

2016 MICHIGAN Corporate Income Tax Small Business Alternative Credit

Issued under authority of Public Act 38 of 2011.

Taxpayer Name	Federal Employer Identification Number (FEIN)
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The Small Business Alternative Credit is NOT available if any of the following conditions exist:

- Gross receipts exceed \$20,000,000;
- Adjusted business income after loss adjustment exceeds \$1,361,100;
- Any shareholder or officer has allocated income after loss adjustment of over \$180,000, as determined on the *CIT Schedule of Shareholders and Officers* (Form 4894).
- Compensation and director fees of a shareholder or officer exceed \$180,000.

The Small Business Alternative Credit must be reduced if any of the following conditions exist (see Reduced Credit Table at bottom of the page):

- Any shareholder or officer has allocated income after loss adjustment of over \$160,000 but not over \$180,000, as determined on Form 4894.
- Gross receipts exceed \$19,000,000 but are not more than \$20,000,000.

NOTE: All taxpayers claiming the Small Business Alternative Credit must include Form 4894.

1. Gross Receipts (see instructions).....	1.	00	
2. Tax liability prior to this credit from Form 4891, line 39	2.	00	

Adjusted Business Income

3. Business Income (see instructions).....	3.	00	
4. Carryback or carryover of a capital loss. Enter as a positive number (see instructions).....	4.	00	
5. Carryback or carryover of a federal net operating loss from Form 4891, line 21. Enter as a positive number	5.	00	
6. Subtotal. Add lines 3, 4 and 5	6.	00	
7. Compensation and director fees of active shareholders from Form 4894, line 1	7.	00	
8. Compensation and director fees of officers from Form 4894, line 2	8.	00	
9. Adjusted Business Income. Add lines 6, 7, and 8.....	9.	00	

Small Business Alternative Credit Calculation

10. Small Business Alternative Tax. Multiply line 9 by 1.8% (0.018). If less than zero, enter zero	10.	00	
11. Small Business Alternative Credit. Subtract line 10 from line 2. If less than zero, enter zero	11.	00	
12. Allocated income used for reduction (see instructions).....	12.	00	
13. Reduction percentage from Reduced Credit Table at bottom of this page (based on amount from line 12)	13.	%	
14. Reduced Credit. Multiply the percentage on line 13 by the credit on line 11. If gross receipts from line 1 are less than or equal to \$19,000,000, carry amount to Form 4891, line 40 (see instructions).....	14.	00	

Reduction Based on Gross Receipts

Complete this section if gross receipts are more than \$19,000,000 but not more than \$20,000,000.

15. Excess gross receipts. Subtract \$19,000,000 from line 1	15.	00	
16. Excess percentage. Divide line 15 by \$1,000,000 (enter as a percentage).....	16.	%	
17. Allowable percentage. Subtract line 16 from 100%.....	17.	%	
18. Small Business Alternative Credit. Multiply the percentage on line 17 by the credit on line 14. Carry amount to Form 4891, line 40.....	18.	00	

REDUCED CREDIT TABLE

If allocated* income is:	The reduced credit is:
\$0 - \$160,000	100% of the Small Business Alternative Credit
\$160,001 - \$164,999	80% of the Small Business Alternative Credit
\$165,000 - \$169,999	60% of the Small Business Alternative Credit
\$170,000 - \$174,999	40% of the Small Business Alternative Credit
\$175,000 - \$180,000	20% of the Small Business Alternative Credit

* See instructions for tax years less than 12 months.

Instructions for Form 4893

Michigan Corporate Income Tax (CIT) Small Business Alternative Credit

Purpose

To allow taxpayers to calculate the Small Business Alternative Credit (SBAC). The credit is calculated here and then carried to the *CIT Annual Return* (Form 4891).

The *CIT Schedule of Shareholders and Officers* (Form 4894) also must be filed with a return to qualify for the SBAC. An SBAC claimed on Form 4893 will be denied if Form 4894 is not also included with the return.

