

Instructions for Filing Form CT-990T, Connecticut Unrelated Business Income Tax Return

Who Must File

Form CT-990T must be filed by any organization that has unrelated business taxable income attributable to a trade or business carried on within Connecticut and:

- a. Is exempt from taxation under the provisions of Section 501 of the Internal Revenue Code;
- b. Is an organization described in Section 511(a)(2)(A) of the Internal Revenue Code or a trust described in Section 511(b)(2) of the Internal Revenue Code; and
- c. Is subject to taxation on income from an unrelated trade or business under the provisions of the Internal Revenue Code.

Due Date of Return

The due date of this return is the same as the due date of federal Form 990-T. In general, the due date of federal Form 990-T is the 15th day of the fifth month following the close of the income year (May 15 for calendar year filers). However, the due date for domestic trusts and for foreign trusts having an office or place of business in the United States is the 15th day of the fourth month (April 15 for calendar year filers); and the due date for foreign trusts not having an office or place of business in the United States is the 15th day of the sixth month (June 15 for calendar year filers).

Request for Extension

To get an extension of time to file the annual return, the organization must file a **Form CT-990T EXT**, *Application for Extension of Time to File Unrelated Business Income Tax Return*, not later than the due date of the return, with payment of the total tax due. Filing **Form CT-990T EXT** automatically extends the due date for six months.

Where to File

Please use the pre-addressed envelope that is enclosed with the return or mail to: Department of Revenue Services
PO Box 5014
Hartford CT 06102-5014

Amended Returns

Any organization that fails to include items of income or deduction or makes any other error on a return must file an amended **Form CT-990T**, and check the Amended Return block on the front page of the return. A copy of the amended federal return must be attached to substantiate any changes to federal unrelated business taxable income.

Internal Revenue Service Changes

Corrections to unrelated business taxable income by the Internal Revenue Service must be reported on or before the due date or extended due date of the next return or within 90 days after receipt of the notice of correction from the Internal Revenue Service, whichever is later. All federal adjustments must be reported on **Form CT-990T**. Check the Amended Return block on the front page of the return. An extension request for reporting federal audit changes must be submitted in writing to the Commissioner of Revenue Services setting forth the reason additional time is required.

Estimated Tax

Every organization subject to the tax on unrelated business income whose 1998 estimated tax is \$1000 or more must file estimated tax payment coupons. Refer to General Instructions on **Forms CT-990T ESA, ESB, ESC and ESD**, *Estimated Unrelated Business Income Tax*. Four preprinted estimated tax payment coupons with instructions are mailed to organizations that paid an estimated tax or whose Connecticut unrelated business tax liability was \$1000 or more in 1998. Safe harbor provisions have been established for calculating the required estimated tax installment due.

Interest

Interest accrues at the rate of 1% per month or fraction thereof from the due date of the return through the date of payment. Interest due on the underpayment of estimated tax is computed using **Form CT-1120I**, *Computation of Interest Due on Underpayment of Estimated Tax*.

Late Payment Penalty -

The penalty for underpayment of tax is 10% (.10) of the amount due or \$50, whichever is greater.

Late Filing Penalty -

In the event that no tax is due, the Commissioner of Revenue Services may impose a \$50 penalty for the late filing of any return or report that is required by law to be filed.

Criminal Penalties -

Anyone who willfully fails to pay the tax or to file a return will be fined up to \$1000, or imprisoned up to one year, or both, in addition to any other penalty.

Where any person willfully files a tax return known by that person to be fraudulent or false in any material matter, that person may be fined up to \$5000 or imprisoned from one to five years, or both.

Waiver of Penalty

An organization may be entitled to a waiver of penalty if the failure to file or pay tax was due to reasonable cause. Requests for a penalty waiver must be in writing and contain a clear and complete explanation. Do not include the penalty waiver request with **Form CT-990T**. Mail separately to:

DRS Penalty Review Committee
PO Box 5089
Hartford CT 06102-5089

NOTE: Interest on underpayments or late payments cannot be waived. Before a penalty waiver can be granted, a taxpayer must pay all tax and interest due.

