

**CORPORATION AND PASS-THROUGH ENTITY
NEXUS QUESTIONNAIRE**



The term "you" is defined to mean the taxpayer or an agent of the taxpayer.

Please explain all "YES" answers in detail and attach additional information, if necessary.

1. **Legal Name of Corporation or Pass-through Entity:** _____

FEIN: _____

Kentucky Corporation/LLET Account Number: _____

2. **Home Office Mailing Address:** _____

3. **Location of Books and Records:** _____

4. **Principal Product or Service in Kentucky:** _____

5. **Give State and Year of Incorporation or Organization:**

6. **Date of Tax Year End:** _____

7. **Is your business registered with the Kentucky Secretary of State to do business in Kentucky?**

YES ☐ NO ☐

If yes, give date: _____

8. **If the entity in Question 1 is a corporation, does any corporation own directly or indirectly 80% or more of its voting stock?**

YES ☐ NO ☐

If yes, enter the Name: _____

FEIN: _____

Address: _____

9. a. Is Kentucky the commercial domicile of your business? YES ☐ NO ☐

(Commercial domicile means the principal place from which the trade or business of the corporation or the pass-through entity is managed.)

If yes, provide address: _____

- b. Do you own or lease intangible personal property utilized in Kentucky? YES ☐ NO ☐

If yes, explain: _____

- c. Do you own or lease intangible personal property located in Kentucky? YES ☐ NO ☐

If yes, explain: _____

10. a. Do you own or lease real or personal property in Kentucky? YES ☐ NO ☐

If yes, provide explanation and name and address of property:

- b. Do you maintain an office or other place of business in Kentucky? YES ☐ NO ☐

If yes, give location: _____

- c. Do you maintain in Kentucky an inventory of merchandise or material for sale, distribution or manufacture, or consigned goods, regardless of whether kept on the taxpayers premises, in a public or rented warehouse, or otherwise? YES ☐ NO ☐

If yes, provide an explanation and location of any goods: _____

- d. Do you own computer software used in the business of a third party within Kentucky?

YES ☐ NO ☐

If yes, provide explanation and name and address of any third parties:

11. a. Do you have one or more individuals performing services in Kentucky?

YES ☐ NO ☐

If yes, explain: _____

- b. Do you perform services in Kentucky, whether directly by the corporation or pass-through entity, or indirectly by directing activities performed by a third party?

YES ☐ NO ☐

If yes, explain: _____

- c. Do you accept orders in Kentucky?

YES ☐ NO ☐

If yes, explain: _____

- d. Do you operate a sports team which engages in professional sports activities in Kentucky?

YES ☐ NO ☐

If yes, explain: _____

- e. Do you own an interest in mineral rights in Kentucky, including interests in coal, oil, or natural gas?

YES ☐ NO ☐

If yes, explain: _____

- f. Do you lease motion picture films to movie theaters and television stations in Kentucky?

YES ☐ NO ☐

If yes, explain: _____

- g. Are you a member of a single member limited liability company that is doing business in Kentucky and is disregarded for federal income tax purposes?

YES ☐ NO ☐

If yes, provide the name, identification number and address of each:

- h. Are you a shareholder, partner, or member of a pass-through entity doing business in Kentucky?

YES ☐ NO ☐

If yes, provide the name, identification number and address of each:

- i. Do you receive income from intangible personal property that has acquired a Kentucky situs? (See 103 KAR 16:240 for definition of situs)

YES ☐ NO ☐

If yes, explain: _____

- j. Are you a professional service provider (such as a law firm, accounting firm, etc.) providing services in Kentucky?

YES ☐ NO ☐

If yes, provide dates in Kentucky: _____

12. Do you derive income from or attributable to sources within this state including deriving income directly or indirectly from a trust doing business in this state?

YES ☐ NO ☐

If yes, provide the name, identification number and address of each:

13. a. Do you direct activities at Kentucky customers for the purpose of selling them tangible personal property?

YES ☐ NO ☐

If yes, explain: _____

- b. Do you direct activities at Kentucky customers for the purpose of selling them services?

YES ☐ NO ☐

If yes, explain: _____

- c. Do you solicit Kentucky customers for the sale, lease, rental, license or other disposition of real property or intangibles?

YES ☐ NO ☐

If yes, explain: _____

- d. Do you make repairs or provide maintenance service to property sold or to be sold in Kentucky?

YES ☐ NO ☐

If yes, explain: _____

- e. Do you install or supervise the installation of property at or after shipment or delivery to a Kentucky customer?

YES ☐ NO ☐

If yes, explain: _____

- f. Are you involved in collecting current or delinquent accounts, from Kentucky customers or parties, through assignment or otherwise?

YES ☐ NO ☐

If yes, explain: _____

g. Do you investigate the credit worthiness of Kentucky customers? YES ☐ NO ☐

If yes, explain: _____

h. Are you involved in repossessing property in Kentucky? YES ☐ NO ☐

If yes, explain: _____

i. Do you conduct training courses, seminars or lectures in Kentucky for personnel other than personnel involved only in solicitation? YES ☐ NO ☐

If yes, explain: _____

j. Are you involved in investigating, handling, or otherwise assisting in resolving Kentucky customer complaints, other than mediating direct customer complaints if the sole purpose of the mediation is to ingratiate the sales personnel with the customer? YES ☐ NO ☐

If yes, explain: _____

k. Do you approve or accept orders from Kentucky customers? YES ☐ NO ☐

If yes, explain: _____

l. Are you involved in securing deposits on Kentucky sales? YES ☐ NO ☐

If yes, explain: _____

- m. Do you pick up or replace damaged or returned property, including stale or unsaleable property in Kentucky?

