



# California

Forms & Instructions

# 3807

# 1998

Local Agency Military Base  
Recovery Area Business Booklet

**This booklet contains:**

**Form FTB 3807**, Local Agency Military Base Recovery Area  
Deduction and Credit Summary

Members of the Franchise Tax Board

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**State of California  
Franchise Tax Board**

# Instructions for Local Agency Military Base Recovery Area Businesses — Form FTB 3807

References in these instructions are to the Internal Revenue Code (IRC) as of **January 1, 1998**, and to the California Revenue and Taxation Code (R&TC).

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## General Information

California has established 5 types of economic development areas that have similar tax incentives:

- Enterprise Zones;
- The Los Angeles Revitalization Zone (LARZ);
- Local Agency Military Base Recovery Areas (LAMBRA)s;
- Manufacturing Enhancement Areas (MEAs); and
- The Targeted Tax Area (TTA).

A business may qualify for special deductions and credits if it operates or invests in a trade or business located within the geographic boundaries of one of these economic development areas.

California statutes require the Franchise Tax Board (FTB) to provide information to the California Legislature and the Trade and Commerce Agency (TCA) regarding the number of businesses using the economic development area tax incentives, types of economic development area tax incentives being used and the economic development areas in which the businesses are claiming the tax incentives.

**Note:** In order to help us meet this requirement, please be sure to attach form FTB 3807, Local Agency Military Base Recovery Area Deduction and Credit Summary, to your California tax return.

For information about:

- Enterprise zone tax incentives, get FTB 3805Z, Enterprise Zone Business Booklet;
- LARZ tax incentives, get FTB 3806, Los Angeles Revitalization Zone Business Booklet;
- The MEA hiring credit, get FTB 3808, Manufacturing Enhancement Area Business Booklet; or
- TTA tax incentives, get FTB 3809, Targeted Tax Area Business Booklet.

## A What's New

### LAMBRA Designation

Mare Island Naval Shipyard in Vallejo received final designation from the TCA on January 1, 1999. Accordingly, any costs paid or incurred on or after January 1, 1999, by businesses operating in this LAMBRA may qualify for LAMBRA tax incentives. See the specific part in this booklet for additional information about the appropriate tax incentive.

### California Tax Law Changes

**Conformity.** In general, California tax law conforms to the Internal Revenue Code (IRC) as of January 1, 1998. However, there are continuing differences between California and federal tax law. California has not conformed to the changes made to the IRC by the federal Internal Revenue Service (IRS) Restructuring and Reform Act of 1998 (Public Law 105-206) and the Tax and Trade Relief Extension Act of 1998 (Public Law 105-277).

**Seasonal Employees.** Application of the hiring credit percentage and hiring credit recapture provisions with regards to a seasonal employee are clarified to provide that reemployment of an employee does not constitute commencement of employment where seasonal or intermittent employment regularly increases or decreases.

**California Business Income.** For taxable or income years beginning on or after January 1, 1998, California business income is used in determining the amounts apportioned to a LAMBRA. Previously, worldwide business income was used in determining the amounts apportioned to a LAMBRA.

### Minimum Wage

The California minimum hourly wage increased on March 1, 1998, from \$5.15 to \$5.75 (pursuant to the passage of Proposition 210, the Living Wage Act of 1996). See Part I for how the minimum wage increase affects the hiring credit.

### Principal Business Activity Code Chart

In 1998, the FTB implemented the new principal business activity (PBA) code chart that is based on the North American Industry Classification System (NAICS). The PBA code chart is provided in this booklet (pages 22 through 24) and in your California and federal tax booklets. The use of this system replaces the use of the Standard Industrial Classification

(SIC) for purposes of business classification. **Note:** The SIC continues to be used where a SIC code is specifically referenced in California tax law.

## B Local Agency Military Base Recovery Areas

LAMBRAs are established to stimulate growth and development in areas that experience military base closures. Businesses operating within a LAMBRA or located within a LAMBRA, may qualify for special tax incentives.

## C Purpose

Use this booklet to determine the correct amount of deductions and credits that the business may claim for operating or investing in a trade or business within a LAMBRA. Complete the worksheets in this booklet for each deduction or credit for which the business is eligible. Then enter the total deductions and credits on form FTB 3807.

## D How to Claim Deductions and Credits

To claim any LAMBRA deduction or credit, the business **must attach** form FTB 3807 (included in this booklet) to its California tax return.

**Attach a separate form FTB 3807 for each business you operate or invest in that is located within a LAMBRA.**

To assist with the processing of the tax return, indicate that the business operates or invests within a LAMBRA by doing the following:

**Form 540 and Form 540NR filers:** Write "LAMBRA" in the top left margin of Side 1 of Form 540 or Form 540NR.

**Form 100 filers:** Claim LAMBRA tax incentives on Form 100, line 14, line 20 and line 24 through line 27, as applicable.

**Form 100S filers:** Claim LAMBRA tax incentives on Form 100S, line 12, line 19 and line 23 through line 26, as applicable.

**Form 109 filers:** Check the "yes" box for the enterprise zone, LARZ, LAMBRA, MEA or TTA question on the top of Side 1 of Form 109.

**Note:** Be sure to keep all completed worksheets and supporting documents for your records.

**Net Job Increase Requirement** – In order to qualify for the LAMBRA tax incentives, a business must have a net increase of 1 or more

jobs within the first 2 taxable or income years of commencing business within a LAMBRA. **Note:** Taxpayers engaged in operations within a LAMBRA are allowed to utilize the designated LAMBRA tax incentives beginning in the 1st year of operation in the LAMBRA even though they have not yet fulfilled the net increase in jobs requirement. However, if after the end of the 2nd taxable or income year of operations within the LAMBRA a taxpayer does not fulfill the net increase in jobs requirement, all LAMBRA tax incentives claimed in prior years must be recaptured.

The net increase in jobs is computed on form FTB 3807. See page 20 for the instructions on how to compute the increase.

## E LAMBRA Designation

The TCA is authorized to designate LAMBRAs. The TCA has designated the following LAMBRAs with the following designation dates:

- Southern California International Airport LAMBRA in Victorville (formerly known as George Air Force Base) on February 1, 1996;
- Castle Airport LAMBRA in Atwater (formerly known as Castle Air Force Base) on June 1, 1996; and
- Mare Island Naval Shipyard LAMBRA in Vallejo on January 1, 1999.

At the time this booklet went to press, designations were **pending** for Alameda Naval Air Station in Alameda and Tustin Marine Corps Air Station in Tustin. Incentives are available only after final designation occurs.

For information about the designation of an area, call the TCA at (916) 327-2236.

If your business is located totally within a LAMBRA, within and outside a LAMBRA or in more than one LAMBRA, see Part IV on page 10 for instructions on how to apportion income.

## F Forms Table

The titles of forms referred to in this booklet are:

Form 100	California Corporation Franchise or Income Tax Return
Form 100S	California S Corporation Franchise or Income Tax Return
Form 109	California Exempt Organization Business Income Tax Return
Form 540	California Resident Income Tax Return
Form 540NR	California Nonresident or Part-Year Resident Income Tax Return
Form 541	California Fiduciary Income Tax Return
Form 565	Partnership Return of Income
Form 568	Limited Liability Company Return of Income
Schedule CA (540)	California Adjustments — Residents
Schedule CA (540NR)	California Adjustments — Non-residents or Part-Year Residents
Schedule P	Alternative Minimum Tax and Credit Limitations

## Schedule R Apportionment and Allocation of Income

### Part I Hiring Credit

Employers conducting a trade or business inside a LAMBRA may claim the hiring credit for a qualified employee.

#### Qualified Employee

A qualified employee is an employee who:

- Was hired after the LAMBRA received its final designation (see General Information E);
- Spends at least 90% of work time on activities directly related to the conduct of a trade or business located within the LAMBRA; and
- Performs at least 50% of the work within the boundaries of the LAMBRA.

A qualified employee must:

- Be a civilian or military employee of a base or former base who has been displaced as a result of a federal base closure act; or
- Have been at the time of hire:
  1. Receiving or eligible to receive subsidized employment, training or services under the terms of the federal Job Training Partnership Act (JTPA);
  2. Registered under the Greater Avenues for Independence Act (GAIN); or
  3. Eligible under the federal Targeted Jobs Tax Credit Program, whether or not this program is in effect.

#### Qualified Wages

Qualified wages means the wages paid or incurred by the business during the taxable or income year to a qualified employee. For the Mare Island Naval Shipyard LAMBRA, the wages must be paid or incurred on or after January 1, 1999, for qualified employees hired on or after January 1, 1999.

Wages that qualify for the hiring credit are those wages paid to a qualified employee for the consecutive 60-month period beginning on the first date the employee commenced employment with the employer. For an employer that operates a business that has regularly occurring seasonal or intermittent employment decreases and increases, reemployment of an employee does not constitute commencement of employment for the qualified wages test.

The qualified wages are the smaller of:

- The actual hourly rate paid or incurred by the business for work performed by the employee during the taxable or income year; or
- **150% of the minimum hourly wage** established by the Industrial Welfare Commission shown in column (c) of the following table.

Where the California minimum wage is higher than the federal minimum wage, the California minimum wage is used for purposes of computing the LAMBRA hiring credit. The following table represents the applicable minimum wage and 150% of the

minimum wage for purposes of computing the LAMBRA hiring credit:

	(a)	(b)	(c)
<b>Wages paid or incurred during the following time periods:</b>		<b>Minimum wage</b>	<b>150% of the minimum wage</b>
September 1, 1997 through February 28, 1998		\$5.15	\$7.72
March 1, 1998 and after		\$5.75	\$8.62

#### Credit Limitations

- The cumulative qualified wages used to compute the credit cannot exceed \$2,000,000. The limit applies to **each** taxpayer for **each** taxable or income year.
- The amount of hiring credit claimed may not exceed the amount of tax on LAMBRA business income in any year. Use Worksheet VI on Side 2 of form FTB 3807 to compute the credit limitation.
- Any unused credit may be carried over and applied against the tax imposed on LAMBRA business income in future years.
- The business must reduce any deduction for wages by the amount of this credit.
- In the case where the business is qualified to take the LAMBRA hiring credit as well as another credit (e.g., enterprise zone, MEA or TTA hiring credit) for the same wage expense, the business may only claim one credit.
- S corporations are allowed only 1/3 of the LAMBRA hiring credit by operation of law.
- S corporations must reduce their wage deduction by 1/3 of the amount on Worksheet I, Line 4. Make the wage deduction adjustment on Form 100S, line 7. In addition, the S corporation must make an adjustment for the entire amount of the credit on Schedule K (100S), line 1, column (c).

**Example:** In 1998, an S corporation qualified for a \$3,000 LAMBRA hiring credit. The S corporation can claim a credit for \$1,000 and must reduce its wage deduction by \$1,000 (\$3,000 X 1/3). On Form 100S, Schedule K, line 1, column (c), the S corporation would add \$3,000 to the S corporation's ordinary income or loss to reflect the credit passed through to the shareholder(s).

For additional information about the treatment of credits for S corporations, see Part VI on page 18.

**Record Keeping.** For each qualified employee, keep a schedule for the first 60 months (5 years) of employment showing:

- Employee name;
- Date employee was hired;
- Number of hours employee worked for each month of employment;
- Smaller of the hourly rate of pay for each month of employment or 150% of the minimum wage;
- Total qualified wages per month for each month of employment; and
- Location of employee's job site and duties performed.

**Example:**

Mark Jones was hired on January 1, 1998.

Month(s)	Hours x per Month	Hourly Rate =	Qualified Wages per Month
1	175	\$7.00	\$1,225.00
2	170	7.72	1,312.40
3	172	8.00	1,376.00
4	170	8.62	1,465.40

Continue to 60

Mark's hourly rate for Month 1 was \$7.00.

At the beginning of Month 2, his hourly rate increased to \$8.00. The hourly rate that qualifies for the credit is limited to 150% of the minimum wage (\$7.72 through February 28, 1998). For Month 3, Mark's hourly rate remained at \$8.00 but is not limited since the hourly rate that qualifies for the credit increased (on or after March 1, 1998, 150% of the minimum wage is \$8.62). For Month 4, his hourly rate increased to \$9.00. The hourly rate that qualifies for the credit is limited to 150% of the minimum wage (\$8.62 on or after March 1, 1998).

## Instructions for Worksheet I — Hiring Credit & Recapture

### Section A — Credit Computation

**Line 1, column (a)** – Enter the name of each qualified employee. Attach an additional schedule(s) if necessary.

**Line 1, column (b) through column (e)** – Enter the qualified wages paid or incurred during the taxable or income year to each qualified employee listed in column (a) in the appropriate column.

**Line 2, column (b) through column (e)** – Add the amount of qualified wages in each column.

**Line 3, column (b) through column (e)** – Multiply the total in each column of line 2 by the percentage in each column.

**Line 5** – The federal jobs tax credit to include on line 5 is the Work Opportunity Tax Credit (as in effect January 1, 1998, in IRC Section 51) for individuals hired before July 1, 1998. No other California jobs tax credit may be claimed for the same wage expense paid to the employees shown in column (a).

**Line 6** – Enter the amount from line 6 on form FTB 3807, Side 2, Worksheet VI, as follows:

- Part II, line 8B, column (b) for corporations, individuals and estates and trusts;
- Part III, line 10, column (b) for S corporations; or
- Part IV, line 12, column (b) for corporations and S corporations subject to paying only the minimum franchise tax.

### Section B — Credit Recapture

The employer must recapture the amount of credit attributable to an employee's wages if the employer terminates an employee at any time during the longer of:

- The first 270 days of employment (whether or not consecutive); or
- 90 days of employment plus 270 calendar days.

For employers of seasonal employees, the employer must recapture the amount of credit attributable to a seasonal employee's wages if the employer terminates the employment before the completion of 270 days of employment during the 60-month period beginning the day the employee commences employment with the employer.

A "day of employment" means any day for which the employee receives wage compensation (including a paid sick day, holiday or vacation day).

The employer must add to the current year's tax the amount of credit claimed in the year of termination and all prior years in which the credit was claimed for the terminated employee.

**Note:** The credit recapture does not apply if the termination of employment was:

- Voluntary on the part of the employee;
- In response to misconduct of the employee;
- Caused by the employee becoming disabled (unless the employee was able to return to work and the employer did not offer to reemploy the individual);
- Carried out so that other qualified individuals could be hired, creating a net increase

in both the number of qualified employees and their hours worked; or

- Due to a substantial reduction in the employer's trade or business operations.

This credit is also subject to recapture if the net increase in jobs requirement is not met. See the instructions for form FTB 3807, Part I, Net Increase in Jobs, on page 20.

**Line 1, column (a)** – Enter the name of the terminated employee. Attach an additional schedule(s) if necessary.

**Line 1, column (b)** – Enter the amount of credit recapture for each employee listed in column (a).

**Line 2** – Enter the result on form FTB 3807, Side 1, line 6.

Also include the amount of hiring credit recapture on your California tax return or schedule as follows:

- Form 100, Schedule J, line 5;
- Form 100S, Schedule J, line 5 and Schedule K-1 (100S), line 23;
- Form 109, Schedule K, line 4;
- Form 540, line 36;
- Form 540NR, line 45;
- Form 541, line 21b and Schedule K-1 (541), line 11e;
- Form 565, Schedule K, line 22 and Schedule K-1 (565), line 22; or
- Form 568, Schedule K, line 22 and Schedule K-1 (568), line 22.

Indicate that you included the hiring credit recapture on your tax return by writing "FTB 3807" in the space provided on the schedule or form.

Partnerships and limited liability companies (LLCs) taxed as partnerships must identify the recapture amounts for their partners and members on Schedule K-1 (565 or 568).

S corporation shareholders must recapture the portion of credit that was previously claimed, based on the terminated employee's wages. S corporations must also identify the recapture amount for shareholders on Schedule K-1 (100S). This amount will differ from the amount recaptured by the S corporation on Form 100S, Schedule J.

**Worksheet I Hiring Credit & Recapture — LAMBRA**

**Section A Credit Computation**

		Qualified wages paid or incurred for year of employment				
(a) Employee name	(b) 1st year	(c) 2nd year	(d) 3rd year	(e) 4th year	(f) 5th year	
1						
2	Total. See instructions . . . . .					
		.50	.40	.30	.20	
3	Multiply line 2 by the percentage in each column. See instructions . . . . .					
4	Add the amounts on line 3, column (b) through column (e) . . . . .					4
5	Enter the amount of 1998 federal jobs tax credit allowed for the employees shown in column (a). See instructions . . . . .					5
6	Subtract the amount on line 5 from the amount on line 4 and enter the result here. See instructions . . . . .					6

**Note:** You cannot take the LAMBRA hiring credit as well as another credit for the same wages expense.

**Section B Credit Recapture**

(a) Terminated employee's name	(b) Recapture amount
1	
2	Total amount of credit recapture. Add the amounts in column (b). See instructions for where to report on your California tax return . . . . .
	2

## Part II Sales or Use Tax Credit

**Individuals, estates or trusts, partnerships and LLCs taxed as partnerships** may claim a credit equal to the sales or use tax paid or incurred to purchase up to \$1 million of qualified property. **Corporations** may claim a credit equal to the sales or use tax paid or incurred to purchase up to \$20 million of qualified property. Individuals who are S corporation shareholders may claim their pro rata share of pass-through credit to the extent the S corporation paid or incurred sales or use tax to purchase up to \$1 million of qualified property. See the example in the third column of this page.

