



What's new for 2006?

- In May 2006, Public Act 94-776 was signed, making changes to the calculation of the subtractions you may claim on your Illinois Income and Replacement Tax returns related to bonus depreciation. The changes are **effective for tax years ending after December 31, 2005**. If you were eligible for the new calculation, but filed your return using the 12/05 revision of Form IL-4562, Special Depreciation, you will need to file an amended return on Form IL-1065-X and complete Form IL-4562, with revision date 8/06.
- **Effective immediately**, the Enterprise Zone Investment Credit law has been amended to include river edge redevelopment zones. See the instructions for Schedule 1299-A, Tax Subtractions and Credits, for more information.
- **Short year filers only:** The **Ex-Felons Jobs Credit** and the **Veterans Jobs Credit** are in effect **for tax years beginning on or after January 1, 2007**. For taxpayers filing a short-year return after January 1, 2007, you may be entitled to take any valid credit on the 2006 Schedule 1299-A. See Schedule 1299-A instructions for more information.
- **Effective January 1, 2005**, the credits for coal research contributions and coal utilization investments have expired.
- For **tax years ending on or after January 1, 2005**, the portion of the Employee Child Care Tax Credit that allows for a 30 percent credit of all start-up costs, has expired. You may continue to carry forward any amount that remains from tax years ending on or before December 31, 2004 for up to five taxable years.

General Information

Who must file Form IL-1065?

You must file Form IL-1065 if you are a partnership, as defined in "Definitions to help you complete your Form IL-1065," and you have base income or loss as defined under the Illinois Income Tax Act (IITA).

If you are a partnership organized for the sole purpose of playing the Illinois State Lottery, you are not required to file a Form IL-1065.

It is your duty as a taxpayer to obtain forms. Failure to obtain them is not an excuse for failure to file returns as required by law.

What forms must I use?

In general, you must use forms prescribed by the Illinois Department of Revenue. Separate statements not on forms provided or approved by the department will not be accepted and you will be asked for appropriate documentation. Failure to comply with this requirement may result in the delay of processing your return or generating any refund. Additionally, failure to submit appropriate documentation when requested may result in a referral to our Audit Bureau for compliance action.

Partnerships must complete Form IL-1065. Do not send a computer printout with line numbers and dollar amounts attached to a blank copy of the return. Computer generated printouts are not acceptable, even if they are in the same format as the department forms. Computer generated forms from a department-approved software developer are acceptable.

How do I register my business?

If you are required to file Form IL-1065, you should register by calling our Central Registration Division at **217 785-3707**. You may be able to register electronically. Visit our web site at **www.tax.illinois.gov** for more information.

Registering with the Illinois Department of Revenue (IDOR), **prior to filing your return** ensures that your tax returns are accurately processed.

Your identification numbers as an Illinois business taxpayer are your federal employer identification number (FEIN) and your Illinois business tax (IBT) number.

When should I file?

Your Illinois filing period is the same as your federal filing period. In general, Form IL-1065 is due on or before the 15th day of the **4th** month following the close of the tax year.

Automatic six-month extension — We grant you an automatic six-month extension of time to file your small business corporate tax return. You are not required to file Form IL-505-B, Automatic Extension Payment, in order to obtain this automatic extension. However, if you expect tax to be due, you must use Form IL-505-B to pay any tentative tax due in order to avoid interest and penalty on tax not paid by the original due date of the return. An extension of time to file your Form IL-1065 is not an extension of time for payment of Illinois tax.

Additional extensions beyond the automatic extension period — We will grant an extension of more than six months **only** if an extension of more than six months is granted by the Internal Revenue Service (IRS). You must attach a copy of the approved federal extension to your Form IL-1065.

Where should I file?

Mail your Form IL-1065 to

**ILLINOIS DEPARTMENT OF REVENUE
PO BOX 19031
SPRINGFIELD IL 62794-9031**

When should I pay?

Payment of tax — You must pay your Illinois replacement tax in full on or before the original due date of the return. This payment date applies even though an automatic extension for filing your return has been granted.

Estimated tax payments — Partnerships are not required to make estimated tax payments.

Who should sign the return?

Your Form IL-1065 must be signed by a partner or any other officer duly authorized to sign the return. In the case of a bankruptcy, a receiver, trustee, or assignee must sign any return required to be filed on behalf of the partnership. The signature verifies by written declaration (and under penalties of perjury) that the signing individual has personally examined the return and the return is true, correct, and complete. The fact that an individual's name is signed to a return is *prima facie* evidence that the individual is authorized to sign the return on behalf of the partnership.

Any person paid to prepare the return (other than a regular, full-time employee of the taxpayer, such as a clerk, secretary, or bookkeeper) must provide a signature, date the return, and write the preparer's taxpayer identification number. If the preparer is an employee or partner of a firm or corporation, the preparer must also provide the firm's name, address, and instead of the preparer's taxpayer identification number, the preparer must provide the firm's FEIN. Self-employed preparers must provide their own name, address, and taxpayer identification number in the appropriate spaces.

Note → If your return is not signed, any overpayment of tax is considered forfeited if, after notice and demand for signature, you fail to provide a signature within three years from the date your return was filed.

What are the penalties and interest?