A taxpayer is disqualified from taking the SBAC under certain circumstances, which are detailed below. Financial institutions and insurance companies are not eligible for this credit.

NOTE: A person that is a disregarded entity for federal income tax purposes under the Internal Revenue Code shall be classified as a disregarded entity for the purposes of filing the CIT annual return.

Eligibility for the SBAC

Taxpayers are not eligible for the SBAC if any of the following conditions exist:

- Gross receipts exceed \$20,000,000.
- Adjusted business income after loss adjustment exceeds \$1,361,100 for Corporations (and LLCs federally taxed as such).
- Any shareholder or officer has allocated income after loss adjustment of over \$180,000, as determined on Form 4894.

In addition, the SBAC is reduced if any of the following conditions exist:

- Gross receipts exceed \$19,000,000 but are not more than \$20,000,000.
- A shareholder or an officer has allocated income after loss adjustment of more than \$160,000 but not over \$180,000. This reduction is based on the officer/shareholder with the largest allocated income.

Allocated income is the greater of either:

- (a) A shareholder or officer's compensation and director fees from Form 4894, column L, or
- (b) A shareholder's compensation, director fees, and share of business income (or loss) after loss adjustment, from Form 4894, column N.

If either (a) or (b) is greater than \$180,000 for any shareholder or officer, the taxpayer is not eligible for the SBAC. In addition, if either (a) or (b) is over \$160,000 but not more than \$180,000 for any shareholder or officer, the taxpayer must reduce the SBAC based on the officer or shareholder with the largest allocated income.

NOTE: Taxpayers leasing employees from professional employer organizations must include the compensation of officers (of the operating company) and shareholders who receive compensation in determining the eligibility for

the SBAC even though their compensation is paid by the professional employer organization.

Tax Years Less Than 12 Months

If the reported tax year is less than 12 months, gross receipts, adjusted business income, and shareholders' and officers' allocated income must be annualized to determine eligibility and reduction percentage. Where those same amounts are reported on SBAC forms, they are **reported on forms as actual, not annualized, amounts**. If annualized gross receipts exceed \$19,000,000 but do not exceed \$20,000,000, annualize figures to compute the Reduction Based on Gross Receipts, lines 15 through 18.

NOTE: If a shareholder owned stock for less than the entire tax year of the corporation, or an officer served as an officer less than the entire tax year:

- For purposes of determining credit disqualifiers and credit reduction, compensation and director fees must be annualized. The determination of credit disqualifiers and credit reduction is performed off-form.
- For purposes of determining active shareholders, compensation, director fees, and dividends must be annualized. The determination of active shareholders is performed off-form.

Annualizing

Where annualization applies (see above **NOTE**), multiply each applicable amount, total gross receipts, adjusted business income, and allocated income, by 12 and divide the result by the number of months in the tax year. Generally, a business counts a month if the business operated for more than half the days of the month. If the tax year is less than one month, consider the tax year to be one month for the purposes of the calculation.

Loss Adjustment

If the adjusted business income was less than zero in any of the five tax years immediately preceding the tax year for which a taxpayer is claiming an SBAC and an SBAC was received for that same tax year, the taxpayer may be able to reduce the current year's adjusted business income or allocated income amounts by the loss. See *CIT Loss Adjustment for the Small Business Alternative Credit* (Form 4895) for more details.

If the SBAC is reduced or eliminated because gross receipts exceed \$19,000,000, a loss adjustment cannot be used to prevent that reduction or elimination. Similarly, if the SBAC is reduced or eliminated due to compensation reported on Form 4894, column L, a loss adjustment cannot be used to prevent that result.

Special Instructions for Unitary Business Groups (UBGs)

RECENT STATUTORY CHANGE: UBGs calculate the gross receipts and adjusted business income disqualifiers at the UBG level **AFTER** intercompany eliminations. For a UBG to claim an SBAC, each member of the UBG that is a corporation, as that term is defined under the CIT, must file Form 4894.