For the Mare Island Naval Shipyard LAMBRA, the qualified property must be purchased on or after January 1, 1999, and the sales or use tax must be paid or incurred on or after January 1, 1999.

### Qualified property is:

- High technology equipment, such as computers and electronic processing equipment;
- Aircraft maintenance equipment, such as engine stands, hydraulic mules, power carts, test equipment, handtools and aircraft start carts and tugs;
- Aircraft components, such as engines, fuel control units, hydraulic pumps, avionics, starts, wheels and tires; and
- IRC Section 1245 property.

The business must use the property **exclusively** within the boundaries of the LAMBRA. Use tax paid on purchases of property manufactured outside of California qualifies for the credit only if property of a comparable quality and price was not available for timely purchase and delivery from a California manufacturer.

### Leased Property

The sales tax paid on qualified property being purchased using a financial (conditional sales) contract qualifies for the sales or use tax credit.

To determine whether the lease qualifies as a purchase rather than a true lease, see Revenue Ruling 55-540, 1955-2 C.B. 39 and FTB Legal Ruling 94-2, March 23, 1994.

### Credit Limitations

- The amount of sales or use tax credit claimed may not exceed the amount of tax

on the LAMBRA business income in any year. After completing Worksheet II, use Worksheet VI on Side 2 of form FTB 3807 to compute the credit limitation.

- In the case where the business is qualified to take the LAMBRA sales or use tax credit as well as another credit (e.g., enterprise zone sales or use tax credit, manufacturers' investment credit or TTA sales or use tax credit) for the same piece of property, the business may only claim one credit.

**Depreciation.** Any taxpayer that elects this credit cannot increase the basis of the qualified property by sales or use tax paid or incurred in connection with the purchase of qualified property.

To compute the difference between California and federal depreciation, use the following forms and schedules:

- Form 100 filers – FTB 3885, Corporation Depreciation and Amortization;
- Form 100S filers – Schedule B (100S), S Corporation Depreciation and Amortization;
- Form 109 filers – Form 109, Schedule J, Depreciation. **Note:** Exempt trusts use FTB 3885F, Depreciation and Amortization;
- Form 540 and 540NR filers – FTB 3885A, Depreciation and Amortization Adjustments;
- Form 541 filers – FTB 3885F, Depreciation and Amortization;
- Form 565 filers – FTB 3885P, Depreciation and Amortization; or
- Form 568 filers – FTB 3885L, Depreciation and Amortization.

**Record Keeping.** In order to support the sales or use tax credit claimed, keep all records that document the purchase of the property, such as the sales receipt and proof of payment. Additionally, keep all records that identify or describe:

- The property purchased (such as serial numbers, etc.);
- The amount of sales or use tax paid on its purchase;
- The location where it is used; and
- If purchased from a manufacturer located outside California, records to substantiate

that property of comparable quality and price was not available for purchase in California.

### Example:

XYZ Inc., an S corporation, purchases qualified property for \$20 million (\$20 m.). The sales tax rate is 6% (.06) and the entity-level tax rate is 1.5%.

The credit allowed XYZ Inc. and the depreciable basis of the qualified property for XYZ Inc. are figured as follows:

		Depreciable basis
Qualified property	\$20 m.	\$20 m.
Sales tax paid (\$20 m. x .06)	1.2 m.	+1.2 m.
Sales or use tax credit allowed XYZ Inc.	1.2 m.	<u>(1.2m.)</u>
Depreciable basis of qualified property for XYZ Inc.		\$20 m.
Credit allowed to offset the entity-level tax (\$1.2 m. x 1/3)		\$0.4 m.

XYZ Inc. has two 50% shareholders. The credit allowed the shareholders and the depreciable basis of the qualified property for the shareholders are figured as follows:

		Depreciable basis
Qualified property (purchased by XYZ Inc.)	\$20 m.	\$20 m.
Sales tax (paid by XYZ Inc.)	1.2 m.	+1.2 m.
Maximum qualified costs for sales or use tax credit	1 m.	
Sales or use tax credit allowed the shareholders (\$1 m. x .06)	.06 m.	<u>(.06 m.)</u>
Depreciable basis of qualified property for the shareholders		\$21.14 m.
Total amount of credit allowed the shareholders		\$.06 m.

**Note:** Each shareholder is allowed a \$30,000 (.06 m. ÷ 2 = .03 m.) sales or use tax credit.

**Instructions for Worksheet II — Sales or Use Tax Credit & Recapture**

**Section A – Credit Computation**

**Line 1, column (a)** – List the items of qualified property purchased during the year. For each item, provide the location (street address and city) of its use. Attach an additional schedule(s) if necessary.

**Line 1, column (b)** – Enter the cost of the property listed in column (a).

**Line 1, column (c)** – Enter the amount of sales or use tax paid or incurred on the property listed in column (a).

**Line 2, column (b)** – Add the amounts on Line 1, column (b).

**Caution:** This amount cannot exceed \$1 million for individuals, estates or trusts, partnerships or LLCs taxed as partnerships or \$20 million for corporations. When computing the credit to pass through to S corporation shareholders, use \$1 million.

**Line 2, column (c)** – Add the amounts on line 1, column (c). Enter the total here and on form FTB 3807, Side 2, Worksheet VI, as follows:

- Part II, line 9B, column (b) for corporations, individuals and estates and trusts;
- Part III, line 11, column (b) for S corporations; or

- Part IV, line 13, column (b) for corporations and S corporations subject to paying only the minimum franchise tax.

**Caution:** Only the sales or use tax paid on the cost of qualified property up to the limitations on column (b) may be claimed as a credit.

**Section B – Credit Recapture**

The sales or use tax credit is subject to recapture (added back to tax) if, before the close of the 2nd taxable or income year after the property was placed in service, it is disposed of or is no longer used exclusively in the LAMBRA trade or business. In that case, the credit amount for that property is added to tax in the current taxable or income year.

This credit is also subject to recapture if the net increase in jobs requirement is not met. See the instructions for form FTB 3807, Part I, Net Increase in Jobs, on page 20.

**Line 1, column (a)** – Enter a description of the qualified property. Attach an additional schedule(s) if necessary.

**Line 1, column (b)** – Enter the amount of credit recapture for each property listed in column (a).

**Line 2** – Enter the amount from line 2, column (b) on form FTB 3807, Side 1, line 7.

Also include the amount of sales or use tax credit recapture on your California tax return or schedule as follows:

- Form 100, Schedule J, line 5;
- Form 100S, Schedule J, line 5 and Schedule K-1 (100S), line 23;
- Form 109, Schedule K, line 4;
- Form 540, line 36;
- Form 540NR, line 45;
- Form 541, line 21b and Schedule K-1 (541), line 11e;
- Form 565, Schedule K, line 22 and Schedule K-1 (565), line 22; or
- Form 568, Schedule K, line 22 and Schedule K-1 (568), line 22.

Indicate that you included the sales or use tax credit recapture on your tax return by writing “FTB 3807” in the space provided on the schedule or form.

Partnerships and LLCs taxed as partnerships must identify the recapture amounts for partners and members on Schedule K-1 (565 or 568).

S corporations and their shareholders must recapture the portion of credit that was previously claimed. S corporations must also identify the recapture amount for shareholders on Schedule K-1 (100S). This amount will differ from the amount recaptured by the S corporation on Form 100S, Schedule J.

**Worksheet II Sales or Use Tax Credit & Recapture — LAMBRA**

**Section A Credit Computation**

	(a) Property description and location	(b) Cost	(c) Sales or use tax
1			
2	Total the amounts in column (b) and column (c). See instructions . . . . .	2	

**Section B Credit Recapture**

	(a) Property description	(b) Recapture amount
1		
2	Total recapture amount. Add the amounts in column (b). See instructions . . . . .	2

## Part III Business Expense Deduction

Businesses conducting a trade or business within a LAMBRA may **elect** to treat a portion of the cost of qualified property as a business expense rather than a capital expense. For the year the property is placed in service, the business may deduct the cost (subject to limitations) in that year rather than depreciate it over several years. For the Mare Island Naval Shipyard LAMBRA, the qualified property must be placed in service on or after January 1, 1999.

**Note:** The LAMBRA business expense deduction is not allowed for estates or trusts.

**Qualified property** is any recovery property that is IRC Section 1245 property, which includes, but is not limited to, tangible personal property (excluding buildings), most equipment and furnishings acquired by purchase for exclusive use within a LAMBRA. Office supplies and other small nondepreciable items are not included.

The maximum aggregate deduction the business may claim in any taxable or income year is determined by a reference to the number of taxable or income years that have elapsed since the LAMBRA received its final designation. See General Information E for the designation dates.

The maximum aggregate deduction is:

Taxable or income year of designation . . . . .	\$ 5,000
1st taxable or income year after designation . . . . .	5,000
2nd taxable or income year after designation . . . . .	7,500
3rd taxable or income year after designation . . . . .	7,500
Each remaining taxable or income year after designation . . . . .	10,000

**Election.** The business must elect to treat the cost of qualified property as a business expense in the year the property is first placed in service. However, this deduction is not allowed if the property was:

- Transferred between members of an affiliated group;
- Acquired as a gift or inherited;
- Traded for other property;
- Received from a personal or business relation as defined in IRC Section 267 or 707(b); or
- Described in IRC Section 168(f).

The LAMBRA business expense deduction must be claimed by making an election on the

original return filed, and thus cannot be claimed on an amended return. Such an election cannot be revoked without the written consent of the FTB.

A husband and wife filing separate returns may each claim 1/2 of the allowable deduction. In the case of a partnership, the dollar limitation applies to the partnership and to each partner. Each partner's business expense deduction passed through from the partnership is based on their allocable share of the allowable deduction.

**Depreciation.** Corporations may not claim the additional first-year depreciation allowed under R&TC Section 24356 on any item of property if any portion of it was deducted as a LAMBRA business expense. All other taxpayers cannot claim the deduction allowed under IRC Section 179 on any item of property if any portion of it was deducted as a LAMBRA business expense.

To compute the difference between California and federal depreciation, use the following forms and schedules:

- Form 100 filers – FTB 3885, Corporation Depreciation and Amortization;
- Form 100S filers – Schedule B (100S), S Corporation Depreciation and Amortization;
- Form 109 filers – Form 109, Schedule J, Depreciation;
- Form 540 and Form 540NR filers – FTB 3885A, Depreciation and Amortization Adjustments;
- Form 565 filers – FTB 3885P, Depreciation and Amortization; or
- Form 568 filers – FTB 3885L, Depreciation and Amortization.

## Instructions for Worksheet III – Business Expense Deduction & Recapture

### Section A – Deduction Computation

**Line 2, column (a)** – Enter a description of the qualified property and the location of its use. Attach an additional schedule(s) if necessary.

**Line 2, column (b)** – Enter the cost of the property listed in column (a).

**Line 4** – Enter the amount from line 4, column (b) on form FTB 3807, Side 1, line 3, and on your California tax return or schedule as follows:

- Form 100, line 14;

- Form 100S, line 12, Form 100S, Schedule K, line 8 and Schedule K-1 (100S), line 8;
- Form 109, Part II, line 24;
- Schedule CA (540), column B, on the applicable line for your activity;
- Schedule CA (540NR), column B, on the applicable line for your activity;
- Form 565, Schedule K, line 9 and Schedule K-1 (565), line 9; or
- Form 568, Schedule K, line 9 and Schedule K-1 (568), line 9.

**Note:** If filing Form 540 or Form 540NR, indicate that you are claiming the business expense deduction by writing “FTB 3807” above the dotted line to the left of Form 540, line 14 or Form 540NR, line 14.

### Section B – Deduction Recapture

The deduction is subject to recapture (added back to income) if, before the close of the second taxable or income year after the property was placed in service, the property is sold, disposed or no longer used exclusively in the LAMBRA trade or business. In that case, add to the current year income the amount previously deducted for that property.

This deduction is also subject to recapture if the net increase to jobs requirement is not met. See the instructions for form FTB 3807, Part I, Net Increase in Jobs, on page 20.

**Line 1, column (a)** – Enter a description of the property. Attach an additional schedule(s) if necessary.

**Line 1, column (b)** – Enter the amount of the business expense deduction claimed for each property listed in column (a).

**Line 2** – Enter the total here, on form FTB 3807, Side 1, line 8, and on your California tax return or schedule as follows:

- Form 100, line 14, as a **negative** amount;
- Form 100S, line 12, as a **negative** amount, Form 100S, Schedule K, line 6 and Schedule K-1 (100S), line 6;
- Form 109, Part I, line 12;
- Schedule CA (540), column C, on the applicable line for your activity;
- Schedule CA (540NR), column C, on the applicable line for your activity;
- Form 565, Schedule K, line 7 and Schedule K-1 (565), line 7; or
- Form 568, Schedule K, line 7 and Schedule K-1 (568), line 7.

**Note:** If filing Form 540 or Form 540NR, indicate that you are recapturing the business expense deduction by writing “FTB 3807” above the dotted line to the left of Form 540, line 16 or Form 540NR, line 16.

**Worksheet III Business Expense Deduction & Recapture – LAMBRA**

**Section A Deduction Computation**

1 The maximum aggregate deduction:

- Taxable or income year of designation, enter \$5,000;
- 1st taxable or income year after designation, enter \$5,000;
- 2nd taxable or income year after designation, enter \$7,500;
- 3rd taxable or income year after designation, enter \$7,500;
- Each remaining taxable or income year after designation, enter \$10,000 . . . . .

	<b>1</b>
--	----------

(a) Property description and location	(b) Cost
2	

3 Total. Add the amounts in column (b) . . . . .	<b>3</b>
4 Enter the smaller of line 1 or line 3. This is the maximum amount deductible as a business expense for this LAMBRA. See instructions . . . . .	<b>4</b>

**Section B Deduction Recapture**

(a) Property description	(b) Recapture amount
1	

2 Total recapture amount. Add the amounts in column (b). See instructions. . . . .	<b>2</b>
--	----------

## Part IV Doing Business Totally Within, Within and Outside a LAMBRA or in More Than One LAMBRA

LAMBRA tax incentives are limited to the tax on business income attributable to operations within the area. If the business is located within and outside a LAMBRA or in more than one LAMBRA, you must determine the portion of total business operations that are attributable to each LAMBRA.

### Business Income vs. Nonbusiness Income

Only business income is apportioned to the LAMBRA where operations are conducted. LAMBRA tax incentives are limited to tax on business income attributable to operations within the LAMBRA.

Business income is income arising from transactions and activities in the regular course of the trade or business. Business income includes income from tangible and intangible property if the acquisition, management and disposition of the property constitute integral parts of the taxpayer's regular trade or business operations. Nonbusiness income is all income other than business income. Get Title 18 Cal. Code Reg. Section 25120 for further references and examples of nonbusiness income.

For an individual, business income includes but is not limited to California business income or loss from Schedules C, D, D-1 (or Form 4797, Sales of Business Property, if you did not have to file a Schedule D-1), E and F and wages. Be sure to include casualty losses, disaster losses and any business deductions reported on Schedule A as itemized deductions.

**Note:** If you elected to carry back part or all of your current year disaster loss under IRC Section 165(i)(1), do not include the amount of the loss that was carried back in your current year business income for the LAMBRA.

In general, all transactions and activities of the business that are dependent upon or contribute to the operations of the economic enterprise as a whole constitute the trade or business.

When a corporation is part of a group of corporations engaged in a unitary business, the income and apportionment factors of the unitary group must be combined. For more information, get Schedule R. See instructions for ordering forms on page 29.

Pass-through entities must report to their shareholders, beneficiaries, partners and members:

1. The distributive (or pro rata for S corporations) share of the business income apportioned to the LAMBRA; and
2. The distributive (or pro rata for S corporations) share of the business capital gains and losses apportioned to the LAMBRA included in item 1.

These items should be reported using the appropriate California schedules listed below:

- Schedule K-1 (100S), line 23;
- Schedule K-1 (541), line 11e;
- Schedule K-1 (565), line 22; or
- Schedule K-1 (568), line 22.

### Property Factor

Property is defined as the average value of all real and tangible personal property owned or rented and used during the taxable or income year to produce business income. **Note:** Property is included in the factor if it could be used during the taxable or income year.

Property owned by the business is valued at its original cost. Generally, **original cost** is the basis of the property for federal income tax purposes (prior to any federal adjustment) at the time of acquisition by the business, adjusted for subsequent capital additions or improvements and partial dispositions because of sale or exchange. Allowance for depreciation is not considered.

**Rented property** is valued at 8 times the net annual rental rate. The net annual rental rate for any item of rented property is the total rent paid for the property, less aggregate annual subrental rates paid by subtenants.

When determining **income** or **loss** apportionment on Worksheet IV, Section A or B, the **numerator** of the property factor is the average value of real and tangible personal property owned or rented by the business and used within a LAMBRA during the taxable or income year to produce LAMBRA business income (column (b)).