Penalties — You will owe

- a **late-filing penalty** if you do not file a processable return by the extended due date;
- a **late-payment penalty** if you do not pay the tax you owe by the original due date of the return;
- a **bad check penalty** if your remittance is not honored by your financial institution;
- a **cost of collection fee** if you do not pay the amount you owe within 30 days of the date printed on your bill;

Interest — Interest is calculated on tax from the day after the original due date of your return through the date you pay the tax.

We will bill you for penalties and interest. For more information about penalties and interest, see Publication 103, Penalties and Interest for Illinois Taxes. To receive a copy of this publication, see "What if I need additional assistance or forms?" for our phone numbers and addresses.

What if I am discontinuing my business?

Liquidation or withdrawal from Illinois — If you are a partnership that is liquidated, withdraws either voluntarily or involuntarily from Illinois during any tax year, you are still required to file tax returns. Also, we will pursue the assessment and collection of taxes if

- you are liable for replacement tax for that period or any previous period; or
- your partners had income allocable to Illinois for that period or any previous tax period due to a distribution from you.

Sales or transfers — If you are a partnership that, outside the usual course of business, sells or transfers the major part of any one or more of

- the stock or goods which you are in the business of selling,
- the furniture or fixtures of your business,
- the machinery and equipment of your business, or
- the real property of your business,

you or the purchaser must complete and send us Form CBS-1, Notice of Sale or Purchase of Business Assets, no later than 10 days after the date the sale took place. Mail this form, along with copies of the sales contract and financing agreement, to

**ILLINOIS DEPARTMENT OF REVENUE
BULK SALES SECTION
PO BOX 19035
SPRINGFIELD, IL 62794-9035**

What if I need to correct or change my return?

Corrected — If you need to correct or change your return after it has been filed, but before extended due date has passed, you must file a corrected Form IL-1065-X, Amended Partnership Replacement Tax Return. Write “CORRECTED” at the top and show the changes. A corrected return is treated as your original return for all purposes.

Amended — If you need to change your return after it has been filed, and the extended due date has passed, you must file Form IL-1065-X, showing the changes.

State changes only — You must file Form IL-1065-X promptly, if you discover an error on your Illinois return that does not relate to an error on your federal return but was caused by

- a mistake in transferring information from your federal return to your Illinois return,
- failing to report to Illinois an item that has no effect on your federal return, or
- a mistake in another state’s tax return that affects the computation of your Illinois tax liability.

If you are filing Form IL-1065-X to claim an overpayment, it must be filed within three years after the extended due date or the date the return was filed, or within one year after the tax giving rise to the overpayment was paid, whichever is latest.

Federal changes only — If you have filed an amended federal return or if you have been notified by the IRS that they have made changes to your return, you must file Form IL-1065-X. This includes any change in your federal income tax liability; any tax credits; or the computation of your federal taxable income as reported for federal income tax purposes if the change affects any item entering into the computation of net income, net loss, or any credit for any year under the IITA. You must file Form IL-1065-X no later than 120 days after the changes have been agreed to or finally determined.

If you are filing Form IL-1065-X to claim an overpayment resulting from a federal change, it must be filed within two years after the date such notification was due (regardless of whether such notice was given). For more information, see Form IL-1065-X instructions.

What records must I keep?

You must maintain books and records to substantiate any information reported on your Form IL-1065. Your books and records must be available for inspection by our authorized agents and employees.

Do the IDOR and the IRS exchange income tax information?

The IDOR and the IRS exchange income tax information for the purpose of verifying the accuracy of information reported on federal and Illinois tax returns. All amounts you report on Form IL-1065 are subject to verification and audit.

Should I round?

To make it easier for you to figure your tax, you may round the dollar amounts on Form IL-1065 and accompanying schedules to whole-dollars. To do this, you should drop any amount less than 50 cents and increase any amount of 50 cents or more to the next higher dollar.

What if I have an Illinois net loss deduction (NLD)?

If you have an Illinois NLD from any loss year ending on or after December 31, 1986, it is subtracted from and limited to your base income allocable to Illinois.

To determine your “Illinois net loss” start with federal ordinary income and apply all addition and subtraction modifications and all allocation and apportionment provisions.

Illinois net losses incurred in tax years ending on or after December 31, 2003, may only be carried forward 12 years. If you are carrying forward an Illinois NLD, you must complete Illinois Schedule NLD, Illinois Net Loss Deduction, and claim the deduction on Step 7, Line 49. See specific instructions for Step 7, Line 49.

If you have an Illinois net loss for this tax year, you must file Form IL-1065 reporting the loss in order to carry the loss forward to another year.

If you need more information, view the Illinois Income Tax Regulations, Sections 100.2050 and 100.2300 through 100.2330. These sections may be obtained by

- visiting our web site at www.tax.illinois.gov, or
- writing to

**ILLINOIS DEPARTMENT OF REVENUE
LEGAL SERVICES OFFICE
SENIOR COUNSEL - INCOME TAX, 5-500
101 WEST JEFFERSON STREET
SPRINGFIELD, IL 62702**

What attachments do I need?

When filing your return there are certain types of income items and subtraction modifications that require the attachment of Illinois or federal forms and schedules. Instructions for these attachments appear throughout the specific instructions for completing your return.

