



**INSTRUCTIONS**

**NAME & IDENTIFICATION NUMBER**

PRINT the taxpayer's name, Federal Employer Identification Number (FEIN), or Department Identification Number (DIN) code in the spaces provided.

Enter the beginning and ending dates of the taxable period if different from the calendar year.

These instructions apply to a separate entity corporate filer.

New Hampshire requires business organizations that are conducting a unitary business inside and outside New Hampshire to file a combined business profits tax return. (A member of the unitary group must be subject to tax in another jurisdiction.) There is a New Hampshire Combined Business Tax booklet with information, forms and instructions specifically for combined groups. Combined groups are **required to use Form NH-1120-WE** which can be obtained from our web site at [www.nh.gov/revenue](http://www.nh.gov/revenue) or by calling (603)230-5001

**IF THIS BUSINESS FILES A 1120S U. S. INCOME TAX RETURN FOR AN S-CORPORATION WITH THE INTERNAL REVENUE SERVICE A DP-120 COMPUTATION OF THE S-CORPORATION MUST BE COMPLETED BEFORE THIS FORM IS COMPLETED.**

**CALCULATE YOUR TAX-Page 1 and 2**

ROUND EVERY ENTRY TO THE NEAREST DOLLAR, IF 49 CENTS OR LESS ROUND DOWN, IF 50 CENTS OR MORE ROUND UP. **REPORT NEGATIVE AMOUNTS USING A MINUS SIGN.**

**LINE 1 ENTER AMOUNT FROM LINE 28 OF THE FEDERAL FORM 1120 OR COMPLETE A DP-120 AND ENTER THE AMOUNT FROM LINE 2 OF THE DP-120.**

**Lines 2(a) through 2(g) are adjustments necessary to increase or decrease gross business profits to reflect the Internal Revenue Code of December 31, 2000.**

Every business organization which commences business after 12/31/2000, or has been in New Hampshire prior to 12/31/2000 and has availed their business of federal changes after 12/31/2000, must account for the differences between the Internal Revenue Code in place on 12/31/2000 and the changes made to that Code by Congress from 1/1/2001 to the end date of this tax period. The adjustments on lines 2(a) through 2(g) reflect the adjustments that are necessary to account for the major changes; while there are other changes, the Department of Revenue does not require that those changes be made, if a taxpayer seeks to report an adjustment which is necessary that has not been delineated in other sections of Line 2, attach an explanation for either line 2(d) or 2(f).

The statutory requirement to follow the 12/31/ 2000 Code has significant impact on the tax basis of assets used in businesses operating within New Hampshire, and also within and without New Hampshire. A separate accounting of the New Hampshire tax basis must be maintained for depreciation purposes and for determination on the gain or loss in the event of the sale of business assets. The Department website has provided a link to IRS forms and instructions for business deductions, depreciation, and basis of assets as determined on 12/31/2000 to aid in the preparation of the Business Profits Tax return.

LINE 2(a) Add the amount of IRC §179 expense taken on the Federal Return in excess of \$20,000 and deducted on Lines 1(a) through 1(s), including carry/over amounts, but not more than the federal taxable income for any year a IRC §179 deduction is taken. If no IRC §179 expense was taken on Lines 1(a) through 1(s) enter zero. Federal Form 4562 for tax year 2000 is available on the Department website to aid in this calculation.

LINE 2(b) Add the amount of bonus depreciation taken on Federal Return for assets placed in service this year. Bonus depreciation is not allowed on the NH-BPT return, as allowed on Federal Returns per IRC §168(k).

LINE 2(c) Add the amount of Domestic Production Activities deduction taken on the Federal Return this year. Domestic Production Activities deductions are not allowed on the NH-BPT return, as allowed on Federal Returns per IRC §199.

LINE 2(d) Add any other deductions taken on the Federal Return that need to be eliminated or adjusted due to revisions to the Internal Revenue Code in effect on 12/31/2000.

LINE 2(e) Deduct additional depreciation related to §179 and bonus depreciation not allowed for this tax year or for prior tax years. Because there is a basis difference between the federal and state treatment of §179 expense, and bonus depreciation, the regular depreciation allowed under §167 and §168 may be different than that deducted on the Federal Return; recalculate your allowable depreciation and deduct the difference on this line.



**INSTRUCTIONS - continued**

LINE 2(f) Deduct any other items included on the Federal Return that need to be eliminated or adjusted due to revisions to the Internal Revenue Code in effect on 12/31/2000. If IRC §179 expense is taken on the Federal Return and not deducted on Lines 1(a) through 1(s) of this Form, you may take the deduction on this Line up to \$20,000.

LINE 2(g) Increase or decrease the net gain or loss on the sale of assets used in the business which have a different state adjusted basis from the tax adjusted basis reported on the Federal Return. Because there is a basis difference between the federal and state treatment of §179 expense, and bonus depreciation, the regular depreciation allowed §167 and §168 may be different than that deducted on the Federal Return. This may create a different adjusted basis to assets used in the business which have not been completely depreciated, and thus a different gain or loss for state reporting than that reported on the Federal Return on the sale of business assets. Recalculate the gain or loss and place the difference on this line.

LINE 2(h) Subtotal 2(a) through 2(g); if negative, use minus sign.

LINE 3 Subtotal Line 1 adjusted by Line 2(h); if negative result, use minus sign.

LINE 4 Separate entity adjustments to income or expense, attach worksheet. 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.

LINE 5(a) Deduct interest income earned resulting from investments in direct United States obligations. Deduct interest, net of expenses, earned from investments in United States obligations on this line.

