

2012 Form T-74 - Rhode Island Banking Institution Excise Tax Return

SPECIFIC INSTRUCTIONS

INFORMATION SECTION: Enter the requested entity information on the top of the form, including name, address, federal identification number, type of return being filed, and if the entity is not a calendar year filer, enter the beginning and end dates of the entity's fiscal year.

SCHEDULE A - COMPUTATION OF TAX

Line 1 -

Enter the taxable income as it appears on Federal Form 1120, line 28.

Line 2 - Total Deductions

Enter Total Deductions from page 2, Schedule B, line 7.

Line 3 - Total Additions

Enter Total Additions from page 2, Schedule C, line 6.

RHODE ISLAND TAXABLE INCOME

Line 4 - Adjusted Taxable Income

Subtract the total deductions amount on line 2 from the Federal Taxable Income amount on line 1 and add the total additions amount on line 3.

Line 5 - Capital Investment Deduction

The General Laws provide for a deduction for purposes of computing net income in accordance with Chapter 44-11, for investments in certified venture capital partnerships. Taxpayers claiming this deduction for investments in certified venture capital partnerships must provide copies of certification from the Department of Economic Development of the Venture Capital Partnership. A recapture of a previously taken deduction may be necessary under the law. This should be done by listing the recaptured amount as a negative number.

Line 6 - Rhode Island Adjusted Taxable Income

Subtract your capital investment deduction on line 5 from your adjusted taxable income on line 4.

Line 7 - Rhode Island Apportionment Ratio

Complete Schedule G on page 3. Enter the amount from Schedule G, line 5.

Line 8 - Apportioned Rhode Island Taxable Income

Multiply your adjusted taxable income amount from line 6 times the Rhode Island Apportionment Ratio from line 7.

Line 9 - Rhode Island Income Tax

Multiply the amount on line 8 by 9% (0.0900).

Line 10 - Rhode Island Credits

Enter the amount from page 2, Schedule D, line 7.

Line 11 - Tax After Credits

Subtract the amount of credits on line 10 from the Rhode Island Income Tax Amount on line 9. Calculate your franchise tax on page 3, Schedule H. Enter the larger of the income tax calculated from line 9 less line 10 or the franchise tax from page 3, Schedule H, line 7. Minimum tax equals \$100.00.

Line 12 - Estimated Tax Payments

Enter the total payments made on 2012 declaration of estimated tax, including any credit allowed from the preceding taxable year.

Line 13 - Other Payments

Enter the amount of all other tax payments (i.e. extension payment) made with respect to the taxable year.

Line 14 - Total Payments

Add the amounts from lines 12 and 13.

Line 15 - Net Tax Due

Subtract the amount on line 14 from the amount on line 11.

Line 16 - Interest and Penalty Calculation

Enter the total of (a), (b) and (c) on this line.

(a) Interest on the balance due

For failure to pay the tax on time, interest at the rate of 18% (0.1800) per year; or 1.5% (0.0150) per month, shall be assessed.

Interest shall accrue on the amount from line 15 at the rate of 18% per annum from the due date for filing the return (the fifteenth day of the third month following the close of the taxable year) to the actual date of payment.

(b) Penalty on the balance due

For failure to file the return on time, a penalty at the rate of 5% (0.0500) per month not to exceed 25% (0.2500) shall be assessed.

For failure to pay the tax on time, a penalty at the rate of 0.5% (0.0050) per month not to exceed 25% (0.2500) shall be assessed.

(c) Interest for underpayment of estimated taxes

In case of any underpayment of the estimated taxes by a corporation there shall be added to the tax as the case may be for the taxable year, an amount determined at the rate of 18% per annum upon the amount of the underpayment for the period of the underpayment. "The amount of the underpayment" shall be the excess of the installment or installments which would be required to be paid if the advance payments were equal to eighty percent (80%) of the tax shown on the return for the taxable year or, if no return was filed eighty percent (80%) of the tax for such year, over the amount, if any, of the installment paid on or before the last date prescribed for payment. See chart on page 2 of Form RI-2220.

The law provides for the assessment of a penalty of 5% of the tax imposed on such corporations for such taxable year for failure to file required estimated tax payments.

Line 17 - Total Due with the Return

Add lines 15 and 16.

Line 18 - Overpayment

If line 14 is more than line 11, this is the amount of your overpayment.

Line 19 - Amount to be Applied to 2013 Estimated Tax

Enter the amount of the overpayment from line 18 that is to be credited against next year's estimated tax. The amount on this line may be adjusted by the Tax Administrator.