Note → All Illinois forms and schedules include an “**IL Attachment No.**” in the upper right corner of the form. Required attachments should be ordered numerically behind the tax return, as indicated by the IL Attachment No. Failure to attach forms and schedules in the proper order may result in processing delays. Required copies of documentation from your federal return should be attached **behind the completed Illinois return.**

What is the standard exemption?

The standard exemption is \$1,000 multiplied by a fraction in which the numerator is your base income allocable to Illinois and the denominator is your total base income. If you have a change in your tax year end and the result is a period of less than 12 months, the standard exemption is prorated based on the number of days in the tax year. If this is your first or final return, you are allowed the full-year standard exemption. If you need further information, see IITA, Section 401(b).

Definitions to help you complete your Form IL-1065

All references to “income” include losses.

Illinois base income means federal ordinary income modified by additions and subtractions as shown in Steps 2 through 5 of Form IL-1065. See specific instructions for Steps 2 through 5.

Business income means all income (other than compensation) that may be apportioned by formula among the states in which you are doing business without violating the Constitution of the United States. All income of a partnership is business income unless it is clearly attributable to only one state and is earned or received through activities totally unrelated to any business you are conducting in more than one state. Business income is net of all deductions attributable to that income.

Commercial domicile means the principal place from which your trade or business is directed or managed.

Nonbusiness income means all income other than business income or compensation. For more information about the different types of nonbusiness income, see the instructions for Illinois Schedule NB, Nonbusiness Income.

Partnership includes a syndicate, group, pool, joint venture, or other unincorporated organization, through or by means of which any business, financial operation, or venture is carried on, and that is not, within the meaning of the IITA, a trust, estate, or corporation.

A partnership may be any entity formed under the Illinois Limited Liability Company Act that is treated as a partnership for federal income tax purposes. A partnership that has elected under IRC Section 761, to be excluded from the partnership provisions of the IRC is also excluded for purposes of the IITA.

Partner includes a member in such syndicate, group, pool, joint venture, or other unincorporated organization.

A **resident partner** means

- an individual who is present in Illinois for other than a temporary or transitory purpose;
- an individual who is absent from Illinois for a temporary or transitory purpose but who is domiciled in Illinois;
- the estate of a decedent who at his or her death was domiciled in Illinois;
- a trust created by a will of a decedent who at his or her death was domiciled in Illinois; or

- an irrevocable trust if the grantor was domiciled in Illinois at the time the trust became irrevocable. For purposes of this definition, a trust is irrevocable to the extent that the grantor is not treated as the owner of the trust under IRC Sections 671 through 678. For a more detailed explanation of “domicile” and “resident,” see the General Instructions for Form IL-1040, Individual Income Tax Return.

Nonresident partner means a partner who is not a resident of Illinois, as defined previously.

What does taxability (taxable) in other states mean?

Taxable in other states means you are subject to and pay “tax” in another state. “Tax” includes net income tax, franchise tax measured by net income, or franchise tax for the privilege of doing business. You or your partners are considered taxable in another state if that state has jurisdiction to subject you to a net income tax even though that state does not impose such a tax. This definition is for purposes of allocating nonbusiness income and apportioning business income inside or outside Illinois.

When must I use Illinois Schedules K-1-P and B?

You must use **Illinois Schedule K-1-P**, Partner’s or Shareholder’s Share of Income, Deductions, Credits, and Recapture, to supply each shareholder with that individual’s or entity’s share of the amounts reported on your federal and Illinois tax returns. For Illinois Income Tax purposes, you must give a completed Illinois Schedule K-1-P and a copy of the **Illinois Schedule K-1-P(2)**, Partner’s and Shareholder’s Instructions, to each partner. **Do not file copies Illinois Schedule K-1-P that you issue to your shareholders with your Form IL-1065.** However, you must keep a copy of each Illinois Schedule K-1-P with your tax records. See Schedule K-1-P(1) Instructions for more information.

You must use **Illinois Schedule B**, Partners’ or Shareholders’ Identification, to supply us with a listing of your partners. You **must** file Illinois Schedule B with your Form IL-1065.

Note → If you need Illinois Schedule K-1-P, see “What if I need additional assistance or forms?” for our phone numbers and addresses.

May I file a composite return for nonresident shareholders?

You may file a composite return for any nonresident individuals, trusts, and estates that receive income from your partnership. If you would like more information concerning eligibility to file a composite return, see Form IL-1023-C, Composite Income and Replacement Tax Return.

Note → You must use Form IL-1023-CES, Composite Estimated Tax Payments for Partners and Shareholders, to make payments of estimated tax for a composite filing. If you make payments to us for any other type of tax or you have overpayments of tax from

any other type of tax return, you cannot transfer any of these payments from or to Forms IL-1023-CES or IL-1023-C to satisfy composite tax payment requirements.

What if I participated in a potentially abusive tax avoidance transaction?

If you participated in a potentially abusive tax avoidance transaction, commonly known as a “listed transaction,” during this tax year and were required to disclose that tax shelter to the IRS, you are also required to disclose that information to Illinois.

You must send us two copies of the form you used to disclose the tax shelters to the IRS.

- Attach one copy to your tax return, and
- Mail the 2nd copy to

**ILLINOIS DEPARTMENT OF REVENUE
PO BOX 19029
SPRINGFIELD, IL 62794-9029.**

What if I need additional assistance or forms?