Federal obligations are exempt from tax by states or their political subdivisions when obligations are issued to secure credit to carry on the necessary functions of government. Exempt U.S. Government interest claimed as a deduction must be reduced by the following expenses if the expenses were claimed as deductions in arriving at your federal taxable income:

- interest on money borrowed to purchase or carry the bonds or securities;
- ordinary and necessary expenses paid or incurred in connection with producing exempt income.

These expenses may also be added back on Line 5(g), do not add back twice.

LINE 5(b) Add income taxes or franchise taxes measured by income. Add, on this line, deductions for taxes that have been taken on the Federal Return for any state, or subdivision of a state, or foreign taxes based on or measured by net income.

The Business Enterprise Tax (BET) is not based on or measured by net income and is not added back. Business Profits Tax (BPT) is based on net income and must be added back, if a deduction for BPT has been taken of your Federal tax return.

LINE 5(c) Add federal non-recognized IRC §337 Gain. New Hampshire recognizes the gain on the distribution of property from a subsidiary to its parent in complete liquidation of the distributee. The gain of the liquidating corporation is determined using the New Hampshire basis of the assets distributed.

LINE 5(d) DEDUCT wage adjustment required by IRC §280C. Deduct the wages or salaries paid or incurred for the taxable year which is equal to the sum of the credits determined for the taxable year under IRC §45A(a), §51(a), and §1396(a), §1400P(b), and §1400R.

LINE 5(e) Add expenses related to constitutionally exempt income. Expenses that are incurred to produce income that is constitutionally exempt from taxation in New Hampshire must be added back to gross business profits. These expenses include such items as interest expense and other expenses incurred to earn interest from investments in direct U.S. obligations. This add back also includes expenses related to the production of non-unitary income not included on this return.

LINE 5(f) Deduct Foreign dividend gross-up (IRC §78). IRC §78 provides that dividends received from foreign affiliates are "grossed-up" to include income taxes paid on the dividends to foreign countries. The taxpayer can then apply the grossed-up amount in computing its foreign tax credit for federal purposes. The amount of gross-up is a separately stated item in the Federal Form 1120, Schedule C. Qualified dividends do not include IRC §78 amounts. Deduct the gross-up on this line.

LINE 5(g) A deduction is allowed for the contribution of scientific equipment or apparatus to educational organization or institute of higher education equal to the sum of the taxpayer's basis in the contributed property plus 50 percent of the unrealized appreciation, or twice the basis of the property, whichever is less.

LINE 5(h) Deduct the allowable net operating loss carry forward from a prior year. Deduct net operating losses from prior years on this line. Use the Form DP-132 to calculate this deduction.



**INSTRUCTIONS - continued**

The Net Operating Loss Deduction (NOLD) must be apportioned to determine the amount of the carry forward based on the apportionment determined on the Form DP-80. Form DP-132 must be attached for this deduction. You must report the NOLD available and the amount of NOLD to be carried forward.

LINE 5(i) Add the amount of the increase in the basis of assets required under the IRC which was due to the sale or exchange of interest in the business organization.

The gain associated with the sale or exchange of an interest in a business organization is reported in New Hampshire at the entity level. The amount reported is the difference between the basis the owner has in the business organization and the increased realized and recognized value of the underlying assets in the business organization for which the interest was sold or exchanged.

LINE 5(j) Add QIC holder's proportional share of QIC profits. Add your share of Qualified Investment Company (QIC) profits on this line. A business organization which holds an interest in a QIC must add to gross business profits their share of the QIC profits for the year, losses are not deducted. If the QIC makes a distribution do not include the distribution in gross business profits of the interest holder.

LINE 5(k) Deduct assistance payments under 12 USC, Section 1823. Deduct assistance payments included on the Federal Tax form for assistance payments made to insured depository institutions. The Federal Deposit Insurance Corporation is authorized, in its sole discretion and upon such terms and conditions as the Board of Directors may prescribe, to make loans to, to make deposits in, to purchase the assets or securities of, to assume the liabilities of, or to make contributions to, any insured depository institution.

LINE 5(l) Net Lines 5(a) through 5(k).

**LINE 6 Adjusted Gross Business Profits**

Combine Lines 3, 4, and 5(l).

**LINE 7 NEW HAMPSHIRE APPORTIONMENT**

Business organizations which have business activity, including rental activity, both inside and outside this state 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 upon it, 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. Form DP-80 may be obtained from the website at [www.nh.gov/revenue](http://www.nh.gov/revenue) or by calling (603) 230-5001. After completing Form DP-80, enter the apportionment to six decimal places on Line 7. **All others enter 1.00 on Line 7.**

**LINE 8**

Enter the product of Line 6 multiplied by Line 7. If negative, enter zero.

**LINE 9**

Enter the product of Line 8 multiplied by 8.5%.

**CALCULATE YOUR CREDITS**

**LINE 10 CREDITS**

LINE 10 (a) If you have paid the BET in this year or have carry over BET credits from the prior 5 years, and have no other credits, enter the BET credit here.

LINE 10 (b) If you have credits in addition to the BET credit enter the total credits available on this line. (attach Form DP-160; only available to those entities that have more than one credit available).

LINE 11 New Hampshire Business Profits Tax Net of Statutory Credits (Line 9 minus Line 10(a) or Line 10(b). Cannot be less than zero.

Enter the amount from Line 11 on Line 1(b) of the NH BT- Summary Form.

**THIS RETURN MUST BE FILED WITH THE BT-SUMMARY AND ALL APPLICABLE FEDERAL SCHEDULES.**