

# K-83

(Rev. 8/11)

# KANSAS ELECTRIC COGENERATION FACILITY CREDIT

For the taxable year beginning \_\_\_\_\_, 20\_\_\_\_; ending \_\_\_\_\_, 20\_\_\_\_.

Name of taxpayer (as shown on return)	Social Security Number or Employer ID Number (EIN)
If partner, shareholder or member, enter name of partnership, S corporation, LLC or LLP	Employer ID Number (EIN)

## PART A – COMPUTATION OF CREDIT

Complete PART A only in the year the new renewable electric cogeneration facility is placed into service.

1. Enter the total amount of the *qualified investment*. Do not enter more than \$50,000,000. 1. \_\_\_\_\_
2. Authorized credit percentage. 2. 10%
3. Credit limit on the *qualified investment* of \$50,000,000 or less (multiply line 1 by line 2). 3. \_\_\_\_\_
4. Enter the total amount of the *qualified investment* that exceeds \$50,000,000. 4. \_\_\_\_\_
5. Authorized credit percentage. 5. 5%
6. Credit limit on the *qualified investment* that exceeds \$50,000,000 (multiply line 4 by line 5). 6. \_\_\_\_\_
7. Credit limit on the total *qualified investment* (add line 3 and line 6). 7. \_\_\_\_\_
8. Authorized credit percentage allowed to be claimed each tax year. 8. 10%
9. Total credit allowed to be claimed in the year the new renewable electric cogeneration facility is placed into service (multiply line 7 by line 8). 9. \_\_\_\_\_
10. Proportionate share percentage (see instructions). 10. \_\_\_\_\_
11. Your share of the credit that may be claimed this tax year and the next subsequent nine (9) tax years (multiply line 9 by line 10). 11. \_\_\_\_\_

## PART B – COMPUTATION OF TOTAL CREDIT CLAIMED THIS YEAR

Indicate, by checking the appropriate box, which year of the ten (10) equal, annual installments for which this credit is being claimed:

1st year  2nd year  3rd year  4th year  5th year  6th year  7th year  8th year  9th year  10th year

If the credit is being claimed for the "carry-over" 11th, 12th, 13th or 14th tax years, skip line 12 and make an entry on line 13.

12. Enter the amount from line 11, Schedule K-83 from the first year in which this credit was claimed. 12. \_\_\_\_\_
13. Enter the amount of available carry forward credit from the prior year's Schedule K-83. 13. \_\_\_\_\_
14. Total credit available this tax year (add lines 12 and 13). 14. \_\_\_\_\_
15. Amount of your Kansas tax liability for this tax year after all credits other than this credit. 15. \_\_\_\_\_
16. Amount of credit allowable this tax year. Enter the lesser of lines 14 or 15.  
Enter this amount on the appropriate line of Form K-40, Form K-41 or Form K-120. 16. \_\_\_\_\_

If line 16 is less than line 14, complete PART C.

## PART C – COMPUTATION OF CARRY FORWARD CREDIT

17. Amount of credit to carry forward to next year's Schedule K-83 (subtract line 16 from line 14).  
Enter this amount on line 13 of next year's Schedule K-83. 17. \_\_\_\_\_

# INSTRUCTIONS FOR SCHEDULE K-83

## GENERAL INFORMATION

K.S.A. 79-32,245 provides a tax credit against the Kansas income tax liability of a taxpayer who makes a *qualified investment* in a *new renewable electric cogeneration facility* for tax years beginning after December 31, 2006 and before January 1, 2012. The credit is 10% of the taxpayer's qualified investment on the first \$50,000,000 invested, and 5% of the taxpayer's qualified investment that exceeds \$50,000,000. The credit will be taken in ten (10) equal, annual installments, beginning with the year in which the taxpayer places into service the new renewable electric cogeneration facility.

Before making a qualified investment, a taxpayer shall apply to the Kansas Secretary of Commerce to enter into an agreement for a tax credit. After receipt of such application, the secretary may enter into an agreement with the applicant for a new renewable electric cogeneration facility credit if the secretary determines that the taxpayer's proposed investment satisfies the requirements.

