

## GENERAL INSTRUCTIONS

**Purpose of Form.** Form 502CR is used to claim personal income tax credits for individuals (including resident fiduciaries).

You may report the following tax credits on this form: the **Credit for Income Taxes Paid to Other States, Credit for Child and Dependent Care Expenses, Quality Teacher Incentive Credit, Long-Term Care Insurance Credit, Credit for Preservation and Conservation Easements, Credit for Aquaculture Oyster Floats, the Heritage Structure Rehabilitation Tax Credit, Sustainable Communities Tax Credit, the Neighborhood Stabilization Credit, IRC Section 1341 Repayment Credit, Form 1041 Schedule K-1 Nonresident PTE Tax, and Refundable Business Income Tax Credits from Form 500CR.**

The Neighborhood Stabilization Credit, a portion of the Heritage Structure Rehabilitation Tax Credit, the Sustainable Communities Tax Credit, and/or certain business tax credits from Form 500CR and the IRC Section 1341 Repayment Credit are refundable. The balance of the Heritage Structure Rehabilitation Tax Credit and all of the other credits may not exceed the state income tax.

Excess credit for preservation and conservation easements and for non-refundable heritage structure rehabilitation expenses may be carried forward to the next tax year. Excess amounts of the other credits cannot be carried forward. **Note: Resident fiduciaries may use Form 502CR to claim only a credit for income taxes paid to other states or a credit for Preservation and Conservation Easements.**

**Name and Other Information.** Type or print the name(s) as shown on Form 502, Form 505, Form 515 or Form 504 in the designated area. Enter the Social Security number for each taxpayer.

**When and Where to File.** Form 502CR must be attached to the annual return (Form 502, 504, 505 or 515) and filed with the Comptroller of Maryland, Revenue Administration Division, Annapolis, Maryland 21411-0001.

### PART A - CREDIT FOR INCOME TAXES PAID TO OTHER STATES

If you are a Maryland resident (including a resident fiduciary) and you paid income tax to another state, you may be eligible for a credit on your Maryland return. Nonresidents (filing Form 505, 515, or 504) are not eligible for this credit.

Find the state to which you paid a nonresident tax in the groups listed below. The instructions for that group will tell you if you are eligible for credit and should complete Part A of Form 502CR. You must file your Maryland income tax return on Form 502 and complete lines 1 through 24 of that form, or on Form 504 and complete lines 1 through 29. Then complete Form 502CR Parts A and G and attach to Form 502 or 504.

A completed, signed copy of the income tax return filed in the other state must also be attached to Form 502 or 504.

**CAUTION:** Do not use the income or withholding tax reported on the wage and tax statement (W-2 form) issued by your employer for the credit computation. Use the taxable income and the income tax calculated on the return you filed with the other state.

If you are claiming credit for taxes paid to more than one state, a separate Form 502CR must be completed for each state. Total the amount from each Form 502CR, Part A, line 8. Using only one summary section, record the total on Part G, line 1. Credit cannot be allowed for the local portion of the tax calculated on the return of the other state or on the Maryland return (line 31 of Form 502).

**GROUP I - Nonreciprocal - Credit is taken on the Maryland resident return.**

Alabama - AL	Illinois - IL	Mississippi - MS
Arizona - AZ	Indiana - IN	Missouri - MO
Arkansas - AR	Iowa - IA	Montana - MT
California - CA	Kansas - KS	Nebraska - NE
Colorado - CO	Kentucky - KY	New Hampshire - NH
Connecticut - CT	Louisiana - LA	New Jersey - NJ
Delaware - DE	Maine - ME	New Mexico - NM
Georgia - GA	Massachusetts - MA	New York - NY
Hawaii - HI	Michigan - MI	North Carolina - NC
Idaho - ID	Minnesota - MN	North Dakota - ND

Ohio - OH	Vermont - VT	United States
Oklahoma - OK	Virginia - VA	American Samoa - AS
Oregon - OR	(except wage income)	Guam - GU
Pennsylvania - PA	Washington, DC - DC	Northern Mariana
(except wage income)	(except wage income)	Island - MP
Rhode Island - RI	West Virginia - WV	Puerto Rico - PR
South Carolina - SC	(except wage income)	U.S. Virgin Islands - VI
Tennessee - TN	Wisconsin - WI	
Texas - TX	Territories and	
Utah - UT	Possessions of the	

**Group I -** A Maryland resident (including a resident fiduciary) having income from one of these states must report the income on the Maryland resident return Form 502 or 504. To claim a credit for taxes paid to the other state, complete Form 502CR and attach it and a copy of the other state's nonresident income tax return (not just your W-2 Form) to your Maryland return.

