



2019 Ohio Schedule E Nonrefundable Business Credits

For use with Ohio IT 1041 and IT 4708

Taxpayer Information

Form with fields: Name of entity, trust or estate; FEIN; Fiduciary name and title (if applicable); SSN; Address (number and street); City, town or post office, state and ZIP code

Business Information (if more than one related business entity, include list)

Form with fields: Name of related business entity; FEIN; Business address (number and street); City, town or post office, state and ZIP code

This schedule applies to trusts and estates who as sole proprietors or as investors in pass-through entities (e.g., partnerships, limited liability companies treated as partnerships for federal income tax purposes, and S corporations) are entitled to claim one or more of the nonrefundable Ohio business credits listed below. Nonrefundable business credits can reduce tax liability, before payments, to zero but cannot generate a tax refund.

Schedule E-1

Schedule of Nonrefundable Business Credits

You must claim credits in the order listed in Ohio Revised Code section (R.C.) 5747.98. Enter on the applicable line below each credit amount from line 12 of the summary worksheet on page 2.

Table with 3 columns: Include with your tax return Schedule E-1 and E-2 and the requested credit certificates, if applicable; Carryforward Period; Amount of Credit. Rows 1-11 listing various credits.



Schedule E-2

Nonrefundable Business Credit Summary Worksheet

(Include this schedule with your return.)

Note: All credits are calculated by the business entity, and then the owners of the business entity can claim a proportionate share of the credit.

	1	2	3	4
Enter the name(s) of each credit you are claiming. Use the sequence (order) set forth on Schedule E-1 on the first page (use an additional sheet if necessary) →				
1. Amount of credit available to the pass-through entity				
2. Enter the percentage of your ownership interest. If sole owner, enter 1.0000.....				
3. Multiply the amount on line 1 by the percentage on line 2				
4. Enter the amount of unused credit carryforward, if any, from a prior year(s)				
5. Tentative credit (add lines 3 and 4). See instructions for limits				
6. Enter your Ohio income tax from form:				
– Ohio IT 4708, line 10				
– Schedule II, III, IV, and IX credits.....				
7. Enter the amount shown on line 12, column 1	- 0 -			
8. Enter the amount shown on line 12, column 2.....	- 0 -	- 0 -		
9. Enter the amount shown on line 12, column 3.....	- 0 -	- 0 -	- 0 -	
10. Add lines 7 through 9 above	- 0 -			
11. Line 6 minus line 10 (but not less than zero)				
12. Allowed credit for the taxable year: Enter the smaller of line 5 or line 11 here and in Schedule E-1 on page 1				
13. Unused credit: If line 5 is greater than line 11, enter the difference here; otherwise, enter zero. See instructions for carryforward limitations for each credit				

General Instructions

The nonrefundable business credits listed in Schedule E-1 may be used to reduce the tax liability (before payments) to zero.

Schedule E-1 lists the nonrefundable business credits in the order in which you may claim them as well as the carryover period for each credit. The order is important if you are entitled to more than one credit and if you are unable to use some portion of the total credit in the year generated.

Read all of the following instructions carefully for each section to determine if you are eligible to claim that particular credit.

Include with your tax return Schedule E-1 and E-2. You also will need to enclose any certificates required by Schedule E-1. All other supporting schedules or documentation are subject to examination by the Ohio Department of Taxation.

You will need to review the applicable law. Schedule E-1 sets forth the applicable Ohio Revised Code (R.C.) sections needed for each business credit listed.

Mailing Instructions

Each taxpayer with nonrefundable business credits should enclose Schedule E-1 and E-2 and certificates, if any, with the taxpayer's Ohio IT 4708 or Ohio IT 1041 (whichever is applicable) and mail to the address reflected on that form.

Taxpayer Assistance

If you want further information, you may use any of the following methods to contact us:

- **Internet** – tax.ohio.gov
- **Call us** – (888) 405-4039
- **Write us** – Ohio Department of Taxation
P.O. Box 182847
Columbus, OH 43218-2847
- **Walk-in** – The address and hours of our walk-in Columbus Taxpayer Service Center are listed on the inside back cover of the Ohio IT 1041 and Ohio IT 4708 instructions.

For Deaf, Hard of Hearing or Speech Impaired Who Use TTY or TDD Only

Contact the Ohio Relay Service at 7-1-1 or 1-800-750-0750 and give the communication assistant the Ohio Department of Taxation telephone number that you wish to contact.