If you need additional assistance -

- Visit our web site at www.tax.illinois.gov.
- Write to us at

**ILLINOIS DEPARTMENT OF REVENUE
PO BOX 19044
SPRINGFIELD, IL 62794-9044**

- Call **1 800 732-8866** or **217 782-3336** (TDD, telecommunications device for the deaf, at **1 800 544-5304**). Our office hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

If you need additional forms or schedules -

- Visit our web site at www.tax.illinois.gov.
- Call our 24-hour Forms Order Line at **1 800 356-6302**.
- Write to us at

**ILLINOIS DEPARTMENT OF REVENUE
PO Box 19010
SPRINGFIELD, ILLINOIS 62794-9010**

Specific Instructions

Specific instructions for most of the lines are provided on the following pages. Lines that are not discussed in the instructions are self-explanatory.

Step 1 — Provide the following business information

A — Type or print the required name and address information clearly in the spaces provided. If your name or address has changed since you filed your last return, check the appropriate box.

B — If this is your first or final return, check the appropriate box.

C — If you marked final return on Line B, answer the questions on Line C.

D — **Special Apportionment Formulas** - If you use a special apportionment formula because you are categorized as a financial organization or transportation company, mark the appropriate box. For more information, see specific instructions for “Special Apportionment Formulas.”

E — Check the box if you are an investment partnership

F — Write your Federal Employer Identification Number.

G — If you have an IBT number, write it in the space provided.

H — **Unitary Business Group** — If you are a member of a unitary business group, where corporate members file a combined return, check the appropriate box and write the FEIN of the member who is filing Illinois Schedule UB.

I — **Location of accounting records** — If you keep your accounting records in a location different from the address indicated on Line A, write the two-letter state abbreviation and zip code for the location the records are kept.

J — **Business income election** — For tax years **beginning on or after January 1, 2003**, you may make an election to treat all of your income other than compensation as business income. To make this election you must check the box on this line and write zero on Step 6, Lines 37 and 45. **This election must be made by the extended due date of this return. Once made, the election is irrevocable.**

K — Check the box if you are making the election to not be treated as a partnership under IRC Section 761.

Step 2 — Figure your ordinary income or loss

Lines 1 — Write the amount of ordinary income or loss reported on U.S. Form 1065, Schedule K, Line 1.

Lines 2 through 6 — Write the amount for each line item from the corresponding line of on your U.S. Form 1065, Schedule K.

Step 3 — Figure your unmodified base income or loss

Lines 8 through 10 — Write the amount for each line item from the corresponding line of on your U.S. Form 1065, Schedule K.

Line 11 — Include any items of income or deduction that

- you are required to state separately to your shareholders, rather than include in ordinary income, and
- that would be taken into account by an individual in computing his or her taxable income, and
- that are not included on any other line of Step 3.

Do not include any of the following items on this line:

- net operating loss carryovers;
- any domestic activity production deduction allowed under IRC Section 199;
- any depletion amounts allowed federally on all of your oil and gas properties.

Note — While the domestic activity production and depletion deductions are not allowed to partnerships or subchapter S corporations, you may calculate and “pass through” any allowable deduction to your partners and shareholders. See Information Bulletin FY2006-07, Domestic Activity Production Deduction.

Step 4 — Figure your income or loss

Line 15 — Write the total of all amounts excluded from unmodified base income that were received or accrued as interest and all distributions of exempt interest received from regulated investment companies during the tax year.

Line 16 — You must add back any amount of Illinois Replacement taxes that you deducted on your U.S. 1065 to arrive at your federally adjusted gross income. You are not required to add back taxes from other states that you included as a federal deduction.

Line 17 — Write the addition amount calculated on Form IL-4562, Special Depreciation. For more information, see Form IL-4562 and instructions. **Attach Illinois Form IL-4562 to your Form IL-1065.**

Line 18 — Write the interest or intangible expenses paid to an 80/20 company, to the extent these expenses exceed any taxable dividends you received from the 80/20 company. To compute the amount of this addition, complete Schedule 80/20, Related-Party Expenses.

80/20 Company means any taxpayer who would be a member of a unitary business group with you, but cannot be included in the group because 80 percent or more of its business activities are conducted outside the United States.

See instructions for the “80/20 rule” under “What is a unitary business group?” in the Schedule UB Instructions, Combined Apportionment for Unitary Business Group, for more information.

Intangible expenses mean royalties and fees paid for intangible assets, losses incurred on sales or other disposition of intangible assets to an 80/20 company, losses on factoring or discounting transactions with an 80/20 company, and deductible expenses incurred in connection with the acquisition, use, management, sale or other disposition of an intangible asset. Intangible assets include patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

Some interest and intangible expenses may be exempt from this add-back provision. See Schedule 80/20, Related-Party Expenses, for more information.

Line 19 — If you are a partner in a partnership, a shareholder in a subchapter S corporation, or a beneficiary of a trust or an estate, include your distributive share of additions received from the partnership, S corporation, trust or estate. If you receive multiple schedules because you are a recipient from multiple entities, you should write the combined total of all Schedules K-1-P and K-1-T you receive. **Attach a copy of all Schedules K-1-P and K-1-T to your form IL-1065**

Note — The S corporation or the partnership is required to send you an Illinois Schedule K-1-P and the trust or the estate is required to send you an Illinois Schedule K-1-T, specifically identifying your share of income.

