

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION FIDUCIARY BUSINESS PROFITS TAX RETURN

For the CALENDAR year 2010 or other taxable period beginning Mo Day Year and ending Mo Day Year SEQUENCE #4A

Due date for CALENDAR year filers is on or before April 18, 2011 or the 15th day of the 4th month after the close of the taxable period.

YOU ARE REQUIRED TO FILE THIS FORM IF GROSS BUSINESS INCOME WAS GREATER THAN \$50,000.

STEP 1 Print or Type

NAME OF ESTATE OR TRUST FEDERAL EMPLOYER IDENTIFICATION NUMBER

STEP 2 Figure Your Tax

1 INCOME (a) Gross receipts or sales... 1(a) (b) Less returns and allowances... 1(b) (c) Subtotal... 1(c) (d) Cost of goods sold... 1(d) (e) Gross profit... 1(e) (f) Gross rents... 1(f) (g) Other income... 1(g) (h) TOTAL INCOME... 1(h) 2 DEDUCTIONS (a) Fiduciary fees... 2(a) (b) Salaries and wages... 2(b) (c) Repairs... 2(c) (d) Bad debts... 2(d) (e) Rental expenses... 2(e) (f) Taxes... 2(f) (g) Interest... 2(g) (h) Contributions... 2(h) (i) Depreciation... 2(i) (j) Travel/entertainment... 2(j) (k) Advertising... 2(k) (l) Other deductions... 2(l) (m) TOTAL DEDUCTIONS... 2(m) 3 NET GAIN (LOSS) FROM SALE OF ASSETS... 3(c) 4 INSTALLMENT GAIN (LOSS)... 4(c) 5 Separate entity and other items of income and expense not allowed on this form (attach schedule)... 5 6 GROSS BUSINESS PROFITS (Line 1(h) adjusted by Lines 2(m), 3(c), 4(c) and 5)... 6 7 NEW HAMPSHIRE ADDITIONS AND DEDUCTIONS (a) Add back income taxes... 7(a) (b) New Hampshire Net Operating Loss Deduction... 7(b) (c) Interest on direct US obligations... 7(c) (d) Add the amount of the increase in the basis of assets... 7(d) (e) Interest and dividends subject to tax under RSA 77... 7(e) (f) Other additions and deductions... 7(f) (g) TOTAL ADDITIONS AND DEDUCTIONS... 7(g) 8 Adjusted Gross Business Profits... 8 9 New Hampshire Apportionment... 9 10 New Hampshire Taxable Business Profits... 10 11 New Hampshire Business Profits Tax... 11

SCH R IRC RECONCILIATION

STEP 3 Figure Your Credits

12 Credits allowed under RSA 77-A:5 as shown on Form DP-160... 12 13 Subtotal (Line 11 minus Line 12)... 13 14 Business Enterprise Tax Credit (See instructions)... 14 15 Business Enterprise Tax Credit to be applied against Business Profits Tax (Enter the lesser of Line 13 or Line 14. See instructions)... 15 16 New Hampshire Business Profits Tax Net of Statutory Credits (Line 13 minus Line 15)... 16

ENTER THE AMOUNT FROM LINE 16 ON LINE 1(b) OF THE BT-SUMMARY. THIS MUST BE FILED WITH THE BT-SUMMARY AND ALL APPLICABLE FEDERAL SCHEDULES.



NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
FIDUCIARY BUSINESS PROFITS TAX RETURN
FORM NH-1041 INSTRUCTIONS

STEP 1: NAME & IDENTIFICATION NUMBER

At the top of the return enter the beginning and ending dates of the taxable period if different than the calendar year.

Enter the name of the estate or trust, and federal identification number.

STEP 2: FIGURE YOUR TAX

IRC RECONCILIATION: Check the box and complete the Schedule R to reconcile federal taxable income to NH taxable income based on IRC in effect on December 31, 2000.

