

## Up-to-date information affecting your tax return

Visit our website for the tax law changes or forms corrections that occurred after the forms and instructions were finalized (see *Need help?*).

## Contents of this form

Form CT-1 contains both changes for the current tax year and general instructional information, serving as a supplement to corporation tax instructions.

This form contains information on the following topics:

- Changes for the current tax year (non-legislative and legislative)
- Business information (how to enter and update)
- Entry formats
  - Dates
  - Negative amounts
  - Percentages
  - Whole dollar amounts
- Are you claiming an overpayment?
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## Changes for 2015

### Non-legislative changes

**Mailing address changes** – Effective January 2, 2015, there are new processing centers thereby changing the PO Box where you mail your return. In addition, if you use a private delivery service to mail your return that address has changed as well. For more information, see Form TP-32, *Change in Mailing Address and Assistance Information for Prior Year Corporation Tax Forms*.

### Legislative changes

**Form changes** – Due to corporation tax reform and other legislative changes, several new forms were created, others were discontinued, while most others were modified this year. Forms that have the most significant changes are listed below. Some of the new forms and changes to existing forms are further explained under the appropriate Tax Law article heading.

The following forms (and their separate instructions as applicable) were **created** this year. They are Forms:

**CT-3.1**, *Investment and Other Exempt Income and Investment Capital*, computes these subtractions.

**CT-3.2**, *Subtraction Modification for Qualified Banks*, computes the subtraction modification for qualified residential loan portfolios, community banks and small thrifts, or community banks and small thrifts with a captive real estate investment trust (REIT).

**CT-3.3**, *Prior Net Operating Loss Conversion (PNOLC) Subtraction*, calculates the PNOLC subtraction and carryforward.

**CT-3.4**, *Net Operating Loss Deduction (NOLD)*, calculates the NOLD and carryforward.

**CT-37**, *Servicing Mortgages Credit*, computes an annual credit for servicing certain mortgages. This form needs to be completed based on the letter you receive from SONYMA.

**CT-3-A/BC**, *Member's Detail Report*, is a detailed schedule for members of a combined group to report their business and investment capital as well as their business apportionment line items.

**CT-224**, *Public Utility, Power Producer, and Pipeline Adjustments*, replaces Schedule D of Form CT-3-ATT, *Schedules B, C, and D – Attachment to Form CT-3*.

**CT-611.2**, *Claim for Brownfield Redevelopment Tax Credit, For Qualified Sites Accepted into the Brownfield Cleanup Program on or after July 15, 2015*.

**CT-642**, *Empire State Musical and Theatrical Production Credit*.

**CT-643**, *Hire a Veteran Credit*.

**CT-644**, *Workers with Disabilities Tax Credit*.

**CT-645**, *Recapture of START-UP NY Tax Benefits*, is used to report a recapture of START-UP NY tax benefits due to proportional recovery or fraud.

**CT-646**, *Employee Training Incentive Program Tax Credit*.

The following forms (and their instructions as applicable) were **discontinued** this year. They are Forms:

**CT-3-ATT**, *Schedules B, C, and D – Attachment to Form CT-3*.

**CT-3-A-ATT**, *Schedules A, B, and C – Attachment to Form CT-3-A*.

**CT-3-A/B**, *Subsidiary Detail Spreadsheet*.

**CT-3-A/C**, *Report by a Corporation Included in a Combined Franchise Tax Return*.

**CT-3-B**, *Tax Exempt Domestic International Sales Corporation (DISC) Information Return*.

**CT-3-C**, *Consolidated Franchise Tax Return*.

**CT-3-S-ATT**, *Attachment to Form CT-3-S*.

**CT-4**, *General Business Corporation Franchise Tax Return Short Form*.

**CT-46-ATT**, *Credit for Rehabilitation Expenses for Retail Enterprises and Historic Barns*.

**CT-240**, *Foreign Corporation License Fee Return*.

**CT-245**, *Maintenance Fee and Activities Return for a Foreign Corporation Disclaiming Tax Liability*.

**CT-32**, *Banking Corporation Franchise Tax Return*.

**CT-32-A**, *Banking Corporation Combined Franchise Tax Return*.

**CT-32-A/B**, *Combined Group Detail Spreadsheet*.

**CT-32-A/C**, *Report by a Banking Corporation Included in a Combined Franchise Tax Return*.

**CT-32-M**, *Banking Corporation MTA Surcharge Return*.

**CT-32-S**, *New York Bank S Corporation Franchise Tax Return*.

**CT-38**, *Minimum Tax Credit*.

**CT-601.1**, *Claim for ZEA Wage Tax Credit*, was combined onto Form CT-601, *Claim for EZ Wage Tax Credit Including the ZEA Wage Tax Credit*.

The following forms (and their instructions as applicable) were **updated** this year. They are Forms:

**CT-3**, *General Business Corporation Franchise Tax Return*, and **CT-3-A**, *General Business Corporation Combined Franchise Tax Return*, were entirely redesigned.

**CT-3/4-I**, *Instructions for Form CT-4, CT-3, and CT-3-ATT*, was renumbered to Form CT-3-I, *Instructions for Form CT-3*, to remove the reference to Forms CT-4 and CT-3-ATT.

**CT-3M/4M**, *General Business Corporation MTA Surcharge Return*, was renumbered to Form CT-3-M (title unchanged), to remove the reference to Form CT-4.

**CT-60-QSSS**, *Affiliated Entity Information Schedule*, was expanded, in scope, and renumbered to Form CT-60 (title unchanged).

**CT-186-E**, *Telecommunications Tax Return and Utility Services Tax Return*, to add a section for wireless telecommunication providers.

**CT-238**, *Claim for Rehabilitation of Historic Properties Credit*.

**CT-225**, *New York State Modifications*, and **CT-225-A**, *New York State Modifications (for filers of combined franchise tax returns)*, were updated to include more New York additions and subtractions to report.

**CT-601**, was combined with **CT-601.1**.

**CT-607**, *Claim for Excelsior Jobs Program Tax Credit*.

**CT-635**, *Urban Youth Jobs Program Tax Credit*.

**CT-637**, *Alternative Fuels and Electric Vehicle Recharging Property Credit*.

**CT-638**, *START-UP NY Tax Elimination Credit*.

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## Articles 9, 9-A, and 32

### Chapter 59, Laws of 2014 and Laws of 2015

**Corporation tax reform** – The Article 9-A regulations that were in effect prior to enactment of corporation tax reform remain in effect to the extent that a specific regulation is not inconsistent with the provisions of corporation tax reform.

The major changes in effect for tax years beginning on or after January 1, 2015, are listed below:

- Article 32 is repealed and these taxpayers are subject to tax under a revised Article 9-A.
- Tax is paid on the highest of three bases: business income, business capital, and the fixed dollar minimum tax.
- The alternative minimum tax and the subsidiary capital tax are eliminated.
- The organizational tax and taxes on changes of capital imposed on domestic corporations by Tax Law section 180, and the license and maintenance fees imposed on foreign corporations by Tax Law section 181 are eliminated.
- The MTA surcharge was made permanent. For Article 9-A taxpayers, the surcharge is computed using the New York State franchise tax before credits. The surcharge is apportioned to the MTA using an equally weighted three-factor formula consisting of property, payroll, and receipts. The surcharge rate for tax year 2015 is changed to 25.6%.
- An economic nexus standard of \$1 million in receipts is added to the existing nexus standards for both the state franchise tax and the MTA surcharge respectively. The fulfillment services exception to nexus has been eliminated.
- Income is now classified into three categories: business income, investment income, and other exempt income. Investment income, investment capital, and other exempt income are not subject to tax. The separate treatment of subsidiary capital and income is eliminated.