**GROUP II -** Reciprocal for wages, salaries, tips and commission income only.

Pennsylvania - PA	Washington, DC - DC
Virginia - VA	West Virginia - WV

**Group II -** Maryland has a reciprocal agreement with the states included in Group II. The agreement applies only to wages, salaries, tips and commissions. It does not apply to business income, farm income, rental income, gain from the sale of tangible property, etc. If you had such income subject to tax in these states, complete Form 502CR and attach it and a copy of the other state's nonresident income tax return (not just your W-2 Form) to your Maryland return.

If you had wages, plus income other than wages from a state listed in Group II, you should contact the taxing authorities in the other state to determine the proper method for filing the nonresident return.

**GROUP III -** No state income tax - No credit allowed.

Alaska - AK	South Dakota - SD
Florida - FL	Washington - WA
Nevada - NV	Wyoming - WY

**Group III -** You must report income from these states on your Maryland resident return. You cannot claim any credit for income earned in these states because you did not pay any income tax to the other state.

### PART A - IMPORTANT NOTE FOR DUAL RESIDENTS

A person may be a resident of more than one state at the same time for income tax purposes. If you must file a resident return with both Maryland and another state, use the following rules to determine where the credit should be taken:

1. A person who is domiciled in Maryland and who is subject to tax as a resident of any of the states listed in Group I or II can claim a credit on the Maryland return (Form 502) using Part A of Form 502CR.
2. A person domiciled in any state listed in Group I or II who must file a resident return with Maryland must take the credit in the state of domicile.

### PART A - SPECIAL INSTRUCTIONS

**Members of Pass-through Entities -** When a partnership, S corporation, limited liability company (LLC) or business trust files a composite return on behalf of its partners, shareholders or members with states in Groups I and II, Maryland resident partners, shareholders or members may claim a credit for their share of the tax paid. Attach a copy of the composite return filed with each of the other states. In lieu of the composite return, attach a statement(s) from the pass-through entity showing your share of the total income, your share of the taxable net income and your share of the tax liability in each of the other states. Complete a separate Form 502CR Part A for each state, entering your share of the taxable net income on line 2 and your share of the tax liability on line 7. Do not enter the amount of tax withheld on your behalf as shown on the K-1 issued to you by the pass-through entity. Total the amount from each Form 502CR, Part A, line 8. Using only one summary section, record the total on Part G, line 1. No credit is allowed for local taxes paid.

If the Maryland resident must file an individual nonresident return reporting the partnership, S corporation, LLC or business trust income, a separate Form 502CR must be completed for each state and submitted with a copy of the return filed with the other state. For both composite returns and individual returns, no credit is available for taxes paid to states in Group III, or for taxes paid to cities or local jurisdictions.

**Shareholders of S Corporations** - Maryland resident shareholders can claim a credit for taxes paid by an S corporation to a state which does not recognize federal S corporation treatment. A copy of the corporation return filed in the other state is required to be attached to the Maryland return. A separate Form 502CR should be completed for each state showing the following information:

$$\frac{\text{Stock ownership percentage}}{\text{Corporation taxable income}} \times \text{Line 2, Part A, Form 502CR} =$$

$$\frac{\text{Stock ownership percentage}}{\text{Corporation tax}} \times \text{Line 7, Part A, Form 502CR} =$$

**NOTE:** A preliminary calculation using Form 502 must be made before calculating the credit on Form 502CR. Complete lines 1 through 24 on Form 502 to determine the amounts to be used for the 502CR computation.

The credit amount shown on line 8 of Part A, Form 502CR must then be included as an addition to income on line 5 of the Form 502 you will file.

**D.C. Unincorporated Business Franchise Tax** - Self-employed individuals and partners in a partnership that are subject to D.C. unincorporated business franchise tax may claim a credit on Form 502CR. A copy of the D.C. return is required for self-employed individuals and for partners, a K-1 or other statement from the partnership showing the partner's share of income and the partner's share of the D.C. tax.

**Installment Sales in Another State** - You may be eligible for credit for taxes paid to another state for gain recognized on installment, sales proceeds, even if the other state required the total be recognized in an earlier tax year. Credit is allowed against the state income tax only. The gain must have been deferred for federal tax purposes, but fully taxed in the year of the sale by another state that does not recognize the deferral. The credit allowed is the amount of the gain taxed in Maryland in the current year multiplied by the lesser of:

- the highest state tax rate used on your Maryland tax return or
- the tax rate imposed by the other state on the gain.