YES ☐ NO ☐

If yes, explain: _____

- n. Do you maintain a sample or display area for an aggregate of fifteen (15) days or more at any one location within Kentucky during the year?

YES ☐ NO ☐

If yes, explain: _____

- o. Do you provide in Kentucky technical assistance or service, including engineering assistance or design service, if one of the purposes thereof is other than the facilitation of the solicitation of orders?

YES ☐ NO ☐

If yes, explain: _____

- p. Do you hire, train or supervise personnel in Kentucky for other than solicitation purposes?

YES ☐ NO ☐

If yes, explain: _____

- q. Are you using agency stock checks or any other instrument or process by which sales are made within Kentucky by sales personnel?

YES ☐ NO ☐

If yes, explain: _____

- r. Are you carrying samples in Kentucky for sale, exchange or distribution in any manner for consideration or other value?

YES ☐ NO ☐

If yes, explain: _____

- s. Are you providing shipping information and coordinating deliveries in Kentucky?

YES ☐ NO ☐

If yes, explain: _____

- t. Are you supervising the operations of a franchisee or similar party in Kentucky?

YES ☐ NO ☐

If yes, explain: _____

- u. Are you monitoring, inspecting, or approving work performed by an independent contractor under a warranty or similar arrangement in Kentucky?

YES ☐ NO ☐

If yes, explain: _____

- v. Are you consigning stock of goods or other tangible personal property for sale to any person, including an independent contractor in Kentucky?

YES ☐ NO ☐

If yes, explain: _____

- w. Are you fulfilling sales orders by shipment or delivery from a point within Kentucky?

YES ☐ NO ☐

If yes, explain: _____

x. Do you own, lease, maintain or otherwise use as part of the business operations in Kentucky any of the following facilities or property:

- | | | |
|---|------------------------------|-----------------------------|
| 1. Repair shop? | YES ☐ | NO ☐ |
| 2. Parts department? | YES ☐ | NO ☐ |
| 3. Warehouse? | YES ☐ | NO ☐ |
| 4. Meeting place for directors, officers or employees? | YES ☐ | NO ☐ |
| 5. Stock of goods other than samples for sales personnel or that are used entirely ancillary to solicitation? | YES ☐ | NO ☐ |
| 6. Telephone answering service that is publicly attributed to the company in their representative status? | YES ☐ | NO ☐ |

If yes to any of the above questions, explain: _____

y. Does an employee or other representative of your company maintain in Kentucky any of the following:

- | | | |
|--|------------------------------|-----------------------------|
| 1. An office or place of business of any kind other than an in-home office (an office is considered in-home if it is located within the residence of the employee or representative)? | YES ☐ | NO ☐ |
| 2. An in-home office attributable to the company or to the employee or representative of the company in an employee or representative capacity? | YES ☐ | NO ☐ |
| 3. A telephone listing or other public listing within Kentucky for the company, or for an employee or representative of the company in that capacity, or other indications through advertising or business literature that the company or its employee or representative can be contacted at a specific address within Kentucky? | YES ☐ | NO ☐ |

4. An in-home office that is used for any purpose other than soliciting and receiving orders from customers or for transmitting orders outside of Kentucky for acceptance or rejection by the company?

YES ☐NO ☐

If yes to any of the above questions, explain: _____

- z. Are you entering into franchising or licensing agreements, selling, or otherwise disposing of franchises and licenses, or selling or otherwise transferring tangible personal property pursuant to the franchise or license by the franchisor or licensor to its franchisee or licensee within Kentucky?

YES ☐NO ☐

If yes, explain: _____

14. Do you solicit orders for services in Kentucky?

YES ☐NO ☐

If yes, explain: _____

15. a. Are you the parent corporation of a qualified real estate investment trust subsidiary that is doing business in Kentucky?

YES ☐NO ☐

If yes, provide the name, identification number and address of each:

- b. Are you the parent corporation of a qualified subchapter S subsidiary that is doing business in Kentucky?

YES ☐NO ☐

If yes, provide the name, identification number and address of each:

- c. Do you own a related corporation which is performing activities as the company's agent in Kentucky? ("Related corporation" means having an ownership interest of 50% or more during any portion of the taxable year.)

YES ☐NO ☐

If yes, provide the name, identification number and address of each:

- d. Do you receive income from a contract between your company and a related corporation doing business in Kentucky?

YES ☐NO ☐

If yes, provide the name, identification number and address of each:

- e. Is your corporation essentially a shell corporation which has no economic purpose other than tax planning?

YES ☐NO ☐

If yes, explain: _____

- f. Have you entered into any franchising or licensing agreements and received income from franchising or licensing agreements that have acquired a Kentucky business situs?

YES ☐NO ☐

If yes, explain: _____

The above responses apply to the period from _____ to _____. (Please give details of any changes in the nature of the entity's activity in Kentucky and specify the tax periods involved.)

PROVIDE ANY ADDITIONAL INFORMATION WHICH MAY BE USEFUL IN DETERMINING WHETHER YOU HAVE A FILING REQUIREMENT FOR TAXES IN KENTUCKY.

Person completing questionnaire: _____

Title: _____

Telephone: _____

Email address: _____

Date: _____

Please return this completed questionnaire to:

**ATTN: Division of Corporation Tax
Kentucky Department of Revenue
P. O. Box 181, Station 52
Frankfort, Kentucky 40602-0181
Telephone: 502-564-8139
Fax: 502-564-0058**