Line 20 — Write the guaranteed payments to partners from U.S. Form 1065, Schedule K, Line 4, or U.S. Form 1065-B, Line 7, excluding the amounts you capitalized.

Line 21 — Complete the Line 27 Worksheet to determine if an amount is required on this line. The worksheet calculates the share of distributable income or loss that is to be added to or subtracted from base income. If the result of the worksheet is a negative number (loss), it should be written on Line 20 as a **positive** amount. **Attach Form IL-2569, Personal Property Replacement Tax (Partners’ or shareholders’ annual certification), to your Form IL-1065.**

Line 22 — Complete the 2006 Illinois Schedule M, Other Additions and Subtractions for Businesses, to figure the correct amount to include on Line 22. The following are items that must be added to taxable income and are included on the Schedule M.

- Notes, bonds, debentures, or obligations issued by the Governments of Guam, Puerto Rico, or the Virgin Islands.
- Lloyd’s plan of operations loss if reported on your behalf on Form IL-1023-C and included in your taxable income.

Line 27 Worksheet

- 1 Write the share of income of partners subject to replacement tax from Line 14. _____
- 2 Write the share of additions distributable to partners subject to replacement tax from Lines 15 through 20, and Line 22. _____
- 3 Add Lines 1 and 2. _____
- 4 Write the share of subtractions distributable to partners subject to replacement tax from Lines 24 through 26, and 28 through 34. _____
- 5 Subtract Line 4 from Line 3. If Line 3 is greater than Line 4 (income), write the result here and on Form IL-1065, Step 5, Line 27.
If Line 4 is greater than Line 3 (loss), write the result here as a negative amount and write it as a positive amount on Form IL-1065, Step 4, Line 21. _____

- If you reported income from an asset or activity as business income in prior years, and reported any income from that asset or activity as nonbusiness income on this return, include on this line all deductions you claimed for expenses connected with that income in this year and in your two most recent tax years. See Schedule NB, Nonbusiness Income, Line 11, and Schedule NB Instructions for more information.

Step 5 — Figure your Illinois base income or net loss

Note A double deduction is prohibited by IITA, Section 203(g). You cannot deduct the same item more than once.

Line 24 — Write the total interest received or accrued from U.S. Treasury bonds, notes, bills, federal agency obligations, and savings bonds included in federal ordinary income. You may **not** subtract anything that is not identified in Illinois Publication 101, Income Exempt from Tax. This amount is net of any bond premium amortization deducted federally.

Line 25 — Write the amount from Form IL-1065, Schedule F, Gains from Sales or Exchanges of Property Acquired Before August 1, 1969, Line 14. Capital gain, or Section 1245 or 1250 gain, on property acquired before August 1, 1969, may be limited by the value of the property on August 1, 1969. See Schedule F for instructions. **Attach Schedule F and a copy of U.S. Schedule D, U.S. Form 4797, and U.S. Form 6252, if filed.**

Line 26 — Write the greater of

- your personal service income as defined in the now-repealed IRC Section 1348(b)(1); or
- a reasonable allowance for compensation paid or accrued for services rendered by partners to you.

Line 27 — Complete the Line 27 Worksheet on this page to compute the amount of distribution and to determine where it should be reported.

Write the share of income that is distributable to your partners that are subject to replacement tax or that are exempt organizations, including Employee Stock Ownership Plans (ESOP). **Do not** include any income distributable to shareholders that are individuals because they are **not** subject to replacement tax.

Note Report any distributable loss on Line 21. **Attach Form IL-2569 to your Form IL-1065.**

Line 28 — Write the total of the expenses that were disallowed as federal deductions because of IRC Section 171(a)(2), 265, 280C, or 291(a)(3).

Note You must attach Illinois Schedule 1299-A, Tax Subtractions and Credits, to your Form IL-1065 if you have an amount on Lines 29 and 30.

Line 29 — Write the Enterprise Zone or River Edge Redevelopment Zone Dividend Subtraction from Illinois Schedule 1299-A, Step 1, Line 2.

Line 30 — Write the High Impact Business Dividend Subtraction from Illinois Schedule 1299-A, Step 1, Line 4.

Line 31 — Write the subtraction allowance from Form IL-4562, Special Depreciation, Step 3, Line 10. **Attach Form IL-4562 to your Form IL-1065.**

Line 32 — Write the amount from Schedule 80/20, Related-Party Expenses, Step 3, Line 19. **Attach Schedule 80/20 to your Form IL-1065.**

You should use Schedule 80/20

- if you added back interest paid to an 80/20 company on Step 4, Line 18, you may subtract any interest received from that 80/20 company during this tax year, up to the amount of your addition for interest expense paid to that company. Also, if you added back intangible expenses from a transaction with an 80/20 company on Line 18, you may subtract any income you received during the tax year from similar transactions with the 80/20 company, up to the amount of your addition for intangible expense for that company. To compute the amount of this subtraction, complete Schedule 80/20.
- if you are an 80/20 company, and you received interest or intangible income from someone who had to add back the interest and intangible expense on their Schedule 80/20, you may subtract your interest or intangible income from that company.

