

# K-120EL

(Rev. 6/13)

# KANSAS Business Income Election

Business Name			Employer Identification Number (EIN)
Number and Street of Principal Office			Tax year ending date for which the election is first effective:  _____
City	State	Zip Code	

Are you currently doing business in Kansas?  Yes  No If no, and this election is for your first year in Kansas, enter the date the articles of incorporation, or application for authority to engage in business in Kansas, were filed with the Secretary of State's Office: \_\_\_\_\_

Is the above corporation included in a combined report of unitary corporations?  No  Yes If yes, list the names and federal employer identification numbers of each corporation in the space provided. If additional space is needed, enclose a separate sheet.

Name of Corporation	Employer Identification Number (EIN)

## BUSINESS INCOME ELECTION

I hereby elect that all income derived by: \_\_\_\_\_  
(Name of Corporation)

from the acquisition, management, use or disposal of tangible property will constitute business income on the Kansas income tax return for the above listed taxable year and the subsequent nine taxable years.

I understand that this election is effective and irrevocable and is binding on all members of a unitary group of corporations.

**SIGN HERE** \_\_\_\_\_  
Signature of Officer Title Date

This election must be sent separately from the income tax return and within the time limits set by law (see instructions on back).  
To ensure receipt, send this election by **certified mail** to:

CORPORATE INCOME TAX  
915 SW HARRISON STREET  
TOPEKA KS 66612-1588

# INSTRUCTIONS FOR FORM K-120EL

---

## GENERAL INFORMATION

House Bill 2038 passed by the 1996 Kansas Legislature provides taxpayers with a business income election option. For all taxable years beginning after December 31, 1995, a taxpayer may elect to have all income derived from the acquisition, management, use or disposition of tangible and intangible property treated as business income. The election will be effective and irrevocable for the taxable year of the election and the following nine taxable years. The election is also binding on all members of a unitary group of corporations.

## TIME LIMITS FOR FILING THE ELECTION

The business income election must be submitted to the Kansas Department of Revenue in accordance with these time limits in the law.

**Not Currently Doing Business in Kansas** — Taxpayers doing business in Kansas for the first time that intend to make the election for its initial year must file the K-120EL within 60 days after filing the articles of incorporation or application for authority to engage in business with the Kansas Secretary of State.

**Currently doing Business in Kansas** — The election must be filed on or before the last day of the tax year immediately preceding the tax year for which the election is made. EXAMPLE: If the election is for tax year ending December 31, 1997, the election must be filed by December 31, 1996.

## COMPLETING FORM K-120EL

Type or print all requested information, and answer both questions.

The election statement: Note that once made, the election becomes effective and cannot be revoked. This business income election is binding on all members of a unitary group.

An officer of the business listed at the top of the form must sign this election.

## FILING THE ELECTION

This form must be filed with the Kansas Department of Revenue within the time limits established by law for the taxpayer's filing situation and must be sent separately from the Income Tax return.

To ensure receipt of your election, mail the completed form by certified mail to:

Kansas Corporate Income Tax  
915 SW Harrison St.  
Topeka, KS 66612-1588

For questions regarding this form or others, you can write to the address above or contact the department:

Topeka: (785) 368-8222  
Fax: (785) 291-3614  
Web Site: [ksrevenue.org](http://ksrevenue.org)