When determining **income** apportionment on Worksheet IV, Section A, the **denominator** of the property factor is the total average value of all real and tangible personal property owned or rented and used during the taxable or income year within California (column (a)).

When determining **loss** apportionment on Worksheet IV, Section B, the **denominator** of the property factor is the total average value of all real and tangible personal property owned or rented and used during the year to produce business income within and outside the LAMBRA (column (a)).

### Payroll Factor

Payroll is defined as the total amount paid to employees as compensation for the production of business income during the taxable or income year.

**Compensation** means wages, salaries, commissions and any other form of remuneration paid directly to employees for personal services. Payments made to independent contractors or any other person not properly classified as an employee are excluded.

### Compensation Within the LAMBRA

Compensation is considered to be within a LAMBRA if any one of the following tests is met:

- The employee services are performed within the geographical boundaries of a LAMBRA; or

- The employee services are performed within and outside the LAMBRA, but the services performed outside the LAMBRA are incidental to the employee services within the area.

**Note:** Incidental means any temporary or transitory service rendered in connection with an isolated transaction.

### Compensation Within and Outside the LAMBRA

If employee services are performed within and outside the LAMBRA, employee compensation will be attributed to the LAMBRA if:

- The employee's base of operations is within the LAMBRA; or
- There is no base of operations in any other part of the state in which some part of the service is performed, but the place from which the service is directed or controlled is within the LAMBRA.

**Base of operations** is the permanent place from which employees start work and customarily return in order to receive instruction from the taxpayer or communications from their customers or other persons; to replenish stock or other material; to repair equipment; or to perform any other functions necessary in the exercise of their trade or profession at some other point or points.

When determining **income** or **loss** apportionment on Worksheet IV, Section A or B, the **numerator** of the payroll factor is the total compensation paid to employees for working within the LAMBRA during the taxable or income year (column (b)).

When determining **income** apportionment on Worksheet IV, Section A, the **denominator** of the payroll factor is the total compensation paid to employees working in California (column (a)).

When determining **loss** apportionment on Worksheet IV, Section B, the **denominator** of the payroll factor is the total compensation paid to employees working in all business operation locations.

### Example – Computation of LAMBRA income assigned to each entity operating within a LAMBRA:

Parent Corporation A has one subsidiary, B. Corporations A and B operate within a LAMBRA. The combined group operates within and outside California and apportions its income to California using Schedule R. The combined group's business income apportioned to California was \$1,000,000.

Business income apportioned to the LAMBRA is determined as follows:

	A	B	Combined
<b>Property Factor</b>			
LAMBRA property	\$2,000,000	\$1,000,000	\$3,000,000
California property			\$5,000,000
Apportionment %	40%	20%	60%
<b>Payroll Factor</b>			
LAMBRA payroll	\$2,000,000	\$800,000	\$2,800,000
California payroll			\$4,000,000
Apportionment %	50%	20%	70%
<b>Average Apportionment %</b>	45%	20%	65%
<small>(Property + Payroll Factors)<sup>2</sup></small>			
<b>Apportioned Business Income</b>			\$1,000,000
<b>LAMBRA INCOME</b>	\$ 450,000	\$ 200,000	\$ 650,000

**Instructions for Worksheet IV - Apportionment**

**Section A - Income Apportionment**

Use Worksheet IV, Section A, Income Apportionment, to determine the amount of business income apportioned to the area. The area business income determines the amount of the tax incentives that can be used.

Only California source business income is apportioned to the LAMBRA. A taxpayer's LAMBRA business income is its California apportioned business income multiplied by the specific LAMBRA apportionment percentage.

The LAMBRA property and payroll factors used in the determination of apportionable business income include only the taxpayer's California amounts in the denominator.

**Note:** If the business operates solely within a single LAMBRA and all its property and payroll are solely within a single LAMBRA, you do not have to complete this worksheet. Enter 100% (1.00) on line 4.

**Section B - Loss Apportionment**

Use Worksheet IV, Section B, Loss Apportionment, to determine your net operating loss apportioned to the LAMBRA. A taxpayer's LAMBRA net operating loss is its net business

operating loss from all sources multiplied by the specific LAMBRA apportionment percentage computed in Worksheet IV, Section B.

The LAMBRA property and payroll factors used in the determination of the apportioned business net operating loss include worldwide amounts in the denominator.

**Note:** If the business operates solely within a single LAMBRA and all its property and payroll are solely within a single LAMBRA, you do not have to complete this worksheet. Enter 100% (1.00) on line 4.

**Worksheet IV Apportionment — LAMBRA**

**Section A Income Apportionment**

Use Worksheet IV, Section A, if your business has net income from sources within and outside a LAMBRA.	(a) Total within California	(b) Total within a LAMBRA	(c) Percentage within a LAMBRA (column (b) ÷ column (a))
<b>PROPERTY FACTOR</b>			
<b>1</b> Average yearly value of owned real and tangible personal property used in the business (at original cost). See instructions on page 10. Exclude property not connected with the business and the value of construction in progress.			
Inventory . . . . .			
Buildings . . . . .			
Machinery and equipment . . . . .			
Furniture and fixtures . . . . .			
Delivery equipment . . . . .			
Land . . . . .			
Other tangible assets (attach schedule) . . . . .			
Rented property used in the business. See instructions on page 10 . . . . .			
<b>Total property values.</b> . . . . .			
<b>PAYROLL FACTOR</b>			
<b>2</b> Employees' wages, salaries, commissions and other compensation related to business income included in the return.			
<b>Total payroll.</b> . . . . .			
<b>3</b> Total percentage (sum of the percentages in column (c)) . . . . .			
<b>4</b> Average apportionment percentage (1/2 of line 3). Enter here and on form FTB 3807, Side 1, line 5 . . . . .			

**Note:** The average apportionment percentage shown on line 4 represents the portion of the taxpayer's total business that is attributable to activities conducted within the LAMBRA. Also, those factors with zero balances in the totals of column (a) will not be included in the computation of the average apportionment percentage. For example, if the taxpayer does not have any payroll within or outside a LAMBRA, then the average apportionment percentage would be computed by dividing line 3 by 1 (instead of by 2 as normally instructed).

**Worksheet IV (continued)**

**Section B Loss Apportionment (For the computation of current year net operating loss)**

Use Worksheet IV, Section B, if your business has net losses from sources within and outside a LAMBRA.	(a) Total within and outside a LAMBRA	(b) Total within a LAMBRA	(c) Percentage within a LAMBRA (column (b) ÷ column (a))
<b>PROPERTY FACTOR</b>			
<b>1</b> Average yearly value of owned real and tangible personal property used in the business (at original cost). See instructions on page 10. Exclude property not connected with the business and the value of construction in progress.			
Inventory . . . . .			
Buildings . . . . .			
Machinery and equipment . . . . .			
Furniture and fixtures . . . . .			
Delivery equipment . . . . .			
Land . . . . .			
Other tangible assets (attach schedule) . . . . .			
Rented property used in the business. See instructions on page 10 . . . . .			
<b>Total property values.</b> . . . . .			
<b>PAYROLL FACTOR</b>			
<b>2</b> Employees' wages, salaries, commissions and other compensation related to business income included in the return.			
<b>Total payroll.</b> . . . . .			
<b>3</b> Total percentage (sum of the percentages in column (c)) . . . . .			
<b>4</b> Average apportionment percentage (1/2 of line 3). Enter here and on Worksheet V, Section B, line 4 . . . . .			

**Note:** The average apportionment percentage shown on line 4 represents the portion of the taxpayer's total business that is attributable to activities conducted within the LAMBRA. Also, those factors with zero balances in the totals of column (a) will not be included in the computation of the average apportionment percentage. For example, if the taxpayer does not have any payroll within or outside a LAMBRA, then the average apportionment percentage would be computed by dividing line 3 by 1 (instead of by 2 as normally instructed).

## Part V Net Operating Loss (NOL) Computation and Loss Limitations

An NOL generated by a business that operates or invests within a LAMBRA can be carried forward for 15 years but cannot be carried back. In addition, up to 100% of the NOL generated in a LAMBRA can be carried forward.

The business cannot generate NOLs from activities within the LAMBRA area until the first taxable or income year beginning on or after the date the LAMBRA is officially designated. Accordingly, for the Mare Island Naval Shipyard LAMBRA, a LAMBRA NOL cannot be generated for taxable or income years beginning before January 1, 1999. See General Information E for LAMBRA designation dates.

**Limitation.** A LAMBRA NOL deduction can offset only business income attributable to operations within the LAMBRA.

**Election.** Taxpayers **must** elect and designate the carryover category (general or specific, enterprise zone, LARZ, LAMBRA or TTA NOL) on the original return for the year of a loss and file form FTB 3807 for each year in which a LAMBRA NOL deduction is being taken. The election is **irrevocable**.

**Note:** If you elect the LAMBRA NOL deduction, you are prohibited by law from carrying over any other type of NOL from this year.

To determine which type of NOL will provide the greater benefit, taxpayers that have general or specific, enterprise zone, LARZ, LAMBRA or TTA NOLs or that may qualify for the special NOL treatment should estimate future income and complete Worksheet V and the following forms or worksheets if applicable:

- FTB 3805V, Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations — Individuals, Estates and Trusts;
- FTB 3805Q, Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations — Corporations;
- FTB 3805Z, Enterprise Zone Business Booklet, Worksheet VI;
- FTB 3806, Los Angeles Revitalization Zone Business Booklet, Worksheet VI; or
- FTB 3809, Targeted Tax Area Business Booklet, Worksheet V.

**Alternative Minimum Tax.** Taxpayers claiming a LAMBRA NOL deduction must determine their NOL for alternative minimum tax (AMT) purposes. Use Schedule P (100, 540, 540NR or 541) to compute the NOL for AMT purposes.

**S Corporations.** LAMBRA NOLs incurred prior to becoming an S corporation cannot be used against S corporation income. See IRC Section 1371(b).

However, an S corporation is allowed to deduct a LAMBRA NOL incurred after the “S” election is made. An S corporation may use the NOL as a deduction against income subject to the 1.5% entity-level tax (3.5% for financial S corporations). The expenses (and income) giving rise to the loss are also

passed through to the shareholders in the year the loss is incurred.

### NOL Carryover Amount — Nonapportioning Corporations That Are Totally Within a LAMBRA

For calendar year and fiscal year taxpayers with all payroll and property within a LAMBRA, the NOL carryover is determined by computing the business loss that results from business activity in the LAMBRA.

### NOL Carryover Amount — Apportioning Corporations and Nonapportioning Corporations

If the business is located within and outside or in more than one LAMBRA, the loss amount available for carryover is determined by apportioning the total business loss of the corporation to the LAMBRA pursuant to the provisions of R&TC Chapter 17 (commencing with Section 25101) with certain modifications to the apportioning factors. The apportionment factors include the property and payroll factors, and compare the LAMBRA property and payroll to total property and payroll. This apportionment factor calculation is done on Worksheet IV, Section B. The loss carryover is deducted against income apportioned by each business to the LAMBRA in subsequent years. This calculation is done on Worksheet V, Section C.

Corporations that are members of a unitary group filing a combined report must separately compute the loss carryover for each corporation in the group (R&TC Section 25108) using their individual apportionment factors. Unlike the NOL treatment on a federal consolidated return, a loss carryover for one member included in a combined report may not be applied to the intrastate apportioned income of another member included in a combined report.

For water’s-edge purposes, each corporation’s NOL carryover is limited to the amount determined by recomputing the income and factors of the original worldwide combined reporting group as if the water’s-edge election had been in force for the year of the loss. The NOL carryover may not be increased as a result of the recomputation.

## Instructions for Income or Loss Worksheet

Use the Income or Loss Worksheet on page 15 to determine the amount to enter on:

- Worksheet V, Section A, line 1;
- Worksheet V, Section C, line 1 and line 6 (Form 540 and Form 540NR filers); and
- Worksheet VI, Part I, line 1 and line 3.

Do not include disaster losses in any amounts used in the table.

Only California source business income is apportioned to a LAMBRA. A taxpayer’s LAMBRA business income is its California apportioned business income computed using Schedule R, multiplied by the specific LAMBRA apportionment percentage computed using Worksheet IV, Section A.

The first step is to determine which portion of the taxpayer’s net income is “business income” and which portion is “nonbusiness income,” since only business income may be apportioned to a LAMBRA. See Part IV, Doing Business Totally Within, Within and Outside a LAMBRA or in More Than One LAMBRA, on page 10 for a complete discussion of business and nonbusiness income.

Business income or loss reported on Schedules C, C-EZ, E and F, and other schedules are reported on line 6 through line 9. Line 11 and line 12 report business gains or losses reported on Schedule D and Schedule D-1. All business income and losses should be adjusted for any differences between California and federal amounts as shown on the Schedule CA (540 or 540NR).

### Loss Computation (Use to compute NOL for Worksheet V, Section A)

**Line 6 – Line 9:** If your business operation reported on Schedule C, C-EZ, E or F, or other schedule is entirely in a LAMBRA, enter the income or loss from this activity in column (a), and enter 1.00 in column (b).

**Line 11 – Line 12:** If the gain or loss reported on Schedule D or Schedule D-1 (as adjusted on Schedule CA (540 or 540NR)) was attributed to an asset used in an activity conducted entirely in a LAMBRA, enter the gain or loss reported in column (a) and enter 1.00 in column (b).

**Line 6 – Line 9:** If your business operation reported on Schedule C, C-EZ, E or F, or other schedule is within and outside a LAMBRA, enter the income or loss from this activity in column (a). To determine the percentage figure in column (b), complete Worksheet IV, Section B. Enter the figure on Worksheet IV, Section B, line 4, in column (b) of this worksheet.

**Line 11 – Line 12:** If the gain or loss reported on Schedule D or Schedule D-1 (as adjusted on Schedule CA (540 or 540NR)) was attributed to an asset used in an activity conducted within and outside a LAMBRA, enter the gain or loss reported in column (a). To determine the percentage figure in column (b), complete Worksheet IV, Section B. Enter the figure on Worksheet IV, Section B, line 4, in column (b) of this worksheet.

### Income Computation (Use to compute LAMBRA income for Worksheet V, Section C and Worksheet VI)

**Line 6 – Line 9:** If your business operation reported on Schedule C, C-EZ, E or F, or other schedule is entirely in a LAMBRA, enter the income or loss from this activity in column (a), and enter 1.00 in column (b).

**Line 11 – Line 12:** If the gain or loss reported on Schedule D or Schedule D-1 (as adjusted on Schedule CA (540 or 540NR)) was attributed to an asset used in an activity conducted entirely in a LAMBRA, enter the gain or loss reported in column (a) and enter 1.00 in column (b).

**Line 6 – Line 9:** If your business operation reported on Schedule C, C-EZ, E or F, or other schedule is entirely in California, enter the income or loss from this activity in

column (a). To determine the percentage figure in column (b), complete Worksheet IV, Section A. Enter the figure on Worksheet IV, Section A, line 4, in column (b) of this worksheet.

**Line 11 – Line 12:** If the gain or loss reported on Schedule D or Schedule D-1 (as adjusted on Schedule CA (540 or 540NR)) was attributed to an asset used in an activity conducted entirely in California, enter the gain or loss reported in column (a). To determine the percentage figure in column (b), complete Worksheet IV, Section A. Enter the figure on Worksheet IV, Section A, line 4, in column (b) of this worksheet.

**Line 6 – Line 9:** If your business operation reported on Schedule C, C-EZ, E or F, or other schedule is within and outside the LAMBRA and California, get Schedule R and complete line 1 through line 13b. Enter the figure on Schedule R, line 13b in column (a) of this worksheet. To determine the percentage figure in column (b), complete Worksheet IV, Section A. Enter the figure on Worksheet IV, Section A, line 4, in column (b) of this worksheet. **Note:** When computing Schedule R, disregard any reference to Form 100, Form 565 or Form 568. Also disregard any reference to Schedule R-3, Schedule R-4 or Schedule R-5, and skip line 11.

Nonresidents who have an apportioning business that operates within a LAMBRA should have already computed Schedule R, and can use those amounts when that schedule is referenced. Residents who have an apportioning business will not have completed a Schedule R for California income tax purposes since they are taxed on income from all sources. However, in order for residents to determine their California source business income for purposes of the LAMBRA calculation, they must complete a Schedule R also.

**Line 11 – Line 12:** If the gain or loss reported on Schedule D or Schedule D-1 (as adjusted on Schedule CA (540 or 540NR)) was attributed to an asset used in an activity conducted within and outside a LAMBRA and California, get Schedule R and complete Schedule R-1. Multiply the gain or loss reported by the percentage on Schedule R-1, line 4 and enter the result in column (a). To determine the percentage figure in column (b), complete Worksheet IV, Section A. Enter the figure on Worksheet IV, Section A, line 4, in column (b) of this worksheet.

## Part I Individual Income and Expense Items

### Wages

Taxpayers with wages from a company located within and outside a LAMBRA must determine the LAMBRA wage income by entering the percentage of their time (during the period for which the wages entered on line 1 were earned) that they worked within the LAMBRA. This percentage must be determined based on their record of time and events such as a travel log or entries in a daily planner.

