New York State 2015

Department of Taxation and Finance
START-UP NY Tax Elimination Credit
Tax Law – Article 1, Section 40 and Article 9-A, Section 210-B.41

CT-638

All filers must enter tax period:

beginning _____ ending _____

Legal name of corporation	Employer identification number (EIN)

File this form with Form CT-3, CT-3-A, or CT-3-S.

A Certificate number from Form DTF-74, *Certificate of Eligibility*, issued to the approved
START-UP NY business *(see instructions)* ....● _____

B Year of START-UP NY business tax benefit period *(enter a number from 1 to 10; see instructions)* ....● ____

C If you are claiming this credit as a corporate partner, mark an *X* in the box ....● ☐

Schedule A – Allocation factor *(see instructions)*

			A Tax-free NY area	B New York State
1	Average value of property *(see instructions)* ....●	1		
2	Property factor *(divide line 1, column A, by line 1, column B; round the result to the fourth decimal place)*	2		
3	Wages, salaries, and other compensation of employees *(see instructions)*....●	3		
4	Wage factor *(divide line 3, column A, by line 3, column B; round the result to the fourth decimal place)*........................	4		
5	Total factors *(add lines 2 and 4)*........................	5		
6	Allocation factor *(divide line 5 by two; round the result to the fourth decimal place; enter here and on line 24)*........................	6		

Schedule B – New York S corporation business allocation factor *(C corporations do not complete this schedule)*

			A New York State	B Everywhere
7	Average value of property *(see instructions)*................................●	7		
8	Property factor *(divide line 7, column A, by line 7, column B; round the result to the fourth decimal place)*...............	8		
9	Wages, salaries, and other compensation of employees *(see instructions)* ..●	9		
10	Wage factor *(divide line 9, column A, by line 9, column B; round the result to the fourth decimal place)*	10		
11	Apportionment factor *(from Form CT-3-S, line C)*	11		
12	Total factors *(add lines 8, 10, and 11)*	12		
13	Business allocation factor *(divide line 12 by three; round the result to the fourth decimal place)*	13		

Schedule C – Tax factor *(complete Part 1 or Part 2; see instructions; New York S corporations do not complete this schedule)*

Part 1 – Corporations computing their own credit *(see instructions)*

14 Enter your tax .... ●	**14**	
15 All other credits applied against your tax .... ●	**15**	
16 Tax factor .... ●	**16**	

Part 2 – Corporate partners *(see instructions)*

17 Tax from your franchise tax return *(see instructions)* .... ●	**17**	
18 All other credits applied against your tax *(see instructions)* .... ●	**18**	
19 Tax factor before partnership allocation *(see instructions)* .... ●	**19**	
20 Your share of partnership income allocated to New York State *(see instructions)* .... ●	**20**	
21 Partners business income allocated to New York State .... ●	**21**	
22 Divide line 20 by line 21 *(cannot exceed 1.0)* .... ●	**22**	
23 Corporate partners tax factor *(multiply line 19 by line 22; enter here and on line 25)* .... ●	**23**	

Schedule D – Computation of credit

24 Allocation factor *(from line 6; corporate partners see instructions)* .... ●	**24**	
25 Tax factor *(from line 16 or line 23)* .... ●	**25**	
26 Total credit *(multiply line 24 by line 25)* .... ●	**26**	

Schedule E – Computation of tax credit used, refunded, or credited as an overpayment to the next year
(New York S corporations do not complete this schedule)

27 Tax due before credits *(see instructions)*	**27**	
28 Tax credits claimed before this credit *(see instructions)* .... ●	**28**	
29 Subtract line 28 from line 27	**29**	
30 If line 24 equals 1.0, enter *0*. If line 24 is less than 1.0, see instructions	**30**	
31 Credit limitation *(subtract line 30 from line 29)* .... ●	**31**	
32 Credit used this year *(enter the lesser of line 26 or line 31, here and on your franchise tax return)* .... ●	**32**	
33 Unused credit available as a refund or as an overpayment *(subtract line 32 from line 26)* .... ●	**33**	
34 Amount of credit to be refunded *(limited to the amount on line 33; enter here and on your franchise tax return)* .... ●	**34**	
35 Amount of credit to be applied as an overpayment to next year's tax *(subtract line 34 from line 33; enter here and on your franchise tax return)* .... ●	**35**	