Signature

Form CT-990T must be signed by a corporate officer or fiduciary. Anyone who is paid to prepare the return must sign the return and enter the preparer's Federal Employer Identification Number.

Attachments to be Filed with the Return

Attach a complete copy of your federal Form 990-T as filed with the Internal Revenue Service, including all schedules and attachments used in arriving at federal unrelated business taxable income. Make check or money order payable to the Commissioner of Revenue Services, and paper clip the check or money order to the front of the return. Do not staple.

Where to Get Forms, Information and Assistance

DRS Web site:	http://www.state.ct.us/drs
DRS Forms Unit	ctforms@po.state.ct.us 860-297-4753
Tax-Fax:	860-297-5698
Telephone:	860-297-5962 (anywhere) 1-800-382-9463 (in state)
TDD/TT Users (Hearing Impaired):	860-297-4911 (24 hour service)

SPECIFIC INSTRUCTIONS FOR FORM CT-990T

Name and Address

If you did not receive the correct preprinted form, enter the correct name and address and check the change of mailing address box on the front page of **Form CT-990T**.

Required Information

Enter the beginning and ending dates of the organization's income year even if the organization is a calendar year filer. Also enter the Connecticut Tax Registration Number and Federal Employer Identification Number in the spaces provided at the top of **Form CT-990T**. Additionally, check any applicable boxes for change of mailing address or closing month, initial return, amended return or final return.

Check the type of organization filing **Form CT-990T**.

1. All organizations must enter the date on which business activity subjecting them to the Connecticut tax on unrelated business income began in Connecticut.
2. Indicate the nature of the unrelated business activity. If more than one, list in order of percentage of total receipts. State the broad field of unrelated business activity as well as the specific product or services (for example, retail sales, paper goods).
3. If the organization is a corporation, enter the state of incorporation and date of organization. If not incorporated in Connecticut, enter the date a Certificate of Authority was issued by the Connecticut Secretary of the State.

Final Return

If this is a final return, check final return box.

Dissolution

A domestic corporation is properly dissolved by the filing of a Certificate of Dissolution with the Connecticut Secretary of the State. A dissolved corporation must file a return for the period up to the date of legal dissolution or the date of final liquidation of assets, whichever is later.

Any dissolved corporation that continues to conduct business must file a **Form CT-990T** and pay any taxes due. If a corporation has been dissolved by forfeiture and wishes to be reinstated, it must submit a written request for a tax clearance to the Department of Revenue Services, Audit Division, 25 Sigourney Street, Hartford CT 06106-5032. The tax clearance and Certificate of Reinstatement must be filed with the Connecticut Secretary of the State.

Withdrawal from State

A foreign corporation that wishes to withdraw from Connecticut must submit a written request for a tax clearance to the Department of Revenue Services, Audit Division, 25 Sigourney Street, Hartford CT 06106-5032. The tax clearance and Application for Withdrawal must be filed with the Connecticut Secretary of the State.

Mergers

A corporation that has merged must file a return covering the period up to the date of merger. For further information contact the Connecticut Secretary of the State.

Reorganization

Any corporation that is reorganized must submit the details concerning the reorganization in writing to the Department of Revenue Services, Operations Division, 25 Sigourney Street, Hartford CT 06106-5032 and provide the survivor's Connecticut Tax Registration Number.

Tax Clearance/Tax Status

A request for tax clearance or tax status must be submitted in writing to the Department of Revenue Services, Audit Division, 25 Sigourney Street, Hartford CT 06106-5032 and must state the name and address of the taxpayer, the Connecticut Tax Registration Number, the reason for the request and the tax types for which tax clearance or tax status is being requested.