## Part II Pass-Through Income or Loss

### Multiple Pass-Through Entities

If you are a shareholder, beneficiary, partner or member in multiple pass-through entities with businesses located within and outside a LAMBRA from which you received LAMBRA tax incentives, see the example below for computing business income in the LAMBRA.

#### Example:

Pass-through entity	Trade or business income from Schedule K-1 (100S, 541, 565 or 568)	Entity's LAMBRA apportionment percentage	LAMBRA apportioned income
ABC, Inc.	\$40,000	80%	\$32,000
A, B & C	30,000	10%	3,000
ABC, LLC	10,000	50%	5,000
			\$40,000

## Part III Taxpayer's Trade or Business

### Business Income or Loss

Use business income or loss from Form 1040 Schedules C, C-EZ, E and F, plus California adjustments from Schedule CA (540 or 540NR) for each trade or business. Also include business capital gains and losses from Schedule D and business gains and losses from Schedule D-1.

**Line 14 –** If you are computing the LAMBRA NOL and the result on the Income or Loss Worksheet, line 14, column (c) is a **negative** amount, enter this amount on Worksheet V, Section A, line 1. **Note:** If the amount is positive, you do not have a LAMBRA NOL.

If you are computing the LAMBRA business income and the result on the Income or Loss Worksheet, line 14, column (c) is a **positive** amount and:

- You have LAMBRA NOL carryovers, enter the amount on Worksheet V, Section C, line 1 and line 6 (skip line 2 through line 5). Also enter the amount from the Income or Loss Worksheet, line 14, column (c) on Worksheet VI, Part I, line 1 and line 3 (skip line 2) if you have LAMBRA credits; or
- You do not have LAMBRA NOL carryovers but you do have LAMBRA credits or credit carryovers, enter the amount on Worksheet VI, Part I, line 1 and line 3 (skip line 2).

**Note:** If the amount is negative, you do not have any business income attributable to the LAMBRA and you cannot utilize any LAMBRA NOL carryover, credit(s) or credit carryover(s) in the current taxable or income year.

**Income or Loss Worksheet — LAMBRA**

**Part I Individual Income and Expense Items.** See instructions.

	(a) Amount	(b) % of time providing services in the LAMBRA	(c) Apportioned amount (a) x (b)
1 Wages . . . . .			
2 Employee business expenses . . . . .			
3 Subtotal: Enter the total of line 1, column (c) and line 2, column (c) in column (c), this line. . . . .			

**Part II Pass-Through Income or Loss.** See instructions.

(a) Name of entity	(b) Distributive or pro rata share of business income or loss apportioned to the LAMBRA from Schedule(s) K-1 (100S, 541, 565 or 568) including capital gains and losses
4	
5 Subtotal: Enter the total of line 4, column (b) in column (b), this line . . . . .	

**Part III Taxpayer's Trade or Business.** See instructions.

	(a) Business income or loss	(b) Apportionment % for the LAMBRA	(c) Apportioned income or loss (a) x (b)
6 Schedule C or C-EZ. . . . .			
7 Schedule E (Rentals) . . . . .			
8 Schedule F. . . . .			
9 Other business income or loss . . . . .			
10 Subtotal: Enter the total of line 6 through line 9, column (c) in column (c), this line . . . . .			
	(a) Business gain or loss	(b) Apportionment % for the LAMBRA	(c) Apportioned gain or loss (a) x (b)
11 Schedule D. . . . .			
12 Schedule D-1 . . . . .			
13 Subtotal: Enter the total of line 11, column (c) and line 12, column (c) in column (c), this line . . . . .			
14 Total: Enter the total of column (c) for line 3, line 10 and line 13, and line 5, column (b) in column (c), this line . . . . .			

## Instructions for Worksheet V - NOL Computation and Loss Limitations

Individuals and exempt trusts with a current year loss complete Section A. Corporations with a current year loss complete Section B. Individuals, exempt trusts and corporations with current year income and a prior year LAMBRA NOL carryover complete Section C.

### Section A — Computation of Current Year NOL — Individuals and Exempt Trusts

Use this section to compute the LAMBRA NOL to be carried over to future years by individuals and exempt trusts. Complete Section A **only** if you have a current year loss.

You must complete form FTB 3805V, Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations - Individuals, Estates and Trusts, before you can compute the allowable LAMBRA loss.

To compute the LAMBRA NOL, separate business income and deductions from nonbusiness income and deductions. See Part IV for a complete discussion of business and nonbusiness income.

### Section B — Computation of Current Year NOL — Corporations

Use this section to compute the LAMBRA NOL to be carried over to future years for corporations. Complete Section B **only** if the corporation has a current year loss.

You must complete form FTB 3805Q, Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations — Corporations, before you can compute the allowable LAMBRA loss.

### Section C — Computation of NOL Carryover and Carryover Limitations — Individuals, Exempt Trusts and Corporations

Use this section to compute the LAMBRA NOL deduction for individuals, exempt trusts and corporations. The LAMBRA NOL deduction is used to reduce current year income from the LAMBRA.

**Line 1** – See Part IV for a complete discussion of business vs. nonbusiness income.

**Note to Form 540 and Form 540NR filers:** Be sure to include casualty losses, disaster losses and any business deductions reported on Schedule A as itemized deductions.

**Exception:** If you elected to carry back part or all of your current year disaster loss under IRC Section 165(i)(1), do not include the amount of loss that was carried back in your current year business income for the LAMBRA.

**Line 2** – In modifying your income, deduct your capital losses only up to your capital gains. Enter as a positive number any net capital losses included in line 1.

**Line 3** – Corporations must reduce income by the disaster loss deduction and the deduction for excess net passive income.

**Line 6** – This is your modified taxable income (MTI). Reduce this amount by your LAMBRA NOL deduction. The LAMBRA NOL deduction may not be larger than your MTI. If your MTI is a loss in the current year or if it limits the amount of NOL you may use this year, you must carry over the NOL to future years.

**Line 7** – Enter the amount from line 6. If this amount is zero or negative, transfer the

amounts from line 8 and line 9, column (b) to column (e). Go to line 10.

**Line 8 and Line 9** – Enter the amounts as positive numbers.

In column (c), enter the smaller of the amount in column (b) or the amount in column (d) from the previous line.

In column (d), enter the result of subtracting column (c) from the balance on the previous line in column (d).

In column (e), enter the result of subtracting the amount in column (c) from the amount in column (b), as applicable.

#### Example:

(b) Carry-over from prior year	(c) Amount deducted this year	(d) Balance available to offset losses	(e) LAMBRA NOL carryover
\$ 500	\$ 500	\$5,000	\$ 0

**Line 10** – Enter the amount of your current year NOL in column (e). For individuals and exempt trusts, enter the amount from Section A, line 7. For corporations, enter the amount from Section B, line 7.

**Line 11** – Total the amounts in column (b), column (c) and column (e). Enter the totals from column (b), column (c) and column (e) on form FTB 3807, Side 1, line 4a, line 4b and line 4c, accordingly.

Your LAMBRA NOL deduction for 1998 is the total of column (c). Enter this amount on your California tax return or schedule as follows:

- Form 100, line 20;
- Form 100S, line 19;
- Form 109, line 3 or line 11;
- Schedule CA (540), line 21e, column B; or
- Schedule CA (540NR), line 21e, column B.

## Worksheet V Net Operating Loss (NOL) — LAMBRA

### Section A Computation of Current Year NOL — Individuals and Exempt Trusts

**1** Net trade or business loss from all sources. **Individuals:** Enter the total from the Income or Loss Worksheet, line 14, column (c) (page 15) as a positive number. For purposes of this worksheet section, do not include any 1998 disaster losses or disaster loss carryovers in line 1. See the definition of business income on page 10. **Exempt trusts:**

Enter the amount from Form 109, line 10 . . . . . **1**

**2** Business capital losses included in line 1. Enter as a positive number . . . . . **2**

**3** Business capital gains included in line 1 . . . . . **3**

**4** If line 2 is greater than line 3, enter the difference as a positive number; otherwise enter -0- . . . . . **4**

**5** Subtract line 4 from line 1. If the result is zero or less, do not complete the rest of this section. You do not have a current year NOL from a LAMBRA . . . . . **5**

**6** Enter the amount from form FTB 3805V, Part I, Section A, line 20 . . . . . **6**

**7** Enter the smaller of line 5 or line 6 here and in Section C, line 10, column (e) . . . . . **7**

This is the LAMBRA NOL carryover from 1998 to 1999

**Worksheet V (continued)**

**Section B Computation of Current Year NOL — Corporations**

Note: If you have both a LAMBRA NOL and a prior year general NOL, see instructions on page 13.

During the year the corporation incurred the NOL, the corporation was a:  C corporation  S corporation  Exempt corporation

1	Net loss for state purposes from Form 100, line 17; Form 100S, combined amounts of line 15 and line 17; or Form 109, line 1. Enter as a positive number. <b>Note:</b> Apportioning corporations, enter the amount from Schedule R, line 12, for the corporations doing business within a LAMBRA . . . . .	1
2	<b>a</b> 1998 disaster relief loss included in line 1. Enter as a positive number . . . . .	2a
	<b>b</b> Nonbusiness income included in line 1. Enter as a negative number. . . . .	2b
	<b>c</b> Nonbusiness losses included in line 1. Enter as a positive number . . . . .	2c
	<b>d</b> Combine line 2a through line 2c . . . . .	2d
3	Subtract line 2d from line 1. If zero or less, do not complete the rest of this section; the corporation does not have a current year NOL from a LAMBRA . . . . .	3
4	Enter the average apportionment percentage from Worksheet IV, Section B, line 4 . . . . .	4
5	Multiply line 3 by line 4 . . . . .	5
6	Enter the amount from form FTB 3805Q, Part I, line 3 . . . . .	6
7	Enter the smaller of line 5 or line 6 here and in Section C, line 10, column (e) . . . . . This is the LAMBRA NOL carryover from 1998 to 1999.	7

**Section C NOL Carryover and Carryover Limitations — Individuals, Exempt Trusts and Corporations.** See instructions.

1	Enter the amount from Form 100, line 17; Form 100S, combined amounts of line 15 and line 17; or Form 109, line 1 or line 10. Form 540 and Form 540NR filers, enter the total from the Income or Loss Worksheet, line 14, column (c) (page 15) on line 1 and line 6 (skip line 2 through line 5). See instructions. <b>Note:</b> Apportioning corporations, enter the amount from Schedule R, line 13b, for the corporations doing business within a LAMBRA . . . . .	1	
2	<b>a</b> Form 100, Form 100S and Form 109 filers: Enter any nonbusiness income included in line 1 as a negative number. Form 540 and Form 540NR filers leave blank . . . . .	2a	
	<b>b</b> Form 100, Form 100S and Form 109 filers: Enter any nonbusiness losses included in line 1 as a positive number. Form 540 and Form 540NR filers leave blank . . . . .	2b	
	<b>c</b> Combine line 2a through line 2b . . . . .	2c	
3	Form 100 Filers: Enter the amount from Form 100, line 21. Form 100S Filers: Enter the total of the amounts on Form 100S, line 17 and line 20. Form 540, Form 540NR and Form 109 Filers: Enter -0-. Enter this amount as a negative number . . . . .	3	
4	Combine line 1, line 2c and line 3. If zero or less, enter -0- on line 6 . . . . .	4	
5	Enter the average apportionment percentage from Worksheet IV, Section A, line 4 . . . . .	5	
6	Modified taxable income. Multiply line 4 by line 5. See instructions. . . . .	6	

(a) Description	(b) Carryover from prior year	(c) Amount deducted this year	(d) Balance available to offset losses	(e) LAMBRA NOL carryover
7 Modified taxable income from line 6. See instructions . . . . .				
8 LAMBRA NOL carryover beginning in 1996. See instructions . . . . .				
9 LAMBRA NOL carryover beginning in 1997. See instructions . . . . .				
10 LAMBRA NOL carryover beginning in 1998. See instructions . . . . .				
11 Total the amounts in column (b), column (c) and column (e). See instructions . . . . .				

## Part VI Computation of Credit Limitations

**Credit Limitations.** The amount of credit you can claim on your California tax return is limited by the amount of tax attributable to LAMBRA income. Use Worksheet VI on form FTB 3807, Side 2 to compute this limitation.

Credits you are otherwise eligible to claim may be limited. Do not apply credits against the minimum franchise tax (corporations, limited partnerships, limited liability partnerships, S corporations and LLCs), the alternative minimum tax (corporations, exempt organizations, individuals and fiduciaries), the built-in gains tax (S corporations) or the net passive income tax (S corporations).

Refer to the credit instructions in your tax booklet for more information.

### S Corporations and the Application

**of LAMBRA Credits.** An S corporation may use its LAMBRA credits to reduce LAMBRA tax both at the corporate and shareholder levels. An S corporation may use 1/3 of the LAMBRA credits to reduce the tax on the S corporation's LAMBRA income. In addition, S corporation shareholders may claim their pro rata share of the entire amount of the LAMBRA credits calculated under the Personal Income Tax Law.

**Example:** In 1998, an S corporation qualified for a \$3,000 LAMBRA hiring credit. The S corporation will be able to use 1/3 of the credit ( $\$3,000 \times 1/3 = \$1,000$ ) to offset the tax on the corporation's LAMBRA income. The S corporation will also pass through a \$3,000 credit to its shareholders to offset their individual tax (computed under the Personal Income Tax Law) on LAMBRA income.

S corporations should attach form FTB 3807 to Form 100S, California S Corporation Franchise or Income Tax Return, to claim the tax credits. If form FTB 3807 is not attached to the return, the credits may be disallowed.

Shareholders must attach Schedule(s) K-1 (100S), Shareholder's Share of Income, Deductions, Credits, etc., to their individual tax return.

**Carryover.** If the amount of credit available this year exceeds your tax, you may carry over any excess credit to future years until exhausted. Apply the carryover to the earliest taxable or income year(s) possible. In no event can the credit be carried back and applied against a prior year's tax.

For S corporations, the amount of the 1/3 credit that is in excess of the 1.5% entity-level tax (3.5% for financial S corporations) in the current year may also be carried forward and used in future years to offset the 1.5% entity-level tax (3.5% for S corporations). See the instructions for Worksheet VI, Part III for more information.

**Credit Code Number.** You must use credit code number **198** to claim the LAMBRA hiring and sales or use tax credit. Using an incorrect code number may cause a delay in allowing the credit.

## Instructions for Worksheet VI — Computation of Credit Limitations

**Note:** Worksheet VI is on Side 2 of form FTB 3807.

Partnerships and LLCs taxed as partnerships do not complete Worksheet VI. The partners and members of these types of entities should complete Worksheet VI in order to determine the amount of LAMBRA credits that they may claim on their California tax returns. S corporations and their shareholders must complete Worksheet VI.

### Reporting Requirements of S corporations, Estates or Trusts, Partnerships and LLCs Taxed as Partnerships

- Report to shareholders, beneficiaries, partners and members, the distributive or pro rata share of business income, loss and deductions apportioned to the LAMBRA; and
- Separately state the distributive share of any business capital gains and losses apportioned to the LAMBRA included in the amount above.

**S corporations:** Complete Part I and Part III of this worksheet if your entity-level tax before credits is more than the minimum franchise tax.

**Corporations and S corporations subject to the minimum franchise tax only:** Complete only Part IV of this worksheet.

**All others:** Complete Part I and Part II of this worksheet.

### Part I

**Note:** For filers with NOL or NOL carryovers.

- Complete Worksheet V (pages 16 and 17) first, if you have a current year NOL or an NOL carryover.
- Then complete Worksheet VI if you have any LAMBRA credits.

If you do not have a current year NOL or any NOL carryovers:

- Individual filers: Go to the Income or Loss Worksheet (page 15). Follow the worksheet instructions. Enter the amount from the Income or Loss Worksheet, line 14, column (c) on Worksheet VI, Part I, line 1 and line 3 (skip line 2).
- Corporations: Follow the instructions for line 1 below.

**Line 1** – Enter all trade or business income. See Part IV (page 10) for the definition of trade or business income.

**Line 2** – If your business is located entirely within the LAMBRA, enter 1.

Specifically, this percentage is the apportionment percentage computed by the entity using Worksheet IV (page 11) and it represents the percentage of the entity's business attributable to the LAMBRA.

**Line 6a** – Compute the tax as if the LAMBRA taxable income represented all of your taxable income.

**Individuals:** Use the tax table or tax rate schedule in your tax booklet for your filing status. **Exempt organizations:** Use the applica-

ble tax rate in your tax booklet. **Corporations and S corporations:** Use the applicable tax rate.

### Example (Determination of LAMBRA Income for Shareholders, Partners or Members of Pass-Through Entities):

John Smith is vice president of ABC, Inc., an S corporation that has two locations: one within a LAMBRA and one outside the LAMBRA. Eighty percent (80%) of the S corporation's business is attributable to the LAMBRA. (Note: This percentage was determined by ABC, Inc. using form FTB 3807, Worksheet IV — Apportionment, when ABC's California S corporation return (Form 100S) was prepared.) John divides his time equally (50%/50%) between the two offices of ABC, Inc.

Mary Smith (John's spouse) works for ABC, Inc. at its office located within the LAMBRA.

