Department of Taxation and Finance

Report of Annual License Fee

Agricultural Cooperative Marketing or Financing Corporations and District Heating/Cooling Cooperatives

Cooperative Corporations Law, Article 5

CT-397

NEW YORK STATE 2017

Print or type

For calendar year ____________

Employer identification number	File number	Business telephone number ( )	
Legal name of corporation		Trade name/DBA	
Mailing name *(if different from legal name)* c/o		State or country of incorporation	*Date received (for Tax Department use only)*
Number and street or PO box		Date of incorporation	
City	State / ZIP code	Date began business in NYS	
If address/phone above is new, mark an ***X*** in the box .... ☐	If you need to update your address or phone information for corporation tax, or other tax types, you can do so online. See *Business information* in Form CT-1.		*Audit (for Tax Department use only)*

Payment - pay $10.00 – Make check or money order payable to: ***New York State Corporation Tax*** ← . . . Attach your payment here. *(See instructions for details.)*	Payment enclosed **$10.00**

The above corporation was incorporated under the Cooperative Corporations Law on ____________ *(mm-dd-yy)*

for the purpose of ____

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Certification: I certify that this report and any attachments are to the best of my knowledge and belief true, correct, and complete.

Authorized person	Printed name of authorized person	Signature of authorized person	Official title	
	E-mail address of authorized person		Telephone number ( )	Date

Instructions

Form CT-1, *Supplement to Corporation Tax Instructions*

See Form CT-1 for the following topics:

- Changes for the current tax year (general and by Tax Law Article)
- Business information (how to enter and update)
- Entry formats
  - Dates
  - Negative amounts
  - Percentages
  - Whole dollar amounts
- Are you claiming an overpayment?
- NAICS business code number and NYS principal business activity
- Limitation on tax credit eligibility
- Third-party designee
- Paid preparer identification numbers
- Is your return in processible form?
- Use of reproduced and computerized forms
- Electronic filing and electronic payment mandate
- Online services
- Web File
- Form CT-200-V
- Collection of debts from your refund or overpayment
- Fee for payments returned by banks
- Reporting requirements for tax shelters
- Tax shelter penalties
- Voluntary Disclosure and Compliance Program
- Your rights under the Tax Law
- Need help?
- Privacy notification

Who must file

Section 77 of the Cooperative Corporations Law **exempts** certain cooperative corporations from all franchise, license, or corporation taxes. In place of those taxes the following corporations must file this form and pay an annual license fee of $10:

- Cooperative corporations, with or without capital stock, organized for the purpose of cooperative marketing of agricultural products;
- Cooperative corporations, with or without capital stock, organized for the purpose of making loans to their members producing agricultural products;

- Cooperative corporations, with or without capital stock, organized for the purpose of purchasing food products for sale to their members where such purchasing cooperative corporation has gross receipts from such sales of less than $500,000 in a calendar year;
- Cooperative corporations organized without capital stock that have federal Internal Revenue Code (IRC) section 501(c)(12) status and are organized for producing and/or distributing district heating and/or cooling services solely for use by their members. The heating or cooling facility must be located in a city with a population of more than 200,000 but less than 300,000, and must have at least 35% of the service, as measured by relative thermal usage, distributed to and used by members who:
  - qualify as certain exempt organizations under the New York State Sales and Use Tax Law (for example, governmental, educational, charitable, religious); or
  - qualify as cooperative corporations organized without stock, that have federal IRC section 501(c)(12) status.

In addition, the following must file this form and pay the fee:

- Certain organizations exempt from sales tax under the New York State Sales and Use Tax Law (for example, governmental, educational, charitable, religious) that are members of the cooperative corporations providing the heating and/or cooling services described above.
- The cooperative corporations organized without stock that have federal IRC section 501(c)(12) status and are members of the cooperative corporations providing the heating and/or cooling services described above.

Types of cooperative corporations that are not required to file this form, are:

- Agricultural cooperative corporations with capital stock organized for the sole purpose of raising crops.
- Cooperative corporations with capital stock that operate for a profit are taxable under Tax Law Article 9-A. (See Form CT-3, *General Business Corporation Franchise Tax Return*.)

Payment

Make your check or money order payable in United States funds. We will accept a foreign check or foreign money order only if payable through a United States bank or if marked ***Payable in U.S. funds*.**

When and where to file

On or before March 15th following the close of the calendar year, mail this completed form and $10 check or money order to:

NYS TAX DEPARTMENT
PSSB DOCUMENT PROCESSING
W A HARRIMAN CAMPUS
ALBANY NY 12227-0825

Private delivery services

See Publication 55, *Designated Private Delivery Services.*