Line 20 - Amount to be refunded.

Subtract line 19 from line 18.

SCHEDULE B - DEDUCTIONS

Line 1 - Exempt Interest and Dividends

Enter the amount of exempt interest and dividends for Rhode island purposes that are taxable on the federal return. Attach a schedule detailing the exempt interest and dividends.

Line 2 - Bonus Depreciation Adjustment

Enter the amount of adjustment which represents the difference between normal first year depreciation and residual depreciation as long as depreciation lasts.

Line 3 - Discharge from Business Indebtedness

Enter the amount of income deferred under the American Recovery and Reinvestment Act of 2009 that was added back in previous years for Rhode Island purposes.

Line 4 - Non-security Gains

Attach a schedule of gains included on Federal Schedule D or Federal Form 4797 which do not relate to securities. These gains are not taxable for Rhode Island bank excise tax purposes.

Line 5 - Modification for Tax Incentives for Employers

Enter the amount of Tax Incentives for Employers deduction against net income as calculated on Form RI-107. Form RI-107 must be attached to your return. RIGL §44-55

Line 6 - Other Deductions

Attach a schedule of any additional deductions allowed under Rhode Island law not listed on lines 1, 2, 3, 4 and 5.

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Line 7 - Total Deductions

Add the amounts from lines 1 through 6. Enter here and on Form T-74, Schedule A, line 2.

SCHEDULE C - ADDITIONS

Line 1 - Interest or Dividends

Enter the gross amount of interest income received or accrued with respect to all obligations of any state, territory or possession of the United States or any political subdivision of the foregoing, or the District of Columbia other than Rhode Island or its political subdivisions not included on lines 5 and 10 of U.S. Form 1120.

Line 2 - Rhode Island Bank Excise Taxes

Enter the Rhode Island bank excise taxes paid or accrued which are deducted on the federal return on lines 2 or 17 for the taxable year.

Line 3 - Bonus Depreciation Adjustment

Enter the entity's bonus depreciation amount less its normal depreciation amount.

Line 4 - Non-security Losses

Attach a schedule of losses included on Federal Schedule D or Federal Form 4797 which do not relate to securities. These losses are deductible for Rhode Island bank excise tax purposes.

Line 5 - Other Income

Attach a schedule of any additional additions required under Rhode Island law not listed on lines 1, 2, 3 and 4.

Line 6 - Total Deductions

Add the amounts from lines 1 through 5. Enter here and on Form T-74, Schedule A, line 3.

SCHEDULE D - RHODE ISLAND CREDITS

All supporting documentation for any credit being used must be attached to Form T-74 in order for credit to be given. If complete documentation is not submitted, the credit will be disallowed until the documentation is provided.

For the Historic Preservation Investment Tax Credit, the Motion Picture Production Company Tax Credit, the Musical and Theatrical Production Tax Credit and the Tax Credit for Contributions to Scholarship Organizations, the original certificate - **not a copy** - must be attached to the return. If the credit is an amount carried forward from a prior year, attach a carry forward schedule to your return showing the type of credit, the certificate number, the original credit amount, the amount of credit taken by year, and the amount of credit available for the current year's return.

Line 1 - RI-2276 - Contribution to Scholarship Organizations Tax Credit - for business entities that make contributions to qualified scholarship organizations. The entity must apply for approval of the tax credit and will receive a tax credit certificate issued by the Division of Taxation. **The original certificate must be attached to the return.** The credit must be used in the tax year that the entity made the contribution. Unused amounts **CANNOT** be carried forward. RIGL §44-62

Line 2 - RI-286B - Historic Structures - Tax Credit (Historic Preservation Investment Tax Credit) - for approved rehabilitation of certified historic structures. **The original certificate must be attached to the return.** Any unused credit amount may be carried forward for ten (10) years. RIGL §44-33.2

Line 3 - RI-8201 - Motion Picture Production Tax Credit - for certified production costs as determined by the Rhode Island Film and Television Office. **The original certificate must be attached to the return.** Unused credit amounts may be carried forward for three (3) years. RIGL §44-31.2.

AND

Musical and Theatrical Production Tax Credits - for certified production and performance expenditures and transportation expenditures costs as determined by the Rhode Island Division of Taxation. **The original certificate must be attached to the return.** Unused credit amounts may be carried forward for three (3) years. RIGL §44-31.3.