John and Mary Smith have the following 1998 items of California income and expense:

John's salary from ABC, Inc.	\$100,000
Mary's salary from ABC, Inc.	75,000
Interest on savings account	1,000
Dividends	3,000
Schedule K-1(100S) from ABC, Inc.:	
Ordinary income	40,000
LAMBRA business expense deduction	(5,000)*
John's unreimbursed employee expenses from Schedule A	(2,000)

\*The LAMBRA business expense deduction is a separately stated item on Schedule K-1 (100S), line 8.

The Smith's LAMBRA income (total amount to be reported on line 3) is computed as follows:

John's LAMBRA salary (\$100,000 x 50%)	\$50,000
Mary's LAMBRA salary (\$75,000 x 100%)	75,000
Pass-through ordinary income from ABC, Inc. (\$40,000 x 80%)	32,000
LAMBRA business expense deduction from ABC, Inc.	(5,000)
John's unreimbursed employee business expenses (2,000 x 50%)	(1,000)
Total LAMBRA income (Worksheet VI, Part I, line 3)	\$151,000

**Note:** The standard deduction and personal or dependency exemptions are not included in the computation of LAMBRA income since they are not related to trade or business activities.

John and Mary must compute the tax (to be entered on Worksheet VI, Part I, line 6a) on the total LAMBRA income of \$151,000 (as if it represents all of their income). Using the tax rate schedule in their tax booklet for filing status married filing joint, the 1998 tax figured on \$151,000 is \$10,745.

**Line 6b – Corporations and S corporations:** If the amount on line 6b is the minimum franchise tax (\$800), you cannot use your LAMBRA credits this year. You should complete Part IV of the worksheet to figure the amount of credit carryover.

**Part II**

Use Part II if you are a corporation, individual, estate or trust.

Corporations and S corporations that are subject to paying only the minimum franchise tax, go to Part IV.

**Line 8A, column (e)** – Enter the amount from line 7. This is the amount of limitation based on the tax on LAMBRA business income.

**Line 8A, column (f)** – Enter the amount of credit that is used on Schedule P (100, 540, 540NR or 541), column (b). The amount cannot be greater than the amount on line 8A, column (e) or the amount computed on line 8B, column (d). Enter this amount on form FTB 3807, Side 1, line 2a.

**Line 8B, column (b)** – Enter the amount of the current year credit that was computed on Worksheet I, Section A, line 6.

**Line 8B, column (c)** – Enter the amount of the total prior year carryover of the credit (this is the amount of credit that was previously figured on Worksheet I, Section A, in the prior year, minus the amount that was allowed to be taken on the prior year return).

**Line 8B, column (d)** – Add the amount of the current year credit on line 8B, column (b) and

the amount of the total prior year carryover on line 8B, column (c).

**Line 8B, column (e)** – Compare the amounts on line 8A, column (e) and line 8A, column (f). Enter the smaller amount.

**Line 8B, column (g)** – Subtract the amount on line 8B, column (e) from the amount on line 8B, column (d). Enter the result on line 8B, column (g). This is the amount of credit that can be carried over to future years.

**Note:** This carryover includes both the Schedule P (100, 540, 540NR or 541) limitation and the limitation based on LAMBRA business income.

**Line 9A, column (e)** – Subtract the amount on line 8B, column (e) from the amount on line 8A, column (e). If the result is zero, your remaining credits are limited and must be carried over to future years. In this case, enter the amount from line 9B, column (d) on line 9B, column (g).

**Line 9A, column (f)** – Enter the amount of credit that is used on Schedule P (100, 540, 540NR or 541), column (b). The amount cannot be greater than the amount on line 9A, column (e) or the amount computed on

line 9B, column (d). Enter this amount on form FTB 3807, Side 1, line 2b.

**Line 9B, column (b)** – Enter the amount of the current year credit that was computed on Worksheet II, Section A, line 2, column (c).

**Line 9B, column (c)** – Enter the amount of the total prior year carryover of the credit (this is the amount of credit that was previously figured on Worksheet II, Section A minus the amount that was allowed to be taken on the prior year return).

**Line 9B, column (d)** – Add the amount of the current year credit on line 9B, column (b) and the amount of the total prior year carryover on line 9B, column (c).

**Line 9B, column (e)** – Compare the amounts on line 9A, column (e) and line 9A, column (f). Enter the smaller amount.

**Line 9B, column (g)** – Subtract the amount on line 9B, column (e) from the amount on line 9B, column (d). Enter the result on line 9B, column (g). This is the amount of credit that can be carried over to future years.

**Note:** This carryover includes both the Schedule P (100, 540, 540NR or 541) limitation and the limitation based on LAMBRA business income.

**Example:**

The ABC Business has \$8,000 of tax. The business computed a credit limitation based on LAMBRA business income of \$7,000 on Worksheet VI, line 5. The business has the following credits:

Hiring credit — \$ 500  
Sales or use tax credit — \$9,000

Worksheet VI, Part II would be computed as follows:

**Part II Limitation of Credits for Corporations, Individuals and Estates and Trusts**

	(a) Credit name	(b) Credit amount	(c) Total prior year carryover	(d) Total credit (add col. (b) and col. (c))	(e) Limitation based on LAMBRA business income	(f) Used on Schedule P (can never be greater than col. (d) or col. (e))	(g) Carryover (col. (d) minus col. (e))
8	Hiring credit	A			7,000	500	
		B	500	-0-	500		-0-
9	Sales or use tax credit	A			6,500	6,500	
		B	9,000	-0-	9,000		2,500

### Part III

Use Part III only if you are an S corporation.

**Line 10 and Line 11, column (b)** – Enter the amount of current year credits (that were computed on Worksheet I and Worksheet II) in column (b) for line 10 and line 11, as applicable. Also enter this amount on Form 100S:

- Schedule C, line 4; and
- Schedule K, line 13.

You must adjust your Schedule C (100S) to reflect the LAMBRA tax limitation (Part I, line 7) to your credits after completing this worksheet.

**Line 10 and Line 11, column (c)** – Multiply the amount on line 10, column (b) and line 11, column (b) each by 1/3. Enter the result in column (c). The amounts in column (c) are the maximum amounts of the current year credits that may be used by the S corporation to offset its 1.5% entity-level tax (3.5% for financial S corporations).

**Line 10 and Line 11, column (d)** – Enter the amount of the total prior year credit carryover. This is the amount of credit that was previously figured on the prior year Worksheet I or Worksheet II, minus the amount that was allowed to be taken on the prior year return.

**Line 10 and Line 11, column (e)** – Add the amounts of the current year credits in column (c) and the total prior year carryovers in column (d).

**Line 10 and Line 11, column (f)** – Enter the amount of credit that was used by the S corporation in the current year to offset its 1.5% entity-level tax (3.5% for financial S corporations). Enter the amount in column (f) for line 10 and line 11 on form FTB 3807, Side 1, line 2a and line 2b, as applicable.

**Line 10 and Line 11, column (g)** – Subtract the amount in column (f) for each line from the amounts in column (e). These are the amount of credits that can be carried over to future years and used by the S corporation.

### Part IV

Use Part IV if you are a corporation or S corporation subject to paying only the minimum franchise tax.

**Line 12 and Line 13, column (b)** – Enter the amount of current year credits (that were computed on Worksheet I and Worksheet II) on line 12, column (b), and line 13, column (b), as applicable. **S corporations** may only enter 1/3 of the amounts from Worksheet I and II.

**Line 12 and Line 13, column (c)** – Enter the amount of the total prior year carryover. These are the amounts of credits that were previously figured on Worksheet I and Worksheet II in the prior years, minus the amount that was allowed to be taken on the prior year return. **S corporations** may only enter 1/3 of the amounts from Worksheet I and Worksheet II.

**Line 12 and Line 13, column (d)** – Add the amounts in column (b) and column (c) for line 12 and line 13. These are the amounts of credits that can be carried over to future years.

## Instructions for Form FTB 3807

### Part I Net Increase in Jobs

Complete line 1 on form FTB 3807, Part I, Net Increase in Jobs, only if you have been doing business in a LAMBRA for 2 years. Use the Net Jobs Worksheet on the following page to determine the amount to enter on line 1.

A taxpayer or partnership that conducts a trade or business within a LAMBRA and that for the first 2 taxable years, has a *net increase in jobs* (defined as 2,000 paid hours per employee per year) of 1 or more employees in a LAMBRA, may claim certain economic incentives.

The net increase in jobs is determined by subtracting the total number of full-time employees in California prior to starting business in the LAMBRA, from the number of full-time employees in California in the 2nd year after operation in the LAMBRA. For this purpose, the number of full-time employees for each year is determined as:

- The total number of hours worked by hourly employees (not to exceed 2,000 hours per employee) divided by 2,000; and
- The total number of months worked in the LAMBRA by salaried employees divided by 12.

If your only business in California began with your LAMBRA business, your number of California employees prior to starting business in the LAMBRA is zero.

If your business in the LAMBRA began during the taxable or income year, the 1st year employment information is prorated. Multiply

the divisors 2,000 (hours for hourly employees) and 12 (months for salaried employees) by a fraction, the numerator is the number of months of doing business and the denominator is 12.

If your business does not have a net increase in jobs for the first 2 taxable or income years after designation, you must recapture (in the current year) any LAMBRA credits or deductions that were taken.

**Example** – In 1998, you employed:

- 5 employees who were paid by the hour and who worked 2,000 hours each;
- 1 employee who was paid by the hour and who worked 1,000 hours;
- 2 employees who were paid by the hour and who worked 2,150 hours each;
- 1 salaried employee who worked for 12 months; and
- 2 salaried employees who worked for 8 months each.

How many full-time employees does the business employ?

$$\begin{aligned} 5 \times 2,000 &= 10,000 \\ 1 \times 1,000 &= 1,000 \\ 2 \times 2,000^* &= 4,000 \\ \hline &15,000 \text{ hours} \\ &2,000 = 7.50 \text{ full-time} \\ &\text{hourly employees} \end{aligned}$$

\*The 150 hours that these 2 employees each worked over 2,000 cannot be included in the computation.

Salaried	
employee 1	12 months
Salaried	
employee 2	8 months
Salaried	
employee 3	8 months
	$\frac{28}{12} = 2.33$ salaried employees

For purposes of computing the net jobs increase requirement, you would have 9.83 (7.50 + 2.33) full-time employees.

Use the worksheet on the following page to determine the amounts to enter on form FTB 3807, Part I. See the example following the worksheet for how to complete the worksheet.

## Net Jobs Worksheet

	(a) Taxable/income year prior to operating in a LAMBRA	(b) 2nd taxable/income year after starting operations in a LAMBRA
Taxable or income year	_____	_____
1 Enter the total number of hours worked by hourly employees during the taxable/income year in column (a) and column (b). The total hours per employee cannot exceed 2,000. If your only business in California began with your LAMBRA business, enter zero in column (a) of line 1 . . . . .	_____	_____
2 Divide line 1 of each column by 2,000 . . . . .	_____	_____
3 Enter the total number of months worked by salaried employees. The total months per salaried employee cannot exceed 12 . . . . .	_____	_____
4 Divide line 3 of each column by 12 . . . . .	_____	_____
5 Add line 2 and line 4 of each column . . . . . Enter the amount on line 5, column (a) on form FTB 3807, Part I, line 1b. Enter the amount on line 5, column (b) on form FTB 3807, Part I, line 1a.	_____	_____

### Example:

A corporation employs 4 individuals prior to establishing operations in the LAMBRA. The following is the employment information for the employees for the income year prior to operating in the LAMBRA:

- Employee #1: Salaried; employed for 12 months.
- Employee #2: Hourly, full-time; worked 2,080 hours per year.
- Employee #3: Hourly, part-time; worked 1,500 hours per year.
- Employee #4: Hourly, part-time; worked 1,500 hours per year.

At the end of the 2nd year of operation in the LAMBRA, the corporation employed the following individuals:

- Employee #1: Salaried; employed 36 months.
- Employee #2: Hourly, full-time; worked 2,080 hours per year.
- Employee #3: Hourly, part-time; worked 1,700 hours per year.
- Employee #4: Hourly, part-time; worked 1,700 hours per year.
- Employee #5: Hourly, part-time; worked 1,700 hours per year.

The worksheet above would be completed as follows:

Net Jobs Worksheet – Example	(a) Taxable/income year prior to operating in a LAMBRA	(b) 2nd taxable/income year after starting operations in a LAMBRA
1 Enter the total number of hours worked by hourly employees during the taxable/income year in column (a) and column (b). The total hours per employee cannot exceed 2,000. If your only business in California began with your LAMBRA business, enter zero in column (a) of line 1 . . . . .	5,000	7,100
2 Divide line 1 of each column by 2,000 . . . . .	2.5	3.55
3 Enter the total number of months worked by salaried employees. The total months per salaried employee cannot exceed 12 . . . . .	12	12
4 Divide line 3 of each column by 12 . . . . .	1	1
5 Add line 2 and line 4 of each column . . . . . Enter the amount on line 5, column (a) on form FTB 3807, Part I, line 1b. Enter the amount on line 5, column (b) on form FTB 3807, Part I, line 1a.	3.5	4.55

# FTB 3807

## Codes for Principal Business Activity

This list of principal business activities and their associated codes is designed to classify a business by the type of activity in which it is engaged to facilitate the administration of the California Revenue and Taxation Code. For taxable or income years beginning on or after January 1, 1998, these principal business activity codes are based on the North American Industry Classification System.

### Agriculture, Forestry, Fishing and Hunting

Code	
<b>Crop Production</b>	
111100	Oilseed & Grain Farming
111210	Vegetable & Melon Farming (including potatoes & yams)
111300	Fruit & Tree Nut Farming
111400	Greenhouse, Nursery, & Floriculture Production
111900	Other Crop Farming (including tobacco, cotton, sugarcane, hay, peanut, sugar beet & all other crop farming)
<b>Animal Production</b>	
112111	Beef Cattle Ranching & Farming
112112	Cattle Feedlots
112120	Dairy Cattle & Milk Production
112210	Hog & Pig Farming
112300	Poultry & Egg Production
112400	Sheep & Goat Farming
112510	Animal Aquaculture (including shellfish & finfish farms & hatcheries)
112900	Other Animal Production
<b>Forestry and Logging</b>	
113110	Timber Tract Operations
113210	Forest Nurseries & Gathering of Forest Products
113310	Logging
<b>Fishing, Hunting and Trapping</b>	
114110	Fishing
114210	Hunting & Trapping
<b>Support Activities for Agriculture and Forestry</b>	
115110	Support Activities for Crop Production (including cotton ginning, soil preparation, planting, & cultivating)
115210	Support Activities for Animal Production
115310	Support Activities For Forestry

### Mining

211110	Oil & Gas Extraction
212110	Coal Mining
212200	Metal Ore Mining
212310	Stone Mining & Quarrying
212320	Sand, Gravel, Clay, & Ceramic & Refractory Minerals Mining & Quarrying
212390	Other Nonmetallic Mineral Mining & Quarrying
213110	Support Activities for Mining

### Utilities

221100	Electric Power Generation, Transmission & Distribution
221210	Natural Gas Distribution
221300	Water, Sewage & Other Systems

### Construction

Code	
<b>Building, Developing, and General Contracting</b>	
233110	Land Subdivision & Land Development
233200	Residential Building Construction
233300	Nonresidential Building Construction
<b>Heavy Construction</b>	
234100	Highway, Street, Bridge, & Tunnel Construction
234900	Other Heavy Construction
<b>Special Trade Contractors</b>	
235110	Plumbing, Heating, & Air-Conditioning Contractors
235210	Painting & Wall Covering Contractors
235310	Electrical Contractors
235400	Masonry, Drywall, Insulation, & Tile Contractors
235500	Carpentry & Floor Contractors
235610	Roofing, Siding, & Sheet Metal Contractors
235710	Concrete Contractors
235810	Water Well Drilling Contractors
235900	Other Special Trade Contractors

### Manufacturing

<b>Food Manufacturing</b>	
311110	Animal Food Mfg
311200	Grain & Oilseed Milling
311300	Sugar & Confectionery Product Mfg
311400	Fruit & Vegetable Preserving & Specialty Food Mfg
311500	Dairy Product Mfg
311610	Animal Slaughtering and Processing
311710	Seafood Product Preparation & Packaging
311800	Bakeries & Tortilla Mfg
311900	Other Food Mfg (including coffee, tea, flavorings & seasonings)
<b>Beverage and Tobacco Product Manufacturing</b>	
312110	Soft Drink & Ice Mfg
312120	Breweries
312130	Wineries
312140	Distilleries
312200	Tobacco Manufacturing
<b>Textile Mills and Textile Product Mills</b>	
313000	Textile Mills
314000	Textile Product Mills
<b>Apparel Manufacturing</b>	
315100	Apparel Knitting Mills
315210	Cut & Sew Apparel Contractors
315220	Men's & Boys' Cut & Sew Apparel Mfg