## PART B - CREDIT FOR CHILD AND DEPENDENT CARE EXPENSES

If you were eligible for a Child and Dependent Care Credit on your federal income tax return, Form 1040 or 1040A for tax year 2010, you may be entitled to a credit on your Maryland state income tax return. The credit starts at 32.5% of the federal credit allowed, but is phased out for taxpayers with federal adjusted gross incomes above \$41,000 (\$20,500 for individuals who are married, but file separate income tax returns). No credit is allowed for an individual whose federal adjusted gross income exceeds \$50,000 (\$25,000 for married filing separately). Use the chart below to determine the decimal amount to be entered on line 3 of Part B.

## PART C - QUALITY TEACHER INCENTIVE CREDIT

If you are a Maryland teacher, you may be able to claim a credit against your State tax liability for tuition paid to take graduate-level courses required to maintain certification. This credit applies to individuals who:

- currently hold a standard professional certificate or advanced professional certificate;
- are **employed** by a **county/city board of education** in Maryland;
- teach in a public school and receive a satisfactory performance evaluation for teaching;
- successfully complete the courses with a grade of B or better; and
- have not been fully reimbursed by the **county/city** for these expenses. Only the unreimbursed portion qualifies for the credit.

Each spouse that qualifies may claim this credit. Complete a separate column in the worksheet for each spouse.

## INSTRUCTIONS

- Line 1. Enter the name of the Maryland public school system in which you are employed and teach.
- Line 2. Enter the amount of tuition paid for graduate-level courses for each qualifying teacher and the name of the institution(s) it was paid.
- Line 3. Enter the amount received as a reimbursement for tuition from your employer.
- Line 5. The maximum amount of credit allowed is \$1,500 for each qualifying individual.
- Line 6. The credit is limited to the amount paid less any reimbursement up to the maximum amount allowed for each qualifying individual. Enter the lesser of line 4 or line 5.
- Line 7. Enter the total of line 6, for Taxpayers A and B. Also enter this amount on line 3, Part G.

# CREDIT FOR CHILD AND DEPENDENT CARE EXPENSES CHART

If your filing status is Married Filing Separately and your federal adjusted gross income is:		Decimal Amount	For all other filing statuses, if your federal adjusted gross income is:	
At Least	But less than		At least	But less than
\$0-	\$20,501	.3250	\$0	\$41,001
\$20,501	\$21,001	.2925	\$41,001	\$42,001
\$21,001	\$21,501	.2600	\$42,001	\$43,001
\$21,501	\$22,001	.2275	\$43,001	\$44,001
\$22,001	\$22,501	.1950	\$44,001	\$45,001
\$22,501	\$23,001	.1625	\$45,001	\$46,001
\$23,001	\$23,501	.1300	\$46,001	\$47,001
\$23,501	\$24,001	.0975	\$47,001	\$48,001
\$24,001	\$24,501	.0650	\$48,001	\$49,001
\$24,501	\$25,001	.0325	\$49,001	\$50,001
\$25,001	or over	.0000	\$50,001	or over

## PART D - CREDIT FOR AQUACULTURE OYSTER FLOATS

A credit is allowed for 100% of the amounts paid to purchase new aquaculture oyster floats that are designed to grow oysters at or under an individual homeowner's pier. The devices must be buoyant and assist in the growth of oysters for the width of the pier. In the case of a joint return, each spouse is entitled to claim the credit, provided each spouse purchases or contributes to the purchase of a float. The credit amount is limited to the lesser of the individual's state tax liability for that year or the maximum allowable credit of \$500. In the case of a joint return, each spouse must calculate their own state tax liability for limitation purposes.

## PART E - LONG-TERM CARE INSURANCE CREDIT

A **one-time credit** may be claimed against the state income tax for the payment of qualified long-term care (LTC) insurance premiums as defined by the IRS (Publication 502) for a policy to insure yourself, or your spouse, parent, stepparent, child or stepchild, who is a resident of Maryland.

A credit may not be claimed if:

- the insured was covered by LTC insurance prior to July 1, 2000;
- the credit for the insured is being claimed in this year by another taxpayer; or
- the credit is being or has been claimed by anyone in any other tax year.

The credit is equal to the LTC premiums paid with a maximum per insured of:

Amount	Age of Insured as of 12/31/10
\$330	40 or less
\$500	over 40 years

### SPECIFIC INSTRUCTIONS

- Answer Questions 1 through 3. If you answered "yes" for any of the questions, no credit is allowed for that individual.
- Complete columns A through D of the worksheet for each qualifying insured individual who qualifies for the credit. If more space is required, attach a separate statement.
- Enter in Column E the amount of premiums paid for each qualifying insured individual up to the maximum for that age group.
- Add the amounts in Column E and enter the total on line 5. Also enter this amount on line 5, Part G.