Line 4 - RI-ZN02 - Distressed Areas Economic Revitalization Act - Wage Credit - Approved benchmark page with new hire information and approval letter from the Enterprise Zone Council must be attached. RIGL §42-64.3-6

Line 5 - RI-9261 - Jobs Development Rate Reduction Credit - for business entities approved by the Economic Development Corporation. **Form RI-9261 must be completed and attached to the return.** RIGL §42-64.5

Line 6 - Other Credits - Use this line if you have a Rhode Island credit that is not listed above. Write in the Credit Number and Credit Name on the dotted line next to the "Other Credits". Complete documentation must be provided for any credits listed on this line. If documentation is not attached, the credit amount will be disallowed.

Line 7 - Total Rhode Island Credits - Add lines 1 through 6 and enter the total credit amount on this line and on Form T-74, page 1, Schedule A, line 10.

SCHEDULE E - FINAL DETERMINATION OF NET INCOME BY FEDERAL GOVERNMENT

If the Federal Government has changed your taxable income for any prior year which has not been reported to the Tax Administrator, check "Yes" and submit an amended Form T-74 with any tax due. If there has been no change in taxable income by the Federal Government, check "No."

SCHEDULE F - GENERAL INFORMATION

Enter the requested information regarding your business entity.

SCHEDULE G - ALLOCATION FACTOR

Line 1 - Average Net Book Value Factor

Real and tangible personal property owned is valued at book value. Real and tangible personal property rented is valued at 8 times the annual net rental rate. The annual net rental rate shall be reduced (but not to less than zero) by the annual rental rate received from subrentals.

"Tangible personal property" means such property as machinery, tools, implements, goods, wares, and merchandise. It does not include cash, shares of stock, bonds, notes, credits, or evidences of an interest in property and evidences of debt.

Line 2 - Receipts Factor

2a) Lease/Rental of Real Property

Any income earned through the leasing or renting of real property.

2b) Lease/Rental of Transportation Property

Any income earned through the lease or rental of transportation (i.e. vehicles) property.

2c) Interest income from Loans Secured by Real Property

Any interest received from loans secured through real property ownership.

2d) Receipts from Credit Card Receivables

Any income received from the issuance of credit cards and the resulting receivables.

2e) Interest income from Loans Not Secured by Real Property

Any interest received from loans not secured through real property ownership.

2f) Receipts from Services

Gross income from services attributed to Rhode Island. A service is attributed to Rhode Island if the service is performed in Rhode Island.

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2g) Interest and Dividends

Any interest and dividend income not included elsewhere.

2h) Interest Not Taxed by the Federal Government

Any income exempt from federal taxation.

2i) Capital Gains

Net income from the sale of real property, tangible personal property, or other capital assets not held by the taxpayer for sale to customers in the regular course of business.

2j) Other Income

Gross income from all other receipts from all other sources not listed on line 2a through 2i.

Line 3 - Salaries and Wage Factor

Schedule J, line 3, Column A represents that part of the total wages, salaries and other compensation to officers and employees paid or incurred by the taxpayer during the taxable year which is assignable to offices, agencies, or places of business within the State of Rhode Island, or which is attributable to services performed in connection with the taxpayer's activities or transactions within this state during the taxable year.

Line 4 - Rhode Island Ratios

Total the Rhode Island ratios from lines 1f, 2k and 3b.

Line 5 - Allocation Factor

If dollar amounts for property, receipts and salaries exist in Column B, the total of the three ratios on line 4 should be divided by 3. If one factor is not found in Column B, then the total of the two ratios on line 4 must be divided by 2. If only one factor exists in Column B, then the ratio on line 4 should be carried to line 5. Also, enter this ratio on schedule A, line 7.

SCHEDULE H – FRANCHISE TAX CALCULATION

If multiple classes of stock are owned, a separate schedule should be attached to the return in order to calculate the authorized capital.

Line 1 - Number of Shares of Authorized Stock – this is the total number of authorized shares.

Line 2 - Par Value per Share of Stock - the par value of the authorized shares of stock on line 1. "No par" stock shall be valued at \$100 per share.

Line 3 - Authorized Capital - Multiply line 1 times line 2. If a separate schedule was used due to multiple classes of stock ownership, then the authorized capital of each class should be combined and listed on this line.

Line 4 – Divide the authorized capital from line 3 by \$10,000.00

Line 5 – Multiply line 4 by \$2.50.

Line 6 - Apportionment Ratio - enter the apportionment ratio from Schedule G, line 5.

Line 7 – Franchise Tax - Multiply line 5 times line 6. List the result here, but not less than the minimum tax of \$100.