### Code

315230	Women's & Girls' Cut & Sew Apparel Mfg
315290	Other Cut & Sew Apparel Mfg
315990	Apparel Accessories & Other Apparel Mfg
<b>Leather and Allied Product Manufacturing</b>	
316110	Leather & Hide Tanning & Finishing
316210	Footwear Mfg (including rubber & plastics)
316990	Other Leather & Allied Product Mfg
<b>Wood Product Manufacturing</b>	
321110	Sawmills & Wood Preservation
321210	Veneer, Plywood, & Engineered Wood Product Mfg
321900	Other Wood Product Mfg
<b>Paper Manufacturing</b>	
322100	Pulp, Paper, & Paperboard Mills
322200	Converted Paper Product Mfg
<b>Printing and Related Support Activities</b>	
323100	Printing & Related Support Activities
<b>Petroleum and Coal Products Manufacturing</b>	
324110	Petroleum Refineries (including integrated)
324120	Asphalt Paving, Roofing, & Saturated Materials Mfg
324190	Other Petroleum & Coal Products Mfg
<b>Chemical Manufacturing</b>	
325100	Basic Chemical Mfg
325200	Resin, Synthetic Rubber, & Artificial & Synthetic Fibers & Filaments Mfg
325300	Pesticide, Fertilizer, & Other Agricultural Chemical Mfg
325410	Pharmaceutical & Medicine Mfg
325500	Paint, Coating, & Adhesive Mfg
325600	Soap, Cleaning Compound, & Toilet Preparation Mfg
325900	Other Chemical Product & Preparation Mfg
<b>Plastics and Rubber Products Manufacturing</b>	
326100	Plastics Product Mfg
326200	Rubber Product Mfg
<b>Nonmetallic Mineral Product Manufacturing</b>	
327100	Clay Product & Refractory Mfg
327210	Glass & Glass Product Mfg
327300	Cement & Concrete Product Mfg
327400	Lime & Gypsum Product Mfg
327900	Other Nonmetallic Mineral Product Mfg
<b>Primary Metal Manufacturing</b>	
331110	Iron & Steel Mills & Ferroalloy Mfg
331200	Steel Product Mfg from Purchased Steel
331310	Alumina & Aluminum Production & Processing
331400	Nonferrous Metal (except Aluminum) Production & Processing
331500	Foundries
<b>Fabricated Metal Product Manufacturing</b>	
332110	Forging & Stamping
332210	Cutlery & Handtool Mfg
332300	Architectural & Structural Metals Mfg
332400	Boiler, Tank, & Shipping Container Mfg
332510	Hardware Mfg
332610	Spring & Wire Product Mfg
332700	Machine Shops; Turned Product; & Screw, Nut, & Bolt Mfg
332810	Coating, Engraving, Heat Treating, & Allied Activities

### Code

332900	Other Fabricated Metal Product Mfg
<b>Machinery Manufacturing</b>	
333100	Agriculture, Construction, & Mining Machinery Mfg
333200	Industrial Machinery Mfg
333310	Commercial & Service Industry Machinery Mfg
333410	Ventilation, Heating, Air-Conditioning, & Commercial Refrigeration Equipment Mfg
333510	Metalworking Machinery Mfg
333610	Engine, Turbine & Power Transmission Equipment Mfg
333900	Other General Purpose Machinery Mfg
<b>Computer and Electronic Product Manufacturing</b>	
334110	Computer & Peripheral Equipment Mfg
334200	Communications Equipment Mfg
334310	Audio & Video Equipment Mfg
334410	Semiconductor & Other Electronic Component Mfg
334500	Navigational, Measuring, Electromedical, & Control Instruments Mfg
334610	Manufacturing & Reproducing Magnetic & Optical Media
<b>Electrical Equipment, Appliance, and Component Manufacturing</b>	
335100	Electric Lighting Equipment Mfg
335200	Household Appliance Mfg
335310	Electrical Equipment Mfg
335900	Other Electrical Equipment & Component Mfg
<b>Transportation Equipment Manufacturing</b>	
336100	Motor Vehicle Mfg
336210	Motor Vehicle Body & Trailer Mfg
336300	Motor Vehicle Parts Mfg
336410	Aerospace Product & Parts Mfg
336510	Railroad Rolling Stock Mfg
336610	Ship & Boat Building
336990	Other Transportation Equipment Mfg
<b>Furniture and Related Product Manufacturing</b>	
337000	Furniture & Related Product Manufacturing
<b>Miscellaneous Manufacturing</b>	
339110	Medical Equipment & Supplies Mfg
339900	Other Miscellaneous Manufacturing
<b>Wholesale Trade</b>	
<b>Wholesale Trade, Durable Goods</b>	
421100	Motor Vehicle & Motor Vehicle Parts & Supplies Wholesalers
421200	Furniture & Home Furnishing Wholesalers
421300	Lumber & Other Construction Materials Wholesalers
421400	Professional & Commercial Equipment & Supplies Wholesalers
421500	Metal & Mineral (except Petroleum) Wholesalers
421600	Electrical Goods Wholesalers
421700	Hardware, & Plumbing & Heating Equipment & Supplies Wholesalers
421800	Machinery, Equipment, & Supplies Wholesalers
421910	Sporting & Recreational Goods & Supplies Wholesalers
421920	Toy & Hobby Goods & Supplies Wholesalers
421930	Recyclable Material Wholesalers
421940	Jewelry, Watch, Precious Stone, & Precious Metal Wholesalers
421990	Other Miscellaneous Durable Goods Wholesalers

<b>Code</b> <b>Wholesale Trade, Nondurable Goods</b> 422100 Paper & Paper Product Wholesalers 422210 Drugs & Druggists' Sundries Wholesalers 422300 Apparel, Piece Goods, & Notions Wholesalers 422400 Grocery & Related Product Wholesalers 422500 Farm Product Raw Material Wholesalers 422600 Chemical & Allied Products Wholesalers 422700 Petroleum & Petroleum Products Wholesalers 422800 Beer, Wine, & Distilled Alcoholic Beverage Wholesalers 422910 Farm Supplies Wholesalers 422920 Book, Periodical, & Newspaper Wholesalers 422930 Flower, Nursery Stock, & Florists' Supplies Wholesalers 422940 Tobacco & Tobacco Product Wholesalers 422950 Paint, Varnish, & Supplies Wholesalers 422990 Other Miscellaneous Nondurable Goods Wholesalers	<b>Code</b> <b>Clothing and Clothing Accessories Stores</b> 448110 Men's Clothing Stores 448120 Women's Clothing Stores 448130 Children's & Infants' Clothing Stores 448140 Family Clothing Stores 448150 Clothing Accessories Stores 448190 Other Clothing Stores 448210 Shoe Stores 448310 Jewelry Stores 448320 Luggage & Leather Goods Stores <b>Sporting Goods, Hobby, Book, and Music Stores</b> 451110 Sporting Goods Stores 451120 Hobby, Toy, & Game Stores 451130 Sewing, Needlework, & Piece Goods Stores 451140 Musical Instrument & Supplies Stores 451211 Book Stores 451212 News Dealers & Newsstands 451220 Prerecorded Tape, Compact Disc, & Record Stores <b>General Merchandise Stores</b> 452110 Department stores 452900 Other General Merchandise Stores <b>Miscellaneous Store Retailers</b> 453110 Florists 453210 Office Supplies & Stationery Stores 453220 Gift, Novelty, & Souvenir Stores 453310 Used Merchandise Stores 453910 Pet & Pet Supplies Stores 453920 Art Dealers 453930 Manufactured (Mobile) Home Dealers 453990 All Other Miscellaneous Store Retailers (including tobacco, candle, & trophy shops) <b>Nonstore Retailers</b> 454110 Electronic Shopping & Mail-Order Houses 454210 Vending Machine Operators 454311 Heating Oil Dealers 454312 Liquefied Petroleum Gas (Bottled Gas) Dealers 454319 Other Fuel Dealers 454390 Other Direct Selling Establishments (including door-to-door retailing, frozen food plan providers, party plan merchandisers, & coffee-break service providers)	<b>Code</b> <b>Support Activities for Transportation</b> 488100 Support Activities for Air Transportation 488210 Support Activities for Rail Transportation 488300 Support Activities for Water Transportation 488410 Motor Vehicle Towing 488490 Other Support Activities for Road Transportation 488510 Freight Transportation Arrangement 488990 Other Support Activities for Transportation <b>Couriers and Messengers</b> 492110 Couriers 492210 Local Messengers & Local Delivery <b>Warehousing and Storage</b> 493100 Warehousing & Storage (except lessors of miniwarehouses & self-storage units) <b>Information</b> <b>Publishing Industries</b> 511110 Newspaper Publishers 511120 Periodical Publishers 511130 Book Publishers 511140 Database & Directory Publishers 511190 Other Publishers 511210 Software Publishers <b>Motion Picture and Sound Recording Industries</b> 512100 Motion Picture & Video Industries (except video rental) 512200 Sound Recording Industries <b>Broadcasting and Telecommunications</b> 513100 Radio & Television Broadcasting 513200 Cable Networks & Program Distribution 513300 Telecommunications (including paging, cellular, satellite, & other telecommunications) <b>Information Services and Data Processing Services</b> 514100 Information Services (including news syndicates, libraries, & on-line information services) 514210 Data Processing Services <b>Finance and Insurance</b> <b>Depository Credit Intermediation</b> 522110 Commercial Banking 522120 Savings Institutions 522130 Credit Unions 522190 Other Depository Credit Intermediation <b>Nondepository Credit Intermediation</b> 522210 Credit Card Issuing 522220 Sales Financing 522291 Consumer Lending 522292 Real Estate Credit (including mortgage bankers & originators) 522293 International Trade Financing 522294 Secondary Market Financing 522298 All Other Nondepository Credit Intermediation <b>Activities Related to Credit Intermediation</b> 522300 Activities Related to Credit Intermediation (including loan brokers) <b>Securities, Commodity Contracts, and Other Financial Investments and Related Activities</b> 523110 Investment Banking & Securities Dealing 523120 Securities Brokerage 523130 Commodity Contracts Dealing 523140 Commodity Contracts Brokerage	<b>Code</b> 523210 Securities & Commodity Exchanges 523900 Other Financial Investment Activities (including portfolio management & investment advice) <b>Insurance Carriers and Related Activities</b> 524140 Direct Life, Health, & Medical Insurance & Reinsurance Carriers 524150 Direct Insurance & Reinsurance (except Life, Health & Medical) Carriers 524210 Insurance Agencies & Brokerages 524290 Other Insurance Related Activities <b>Funds, Trusts, and Other Financial Vehicles</b> 525100 Insurance & Employee Benefit Funds 525910 Open-End Investment Funds (Form 1120-RIC) 525920 Trusts, Estates, & Agency Accounts 525930 Real Estate Investment Trusts (Form 1120-REIT) 525990 Other Financial Vehicles <b>Real Estate and Rental and Leasing</b> <b>Real Estate</b> 531110 Lessors of Residential Buildings & Dwellings 531120 Lessors of Nonresidential Buildings (except Miniwarehouses) 531130 Lessors of Miniwarehouses & Self-Storage Units 531190 Lessors of Other Real Estate Property 531210 Offices of Real Estate Agents & Brokers 531310 Real Estate Property Managers 531320 Offices of Real Estate Appraisers 531390 Other Activities Related to Real Estate <b>Rental and Leasing Services</b> 532100 Automotive Equipment Rental & Leasing 532210 Consumer Electronics & Appliances Rental 532220 Formal Wear & Costume Rental 532230 Video Tape & Disc Rental 532290 Other Consumer Goods Rental 532310 General Rental Centers 532400 Commercial & Industrial Machinery & Equipment Rental & Leasing <b>Lessors of Nonfinancial Intangible Assets (except copyrighted works)</b> 533110 Lessors of Nonfinancial Intangible Assets (except copyrighted works)
<b>Retail Trade</b> <b>Motor Vehicle and Parts Dealers</b> 441110 New Car Dealers 441120 Used Car Dealers 441210 Recreational Vehicle Dealers 441221 Motorcycle Dealers 441222 Boat Dealers 441229 All Other Motor Vehicle Dealers 441300 Automotive Parts, Accessories, & Tire Stores <b>Furniture and Home Furnishings Stores</b> 442110 Furniture Stores 442210 Floor Covering Stores 442291 Window Treatment Stores 442299 All Other Home Furnishings Stores <b>Electronics and Appliance Stores</b> 443111 Household Appliance Stores 443112 Radio, Television, & Other Electronics Stores 443120 Computer & Software Stores 443130 Camera & Photographic Supplies Stores <b>Building Material and Garden Equipment and Supplies Dealers</b> 444110 Home Centers 444120 Paint & Wallpaper Stores 444130 Hardware Stores 444190 Other Building Material Dealers 444200 Lawn & Garden Equipment & Supplies Stores <b>Food and Beverage Stores</b> 445110 Supermarkets and Other Grocery (except Convenience) Stores 445120 Convenience Stores 445210 Meat Markets 445220 Fish & Seafood Markets 445230 Fruit & Vegetable Markets 445291 Baked Goods Stores 445292 Confectionery & Nut Stores 445299 All Other Specialty Food Stores 445310 Beer, Wine, & Liquor Stores <b>Health and Personal Care Stores</b> 446110 Pharmacies & Drug Stores 446120 Cosmetics, Beauty Supplies, & Perfume Stores 446130 Optical Goods Stores 446190 Other Health & Personal Care Stores <b>Gasoline Stations</b> 447100 Gasoline Stations (including convenience stores with gas)	<b>Transportation and Warehousing</b> <b>Air, Rail, and Water Transportation</b> 481000 Air Transportation 482110 Rail Transportation 483000 Water Transportation <b>Truck Transportation</b> 484110 General Freight Trucking, Local 484120 General Freight Trucking, Long-distance 484200 Specialized Freight Trucking <b>Transit and Ground Passenger Transportation</b> 485110 Urban Transit Systems 485210 Interurban & Rural Bus Transportation 485310 Taxi Service 485320 Limousine Service 485410 School & Employee Bus Transportation 485510 Charter Bus Industry 485990 Other Transit & Ground Passenger Transportation <b>Pipeline Transportation</b> 486000 Pipeline Transportation <b>Scenic &amp; Sightseeing Transportation</b> 487000 Scenic & Sightseeing Transportation	<b>Code</b> <b>Support Activities for Transportation</b> 488100 Support Activities for Air Transportation 488210 Support Activities for Rail Transportation 488300 Support Activities for Water Transportation 488410 Motor Vehicle Towing 488490 Other Support Activities for Road Transportation 488510 Freight Transportation Arrangement 488990 Other Support Activities for Transportation <b>Couriers and Messengers</b> 492110 Couriers 492210 Local Messengers & Local Delivery <b>Warehousing and Storage</b> 493100 Warehousing & Storage (except lessors of miniwarehouses & self-storage units) <b>Information</b> <b>Publishing Industries</b> 511110 Newspaper Publishers 511120 Periodical Publishers 511130 Book Publishers 511140 Database & Directory Publishers 511190 Other Publishers 511210 Software Publishers <b>Motion Picture and Sound Recording Industries</b> 512100 Motion Picture & Video Industries (except video rental) 512200 Sound Recording Industries <b>Broadcasting and Telecommunications</b> 513100 Radio & Television Broadcasting 513200 Cable Networks & Program Distribution 513300 Telecommunications (including paging, cellular, satellite, & other telecommunications) <b>Information Services and Data Processing Services</b> 514100 Information Services (including news syndicates, libraries, & on-line information services) 514210 Data Processing Services <b>Finance and Insurance</b> <b>Depository Credit Intermediation</b> 522110 Commercial Banking 522120 Savings Institutions 522130 Credit Unions 522190 Other Depository Credit Intermediation <b>Nondepository Credit Intermediation</b> 522210 Credit Card Issuing 522220 Sales Financing 522291 Consumer Lending 522292 Real Estate Credit (including mortgage bankers & originators) 522293 International Trade Financing 522294 Secondary Market Financing 522298 All Other Nondepository Credit Intermediation <b>Activities Related to Credit Intermediation</b> 522300 Activities Related to Credit Intermediation (including loan brokers) <b>Securities, Commodity Contracts, and Other Financial Investments and Related Activities</b> 523110 Investment Banking & Securities Dealing 523120 Securities Brokerage 523130 Commodity Contracts Dealing 523140 Commodity Contracts Brokerage	<b>Code</b> 523210 Securities & Commodity Exchanges 523900 Other Financial Investment Activities (including portfolio management & investment advice) <b>Insurance Carriers and Related Activities</b> 524140 Direct Life, Health, & Medical Insurance & Reinsurance Carriers 524150 Direct Insurance & Reinsurance (except Life, Health & Medical) Carriers 524210 Insurance Agencies & Brokerages 524290 Other Insurance Related Activities <b>Funds, Trusts, and Other Financial Vehicles</b> 525100 Insurance & Employee Benefit Funds 525910 Open-End Investment Funds (Form 1120-RIC) 525920 Trusts, Estates, & Agency Accounts 525930 Real Estate Investment Trusts (Form 1120-REIT) 525990 Other Financial Vehicles <b>Real Estate and Rental and Leasing</b> <b>Real Estate</b> 531110 Lessors of Residential Buildings & Dwellings 531120 Lessors of Nonresidential Buildings (except Miniwarehouses) 531130 Lessors of Miniwarehouses & Self-Storage Units 531190 Lessors of Other Real Estate Property 531210 Offices of Real Estate Agents & Brokers 531310 Real Estate Property Managers 531320 Offices of Real Estate Appraisers 531390 Other Activities Related to Real Estate <b>Rental and Leasing Services</b> 532100 Automotive Equipment Rental & Leasing 532210 Consumer Electronics & Appliances Rental 532220 Formal Wear & Costume Rental 532230 Video Tape & Disc Rental 532290 Other Consumer Goods Rental 532310 General Rental Centers 532400 Commercial & Industrial Machinery & Equipment Rental & Leasing <b>Lessors of Nonfinancial Intangible Assets (except copyrighted works)</b> 533110 Lessors of Nonfinancial Intangible Assets (except copyrighted works)
			<b>Professional, Scientific, and Technical Services</b> <b>Legal Services</b> 541110 Offices of Lawyers 541190 Other Legal Services <b>Accounting, Tax Preparation, Bookkeeping, and Payroll Services</b> 541211 Offices of Certified Public Accountants 541213 Tax Preparation Services 541214 Payroll Services 541219 Other Accounting Services <b>Architectural, Engineering, and Related Services</b> 541310 Architectural Services 541320 Landscape Architecture Services 541330 Engineering Services 541340 Drafting Services 541350 Building Inspection Services