## PART F - CREDIT FOR PRESERVATION AND CONSERVATION EASEMENTS

If you donated an easement to the Maryland Environmental Trust or the Maryland Agricultural Land Preservation Foundation to preserve open space, natural resources, agriculture, forest land, watersheds, significant ecosystems, viewsheds or historic properties, you may be eligible for a credit if:

- the easement is perpetual;
- the easement is accepted and approved by the Board of Public Works; and
- the fair market value of the property before and after the conveyance of the easement is substantiated by a certified real estate appraiser.

The credit is equal to the difference in the fair market values of the property reduced by payments received for the easement.

If the property is owned jointly by more than one individual such as a husband and wife, **each individual owner is entitled to the credit based on their percentage of ownership.** Individual members of a pass-through entity are not eligible for this credit. The credit amount is limited to the lesser of the individual's state tax liability for that year or the maximum allowable credit of \$5,000, per owner, who qualifies to claim the credit. Complete a separate column in the worksheet for each spouse. **In the case of a joint**

**return**, each spouse must calculate their own state tax liability for limitation purposes. Use the rules for filing separate returns in Instruction 8 in the Resident booklet to calculate each spouse's Maryland tax. In the case of a fiduciary return, the fiduciary will complete the column for Taxpayer B only.

If the individual's allowable credit amount exceeds the maximum of \$5,000, the excess may be carried forward for up to 15 years or until fully used. Complete lines 1-7 of Part F. If you itemize deductions, see Instruction 14 in the Resident booklet.

For Line 1, enter the amount by which the fair market value of the property before the conveyance of the easement exceeds the fair market value after the conveyance as substantiated by a certified real estate appraiser, plus any carryover from the prior year.

The carryover amount can be found on Part F line 6 of Form 502CR for tax year 2009.

For additional information, contact the Maryland Environmental Trust at 410-514-7900 ([www.dnr.state.md.us/met](http://www.dnr.state.md.us/met)), or the Maryland Agricultural Land Preservation Foundation at 410-841-5860.

## PART G - INCOME TAX CREDIT SUMMARY

This part is to summarize parts A through F and the non-refundable portion of Heritage Structure Rehabilitation tax credits. If the total from Part G, line 8 exceeds the state tax, the excess may not be refunded.

## PART H - REFUNDABLE INCOME TAX CREDITS

### Line 1 - NEIGHBORHOOD STABILIZATION CREDIT

If you live in the Waverly or Landsdowne sections of Baltimore City, or in the Hillendale, Northbrook, Pelham Woods, or Taylor/Dartmouth areas of Baltimore County, you may qualify for this credit. Credit for homes purchased in Baltimore City must have been applied for by December 31, 2002. Credit for homes purchased in Baltimore County must have been applied for by December 31, 2005. After certification by Baltimore City or Baltimore County, you may claim an income tax credit equal to the property tax credit granted by Baltimore City or Baltimore County. Enter the amount on line 1 of Part H and attach a copy of the certification.

### Line 2 - HERITAGE STRUCTURE REHABILITATION TAX CREDIT AND SUSTAINABLE COMMUNITIES TAX CREDIT

See instructions for Form 502H and Form 502S.

### Line 3 - REFUNDABLE BUSINESS INCOME TAX CREDIT

See Form 500CR for qualifications and instructions for the One Maryland Economic Development Tax Credit, the Biotechnology Investment Incentive Tax Credit, Job Creation and Recovery Tax Credit, and the Clean Energy Incentive Tax Credit.

### Line 4 - IRC SECTION 1341 REPAYMENT CREDIT

If you repaid an amount reported as income on a prior year tax return this year that was greater than \$3,000, you may be eligible for an IRC Section 1341 Repayment credit. Attach documentation. For additional information, see Administrative Release 40.

### Line 5 - FORM 1041 SCHEDULE K-1 NONRESIDENT PTE TAX

If you are the beneficiary of a Trust or a Qualified Subchapter S Trust for which nonresident PTE tax was paid, you may be entitled to a credit for your share of that tax. Enter the amount on this line and attach both the Form 1041 Schedule K-1 for the trust (or Form 504 Schedule K-1) and a copy of the K-1 issued to the trust by the PTE.

**Line 6** - Add lines 1 through 5 and enter the total on the appropriate line of the income tax form being filed.