- Interest deductions must be directly or indirectly attributed to investment income, investment capital, or other exempt income. Interest deductions that exceed investment income or other exempt income are required to be added back to entire net income. Alternatively, instead of actual attribution, taxpayers may elect to reduce investment income and other exempt income by 40%.
- Thrifts and community banks are allowed a choice of three new subtraction modifications to business income.
- Business income is apportioned based on a single receipts factor apportionment formula using customer sourcing rules. The categories of receipts for which sourcing rules are specifically provided are expanded.
- Net operating losses (NOLs) generated before tax year 2015 are converted to a subtraction that is applied against apportioned business income. Unused subtraction amounts may be carried forward. Certain limitations apply to both the deduction and carryforward.
- The computation of NOLs is simplified, a three-year carryback is allowed, and NOLs are applied against apportioned business income. However, no NOLs incurred in 2015 and after may be carried back to a tax year that began before 2015. NOLs may also be carried forward subject to certain limitations.
- Corporations are required to file a combined return if they are engaged in a unitary business and meet a more than 50% common stock ownership test. Alternatively, corporations that meet the ownership test are allowed to make an irrevocable seven-year commonly-owned group election covering a seven-year period. Certain alien corporations as well as aviation, railroad, and trucking companies are now included in a combined group.
- Credits allowed under Tax Law section 210 (now under section 210-B) may continue to be claimed, with the exception of the minimum tax credit, which has been eliminated. Carryovers of credits may continue to be used, applying rules in effect prior to 2015.

For more information, see TSB-M-15(1)C, *Summary of Budget Bill Corporation Tax Changes Enacted in 2014*, the instructions for your return, and our website.

- Effective December 31, 2014, the credit for rehabilitation expenses for retail enterprises and historic barns expired.

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## Article 9 (sections 183, 184, and 185), 9-A, and 33

### Chapter 56, Laws of 2015

**Brownfield cleanup program tax credit** – This credit was amended for applicants accepted in the brownfield cleanup program on or after July 1, 2015. For more information, see Form CT-611.2 and its instructions.

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## Articles 9 (section 185), 9-A, and 33

**EZ and ZEA wage tax credit** – Beginning this tax year the empire zone (EZ) and zone equivalent area (ZEA) wage tax credits are combined onto Form CT-601 (Form CT-601.1 was discontinued). Both the ZEA and EZ wage tax credits have expired. You may only claim a ZEA wage tax credit or an EZ wage tax credit carryover from previous years.

Former Article 32 taxpayers that have a carryover of these credits from previous tax years may include that carryover in the computation of credit used and carried forward in Article 9-A.

### Chapter 59, Laws of 2015

**Excelsior jobs program tax credit** – This credit was expanded to allow entertainment companies, music production companies, and software developers involved in the production or post-production of video games to participate in the program. For more information,

see the New York State Empire State Development (ESD) website at [www.esd.ny.gov](http://www.esd.ny.gov) and Form CT-607, *Claim for Excelsior Jobs Program Tax Credit*, and its instructions.

## Articles 9 (sections 183, 184, and 185) and 9-A

### Chapter 59, Laws of 2015

**Alternative fuel vehicle refueling property and electric vehicle recharging property credit** – The amount of the credit is amended to equal the lesser of 50% of the cost of any such property minus any costs paid from the proceeds of grants, or \$5,000. For more information, see Form CT-637 and its instructions.

## Articles 9-A and 33

### Chapter 59, Laws of 2013

**Rehabilitation of historic properties credit** – Effective on or after January 1, 2015, any new credit earned from rehabilitated historic properties placed in service that is not used for the current tax year will be treated as an overpayment of tax to be refunded or credited to the next year's tax. Credits being carried forward from prior years may continue to be carried over until used, but may not be refunded or credited. For more information, see Form CT-238 and its instructions.

**Hire a veteran credit** – For tax years beginning on or after January 1, 2015, but before January 1, 2017, a nonrefundable credit was established for the hiring and employing of qualified veterans.

For more information, see TSB-M-13(9)C, (8)I, *Hire a Veteran Credit*, and Form CT-643 and its instructions.

### Chapter 59, Laws of 2014

**Low-income housing credit** – Effective April 1, 2015, the aggregate dollar amount of credit that the Commissioner of the Division of Housing and Community Renewal may allocate to eligible low-income buildings was increased from \$56 million to \$64 million.