Line 33 — Write your distributive share of subtractions passed through to you by a partnership, S corporation, trust, or estate that you were either a partner or a beneficiary. Do not include any amounts passed through that are reflected on Schedule 1299-A. **Attach a copy of all Schedules K-1-P and K-1-T to your form IL-1065.**

Note → The partnership or S corporation is required to send you an Illinois Schedule K-1-P and the trust or the estate is required to send you an Illinois Schedule K-1-T, specifically identifying your share of subtractions.

Line 34 — Complete the 2006 Illinois Schedule M, to figure the amount to include on Line 23. **Attach a copy of Schedule M to your IL-1065.**

You may **not** subtract anything that is not identified below or in Illinois Publication 101. Subtractions allowed on Schedule M include:

- the refund of Illinois replacement tax for a prior year, to the extent included in your federal ordinary income.
- any other income included on Step 4, Line 23, exempt from taxation by Illinois by reason of its Constitution or statutes or by the Constitution, treaties, or statutes of the United States. This amount is net of any bond premium amortization deducted federally. For more information, see Illinois Publication 101.
- the amount equal to the deduction used to compute the federal tax credit for restoration of amounts held under claim of right under IRC Section 1341.
- contributions you made under the Tax Increment Allocation Redevelopment Act to a job training project. For more information, see FY Bulletin 1990-40.

Step 6 — Figure your income allocable to Illinois

You **must** complete Step 6 if any portion of Line 36, base income or net loss is derived outside Illinois. If you do not complete **all** of Step 6, we may issue a notice and demand proposing 100 percent of business income be apportioned to Illinois.

In order to properly allocate your base income or loss you need to determine what portion of the total base income is business income or loss that is to be apportioned among all the states in which you do business, and what portion is nonbusiness income or loss that is to be allocated to a particular state.

Line 37 — Write the amount of all nonbusiness income or loss included in base income, net of any related deductions and any amount distributable to partners subject to replacement tax, from Illinois Schedule NB, Column A. **Attach Illinois Schedule NB to your Form IL-1065.** Include any nonbusiness income from Illinois Schedules K-1-P or K-1-T.

Note → If you are making the election to treat all income as business income, you must check the box in Step 1, Line J, and write “0” here and on Line 45. **This election must be made by the extended due date of this return. Once made, the election is irrevocable.**

Line 38 — Write the amount of all non-unitary business income or loss included in base income received from any partnership, S corporation, trust, or estate, of which you are a partner or a beneficiary, net of any amount distributable to partners subject to replacement tax.

Note → The partnership or S corporation is required to send you an Illinois Schedule K-1-P and the trust or the estate is required to send you an Illinois Schedule K-1-T, specifically identifying your share of income.

Special Note → If you are a partner engaged in a unitary business with your partnership, you must include your distributable share of the partnership’s business income in your business income. Do not subtract this business income on Line 38.

Line 41 through 43 — You must complete Lines 41 through 43 only if business income or loss is derived inside and outside Illinois. Follow specific instructions below for Lines 41 through 43.

Note → If you are a financial organization or a transportation company, check the appropriate box in Step 1, Line D (financial organization or transportation company) and see “Special Apportionment Formulas” in these instructions.

Special Note → If you are a partner engaged in unitary business with your partnership, you must include your distributive share of the “everywhere” and “Illinois” sales factors from the partnership in your “everywhere” and “Illinois” sales factors.

Line 41 — Write your total sales everywhere.

Line 42 — Write your total sales inside Illinois.

Include gross receipts from the license, sale, or other disposition of patents, copyrights, trademarks, and similar items of intangible personal property in the numerator and denominator of your sales factor only if these gross receipts are more than 50 percent of the total gross receipts included in gross income for this tax year and each of the two immediately preceding tax years.

Do not include the following items of income in the numerator or denominator of your sales factor:

- dividends;
- amounts included under IRC Section 78;
- subpart F income as defined in IRC Section 952; and
- any item of income excluded or deducted from base income.

Sales of tangible personal property are in Illinois if

- the property is delivered or shipped from anywhere to a purchaser in Illinois, other than the United States government, regardless of the f.o.b. point or other conditions of the sale;
- the property is shipped from Illinois to any place and the purchaser is the United States government;
- the property is shipped from Illinois to another state and you are not taxable in the state of the purchaser or you did not file a tax return in the state of the purchaser; or

- your salesperson operates out of an office in Illinois, and the property sold by the sales person is shipped from a state in which you are not taxable, to a state in which you are not taxable.

If the “sales everywhere” amount includes gross receipts from the licensing, sale, or other disposition of patents, copyrights, trademarks, and other similar items of intangible personal property, then these receipts should be allocated in Illinois to the extent the item is used in Illinois during the year the gross receipts are included in gross income. An item is used in Illinois if

- a patent is employed in production, fabrication, manufacturing, or other processing in Illinois or if the patented product is produced in Illinois.
- copyrighted material is printed or other publications originated in Illinois.
- the commercial domicile of the licensee or purchaser of a trademark or other item of intangible personal property is in Illinois.

Note → If you cannot determine from your books and records in which state an item is used, do not include the gross receipts from that item in the numerator or the denominator of the sales factor.