COMPUTATION OF INCOME

- Line 1** Enter the federal unrelated business taxable income (from the 1998 federal Form 990-T, Part II, Line 34).
- Line 2** Enter the amount of the federal net operating loss deduction (from the 1998 federal Form 990-T, Part II, Line 31).
- Line 3** Enter the amount of the Connecticut unrelated business income tax, if any, deducted on the 1998 federal Form 990-T.
- Line 4** Enter the total of Lines 1, 2 and 3.
- Line 5** Enter the refund or credit for overpayment of tax on 1997 Connecticut unrelated business taxable income included in 1998 Connecticut unrelated business taxable income.
- Line 6** Subtract Line 5 from Line 4 and enter the result on Line 6.

COMPUTATION OF TAX

- Line 1** Enter the federal unrelated business taxable income from Computation of Income, Line 6. An organization that may not apportion its unrelated business taxable income must also enter this amount on Computation of Tax, Line 3.
- Line 2** If the organization is entitled to apportion its income, enter the apportionment fraction computed on **Form CT-990T**, Schedule A, Line 5. The fraction must be expressed as a decimal and carried to six places.
- Line 3** Enter the amount of the Connecticut unrelated business taxable income. This amount is either the amount on Line 1 or the amount on Line 1 multiplied by the apportionment fraction on Line 2.
- Line 4** Enter the amount of operating loss carryover apportioned to Connecticut from 1998 **Form CT-990T**, Schedule B, Line 6.
- Line 5** Subtract Line 4 from Line 3 and enter the result on Line 5.
- Line 6** Multiply the amount on Line 5 by 9.50% (.095) to compute the amount of tax due and enter the result on Line 6.

COMPUTATION OF AMOUNT PAYABLE

- Line 1** Enter the amount from Computation of Tax, Line 6.
- Line 2** Enter the amount of tax credit from 1998 **Form CT-1120 EDPC**, *Electronic Data Processing Equipment Property Tax Credit*, Part II, Line 5, Column D. (Attach form if applicable)
- Line 3** Subtract Line 2 from Line 1 and enter the result on Line 3. If negative, enter zero.
- Line 4** Enter on Lines 4a, 4b and 4c all prepayments that were made. Enter the total on Line 4.
- Line 5** Subtract Line 4 from Line 3 and enter the result on Line 5.
- Line 6a** Enter the amount of overpayment to be credited to 1999 estimated tax.
- NOTE:** Overpayments are credited only as of the receipt date of the completed **Form CT-990T**.
- Line 6b** Enter the amount of overpayment to be refunded.
- Line 6** Add Line 6a and Line 6b.
- Line 7a** Enter penalty if applicable. (See Instructions for penalty calculation.)
- Line 7b** Enter interest due on tax paid by the original due date (See Instructions for interest calculation.)
- Line 7c** Enter interest due on underpayment of estimated tax. (Complete and attach 1998 **Form CT-1120I**.)
- Line 7** Balance Due - Add Lines 5, 7a, 7b and 7c and enter the result on Line 7.

SCHEDULE A – Unrelated Business Income Apportionment

This schedule should be completed by organizations that have a regular place of business outside Connecticut at which their unrelated trade or business is conducted. Otherwise, the Connecticut business apportionment should be 100%.

Item 1. Enter in Column A the average value of the taxpayer's real and tangible personal property, without any deduction on account of any encumbrance thereon, owned and used in its unrelated trade or business within Connecticut during the period covered by the taxpayer's return and the value of real and tangible personal property rented to the taxpayer and used in its unrelated trade or business within Connecticut during the period covered by the taxpayer's return.

Enter in Column B the average value of all the taxpayer's real and tangible personal property, without any deduction on account of any encumbrance thereon, owned and used in its unrelated trade or business within and outside Connecticut during the period covered by the taxpayer's return and the value of all real and tangible personal property rented to the taxpayer and used in its unrelated trade or business within and outside Connecticut during the period covered by the taxpayer's return.

Tangible personal property is defined in Conn. Gen. Stat. §12-242bb(d) as meaning corporeal personal property, such as machinery, tools, implements, goods, wares and merchandise, but not including money, deposits in banks, shares of stock, bonds, notes, credits or evidences of an interest in property and evidences of debt.