## Article 9 (sections 186-e and 186-c)

### Chapter 59, Laws of 2015

**Excise tax rate for mobile telecommunication services** – Effective on or after May 1, 2015, the sale of mobile telecommunication services by a home service provider has a tax rate of 2.9%. This applies to gross receipts received on or after such date to a customer whose place of primary use is within New York State. The corresponding metropolitan transportation business tax (MTA surcharge) has a rate of 0.721%. For more information, see TSB-M-15(5)C, *Changes to the Excise Tax Rate for Mobile Telecommunication Services*, and Form CT-186-E and its instructions.

## Article 9-A

### Chapter 59, Laws of 2014

**Empire State film production and post-production tax credits expanded for projects in upstate New York** – Effective January 1, 2015, wages and salaries paid to qualified individuals directly employed by a qualified film or qualified independent film production company for services performed in production or post-production work of a qualified film in the counties of Albany or Schenectady will qualify for the additional credits. For more information, see TSB-M-13(6)C, *Summary of Budget Bill Corporation Tax Changes Enacted in 2013 – Effective for Tax Years 2013 and After*, or visit the New York State Governor's

Office for Motion Picture and Television Development website at [www.nylovesfilm.com](http://www.nylovesfilm.com).

**Musical and theatrical production credit** – For tax years beginning on or after January 1, 2015, there is a new credit for qualified musical and theatrical production companies. The credit is (or pro rata share in the case of a member of a partnership) 25% of the sum of the qualified production expenditures and transportation expenditures.

Qualified production expenditures or transportation expenditures that are the basis in the allowance or calculation of this credit may not be used to claim any other credit. For more information, see TSB-M-15(1)C, *Summary of Budget Bill Corporation Tax Changes Enacted in 2014*, and Form CT-642.

**Workers with disabilities tax credit** – For tax years beginning on or after January 1, 2015, a new credit has been established for qualified employers for employing individuals with disabilities. The program is administered by the New York State Department of Labor (DOL). The credit amount equals:

- 15% of the qualified wages paid by the qualified employer after January 1, 2015, to a qualified full-time employee who works at least 30 hours per week for at least 6 months
- 10% of the qualified wages paid by the qualified employer after January 1, 2015, to a qualified part-time employee who works at least 8 hours per week for at least 6 months.

For more information, visit the DOL website at [www.labor.ny.gov](http://www.labor.ny.gov), and see Form CT-644 and its instructions.

### Chapter 56, Laws of 2015

**New York youth works tax credit** – This credit was renamed the Urban Youth Jobs Program credit. An additional allocation of \$10 million per year in Programs 3, 4, and 5 has also been authorized. For more information, see Form CT-635 and its instructions.

### Chapter 59, Laws of 2015

**Employee training incentive program** – For tax years beginning on or after January 1, 2015, a new credit has been created for certain employers that procure skills training for their employees or provide internship programs in advanced technology. To participate, an employer must submit an application to ESD. For more information, see the ESD website at [www.esd.ny.gov](http://www.esd.ny.gov) and Form CT-646 and its instructions.

### Chapter 60, Laws of 2015

**Airport facilities added to START-UP NY tax free areas** – For more information, see Form CT-638 and its instructions.

## Article 33

### Chapter 802, Laws of 1985 and Chapter 803, Laws of 1986

**Life insurance company guaranty corporation credit** – Effective for tax year 2015, life insurance corporations are eligible to claim this credit for the first time since it was authorized. To compute the amount of credit available for tax year 2015, life insurance corporations **must** go to our website and use the *Life insurance company guaranty corporation credit online calculator* ([www.tax.ny.gov/bus/ct/life\\_ins\\_credit.htm](http://www.tax.ny.gov/bus/ct/life_ins_credit.htm)).

The amount computed is included on Form CT-33, *Life Insurance Corporation Franchise Tax Return* or Form CT-33-A, *Life Insurance Corporation Combined Franchise Tax Return*, in the tax credits section on the *Other credits* line. For more information, see TSB-M-85(6)C Revised, *Chapters 802 and 803 Life Insurance Company Guaranty Corporation Credit*.

## How to fill out your tax return

### Business information

Enter the corporation's business information at the top of the first page. Be sure to enter the corporation's mailing name if different from its legal name.