Line 1 – Credit for Contributions Made to Candidates for Ohio Statewide Office or General Assembly

Taxpayers other than trusts may claim a credit for contributions of money during the taxable year to the campaign committee of candidates for any of the following Ohio offices:

- Governor
- Lieutenant governor
- Secretary of state
- Auditor of state
- Chief justice of the Ohio Supreme Court
- Justice of the Ohio Supreme Court

- Treasurer of state
- Attorney general
- Ohio Board of Education
- Ohio Senate
- Ohio House of Representatives

The amount of the credit is the lesser of (i) the combined total cash contributions made by each taxpayer during the taxable year or (ii) \$50 for each taxpayer. If the contributor is a pass-through entity, each pass-through entity investor, other than investors that are trusts, may claim a proportionate share of the contribution. However, the credit for each investor, other than investors that are trusts, cannot exceed the lesser of each investor's proportionate share of the contribution or \$50.

Note: If you claim the credit for political contributions in Schedule E, you may not claim a credit for the same political contributions in Schedule B of Ohio IT 1041.

Line 2 – Job Retention Credit, Nonrefundable Portion

Administered by the Ohio Tax Credit Authority through the Ohio Development Services Agency, the nonrefundable portion of the job retention credit applies to "eligible businesses" that commit to a substantial capital investment project that will retain jobs in Ohio. In consideration of an eligible business's commitment to acquire, construct, renovate or repair buildings, machinery or equipment, or conduct basic research and new product development at the Ohio project site, the authority will grant a tax credit equal to a percent of the Ohio income tax withheld from the taxpayer's employees at the project site over the term of the credit.

An "eligible business" must apply to the authority for review and approval of the taxpayer's proposed capital investment project. Following the authority's approval of the taxpayer's project, the eligible business and the authority can enter a tax credit agreement. While the particulars can vary from agreement to agreement, depending on the number of full-time equivalent employees at the project and the value of the project, the credit cannot exceed 75% of the tax withheld, and the credit term is limited to 15 years. The taxpayer must maintain operations at the project site for the greater of (a) the term of the credit plus three years, or (b) seven years.

For each taxable year for which the taxpayer claims the credit, the taxpayer is required to submit a copy of the Ohio Development Services Agency's certificate of verification with the taxpayer's tax report. However, failure to submit a copy of the certificate with the report does not invalidate a claim for the credit if the taxpayer submits a copy of the certificate to the commissioner within 60 days after the commissioner requests it.

A pass-through entity will generally claim this credit as a credit against the pass-through entity's commercial activity tax (CAT) liability. Nevertheless, a pass-through entity can make an irrevocable election to pass-through the credit to its owners. If the pass-through entity makes the election, those owners that are individuals can claim their share of the credit against either

their CAT liability on a stand-alone basis or against their Ohio individual income tax liability. See R.C. sections 122.171(I) and 5747.058(B).

For additional information contact the Ohio Development Services Agency's Office of Grants and Tax Incentives at (614) 466-4551 or (800) 848-1300.

Line 3 – Credit for Eligible New Employees in an Enterprise Zone

An employer that is complying with an enterprise zone agreement under R.C. sections 5709.62 and 5709.63 and that has not closed or reduced employment at any place of business in Ohio within the previous 12 months may apply to the director of the Ohio Development Services Agency for an "employee tax credit certificate" for each "eligible new employee," which the employer hires after June 30, 1994 at the facility to which the enterprise zone agreement applies.

An employer that receives a tax credit certificate for an eligible employee may claim a \$1,000 nonrefundable credit for each taxable year covered under the enterprise zone agreement during which the employer employs the eligible new employee. If an eligible employee is employed for less than the employer's full taxable year, the taxpayer's credit is proportionately reduced. See R.C. section 5709.66(B)(1).

An "eligible employee" is a new employee at the facility to which the enterprise zone agreement applies who at the time hired was a recipient of aid to dependent children or general assistance and who resided for at least one year in the county in which the facility is located. See R.C. section 5709.66(B)(2)(a).

Important: Taxpayers who claim this credit should maintain for four years a supporting schedule that provides the following information for **each** eligible employee for which an employee tax credit certificate is received from the director of the Ohio Development Services Agency: (a) name of employee, (b) date hired (and date of termination of employment if applicable) and (c) amount of credit claimed. If a taxpayer claims the R.C. section 5709.66 enterprise zone new employee tax credit with respect to an employee, the taxpayer may not claim the R.C. section 122.17 new jobs refundable credit with respect to that employee. See R.C. sections 5709.66(B)(2)(b)(i) and 122.17(A).

The employer calculates the credit. If the employer is a pass-through entity, each investor in the pass-through entity may claim a proportionate share of the credit. Enter credit amount in Schedule E-2, line 1 in the appropriate column. Unused credit amounts may be carried forward for three taxable years following the taxable year in which the credit is generated.

Line 4 – Opportunity Zone Investment Credit

This credit is a nonrefundable tax credit for investing in an Ohio "Opportunity Zones". This credit can only be claimed against income tax and may be claimed starting in either the tax year of the investment or the next tax year. Taxpayers wanting to claim this credit will need to get a certificate from the Development Services Agency. See R.C. section

122.84.