The allocated income disqualifier is based on all items paid or allocable to a shareholder or officer by all members of the UBG. All items paid or allocable to a single individual must be combined when calculating this disqualifier.

In addition, a disqualifier applies to a UBG if such disqualifier applies to any member of that UBG. For example, a UBG is disqualified from taking the SBAC if that UBG includes a member for which the allocated income of a shareholder after loss adjustment is in excess of \$180,000. The reduction percentages for the credit also apply to the entire group if they apply to one member.

For more information on UBGs, see the “Supplemental Instructions for UBGs” in the *Corporate Income Tax Forms and Instructions for Standard Taxpayers* (Form 4890).

Line-by-Line Instructions

Lines not listed are explained on the form.

Taxpayer Name and Account Number: Enter taxpayer name and account number as reported on page 1 of Form 4891.

UBGs: Complete one form for the group. Enter the Designated Member (DM) name in the Taxpayer Name field and the DM account number in the Federal Employer Identification Number (FEIN) field.

Line 1: Enter amount from Form 4891, line 10a.

Non-UBG taxpayers reporting a tax year of less than 12 months must annualize the amount on Form 4891, line 10a, and report the result here. For guidance, see the “Annualizing” section at the beginning of these instructions.

UBG taxpayers reporting a tax year of less than 12 months will report on this line the amount from Form 4891, line 10a. For UBGs with a member(s) reporting a period of less than 12 months, Form 4891, line 10a, reflects the already annualized gross receipts after eliminations for purposes of the SBAC.

Adjusted Business Income

Line 3: In general, enter business income from Form 4891, line 18. Exclude distributive share of business income from a flow-through entity (FTE) that files a Michigan Business Tax (MBT) return for its tax year that ends with or within this taxpayer’s tax year. The distributive share business income from FTEs that is being excluded must be appropriately reported on the *Corporate Income Tax: Non-Unitary Relationships with Flow-Through Entities* (Form 4898), columns A through C only.

NOTE: The adjusted business income (ABI) disqualifier is based on annualized ABI, but the credit calculations performed here are based on actual ABI.

UBGs: Combine all business income for all members from *CIT Data on Unitary Business Group Members* (Form 4897), line 26.

Line 4: Enter, to the extent deducted in determining federal taxable income (as defined for CIT purposes), a carryback or carryover of a capital loss from Schedule D of federal Form 1120. Enter as a positive number.

UBGs: Combine for all members all carryback or carryover of a capital loss, to the extent deducted in determining federal taxable income (as defined for CIT purposes), from Form 4897, line 12, and enter on line 4. Enter as a positive number.

SBAC Calculation

Line 12: The SBAC is reduced if a shareholder or an officer has allocated income after loss adjustment of more than \$160,000 but not more than \$180,000. This reduction is based on the officer/shareholder with the largest allocated income. Enter the allocated income of the shareholder or officer with the highest allocated income after loss adjustment, even if that amount is \$160,000 or less.

If loss adjustment is successfully applied to fully or partially cure a shareholder’s allocated income disqualifier, enter on line 12 the number from Form 4895, line 12.

Line 13: For a taxpayer whose shareholders and officers all have allocated income after loss adjustment of \$160,000 or less, enter 100 percent. All other taxpayers, see the table at the bottom of page 1 of this form to determine what percent to enter on this line.

Line 14: All taxpayers must complete this line. Multiply Line 11 by the percentage on Line 13 and enter that amount on this line.

If gross receipts from line 1 are \$19,000,000 or less, carry the amount on line 14 to Form 4891, line 38.

Reduction Based on Gross Receipts

Complete this section if gross receipts on Line 1 are more than \$19,000,000 but not more than \$20,000,000.

Line 17: For a result less than zero, enter zero.

Include completed Form 4893 as part of the tax return filing. Form 4894 must be included with the filing of Form 4893.