If you need to update your corporation tax address or phone information, you can do so online. Visit our website (see *Need help?*) and look for the change my address option. Otherwise, enter your new address and/or phone number in the appropriate area of your return and mark an **X** in the box under the address. Do not mark an **X** in this box if your address and/or phone number is new since your last filing but was already updated online, or for any change of business information other than your address and/or phone number. Once your corporation tax information is updated online, you do not need to indicate a change of address on any corporation tax forms submitted to the Tax Department (or for any forms for tax types you select to be updated in addition to corporation tax).

If you prefer to change your address by form, use Form DTF-96, *Report of Address Change for Business Tax Accounts*. You must report other changes (such as business name or ID number) on Form DTF-95, *Business Tax Account Update*. You can get these forms from our website or by phone (see *Need help?*).

### Entry formats

**Entering dates** – Unless you are specifically directed to use a different format, enter dates in the *mm-dd-yy* format (using dashes and not slashes).

**Negative amounts** – Show any negative amounts with a minus (-) sign, unless instructed otherwise.

**Percentages** – When computing percentages, convert decimals into percentages by moving the decimal point two spaces to the right. Round percentages to four decimal places.

**Example:**  $5,000/7,500 = 0.6666666 = 66.6667\%$ .

**Whole dollar amounts** – You may elect to show amounts in whole dollars rather than in dollars and cents. Round any amount from 50 cents through 99 cents to the next higher dollar. Round any amount less than 50 cents to the next lower dollar.

### Are you claiming an overpayment?

If you are claiming an overpayment, mark an **X** in the overpayment box on page 1 of your return to the right of your EIN and file number. The chart below identifies the overpayment line on each New York State corporation tax return.

| Form     | Line number     | Form       | Line number |
|----------|-----------------|------------|-------------|
| CT-3     | Part 2, line 24 | CT-183     | 12          |
| CT-3-A   | Part 2, line 25 | CT-183-M   | 12          |
| CT-3-M   | 13              | CT-184     | 15          |
| CT-3-S   | 47              | CT-184-M   | 13          |
| CT-13    | 23              | CT-185     | 14          |
| CT-33    | 22              | CT-186     | 16          |
| CT-33-A  | 27              | CT-186-E   | 13b         |
| CT-33-C  | 20              | CT-186-M   | 17          |
| CT-33-M  | 23              | CT-186-P   | 18          |
| CT-33-NL | 16              | CT-186-P/M | 15          |

### NAICS business code number and NYS principal business activity

Use Publication 910 to obtain your six-digit North American Industry Classification System (NAICS) code that describes your principal business activity in New York State. Your principal business

activity outside of New York State may be different, therefore this may not match the NAICS code you reported on your federal tax return.

### Limitation on tax credit eligibility

As of April 30, 2014, and applicable to acts committed on or after this date, any taxpayer who stands convicted of an offense defined in New York State Penal Law Article 200 (*Bribery Involving Public Servants and Related Offenses*) or 496 (*Corrupting the Government*), or section 195.20 (*Defrauding the Government*), is **not** eligible for any business credits. There is a question related to this topic on your tax return that **must** be answered in order for the Tax Department to process your return. For more information, visit our website (see *Need help?*).

### Third-party designee

If you want to authorize another individual (third-party designee) to discuss this tax return with the New York State Tax Department, mark an **X** in the Yes box in the third-party designee area of your return. Also print the designee's name, phone number, and any five-digit number the designee chooses as his or her personal identification number (PIN). If you want to authorize the paid preparer who signed your return to discuss the return with the Tax Department, print the preparer's name in the space for the designee's name and enter the preparer's phone number in the space for the designee's phone number. You do not have to provide the other information requested. If you do not want to authorize another person, mark an **X** in the No box.

If you mark the Yes box, you are authorizing the Tax Department to discuss with the designee any questions related to this return. You are also authorizing the designee to give and receive confidential taxpayer information relating to:

- this return, including missing information,
- any notices or bills arising from this filing that you share with the designee (they will not be sent to the designee),
- any payments and collection activity arising from this filing, and
- the status of your return or refund.

This authorization will not expire but will only cover matters relating to this return. If you decide to revoke this designee's authority at any time, call us (see *Need help?*).

