



CT-397

New York State Department of Taxation and Finance

Report of Annual License Fee
Agricultural Cooperative Marketing or
Financing Corporations and
District Heating/Cooling Cooperatives

Cooperative Corporations Law, Article 5

Please print or type

For calendar year

Form with fields for Employer identification number, File number, Legal name of corporation, Trade name/DBA, Mailing name and address, State or country of incorporation, Date of incorporation, Date began business in NYS, Business telephone number, and Payment information.

The above corporation was incorporated under the Cooperative Corporations Law on (month, day, year)

for the purpose of

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

Signature of elected officer or authorized person, Official title, Date

Instructions

Who must file

Section 77 of the Cooperative Corporations Law exempts certain cooperative corporations from franchise taxes, corporation taxes, or license fee requirements under section 181 of the Tax Law.

- Agricultural cooperative marketing corporations, with or without capital stock, organized for the purpose of marketing agricultural products;
Agricultural cooperative financing corporations, with or without capital stock, organized for the purpose of making loans to their members producing agricultural products;
Cooperative corporations with annual sales of less than \$500,000, organized for the purpose of purchasing food products for sale to their members;
Heating/cooling cooperative corporations without stock, that have federal IRC section 501(c)(12) status and are organized for producing and/or distributing district heating and/or cooling services solely for use by their members.

qualify as cooperative corporations without stock, that have federal IRC section 501(c)(12) status.

- Members of heating/cooling cooperative corporations as described above.

Types of cooperative corporations that are not exempt from franchise tax, corporation tax, or license fee requirements under section 181 of the Tax Law, and therefore are not required to file this form, are:

- Agricultural cooperative corporations with capital stock organized for the sole purpose of raising crops are subject to the franchise tax imposed by Article 9, section 185 of the Tax Law.
Cooperative corporations with capital stock that operate for a profit are taxable under Article 9-A of the Tax Law.

When and where to file

On or before March 15th following the close of the calendar year, mail the completed form and \$10 check or money order to:

NYS CORPORATION TAX
PROCESSING UNIT
PO BOX 1909
ALBANY NY 12201-1909

Private delivery services

If you choose, you may use a private delivery service, instead of the U.S. Postal Service, to file your return and pay tax. However, if, at a later date, you need to establish the date you filed your return or paid your tax, you cannot use the date recorded by a private delivery service **unless** you used a delivery service that has been designated by the U.S. Secretary of the Treasury or the Commissioner of Taxation and Finance. (Currently designated delivery services are listed in Publication 55, *Designated Private Delivery Services*. See *Need help?* below for information on ordering forms and publications.) If you use **any** private delivery service, whether it is a designated service or not, address your return to:

**STATE PROCESSING CENTER
431C BROADWAY
ALBANY NY 12204-4836.**

Privacy notification

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of Records Management and Data Entry, NYS Tax Department, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the United States and outside Canada, call (518) 485-6800.

Need help?



Telephone assistance is available from 8 a.m. to 5:55 p.m. (eastern time), Monday through Friday.

For business tax information, call the New York State Business Tax Information Center: 1 800 972-1233

For general information: 1 800 225-5829

To order forms and publications: 1 800 462-8100

From areas outside the U.S. and outside Canada: (518) 485-6800



Fax-on-demand forms: Forms are available 24 hours a day, 7 days a week. 1 800 748-3676



Internet access: www.tax.state.ny.us



Hotline for the hearing and speech impaired: 1 800 634-2110 from 8 a.m. to 5:55 p.m. (eastern time), Monday through Friday. If you do not own a telecommunications device for the deaf (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 1 800 225-5829.



If you need to write, address your letter to:
NYS TAX DEPARTMENT
TAXPAYER CONTACT CENTER
W A HARRIMAN CAMPUS
ALBANY NY 12227