LINE 1: INCOME

- (a) Enter the gross receipts or sales from all business activity except rental receipts which should be included on Line 1(f).
- (b) Enter the amount of sales returns and allowances.
- (c) Line 1(a) minus Line 1(b).
- (d) Compute your cost of goods sold and/or operations on a separate schedule showing the beginning inventory, purchases made during the period, labor and other costs associated with producing the goods or services and the ending inventory. This schedule must be attached to your return.
- (e) Line 1(c) minus Line 1(d).
- (f) Enter the gross amount received for the rental of property. Rental expenses must be deducted on Lines 2(a) through 2(l) and not netted against the gross receipts.
- (g) Enter any other business income received by the estate or trust and any income adjustments necessary to reconcile federal taxable income to NH taxable income from Schedule R Line 2(e).
- (h) Combine Lines 1(e) through 1(g).

LINE 2: DEDUCTIONS

- (a) Enter the total fees actually paid to the fiduciary for administering the business activities of the estate or trust during the taxable period.
- (b) Enter the total amount of salaries and wages paid or incurred for the taxable period relating to business activities, provided they have not been deducted elsewhere in the return.
- (c) Enter the cost of incidental repairs that do not add to the value of business property or prolong its useful life.
- (d) Enter the business debts that have become worthless during the tax year.
- (e) Enter the expense incurred to rent space, equipment or other property used in conducting business activity.
- (f) Enter the taxes paid or accrued by the estate or trust except federal or foreign income tax or taxes paid by the fiduciary on behalf of other parties. To be deductible, the taxes must be properly assessed against the trust or estate and be for its business activities.
- (g) Enter the interest incurred on borrowed funds which have been used in the business activities reportable under the Business Profits Tax.
- (h) Enter the business related charitable contributions made during the taxable period in accordance with the IRC as defined by RSA 77-A:1, XX.
- (i) Enter the depreciation for assets used in business activities reportable under the Business Profits Tax. Attach a schedule showing the description, cost, previous depreciation taken, method and rate of depreciation and the current year amount. Federal Form 4562 may be used for this purpose.
- (j) Enter the business related expenses for travel or entertainment in accordance with the IRC as defined by RSA 77-A:1, XX.
- (k) Enter the expenses incurred for advertising the business activities of the trust or estate.
- (l) Enter the other ordinary and necessary business expenses not included in Line 1(d) or Lines 2(a) through 2(k). A schedule showing the type and amount of each deduction must be attached to this return. Also include any adjustments necessary to reconcile federal taxable income to NH taxable income from Schedule R Line 3(c).
- (m) Combine Lines 2(a) through 2(l).

LINE 3: NET GAIN (LOSS) FROM SALE OF ASSETS

(a & b) Enter a complete description of the business or rental property sold including the address if the property sold was real estate. Report the gain (loss) on the sale without the effects of federal passive loss limitation rules. If a loss, show in parenthesis, e.g. (\$50). If you need additional space, attach a schedule.

(c) Enter the total of Lines 3(a) and 3(b) on Line 3(c).

LINE 4: INSTALLMENT GAIN (LOSS)

(a & b) Taxpayers who are reporting the sale of business assets on the installment basis for federal tax purposes must also use the installment method on the Form NH-1041. Under certain conditions, an election can be made by using Form DP-95 to report the entire gain in the year of sale. Form DP-95 may be obtained from our web site at www.nh.gov/revenue or by calling (603) 271-2192.

Taxpayers who have sold business or rental property on the installment basis will be considered a business organization until all the installments have been reported and the total tax paid. You MUST file a return every year, regardless of the amount of installments, if the sale price exceeded \$50,000 for taxable periods ending July 1, 1993 to the present.

Enter the original date of the sale. Report the installment gain or (loss) received in this taxable period without the effects of federal passive loss limitation rules. If a loss, show in parenthesis, e.g. (\$50). If you need additional space, attach a schedule.

(c) Enter the total of Lines 4(a) and 4(b) on Line 4(c).