You are not authorizing the designee to receive your refund, bind you to anything (including any additional tax liability), or otherwise represent you before the Tax Department. If you want someone to represent you or perform services for you beyond the scope of the third-party designee, you must designate the person using another method such as Form DTF-280, *Tax Information Authorization*, or a power of attorney.

### Paid preparer identification numbers

**Paid preparer's responsibilities** – Under the law, all paid preparers must sign and complete the paid preparer section of the return. Paid preparers may be subject to civil and/or criminal sanctions if they fail to complete this section in full.

When completing the paid preparer section, you must enter your New York tax preparer registration identification number (NYTPRIN) if you are required to have one. If you are not required to have a NYTPRIN, enter in the *Excl. code* box one of the specified 2-digit codes listed below that indicates why you are exempt from the registration requirement. You **must** enter a NYTPRIN or an exclusion code. (Information on the New York State Tax Preparer Registration Program is available on our website (see *Need help?*).) In addition, you must enter your federal preparer tax identification number (PTIN) if you have one; if not, you must enter your social security number (SSN). (PTIN information is available at [www.irs.gov](http://www.irs.gov).)

| Code | Exemption type         | Code | Exemption type                                       |
|------|------------------------|------|--|
| 01   | Attorney               | 02   | Employee of attorney                                 |
| 03   | CPA                    | 04   | Employee of CPA                                      |
| 05   | PA (Public Accountant) | 06   | Employee of PA                                       |
| 07   | Enrolled agent         | 08   | Employee of enrolled agent                           |
| 09   | Volunteer tax preparer | 10   | Employee of business preparing that business' return |

See our website for more information about the tax preparer registration requirements.

**Important reminder to file a complete return:** You must complete all required schedules and forms that make up your return, and include **all pages** of those forms and schedules when you file. Returns that are missing required pages or that have pages with missing entries are considered incomplete and cannot be processed, and may subject taxpayers to penalty and interest.

## Is your return in processible form?

Returns must be prepared in a manner that will permit their routine handling and processing and include all pages. We will not pay interest on an overpayment of taxes until a return is in a processible form which includes a required signature.

## Use of reproduced and computerized forms

Photocopies of returns are acceptable if they are of good quality and have an original signature in the proper place. We will accept computer-produced corporation tax returns if they meet our printing specifications. For more information, see Publication 76, *Specifications for Reproduction of New York State Corporation Tax Forms*.

## General information

### Electronic filing and electronic payment mandate

Certain tax preparers using tax software to prepare tax documents, and certain taxpayers preparing their own tax documents using tax software, must, for the applicable calendar year and all succeeding calendar years, e-file all documents authorized by the Commissioner to be e-filed. Any tax liability or other amount due required to be paid with a tax document that must be e-filed may also be required by the Commissioner to be e-paid. Where e-pay is required, payment must be made via electronic means.

### Web File

You can Web File Form CT-400, *Estimated Tax for Corporations*, on our website (see *Need help?*). You will need to create an *Online Services* account or log into your existing one, and select the corporation tax estimated payment option.

You can also Web File the following extension requests:

- Form CT-5, *Request for Six-Month Extension to File (for franchise/business taxes, MTA surcharge, or both)*
- Form CT-5.3, *Request for Six-Month Extension to File (for combined franchise tax return, or combined MTA surcharge return, or both)*
- Form CT-5.4, *Request for Six-Month Extension to File New York S Corporation Franchise Tax Return*
- Form CT-5.9, *Request for Three-Month Extension To File (for Article 9 tax return, MTA surcharge, or both)*

- Form CT-5.9-E, *Request for Three-Month Extension to File Form CT-186-E*

Benefits of Web filing include:

- direct payment from your bank account or by ACH credit
- instant confirmation

For more information, visit our website and select the corporation tax Web File option.

## Form CT-200-V, Payment Voucher for E-Filed Corporation Tax Returns and Extensions

This form is a payment voucher for taxpayers who e-file their forms but cannot e-pay and need to pay with a paper check or money order. Form CT-200-V is for use only for returns or extensions that were e-filed and should never accompany a paper-filed return.