<p><b>Code</b></p> <p>541360 Geophysical Surveying &amp; Mapping Services</p> <p>541370 Surveying &amp; Mapping (except Geophysical) Services</p> <p>541380 Testing Laboratories</p> <p><b>Specialized Design Services</b></p> <p>541400 Specialized Design Services (including interior, industrial, graphic, &amp; fashion design)</p> <p><b>Computer Systems Design and Related Services</b></p> <p>541511 Custom Computer Programming Services</p> <p>541512 Computer Systems Design Services</p> <p>541513 Computer Facilities Management Services</p> <p>541519 Other Computer Related Services</p> <p><b>Other Professional, Scientific, and Technical Services</b></p> <p>541600 Management, Scientific, &amp; Technical Consulting Services</p> <p>541700 Scientific Research &amp; Development Services</p> <p>541800 Advertising &amp; Related Services</p> <p>541910 Marketing Research &amp; Public Opinion Polling</p> <p>541920 Photographic Services</p> <p>541930 Translation &amp; Interpretation Services</p> <p>541940 Veterinary Services</p> <p>541990 All Other Professional, Scientific, &amp; Technical Services</p> <p><b>Management of Companies (Holding Companies)</b></p> <p>551111 Offices of Bank Holding Companies</p> <p>551112 Offices of Other Holding Companies</p> <p><b>Administrative and Support and Waste Management and Remediation Services</b></p> <p><b>Administrative and Support Services</b></p> <p>561110 Office Administrative Services</p> <p>561210 Facilities Support Services</p> <p>561300 Employment Services</p> <p>561410 Document Preparation Services</p> <p>561420 Telephone Call Centers</p> <p>561430 Business Service Centers (including private mail centers &amp; copy shops)</p> <p>561440 Collection Agencies</p> <p>561450 Credit Bureaus</p> <p>561490 Other Business Support Services (including repossession services, court reporting, &amp; stenotype services)</p>	<p><b>Code</b></p> <p>561500 Travel Arrangement &amp; Reservation Services</p> <p>561600 Investigation &amp; Security Services</p> <p>561710 Exterminating &amp; Pest Control Services</p> <p>561720 Janitorial Services</p> <p>561730 Landscaping Services</p> <p>561740 Carpet &amp; Upholstery Cleaning Services</p> <p>561790 Other Services to Buildings &amp; Dwellings</p> <p>561900 Other Support Services (including packaging &amp; labeling services, &amp; convention &amp; trade show organizers)</p> <p><b>Waste Management and Remediation Services</b></p> <p>562000 Waste Management &amp; Remediation Services</p> <p><b>Educational Services</b></p> <p>611000 Educational Services (including schools, colleges, &amp; universities)</p> <p><b>Health Care and Social Assistance</b></p> <p><b>Offices of Physicians and Dentists</b></p> <p>621111 Offices of Physicians (except mental health specialists)</p> <p>621112 Offices of Physicians, Mental Health Specialists</p> <p>621210 Offices of Dentists</p> <p><b>Offices of Other Health Practitioners</b></p> <p>621310 Offices of Chiropractors</p> <p>621320 Offices of Optometrists</p> <p>621330 Offices of Mental Health Practitioners (except Physicians)</p> <p>621340 Offices of Physical, Occupational &amp; Speech Therapists, &amp; Audiologists</p> <p>621391 Offices of Podiatrists</p> <p>621399 Offices of All Other Miscellaneous Health Practitioners</p> <p><b>Outpatient Care Centers</b></p> <p>621410 Family Planning Centers</p> <p>621420 Outpatient Mental Health &amp; Substance Abuse Centers</p> <p>621491 HMO Medical Centers</p> <p>621492 Kidney Dialysis Centers</p> <p>621493 Freestanding Ambulatory Surgical &amp; Emergency Centers</p> <p>621498 All Other Outpatient Care Centers</p> <p><b>Medical and Diagnostic Laboratories</b></p> <p>621510 Medical &amp; Diagnostic Laboratories</p> <p><b>Home Health Care Services</b></p> <p>621610 Home Health Care Services</p>	<p><b>Code</b></p> <p><b>Other Ambulatory Health Care Services</b></p> <p>621900 Other Ambulatory Health Care Services (including ambulance services &amp; blood &amp; organ banks)</p> <p><b>Hospitals</b></p> <p>622000 Hospitals</p> <p><b>Nursing and Residential Care Facilities</b></p> <p>623000 Nursing &amp; Residential Care Facilities</p> <p><b>Social Assistance</b></p> <p>624100 Individual &amp; Family Services</p> <p>624200 Community Food &amp; Housing, &amp; Emergency &amp; Other Relief Services</p> <p>624310 Vocational Rehabilitation Services</p> <p>624410 Child Day Care Services</p> <p><b>Arts, Entertainment, and Recreation</b></p> <p><b>Performing Arts, Spectator Sports, and Related Industries</b></p> <p>711100 Performing Arts Companies</p> <p>711210 Spectator Sports (including sports clubs &amp; racetracks)</p> <p>711300 Promoters of Performing Arts, Sports, &amp; Similar Events</p> <p>711410 Agents &amp; Managers for Artists, Athletes, Entertainers, &amp; Other Public Figures</p> <p>711510 Independent Artists, Writers, &amp; Performers</p> <p><b>Museums, Historical Sites, and Similar Institutions</b></p> <p>712100 Museums, Historical Sites, &amp; Similar Institutions</p> <p><b>Amusement, Gambling, and Recreation Industries</b></p> <p>713100 Amusement Parks &amp; Arcades</p> <p>713200 Gambling Industries</p> <p>713900 Other Amusement &amp; Recreation Industries (including golf courses, skiing facilities, marinas, fitness centers, &amp; bowling centers)</p> <p><b>Accommodation and Food Services</b></p> <p><b>Accommodation</b></p> <p>721110 Hotels (except casino hotels) &amp; Motels</p> <p>721120 Casino Hotels</p> <p>721191 Bed &amp; Breakfast Inns</p> <p>721199 All Other Traveler Accommodation</p> <p>721210 RV (Recreational Vehicle) Parks &amp; Recreational Camps</p> <p>721310 Rooming &amp; Boarding Houses</p>	<p><b>Code</b></p> <p><b>Food Services and Drinking Places</b></p> <p>722110 Full-Service Restaurants</p> <p>722210 Limited-Service Eating Places</p> <p>722300 Special Food Services (including food service contractors &amp; caterers)</p> <p>722410 Drinking Places (Alcoholic Beverages)</p> <p><b>Other Services</b></p> <p><b>Repair and Maintenance</b></p> <p>811110 Automotive Mechanical &amp; Electrical Repair &amp; Maintenance</p> <p>811120 Automotive Body, Paint, Interior, &amp; Glass Repair</p> <p>811190 Other Automotive Repair &amp; Maintenance (including oil change &amp; lubrication shops &amp; car washes)</p> <p>811210 Electronic &amp; Precision Equipment Repair &amp; Maintenance</p> <p>811310 Commercial &amp; Industrial Machinery &amp; Equipment (except Automotive &amp; Electronic) Repair &amp; Maintenance</p> <p>811410 Home &amp; Garden Equipment &amp; Appliance Repair &amp; Maintenance</p> <p>811420 Reupholstery &amp; Furniture Repair</p> <p>811430 Footwear &amp; Leather Goods Repair</p> <p>811490 Other Personal &amp; Household Goods Repair &amp; Maintenance</p> <p><b>Personal and Laundry Services</b></p> <p>812111 Barber Shops</p> <p>812112 Beauty Salons</p> <p>812113 Nail Salons</p> <p>812190 Other Personal Care Services (including diet &amp; weight reducing centers)</p> <p>812210 Funeral Homes &amp; Funeral Services</p> <p>812220 Cemeteries &amp; Crematories</p> <p>812310 Coin-Operated Laundries &amp; Drycleaners</p> <p>812320 Drycleaning &amp; Laundry Services (except Coin-Operated)</p> <p>812330 Linen &amp; Uniform Supply</p> <p>812910 Pet Care (except Veterinary) Services</p> <p>812920 Photofinishing</p> <p>812930 Parking Lots &amp; Garages</p> <p>812990 All Other Personal Services</p> <p><b>Religious, Grantmaking, Civic, Professional, and Similar Organizations</b></p> <p>813000 Religious, Grantmaking, Civic, Professional, &amp; Similar Organizations</p>
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Local Agency Military Base Recovery Area Deduction and Credit Summary

Attach to your California tax return.

Social security or California corporation number

Name(s) as shown on return

FEIN

A. Check the appropriate box for your entity type:

- Individual, Estate, Trust, C corporation, S corporation, Partnership, Exempt organization, Limited liability company, Limited liability partnership

B. Enter the name of the Local Agency Military Base Recovery Area (LAMBRA) business:

C. Enter the address (actual location) where the LAMBRA business is conducted.

D. Enter the name of the LAMBRA in which the business and/or investment activity is located. See General Information E.

E. Principal Business Activity Code number of the LAMBRA business. Enter the 6-digit number from the Principal Business Activity Code Chart on pages 22 through 24.

F. Total number of employees in the LAMBRA.

G. Number of employees included in the computation of the hiring credit, if claimed.

H. Number of new employees included in the computation of the hiring credit, if claimed.

I. Gross annual receipts of the business.

J. Total asset value of the business.

Part I Net Increase in Jobs

Note: Complete Part I only if you have been doing business in a LAMBRA for 2 years.

- 1 a Number of full-time employees in California in the 2nd year after operation in a LAMBRA
b Number of full-time employees in California prior to starting business in the LAMBRA. See instructions.
Subtract line 1b from line 1a. This is the net increase in jobs

Part II Credits Used

- 2 Hiring and sales or use tax credit claimed on the current year return:
a Hiring credit from Worksheet VI, line 8A column (f) or line 10 column (f)
b Sales or use tax credit from Worksheet VI, line 9A column (f) or line 11 column (f)
Add line 2a and line 2b

Note: To figure the amount of credits to carry over, complete Worksheet VI on Side 2.

Part III Business Expense Deduction for Equipment Purchases

- 3 Enter the cost of qualified property purchased for the LAMBRA that is being deducted as a current year business expense from Worksheet III, Section A, line 4

ELECTION: The act of deducting a portion of the cost of any property as a current year expense rather than adding it to the capital account constitutes an election to treat that property in accordance with R&TC Section 17268 or 24356.8. That election may not be revoked except with the consent of the Franchise Tax Board (FTB).

Part IV Net Operating Loss (NOL) Carryover and Deduction

- 4a Enter the NOL carryover from prior years from Worksheet V, Section C, line 11, column (b)
4b Enter the total NOL deduction used in the current year from Worksheet V, Section C, line 11, column (c). Enter this amount on Schedule CA (540 or 540NR), line 21e, column B; Form 100, line 20; Form 100S, line 19; or Form 109, line 3 or line 11
4c Enter the NOL carryover to future years from Worksheet V, Section C, line 11, column (e)

ELECTION: For those taxpayers eligible for an NOL carryover under R&TC Section 17276.2, 17276.4, 17276.5, 24416.2, 24416.4 or 24416.5, the act of claiming an NOL carryover on this form constitutes the irrevocable election to apply the loss under R&TC Section 17276.5 or 24416.5, for qualified businesses within a LAMBRA. If you elect to carry over an NOL under any of these provisions, you are prohibited by law from carrying over any other type of NOL from this year.

Part V Portion of Business Attributable to the LAMBRA

- 5 Enter the average apportionment percentage of your business that is in the LAMBRA from Worksheet IV, Section A, line 4. If your business is wholly within one LAMBRA, the average apportionment percentage is 100% (1.00)

Part VI Recapture of Deduction and Credits

- 6 Recapture of hiring credit from Worksheet I, Section B, line 2
7 Recapture of sales or use tax credit from Worksheet II, Section B, line 2
8 Recapture of business expense deduction from Worksheet III, Section B, line 2

**Worksheet VI Computation of Credit Limitations — LAMBRA**

**Part I Computation of Limitations.** See Instructions.

1	Trade or business income. <b>Individuals:</b> Enter the amount from the Income or Loss Worksheet, line 14, column (c) (page 15) on this line and on line 3 (skip line 2). See instructions on page 18. <b>Note:</b> Multistate apportioning corporations, enter the amount from Schedule R, line 13b for the corporations doing business in a LAMBRA . . . . .	1	
2	<b>Corporations:</b> Enter the average apportionment percentage from Worksheet IV, Section A, line 4. See instructions . . . . .	2	
3	Multiply line 1 by line 2 . . . . .	3	
4	Enter the LAMBRA NOL deduction from Worksheet V, Section C, line 11, column (c) . . . . .	4	
5	LAMBRA taxable income. Subtract line 4 from line 3 . . . . .	5	
6a	Compute the amount of tax due using the amount on line 5. See instructions . . . . .	6a	
6b	Enter the amount of tax from Form 540, line 24; Form 540NR, line 27; Form 541, line 21; Form 100, line 23 or Form 100S, line 22 or Form 109, line 7 or line 15. Corporations and S corporations see instructions . . . . .	6b	
7	Enter the smaller of line 6a or line 6b. This is the limitation based on LAMBRA business income. Go to Part II, Part III or Part IV and see the applicable instructions . . . . .	7	

**Part II Limitation of Credits for Corporations, Individuals and Estates and Trusts.** See instructions.

	(a) Credit name	(b) Credit amount	(c) Total prior year carryover	(d) Total credit (add col. (b) and col. (c))	(e) Limitation based on LAMBRA business income	(f) Used on Schedule P (can never be greater than col. (d) or col. (e))	(g) Carryover (col. (d) minus col. (e))
8	Hiring credit	A					
		B					
9	Sales or use tax credit	A					
		B					

**Part III Limitation of Credits for S Corporations Only.** See instructions.

	(a) Credit name	(b) Credit amount	(c) S corporation credit (multiply col. (b) by 1/3)	(d) Total prior year carryover	(e) Total credit (add col. (c) and col. (d))	(f) Credit used this year by S corporation	(g) Carryover (col. (e) minus col. (f))
10	Hiring credit						
11	Sales or use tax credit						

**Part IV Limitation of Credits for Corporations and S Corporations Subject to Paying Only the Minimum Franchise Tax.** See instructions.

	(a) Credit name	(b) Credit amount	(c) Total prior year carryover	(d) Total credit carryover (add col. (b) and col. (c))
12	Hiring credit			
13	Sales or use tax credit			

Local Agency Military Base Recovery Area Deduction and Credit Summary

Attach to your California tax return.

Social security or California corporation number

Name(s) as shown on return

FEIN

A. Check the appropriate box for your entity type:

- Individual, Estate, Trust, C corporation, S corporation, Partnership, Exempt organization, Limited liability company, Limited liability partnership

B. Enter the name of the Local Agency Military Base Recovery Area (LAMBRA) business:

C. Enter the address (actual location) where the LAMBRA business is conducted.

D. Enter the name of the LAMBRA in which the business and/or investment activity is located. See General Information E.

E. Principal Business Activity Code number of the LAMBRA business. Enter the 6-digit number from the Principal Business Activity Code Chart on pages 22 through 24.

F. Total number of employees in the LAMBRA.

G. Number of employees included in the computation of the hiring credit, if claimed.

H. Number of new employees included in the computation of the hiring credit, if claimed.

I. Gross annual receipts of the business.

J. Total asset value of the business.

Part I Net Increase in Jobs

Note: Complete Part I only if you have been doing business in a LAMBRA for 2 years.

- 1 a Number of full-time employees in California in the 2nd year after operation in a LAMBRA
b Number of full-time employees in California prior to starting business in the LAMBRA. See instructions.
Subtract line 1b from line 1a. This is the net increase in jobs.

Part II Credits Used

- 2 Hiring and sales or use tax credit claimed on the current year return:
a Hiring credit from Worksheet VI, line 8A column (f) or line 10 column (f).
b Sales or use tax credit from Worksheet VI, line 9A column (f) or line 11 column (f).
Add line 2a and line 2b.

Note: To figure the amount of credits to carry over, complete Worksheet VI on Side 2.

