

**K-139**

(Rev. 10-17)

# KANSAS

## CORPORATE APPLICATIONS FOR REFUND FROM CARRY BACK OF NET OPERATING LOSS

Name	Employer Identification Number (EIN)
Address (number and street of principal office)	Enter the taxable year and amount of Net Operating Loss carry back. Year ended      Net Operating loss      Date loss year filed
City, State, Zip Code	_____ Was the "Year ended" return a FINAL for Kansas? <input type="checkbox"/> Yes <input type="checkbox"/> No

### COMPUTATION OF DECREASE IN TAX

NO REFUND WILL BE ISSUED without Federal Supporting Schedules (Forms 1139 or 1120X). If Federal Forms 1139 OR 1120X were not filed, explain the reason in detail on the back of this form.	3rd preceding taxable year ended _____		2nd preceding taxable year ended _____		1st preceding taxable year ended _____	
	(a) Return as filed or liability as last determined	(b) Liability after appreciation of carry back	(c) Return as filed or liability as last determined	(d) Liability after application of carry back	(e) Return as filed or liability as last determined	(f) Liability after appreciation of carry back
1. Kansas net taxable income before deducting line 2 of this form.						
2. Net operating loss deduction resulting from carry back.						
3. Net taxable income as adjusted (subtract) line 2 from line 1).						
4. For tax years commencing before 1-1-92.						
4a. Normal tax (4.5% of line 3).						
4b. Surtax (2.25% of amount of line 3 in excess of \$25,000).						
5. For tax years commencing after 12-31-91.						
5a. Normal tax (4% of line 3).						
5b. Surtax (3% of amount of line 3 in excess of \$50,000).						
6. Total tax (add lines 4a and 4b or 5a and 5b).						
7. Total refundable credits (enter total of any tax credits for which you are eligible). You must complete and enclose applicable schedules.						
8. Tax liability after credits (subtract line 7 from line 6).						
9. Enter amounts from line 8, columns b, d and f.						
10. Overpayment (subtract line 9 from line 8).						

I declare under the penalties of perjury that to the best of my knowledge and belief this is a true, correct and complete application.

**sign  
here**

\_\_\_\_\_  
Signature of officer      Title      Date

\_\_\_\_\_  
Signature of preparer (individual or firm)      Address      Date

Mail this application to: Kansas Corporate Income Tax, Kansas Department of Revenue, PO Box 750680, Topeka, KS 66675-0680.  
File this application separately from your income tax return.

— FOR OFFICE USE ONLY —						
Auditor	Date					
Tax						
Interest						
Total Refund						

# GENERAL INFORMATION FOR FORM K-139

## KANSAS NET OPERATING LOSS

For net operating losses incurred in taxable years beginning after December 31, 1987, a net operating loss deduction shall be allowed in the same manner that it is allowed under the federal internal revenue code except that such net operating loss may only be carried forward to each of the 10 taxable years following the taxable year of the net operating loss. The amount of the net operating loss that may be carried forward for Kansas income tax purposes shall be that portion of the federal net operating loss allocated to Kansas under this act in the taxable year that the net operating loss is sustained.

The amount of the loss to be carried forward will be the federal net operating loss after (1) all modifications required under this act applicable to the net loss in the year the loss was incurred; and (2) after apportionment as to source in the case of corporations in the same manner that income for such corporations is required to be apportioned.

If a net operating loss was incurred in a taxable year beginning prior to January 1, 1988, the amount of the net operating loss that may be carried back and carried forward and the period for which it may be carried back and carried forward shall be determined under the provisions of the Kansas income tax laws which were in effect during the year that such net operating loss was incurred.

If any portion of a net operating loss described in paragraphs 1 and 2 to the left is not utilized prior to the final year of the carry forward period provided in paragraph 1, a refund shall be allowable in such final year in an amount equal to the refund which would have been allowable in the taxable year the loss incurred by utilizing the three year carry back provided under K.S.A. 79-32,143, as in effect on December 31, 1987, multiplied by a fraction, the numerator of which is the unused portion of such net operating loss in the final year, and the denominator of which is the amount of such net operating loss which could have been carried back to the three years immediately preceding the year in which the loss was incurred. In no event may such fraction exceed 1. Use the space below to perform this calculation if necessary.

## KANSAS CAPITAL LOSS CARRY BACK

Kansas law does not provide for a capital loss carry back; however, Kansas does allow federal adjustments to arrive at adjusted Kansas taxable income and one of those adjustments would be a federal capital loss carry back. Therefore, Kansas would allow the capital loss carry back at the federal level to arrive at adjusted federal taxable income. This method is different than the Kansas net operating loss carry back which is computed separately for Kansas. You should compute the capital loss carry back on Form K-120 for Kansas and enclose any federal schedule that is applicable.

**Use the following space to calculate the ratio for net operating loss carry back.  
(Enclose additional sheets if necessary.)**