## Collection of debts from your refund or overpayment

We will keep all or part of your refund or overpayment if you owe a past-due, legally enforceable debt to a New York State agency, or if you owe a New York City tax warrant judgment debt. We may also keep all or part of your refund or overpayment if you owe a past-due legally enforceable debt to another state, provided that state has entered into a reciprocal agreement with New York State. If we keep your refund or overpayment, we will notify you.

A New York State agency 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. We will refund or apply as an overpayment any amount over your debt.

The Tax Department is authorized to charge the taxpayer, as part of the taxpayer's tax debt, any cost or fee imposed or charged by the United States, or any state, for the payment or remittance of a taxpayer's overpayment to satisfy a New York State tax debt.

If you have any questions about whether you owe a past-due, legally enforceable debt to a state agency, or to another state, or whether you owe a New York City tax warrant judgment debt, contact the state agency, the other state, or the New York City Department of Finance.

For New York State tax liabilities only, call (518) 457-5434 or write to: NYS Tax Department, Civil Enforcement Division, W A Harriman Campus, Albany NY 12227-4000.

### More collection options for New York State

If you owe unpaid debt to New York State, we may collect your debt by taking money from, or offsetting, payments owed you by the federal government or by another state. Reciprocal offset agreements also allow the federal government, as well as other states, to collect delinquent non-tax debt by offsetting payments owed you by New York State.

**Lottery prizes applied against tax liabilities** – As a result of matching names of those owing tax liabilities to New York against the names of those winning lottery prizes in excess of \$600, the Tax Department may automatically apply all or part of the lottery prize against any outstanding liabilities for taxes we administer.

### Fee for payments returned by banks

The law allows the Tax Department to charge a \$50 fee when a check, money order, or electronic payment is returned by a bank for nonpayment. However, if an electronic payment is returned as a result of an error by the bank or the department, the department will not charge the fee. If your payment is returned, we will send

a separate bill for \$50 for each return or other tax document associated with the returned payment.

## Reporting requirements for tax shelters

The Tax Law requires taxpayers to report information about transactions that present the potential for tax avoidance (tax shelters). There are separate reporting requirements for those who use tax shelters and for those who promote the use of tax shelters. For the most recent information on these reporting requirements, visit our website.

## Tax shelter penalties

The Tax Law provides penalties for failure to disclose certain transactions and related information regarding tax shelters and for the underpayment of taxes due to participation in these shelters. For more information, refer to TSB-M-05(2)C, *Disclosure of Certain Transactions and Related Information Regarding Tax Shelters*.

## Voluntary Disclosure and Compliance Program

The Voluntary Disclosure and Compliance Program provides relief from certain penalties and criminal prosecution to eligible taxpayers who come forward and reveal previously undisclosed liabilities. For more information, see TSB-M-08(11)C, *Voluntary Disclosure and Compliance Program*.

## Your rights under the Tax Law

The Taxpayer Bill of Rights requires, in part, that the Tax Department advise you, in writing, of your rights and obligations during an audit, when you appeal a departmental decision, and when your appeal rights have been exhausted and you need to understand enforcement capabilities available to the department to obtain payment. For a complete copy of the information contained in all of these statements, you may obtain Publication 131, *Your Rights and Obligations Under the Tax Law*, by visiting our website or by calling (see *Need help?*).

## Privacy notification

New York State Law requires all government agencies that maintain a system of records to provide notification of the legal authority for any request, the principal purpose(s) for which the information is to be collected, and where it will be maintained. To view this information, visit our website, or, if you do not have Internet access, call and request Publication 54, *Privacy Notification*. See *Need help?* for the Web address and telephone number.

### Need help?



Visit our website at [www.tax.ny.gov](http://www.tax.ny.gov)

- get information and manage your taxes online
- check for new online services and features



#### Telephone assistance

**Corporation Tax** Information Center: (518) 485-6027

To order forms and publications: (518) 457-5431



**Text Telephone (TTY) Hotline** (for persons with hearing and speech disabilities using a TTY): If you have access to a TTY, contact us at (518) 485-5082. If you do not own a TTY, 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, call the information center.