If the credit allowed exceeds the investor's tax liability in any one taxable year, the amount of the credit that exceeds the tax liability may be carried forward until the total amount of the credit is used, except that no such tax credit shall be carried over for deduction after the 14th taxable year after the taxable year in which the first annual installment is allowed.

Expenditures used to qualify for this credit shall not be used to qualify for any other type of Kansas income tax credit.

**New renewable electric cogeneration facility** means a renewable electric cogeneration facility which is located in this state and construction of which begins after December 31, 2006.

**Qualified investment** means expenditures made in construction of a new renewable electric cogeneration facility, for real and tangible personal property incorporated in and used as part of such facility.

**Renewable electric cogeneration facility** means a facility which generates electricity utilizing renewable energy resources or technologies, as defined in K.S.A. 79-201, and amendments thereto, and which is owned and operated by the owner of an industrial, commercial or agricultural process to generate electricity for use in such process to displace current or provide for future electricity use.

## SPECIFIC LINE INSTRUCTIONS

Enter all requested information at the top of this schedule.

### PART A – COMPUTATION OF CREDIT

(To be completed only in the first year that this credit is claimed)

**LINE 1** – Enter the total qualified investment up to and including the first \$50,000,000 in a new renewable electric cogeneration facility.

**LINE 2** – The credit is limited to 10% of the first \$50,000,000 of qualified investment.

**LINE 3** – Credit limit on the qualified investment for the first \$50,000,000. Multiply line 1 by line 2.

**LINE 4** – Enter the total qualified investment which exceeds the first \$50,000,000 of investment made in a new renewable electric cogeneration facility.

**LINE 5** – The credit is limited to 5% of the qualified investment that exceeds \$50,000,000.

**LINE 6** – Credit limit on the qualified investment that exceeds \$50,000,000. Multiply line 4 by line 5.

**LINE 7** – Credit limit on the total qualified investment. Add line 3 and line 6, and enter the result.

**LINE 8** – Authorized credit percentage. This credit may be claimed in ten (10) equal annual installments.

**LINE 9** – Total credit allowed to be claimed this tax year. Multiply line 7 by line 8.

**LINE 10** – Partners, shareholders or members: Enter the percentage that represents your proportionate share in the partnership, S corporation, LLC or LLP. All other taxpayers: Enter 100%.

**LINE 11** – Your share of the credit. Multiply line 9 by line 10.

### PART B – COMPUTATION OF TOTAL CREDIT CLAIMED THIS YEAR

Indicate, by checking the appropriate box, which year of the annual installments for which this credit is being claimed.

**LINE 12** – Enter the amount from line 11 of Schedule K-83 from the first year in which this credit was claimed.

**LINE 13** – Enter the amount of available carry forward credit from the prior year's Schedule K-83.

**LINE 14** – Add lines 12 and 13.

**LINE 15** – Enter your total Kansas tax liability for this tax year after all credits other than this credit.

**LINE 16** – Enter the lesser of lines 14 or 15. This is the amount of credit allowed for this tax year. Enter this amount on the appropriate line of Form K-40, Form K-41 or Form K-120.

**If line 16 is less than line 14, complete PART C.**

### PART C – COMPUTATION OF CARRY FORWARD CREDIT

**LINE 17** – Subtract line 16 from line 14. This is the amount of credit to carry forward to next year's Schedule K-83.



**IMPORTANT:** Do not send any enclosures with this schedule. A copy of the approved authorization from the Kansas Secretary of Commerce must be kept with your records. The Kansas Department of Revenue reserves the right to request additional information as necessary.

## TAXPAYER ASSISTANCE

Address questions about qualifying for this credit to:

Kansas Department of Commerce  
1000 SW Jackson, Suite 100  
Topeka, KS 66612-1354

Phone: (785) 296-3481  
Web site: [kansascommerce.com](http://kansascommerce.com)

For assistance in completing this schedule contact the Kansas Department of Revenue:

Tax Operations  
Docking State Office Building, 1<sup>st</sup> Floor  
915 SW Harrison St.  
Topeka, KS 66625-2007

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