

INSTRUCTIONS FOR K-120EL

GENERAL INFORMATION

K.S.A. 79-3288b 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 proceeding the tax year for which the election is made. **EXAMPLE:** If the election is for tax year ending December 31, 2016, the election must be filed by December 31, 2015.

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
PO Box 750680
Topeka, KS 66675-0680

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

Topeka: 785-368-8222
Fax: 785-291-3614
ksrevenue.org