Part III Business Expense Deduction for Equipment Purchases

- 3 Enter the cost of qualified property purchased for the LAMBRA that is being deducted as a current year business expense from Worksheet III, Section A, line 4.

ELECTION: The act of deducting a portion of the cost of any property as a current year expense rather than adding it to the capital account constitutes an election to treat that property in accordance with R&TC Section 17268 or 24356.8. That election may not be revoked except with the consent of the Franchise Tax Board (FTB).

Part IV Net Operating Loss (NOL) Carryover and Deduction

- 4a Enter the NOL carryover from prior years from Worksheet V, Section C, line 11, column (b).
4b Enter the total NOL deduction used in the current year from Worksheet V, Section C, line 11, column (c). Enter this amount on Schedule CA (540 or 540NR), line 21e, column B; Form 100, line 20; Form 100S, line 19; or Form 109, line 3 or line 11.
4c Enter the NOL carryover to future years from Worksheet V, Section C, line 11, column (e).

ELECTION: For those taxpayers eligible for an NOL carryover under R&TC Section 17276.2, 17276.4, 17276.5, 24416.2, 24416.4 or 24416.5, the act of claiming an NOL carryover on this form constitutes the irrevocable election to apply the loss under R&TC Section 17276.5 or 24416.5, for qualified businesses within a LAMBRA. If you elect to carry over an NOL under any of these provisions, you are prohibited by law from carrying over any other type of NOL from this year.

Part V Portion of Business Attributable to the LAMBRA

- 5 Enter the average apportionment percentage of your business that is in the LAMBRA from Worksheet IV, Section A, line 4. If your business is wholly within one LAMBRA, the average apportionment percentage is 100% (1.00).

Part VI Recapture of Deduction and Credits

- 6 Recapture of hiring credit from Worksheet I, Section B, line 2.
7 Recapture of sales or use tax credit from Worksheet II, Section B, line 2.
8 Recapture of business expense deduction from Worksheet III, Section B, line 2.

**Worksheet VI Computation of Credit Limitations — LAMBRA**

**Part I Computation of Limitations.** See Instructions.

1	Trade or business income. <b>Individuals:</b> Enter the amount from the Income or Loss Worksheet, line 14, column (c) (page 15) on this line and on line 3 (skip line 2). See instructions on page 18. <b>Note:</b> Multistate apportioning corporations, enter the amount from Schedule R, line 13b for the corporations doing business in a LAMBRA . . . . .	1	
2	<b>Corporations:</b> Enter the average apportionment percentage from Worksheet IV, Section A, line 4. See instructions . . . . .	2	
3	Multiply line 1 by line 2 . . . . .	3	
4	Enter the LAMBRA NOL deduction from Worksheet V, Section C, line 11, column (c) . . . . .	4	
5	LAMBRA taxable income. Subtract line 4 from line 3 . . . . .	5	
6a	Compute the amount of tax due using the amount on line 5. See instructions . . . . .	6a	
6b	Enter the amount of tax from Form 540, line 24; Form 540NR, line 27; Form 541, line 21; Form 100, line 23 or Form 100S, line 22 or Form 109, line 7 or line 15. Corporations and S corporations see instructions . . . . .	6b	
7	Enter the smaller of line 6a or line 6b. This is the limitation based on LAMBRA business income. Go to Part II, Part III or Part IV and see the applicable instructions . . . . .	7	

**Part II Limitation of Credits for Corporations, Individuals and Estates and Trusts.** See instructions.

	(a) Credit name	(b) Credit amount	(c) Total prior year carryover	(d) Total credit (add col. (b) and col. (c))	(e) Limitation based on LAMBRA business income	(f) Used on Schedule P (can never be greater than col. (d) or col. (e))	(g) Carryover (col. (d) minus col. (e))
8	Hiring credit	A					
		B					
9	Sales or use tax credit	A					
		B					

**Part III Limitation of Credits for S Corporations Only.** See instructions.

	(a) Credit name	(b) Credit amount	(c) S corporation credit (multiply col. (b) by 1/3)	(d) Total prior year carryover	(e) Total credit (add col. (c) and col. (d))	(f) Credit used this year by S corporation	(g) Carryover (col. (e) minus col. (f))
10	Hiring credit						
11	Sales or use tax credit						

**Part IV Limitation of Credits for Corporations and S Corporations Subject to Paying Only the Minimum Franchise Tax.** See instructions.

	(a) Credit name	(b) Credit amount	(c) Total prior year carryover	(d) Total credit carryover (add col. (b) and col. (c))
12	Hiring credit			
13	Sales or use tax credit			

# How to Get California Tax Information

(Keep This Page For Future Use)

## Where to Get Income Tax Forms

**By Internet** – If you have Internet access, you may download, view and print 1994 through 1998 California tax forms and publications. Our Internet address is:

<http://www.ftb.ca.gov>

**By phone** – Use F.A.S.T. to order 1996, 1997 and 1998 California personal income tax forms, 1998 California corporate tax forms and 1998 federal forms. To order a form:

- Refer to the list in your tax booklet and find the code number for the form you want to order.
- Call (800) 338-0505 and follow the instructions.

Please allow 2 weeks to receive your order. If you live outside California, please allow 3 weeks to receive your order.

**In person** – Most libraries, post offices and banks provide free California personal income tax booklets during the filing season. Many libraries and some quick print businesses have forms and schedules for you to photocopy (you may have to pay a nominal fee). Note that employees at libraries, post offices, banks and quick print businesses cannot provide tax information or assistance.

The LARZ, LAMBRA, MEA and TTA business booklets are only available at our field offices. For the locations of these offices, see the "Field Offices" section on this page.

**By mail** – Write to:

TAX FORMS REQUEST UNIT  
FRANCHISE TAX BOARD  
PO BOX 307  
RANCHO CORDOVA CA 95741-0307

## Geographic Boundaries

Further information about geographic boundaries of the LAMBRA is available from:

ENTERPRISE ZONE PROGRAMS  
CA TRADE AND COMMERCE AGENCY  
801 K STREET SUITE 1700  
SACRAMENTO CA 95814  
Telephone: (916) 324-8211  
FAX: (916) 322-7214

## Economic Development Area Information

Further information about LAMBRA tax incentives is available from:

FRANCHISE TAX BOARD  
ECONOMIC DEVELOPMENT AREA  
INFORMATION  
Telephone: (916) 845-3464  
FAX: (916) 845-0415

## Your Rights as a Taxpayer

Our goal at the Franchise Tax Board (FTB) is to make certain that your rights are protected so that you will have the highest confidence in the integrity, efficiency and fairness of our state tax system. FTB Publication 4058, California Taxpayers' Bill of Rights, includes information on your rights as a California taxpayer, the Taxpayers' Rights Advocate Program and how you can request written advice from the FTB on whether a particular transaction is taxable. See "Where to Get Income Tax Forms" on this page for how to get this publication.

## General Toll-Free Phone Service

**Between January 4 – April 15, 1999**, our general toll-free phone service is available:

- Monday – Friday, 6 a.m. until midnight; and
- Saturday, 8 a.m. until 5 p.m.

**After April 15, 1999**, our general toll-free phone service is available:

- Monday – Friday, 7 a.m. until 8 p.m.

The best times to call are before 10 a.m. and after 6 p.m. Times of day are Pacific Standard Time (PST).

From within the United States, . . . . . (800) 852-5711

From outside the United States, . . . . . (916) 845-6500 (not toll-free)

For hearing impaired with TDD . . . . . (800) 822-6268

For federal tax questions, call the IRS at . . . . . (800) 829-1040

## Asistencia Bilingüe en Español

Para obtener servicios en Español y asistencia para completar su declaración de impuestos/formularios, llame al número de teléfono (anotado arriba) que le corresponde.

## Letters

If you find it necessary to write rather than call, please address your letter to:

RESOURCE DEVELOPMENT SECTION  
FRANCHISE TAX BOARD  
PO BOX 1468  
SACRAMENTO CA 95812-1468

Please allow 6 to 8 weeks for a reply. Include your California identification number and daytime telephone number on all correspondence.

## Field Offices

You can get information, California tax forms and resolve problems on your account if you visit one of our field offices.

Field Office	Address
Bakersfield	1800 30th St, Ste 370
Burbank	333 N Glenoaks Blvd, Ste 200
Fresno	2550 Mariposa St, Rm 3002
Long Beach	4300 Long Beach Blvd, Ste 700B
Los Angeles	300 S Spring St, Ste 5704
Oakland	1515 Clay St, #3N-305
Sacramento	3321 Power Inn Road, Ste 250
San Bernardino	464 W 4th St, Ste 454B
San Diego	5353 Mission Ctr Rd, Ste 314
San Francisco	455 Golden Gate Ave, Ste 7400
San Jose	96 N Third St, 4th Fl
Santa Ana	600 W Santa Ana Blvd, Ste 300
Santa Rosa	50 D St, Rm 130
Stockton	31 East Channel St, Rm 219
Ventura	4820 McGrath St, Ste 270
West Covina	100 N Barranca St, Ste 600
<b>Out of State Offices</b>	
Chicago	1 N Franklin Ave, Ste 400 Chicago IL 60606-3401
Long Island	1325 Franklin Ave, Ste 560 Garden City NY 11530-1631
Houston	1415 Louisiana, Ste 1515 Houston, TX 77002-7351
Manhattan	1212 Ave of the Americas, 4th Fl New York NY 10036-1601



# F.A.S.T. Toll-Free Phone Service

(Keep This Page For Future Use)

Call Fast Answers about State Taxes, the F.A.S.T. toll-free phone service you can use to:

- Find out about your current year tax refund;
- Order most California and federal income tax forms; and
- Hear recorded answers to many of your questions about California taxes.

F.A.S.T. is available in English and Spanish to callers with touch-tone telephones.

### How To Use F.A.S.T.

Have paper and pencil ready to take notes.

Call from within the

United States . . . . . (800) 338-0505

Call from outside the

United States (not toll-free) . . (916) 845-6600

### To Find Out About Your Current Year Personal Income Tax Refund

You should wait at least 8 weeks after you file your tax return before you call to find out about your refund. You will need your social security number, the numbers in your street address, box number or route number, and your ZIP Code to use this service. Refund status information is available from 6 a.m. until midnight Monday through Friday except state holidays and 6 a.m. until 10 p.m. Saturday and Sunday. Call the F.A.S.T. number, select refund information and follow the recorded instructions.

### To Obtain Your Personal Income Tax Balance Due and Payment Information

You should wait at least 45 days from the date you mailed your payment before you call to verify receipt of your payment. You will need your social security number, the numbers in your street address, box number or route number, and your ZIP Code to use this service. Personal income tax balance due and payment information is available from 6 a.m. until midnight Monday through Friday except state holidays and 6 a.m. until 10 p.m. Saturday and Sunday.

### To Order Forms

See "Where to Get Income Tax Forms" on page 29. For personal income tax forms, this service is available from 6 a.m. until midnight Monday through Friday except state holidays and 6 a.m. until 10 p.m. Saturday and Sunday. Corporate tax forms are available from 6 a.m. until 6 p.m. Monday through Friday.

### To Hear Answers To Your California Tax Questions

Recorded answers to your tax questions are available 24 hours a day, 7 days a week. To receive answers to any of the following questions, call the F.A.S.T. number, select general tax information and enter the 3-digit code when instructed to do so.

Times of day are Pacific Standard Time (PST).

## Personal Income Tax Information

### Code – Question

#### Filing Assistance:

- 100 – Do I need to file a return?
- 111 – Which form should I use?
- 112 – How do I file electronically and get a fast refund?
- 200 – Where can I pick up a form today?
- 201 – How can I get an extension to file?
- 202 – There is no envelope in the booklet. Where do I send my return?
- 203 – What is and how do I qualify for the nonrefundable renter's credit?
- 204 – I never received a Form W-2. What do I do?
- 205 – I have no withholding taken out. What do I do?
- 206 – Do I have to attach a copy of my federal return?
- 207 – Should I file my return even though I do not have the money to pay?
- 208 – How do I figure my estimate tax payments?
- 209 – I lived in California for part of the year. Do I have to file a return?
- 210 – I do not live in California. Why do I have to file a return?

- 211 – How do I figure my IRA deduction?
- 212 – How do I claim my disaster related loss?
- 215 – Who qualifies me to use the head of household filing status?
- 216 – I'm due a refund. Do I still need to file a return?
- 217 – I am currently/was in the military. Do I have to file a California return?
- 218 – I'm in the military. Do I have to use the same filing status as federal?
- 219 – I sold my personal residence. How do I report the sale to California?
- 220 – There is no difference in my state and federal depreciation, business income and capital gain income. What do I do?
- 221 – What is community property?
- 222 – How much can I deduct for vehicle license fees?
- 227 – How do I get a refund of excess SDI?
- 239 – Where can I get help with filing my income tax return?
- 240 – Does a tax return have to be filed for a deceased taxpayer?

#### Refunds:

- 300 – My spouse has passed away. You sent a refund with both our names on it. What do I do?
- 301 – I got a letter saying you sent my refund to another agency. Why?

#### Penalties:

- 400 – I have an extension of time to file my return. Why did I get a penalty?
- 401 – I filed my return on time. Why did I get a penalty?
- 402 – How can I protest a penalty?
- 403 – What is the estimate penalty rate?

#### Notices and Bills:

- 500 – I received a bill and I cannot pay it in full. What do I do?
- 501 – Why didn't you give me credit for my withholding?
- 502 – You didn't give me credit for my child as a dependent. What do I do?
- 504 – I'm head of my house. Why was I denied head of household filing status?
- 505 – Why was my IRA deduction denied?
- 506 – How can I get information about my Form 1099-G?
- 508 – I received a notice that didn't show all payments made. How do I get credit for them?

#### Tax For Children Under 14:

- 601 – Can my child take a personal exemption credit when I claim her or him as a dependent on my return?
- 602 – Federal law limits the standard deduction. Is the state law the same?

#### Miscellaneous

- 610 – Can I pay my taxes with a credit card?
- 611 – What address do I send my payment to?
- 612 – I mailed my return and haven't heard anything. Should I send a copy of my return?
- 613 – I forgot to attach my Form(s) W-2 when I mailed my return. What do I do?
- 614 – I forgot to attach a copy of my federal return. What do I do?
- 615 – How do I get a copy of my state tax return?
- 616 – What should I do if my federal tax return was examined and changed by the IRS?
- 617 – What are the current interest rates?
- 619 – How do I report a change of address?

## Corporation Franchise and Income Tax Information

### Code – Question

#### Filing Assistance

- 715 – If my actual tax is less than the minimum franchise tax, what figure do I put on line 23 of Form 100?
- 717 – What are the tax rates for corporations?

- 718 – How do I get an extension of time to file?
- 722 – When do I have to file a short-period return?
- 734 – Is my corporation subject to the franchise tax or income tax?

#### S Corporations

- 704 – Is an S corporation subject to the minimum franchise tax?
- 705 – Are S corporations required to file estimate payments?
- 706 – What forms do S corporations file?
- 707 – The tax for my S corporation is less than the minimum franchise tax. What figure do I put on line 22 of Form 100S?
- 708 – Where do S corporations make adjustments for state and federal law differences on Schedule K-1 (100S) and where do nonresident shareholders find their California source income on their Schedule K-1 (100S)?

#### Exempt Organizations

- 709 – How do I get tax-exempt status?
- 710 – Does an exempt organization have to file Form 199?
- 735 – How can an exempt organization incorporate without paying corporation fees and costs?
- 736 – I have exempt status. Do I need to file Form 100 or Form 109 in addition to Form 199?

#### Minimum Tax and Estimate Tax

- 711 – Can I claim my prepayment tax as a credit or estimate payment on my return?
- 712 – What is the minimum franchise tax?
- 714 – My corporation is not doing business; does it have to pay the minimum franchise tax?
- 716 – When are my estimate payments due?

#### Billings and Miscellaneous Notices

- 723 – I received a bill for \$250. What is this for?
- 728 – Why was my corporation suspended?
- 729 – Why is my subsidiary getting a request for a return when we file a combined report?

#### Tax Clearance

- 724 – How do I dissolve my corporation?
- 725 – What do I have to do to get a tax clearance?
- 726 – How long will it take to get a tax clearance certificate?
- 727 – My corporation was suspended/forfeited. Can I still get a tax clearance?

#### Miscellaneous

- 617 – What are the current interest rates?
- 700 – Who do I need to contact to start a business?
- 701 – I need a state ID number for my business. Who do I contact?
- 702 – Can you send me an employer's tax guide?
- 703 – How do I incorporate?
- 719 – How do I properly identify my corporation when dealing with the Franchise Tax Board?
- 720 – How do I obtain information about changing my corporation's name?
- 721 – How do I change my accounting period?
- 737 – Where do I send my payment?
- 738 – What is electronic funds transfer?
- 739 – How do I get a copy of my state corporate tax return?
- 740 – What requirements do I have to report municipal bond interest paid by a state other than California?
- 750 – How do I organize or register an LLC?
- 751 – How do I cancel my registration as an LLC?
- 752 – What tax forms do I use to file as an LLC?
- 758 – If a corporation converted to an LLC during the current year, is the corporation liable for tax as a corporation and an LLC tax/fee in the same year?