Sales, other than sales of tangible personal property, or gross receipts from the licensing, sale, or other disposition of patents, copyrights, trademarks, and similar items of intangible personal property, are in Illinois if

- the income-producing activity is performed in Illinois; or
- the income-producing activity is performed both inside and outside Illinois, and a greater proportion of the income-producing activity is performed inside Illinois rather than outside Illinois, based on performance costs.

If you use a special apportionment formula, see “Special Apportionment Formulas” in these instructions.

Line 43 — Divide Line 42 by Line 41 and write the result, carried to six decimal places.

Line 44 — Follow the instructions on the form. If Lines 41 through 43 are blank, write the amount from Line 40.

Line 45 — Write the amount of net nonbusiness income or loss allocable to Illinois from Illinois Schedule NB, Column B. Include any nonbusiness income from Illinois Schedules K-1-P or K-1-T. This amount is net of the portion of your Illinois nonbusiness income distributable to partners subject to replacement tax.

Note → If you checked the box in Step 1, Line J, making the election to treat all of your income other than compensation as business income, then write “0” on Line 45.

Line 46 — Write the amount of the income or loss reported on Step 6, Line 38 that is apportionable to Illinois as reported by the partnership, S corporation, trust, or estate, on Illinois Schedules K-1-P or K-1-T, net of the portion distributable to partners subject to replacement tax.

IL-1065 Instructions (R-12/06)

Step 7 — Figure your net income

Line 48 — Follow the instructions on the form. If this amount is a loss, you may carry it forward to later years as an Illinois net loss deduction (NLD).

Line 49 — Write your Illinois NLD carryforward from any Illinois loss year ending on or after December 31, 1986, from Illinois Schedule NLD, Line 5. **Attach Illinois Schedule NLD to your Form IL-1065.**

Line 53 — The standard exemption is \$1,000 multiplied by a fraction in which the numerator is your base income allocable to Illinois and the denominator is your total base income. If you have a change in your tax year end and the result is a period of less than 12 months, the standard exemption is prorated based on the number of days in the tax year. If this is your first or final return, you are allowed the full-year standard exemption.

Step 8 — Figure your net replacement tax

Line 57 — Write your recapture of investment credits from Illinois Schedule 4255, Recapture of Investment Tax Credits, Step 4, Column C, Line 16.

If you claimed an Illinois investment tax credit in a prior year on Form IL-477, Replacement Tax Investment Credits, and any of the property was disqualified within 48 months of being placed in service, you must use Illinois Schedule 4255 to compute the amount of recapture. Credit must be recaptured in the year the property became disqualified.

Line 59 — Write the amount from Form IL-477, Step 1, Line 11. **Attach Form IL-477 to your Form IL-1065.**

You may claim a replacement tax investment credit of .5 percent (.005) of the basis of qualified property placed in service in Illinois during the tax year.

An additional credit of up to .5 percent (.005) of the basis of qualified property is available if your Illinois base employment increased over the preceding year or if your business is new to Illinois. Excess credit may be carried forward for five years following the excess credit year. For further information, see Form IL-477 instructions.

Step 9 — Figure your refund or balance due

Note → Lines 61a and 61b are applicable only if you wish to self-assess late-filing and late-payment penalties on Form IL-2220. If do not wish to complete Form IL-2220, we will compute any penalty or interest due and notify you.

Line 61a — Write the amount of any self-assessed late-filing penalty you figured on Form IL-2220, Computation of Penalties and Interest, Step 5, Line 28.

Line 61b — Write the amount of any self-assessed late-payment penalty you figured on Form IL-2220, Step 5, Line 29a.

Line 64a — Write the amount of any overpayment from your previous year’s tax return that you requested to be applied to this year’s tax return.

Line 64b — Write the amount of Illinois replacement tax paid with Form IL-505-B.

Line 65 through 68 — Follow the instructions on the form. Your refund will not be issued if you do not file a processable return.

Note → Your refund or credit carryforward may be reduced by us to satisfy any unpaid tax, penalty, and interest due for this year or any preceding year. If we reduce your credit carryforward, it may result in a late-payment penalty in the succeeding year.

Line 69 — Follow the instructions on the form. This is your amount of tax due that must be paid in full if \$1 or more. Make your check or money order payable to “**Illinois Department of Revenue.**” We will compute any penalty or interest due and notify you (see General Information, “What are the penalties and interest?”). If you prefer to calculate and pay any penalties and interest when you file, you may do so on Form IL-2220. Attach Form IL-2220 to your Form IL-1065.

Note → When filing your Form IL-1065, include only forms and schedules required to support your return. Send correspondence separately to

ILLINOIS DEPARTMENT OF REVENUE
PO Box 19044
SPRINGFIELD, IL 62794-9044

Special Apportionment Formulas

Certain businesses that derive their income from inside and outside Illinois require a special apportionment formula. The following definitions will help in completing Step 6.

A Business income — See General Information, “Business income” under “Definitions to help you complete your Form IL-1065.”

B Financial organization — any bank, bank holding company, trust company, savings bank, industrial bank, land bank, safe deposit company, private banker, savings and loan association, building and loan association, credit union, currency exchange, cooperative bank, small loan company, sales finance company, investment company, or any person owned by a bank or bank holding company.