LINE 5: SEPARATE ENTITY ADJUSTMENT

Enter the amounts which arise from the necessity of adjusting gross business profits to accommodate the New Hampshire requirement of separate entity treatment for business organizations. This would include the estate or trust share of a partnership's activity in which it is a partner, as reported on Lines 1(a) through 4(c). Attach a schedule detailing this amount.

LINE 6: GROSS BUSINESS PROFITS

Combine Lines 1(h), 2(m), 3(c), 4(c) and 5. If a loss, show in parenthesis, e.g. (\$50). If this total is negative, this amount represents the estate or trust net operating loss available for future deduction. This amount may be subject to apportionment provisions.

LINE 7: NEW HAMPSHIRE ADDITIONS AND DEDUCTIONS

- (a) Enter the total New Hampshire Business Profits Tax and any income tax, franchise tax measured by net income or capital stock tax assessed by any state or political subdivision that was deducted on this year's federal return. Attach a schedule of taxes by state.
- (b) Enter the amount of carryover loss available as shown on Line 11 of Form DP-132. DP-132 must be attached to the return.
- (c) Enter the amount of gross business profits as is attributable to income derived from non-taxable interest on notes, bonds or other direct securities of the United States Government.
- (d) Add the amount of the increase in the basis of assets which was due to the sale or exchange of interest in the trust (RSA 77-A:4, XIV).
- (e) In the case of a trust or estate which is subject to taxation under RSA 77, enter the amount of interest and dividends included in Line 1(g) above attributable to the New Hampshire beneficiary pro rata share of any deduction taken on Line 7(g) or subject to taxation under RSA 77.
- (f) Enter the amount of the other additions and deductions required by RSA 77-A:4. (Attach schedule).
- (g) Enter the total of Lines 7(a) through 7(f).

LINE 8: ADJUSTED GROSS BUSINESS PROFITS

Enter the total of Line 6 as adjusted by Line 7(g). If negative, show in parenthesis, e.g. (\$50).

LINE 9: NEW HAMPSHIRE APPORTIONMENT

Fiduciaries which have business activity both inside and outside New Hampshire AND which are subject to income taxes or a franchise tax measured by net income in another state, or are subject to the jurisdiction of another state to impose a net income tax or capital stock tax, whether or not actually imposed by the other state, must apportion gross business profits to New Hampshire by using Form DP-80, Apportionment of Income. After completing Form DP-80, enter the apportionment on line 9 of your Form NH-1041. Show to six decimal places.

All others enter 1.00 on Line 9.

LINE 10: Enter the product of Line 8 multiplied by Line 9. If negative, enter zero.

LINE 11: Enter the product of Line 10 multiplied by 8.5%.

STEP 3 FIGURE YOUR CREDITS

LINE 12: CREDITS

Enter the amount of credits allowed under RSA 77-A:5, as shown on Form DP-160. **Form DP-160, Schedule of Business Profits Tax Credits, must be filed with the return to support all credits claimed on Line 12. DO NOT INCLUDE THE BET CREDIT ON THIS LINE.**

LINE 13: Enter the amount of Line 11 minus Line 12. IF NEGATIVE, ENTER ZERO.

LINE 14: BUSINESS ENTERPRISE TAX CREDIT

Business Enterprise Tax paid shall be applied as a credit against Business Profits Tax. Any unused portion of the credit may be carried forward and allowed against Business Profits Tax due for up to 5 taxable periods from the period in which the Business Enterprise Tax was paid. To calculate the BET credit to be applied against this year's BPT, complete the BET-Credit Worksheet.

LINE 15

Enter the lesser amount of Line 13 or Line 14. If Line 14 is greater than Line 13, then a Business Enterprise Tax Credit carryforward exists. Any unused portion of the current period's Business Enterprise Tax Credit may be carried forward and credited against any Business Profits Tax due in a subsequent taxable period within the 5 taxable period limitation.

LINE 16

Enter the amount of Line 13 minus Line 15. IF NEGATIVE, ENTER ZERO.

ENTER THE AMOUNT FROM LINE 16 ON LINE 1(b) OF THE BT-SUMMARY.