The **average value** of real and tangible personal property owned and used by the taxpayer in its unrelated trade or business shall be its average monthly net book value. Compute the value of real and tangible personal property rented to the taxpayer and used in its unrelated trade or business by multiplying by eight the gross rents, as defined in Conn. Gen. Stat. §12-218(b), payable during the income year.

Item 2. Enter in Column A the receipts of the taxpayer's unrelated trade or business, computed on the cash or accrual basis according to the method of accounting used in the computation of the taxpayer's unrelated business taxable income, arising during the period covered by the taxpayer's return from (a) sales of tangible personal property by the unrelated trade or business where shipments are made to points within Connecticut, (b) services performed within Connecticut by the unrelated trade or business, (c) rentals from property of the unrelated trade or business situated within Connecticut, and (d) all other receipts earned by the unrelated trade or business within Connecticut.

Enter in Column B the total receipts of the unrelated trade or business, similarly computed, arising during the period covered by the taxpayer's return from all sales of tangible personal property, services, rentals and all other transactions, within and outside Connecticut.

Item 3. Enter in Column A the wages, salaries and other personal service compensation, similarly computed, during the period covered by the taxpayer's return, of employees, except general executive officers, of the taxpayer's unrelated trade or business within Connecticut.

Enter in Column B the total wages, salaries and other personal service compensation, similarly computed, during the period covered by the taxpayer's return, of employees, except general executive officers, of the taxpayer's unrelated trade or business within and outside Connecticut.

IMPORTANT: If it appears to the Commissioner that the apportionment fraction does not properly reflect the activity, business or income of the taxpayer's unrelated trade or business within the state, the Commissioner is authorized under Conn. Gen. Stat. §12-242bb(c) to employ an alternative method to allocate a fair and proper amount of the unrelated trade or business taxable income to the state.

SCHEDULE B - Connecticut Apportioned Operating Loss Carryover

- Line 1** Enter the amount of the Connecticut apportioned operating loss carryover from the 1993 **Form CT-990T**, Schedule C, Line 5.
- Line 2** Enter the amount of the Connecticut apportioned operating loss carryover from the 1994 **Form CT-990T**, Schedule C, Line 5.
- Line 3** Enter the amount of the Connecticut apportioned operating loss carryover from the 1995 **Form CT-990T**, Schedule C, Line 5.
- Line 4** Enter the amount of the Connecticut apportioned operating loss carryover from the 1996 **Form CT-990T**, Schedule C, Line 5.
- Line 5** Enter the amount of the Connecticut apportioned operating loss carryover from the 1997 **Form CT-990T**, Schedule C, Line 5.
- Line 6** Total Connecticut apportioned operating loss carryover. Add Lines 1 through 5. Enter here and on front page of **Form CT-990T**, Computation of Tax, Line 4.

SCHEDULE C - Computation of Net Operating Loss Carryforward
Complete Schedule C only if the organization has incurred a loss (as reported on **Form CT-990T**, Computation of Tax, Line 3). This schedule computes the amount of net operating loss which the organization may deduct on Connecticut returns filed for succeeding income years. The amount of the loss incurred in the current year must be reduced by the amount of the specific deduction that was entered on the organization's 1998 federal Form 990-T, Part II, Line 33.

- Line 1** Enter the net operating loss (enter as a negative number) realized for the 1998 income year as computed on **Form CT-990T**, Computation of Income, Line 6.
- Line 2** Add back the amount of the specific deduction (enter as a positive number) from the 1998 federal Form 990T, Part II, Line 33.
- Line 3** Add Line 1 and Line 2 and enter the result on Line 3.
- Line 4** Enter the apportionment fraction as determined on **Form CT-990T**, Schedule A, Line 5.
- Line 5** Multiply Line 3 by Line 4 and enter the result. This is the amount of Connecticut net operating loss from 1998 which is available for carryforward and may be deducted on returns filed for the next five income years.