. The Tax Department cannot seek a review of the Tribunal's decision, but you can by instituting an Article 78 proceeding in the Appellate Division of the State Supreme Court. You can get the petition forms by writing to the Division of Tax Appeals, Riverfront Professional Tower, 500 Federal Street, 4th Floor, Troy, NY 12180-2894.

Regardless of which appeal option you exercise, you may appear on your own behalf or you may have an authorized representative present your case for review. An authorized representative must have Power of Attorney from you in order to appear on your behalf. Further, your representative must be in compliance with the Ethics in Government Act which restricts appearances by former Tax Department employees. A summary of these restrictions is included on the back of Form DTF-14, *Power of Attorney (Individual)*.