C Business income from sources within Illinois — Business income of a financial organization from sources within Illinois is the sum of

- fees, commissions, or other compensation for financial services rendered within Illinois;
- gross profits from trading in stocks, bonds, or other securities managed within Illinois;
- dividends received within Illinois;
- interest from Illinois customers received within Illinois;
- interest charged to customers at places of business maintained inside Illinois for carrying debit balances on margin accounts, without deduction of any costs incurred in carrying such accounts; and
- any other gross income resulting from the operation as a financial organization inside Illinois.

In computing these amounts, any amount received by a member of an affiliated group (determined under IRC Section 1504(a), but without reference to whether any such corporation is an “included corporation” under IRC, Section 1504(b)) from another member of the group must be included only to the extent the amount exceeds the expenses of the original recipient directly allocable to such income.

D Revenue miles — A revenue mile is the transportation of one passenger, or one net ton of freight, the distance of one mile. In the case of transportation by pipeline, a revenue mile is the transportation of one barrel of oil, 1,000 cubic feet of gas, or any specified quantity of any other substance, the distance of one mile.

What if I am a financial organization?

If you checked the box in Step 1, Line D, indicating that you are a financial organization and your income is derived from inside and outside Illinois, you must apportion your business income as follows:

Financial organizations — On Lines 41 and 42, line out the word “sales” and write “Financial organization.” On Line 41, write the amount of business income from all sources. On Line 42, write the amount of business income from sources within Illinois. Divide Line 42 by 41 and write the result, carried to six decimal places, on Line 43. Complete Lines 44 through 47 as indicated in Specific Instructions for Step 6 - Figure your income allocable to Illinois.

International banking facilities — If you are a financial organization that has established an international banking facility in Illinois, see IITA, Section 304(c)(2), to determine apportionable income. If you have questions about these provisions, write to

**ILLINOIS DEPARTMENT OF REVENUE
LEGAL SERVICES OFFICE
SENIOR COUNSEL - INCOME TAX, 5-500
101 WEST JEFFERSON STREET
SPRINGFIELD, IL 62702**

What if I am a transportation service?

If you checked the box in Step 1, Line D, indicating that you are a company that furnishes transportation service both inside and outside Illinois, you must apportion your business income as follows:

A Transportation other than pipeline — On Lines 41 and 42, line out the word “sales” and write “Revenue miles.” On Line 41, write the amount of revenue miles everywhere. On Line 42, write the amount of revenue miles in Illinois. Divide Line 42 by Line 41 and write the result, carried to six decimal places, on Line 43. Complete Lines 44 through 47 as indicated in Specific Instructions for Step 6 - Figure your income allocable to Illinois.

Note → If you are a corporation engaged in the transportation of both passengers and freight, Line 43 is determined by means of an average of the passenger revenue mile fraction and the freight revenue mile fraction, weighted to reflect your

- relative railway operating income from total passenger and total freight service, as reported to the Surface Transportation Board in the case of transportation by railroad; and
- relative gross receipts from passenger and freight transportation in the case of transportation other than by railroad.

B Transportation by pipeline — On Lines 41 and 42, line out the word “sales” and write “Pipeline.” On Line 41, write the amount of revenue miles everywhere. On Line 42, write the amount of revenue miles in Illinois. Divide Line 42 by Line 41 and write the result, carried to six decimal places, on Line 43. Complete Lines 44 through 47 as indicated in Specific Instructions for Step 6 - Figure your income allocable to Illinois.

What if I want to use an alternative apportionment formula?

If the apportionment methods prescribed by IITA, Sections 304(a) through (d), and (h) do not fairly and accurately reflect your business activity in Illinois, or lead to a grossly distorted result, you may want to use a more accurate alternative method. If you want to use an alternative apportionment method, you **must** receive permission from the IDOR **prior to** filing your return. Send your request to

**ILLINOIS DEPARTMENT OF REVENUE
LEGAL SERVICES OFFICE
SENIOR COUNSEL - INCOME TAX, 5-500
101 WEST JEFFERSON STREET
SPRINGFIELD, IL 62702**

Note → Your request for an alternative apportionment formula must follow the requirement of the Illinois Income Tax Regulations, Section 100.3390. See the regulations or contact the department for more information.

If you receive permission to use an alternative formula, you must attach to your Form IL-1065 a copy of the letter granting permission.

Illinois Schedule B Instructions

Complete Illinois Schedule B identifying any person who was a partner or shareholder at any time during your tax year. You **must** attach Illinois Schedule B to your Form IL-1065 or IL-1120-ST.

Column A — Write the name and address of each partner or shareholder.

Column B — Write the Social Security number or federal employer identification number (FEIN) of each partner or shareholder.

Column C — Indicate the type of each partner’s or shareholder’s organization. Write

- “I” for individual
- “C” for corporation
- “P” for partnership
- “T” for trust
- “M” for estate
- “S” for small business corporation
- “E” for exempt organization

Column D — Write the percentage representing each partner’s or shareholder’s share of income, loss, deductions, credit, or recapture.

Column E — Check the box if the partner or shareholder is an Illinois nonresident and you included the partner or shareholder in a composite return on Form IL-1023-C.

Column F — Check the box if the partner or shareholder is subject to Illinois replacement tax and is included on your Schedule IL-2569.