The program is administered by the Ohio Development Services Agency in collaboration with the Ohio Department of Taxation. For more information, go to <http://development.ohio.gov>

Line 5 – Ohio Historic Preservation Credit, Nonrefundable Portion

Administered by the Ohio Development Services Agency (ODSA), the historic preservation credit applies to owners and qualified lessees of certain historic Ohio buildings for the expenditures paid or incurred to rehabilitate such buildings, provided that ODSA approves the proposed rehabilitation project. If ODSA approves the project, the credit equals 25% of the owner's or qualified lessee's "qualified rehabilitation expenditures" (QREs) paid or incurred during the 24- or 60-month rehabilitation period shown on the taxpayer's tax credit certificate issued by ODSA. "Qualified lessee" is defined in R.C. section 149.311. The historic building's owners or qualified lessees can claim the credit against their income tax liability. See R.C. sections 149.311 and 5747.76.

Amended Substitute House Bill 1, 128th General Assembly, effective July 19, 2009, amended the credit to specifically provide that if a pass-through entity owns and restores a historic building with respect to which the ODSA issued a preservation tax credit certificate for the pass-through entity's QREs, the pass-through entity can allocate the credit among the pass-through entity's equity owners in proportion to their ownership interests or in such proportions or amounts as the equity owners mutually agree. The new law applies to credits claimed with respect to certificates issued in taxable years ending on or after Oct. 16, 2009. See section 803.20 of the bill. (While prior law did not specifically address credit allocation, the department maintained that the pass-through entity must allocate the credit to each equity investor in accordance with the investor's interest in the pass-through entity on the date that the pass-through entity filed the tax credit certificate request.)

For project applications that are approved after March 13, 2008, the credit is limited to \$5 million per project and the credit can contain a refundable portion and a nonrefundable portion. If the credit allowed for any taxable year exceeds the tax otherwise due under R.C. section 5747.02, after allowing for any other credits preceding the credit in the order prescribed by R.C. section 5747.98, the excess will be refunded to the taxpayer, but if any amount of the credit is refunded, the sum of the amount refunded and the amount applied to reduce the tax otherwise due for that year may not exceed \$3 million or, if the certificate owner is a pass-through entity, may not exceed the taxpayer's distributive or proportionate share of \$3 million. The taxpayer may carry forward any balance of the credit in excess of the amount claimed for that year for not more than five ensuing taxable years, and must deduct any amount claimed for any such year from the amount claimed in an ensuing year.

Additional information is available on ODSA's Web site at www.development.ohio.gov/cs/cs_ohptc.htm.

Refundable Business Credits

Do not use Schedule E to claim refundable credits. Instead, claim them on the appropriate "refundable credits" line on the Ohio IT 1041 or IT 4708.

A refundable credit is treated as a payment of the tax and is accounted for after the nonrefundable credits. Unlike nonrefundable credits, a refundable credit may result in the taxpayer receiving a refund for a credit amount in excess of tax due after reduction for all nonrefundable credits.

Line 6 – Credit for Purchases of Grape Production Property

Grape producers may claim a credit equal to 10% of the cost of purchasing and installing or constructing qualifying property on or after Jan. 1, 1994. Qualifying property is any property, plant or equipment used in growing, harvesting or producing grapes in Ohio. The credit is subject to recapture if the taxpayer disposes of the property or ceases to use it as qualifying property within seven years after placing it in operation. The grape producer calculates the credit. If the producer is a pass-through entity, each investor in the pass-through entity may claim a proportionate share of the credit. Enter the credit amount in Schedule E-2, line 1, in the appropriate column. Unused credit amounts may be carried forward for seven taxable years following the taxable year in which the credit is generated. After that time the unused portion of the credit expires.

Line 7 – InvestOhio Credit

InvestOhio provides a nonrefundable personal income tax credit to investors that infuse new equity (cash) into Ohio small businesses to acquire an ownership interest in the company. The small business is required to reinvest that infusion of cash into one of five categories of allowable expenses within six months of its receipt. The investor must retain his or her ownership interest for a two-year holding period before the tax credit may be claimed. The small business must similarly retain the property that it purchased from the cash infusion for the entire two-year holding period.

The program is administered by the Ohio Development Services Agency in collaboration with the Ohio Department of Taxation. For more information, go to http://development.ohio.gov/bs/bs_investohio.htm.

Line 8 – Technology Investment Credit

Effective Sept. 29, 2013, the technology investment tax credit for Ohio taxpayers who invest in certain research and development or technology-oriented businesses is no longer available. However, taxpayers who are currently carrying forward an excess credit amount from prior years may continue to do so until the amount is exhausted within the 15-year carryforward period allowed by law. See R.C. section 122.152 and former R.C. section 5747.33.

Line 9 – Enterprise Zone Day Care and Training Credits

Enterprise Zone Day Care Credit

Employers who hold a Tax Incentive Qualification Certificate issued by the Ohio Development Services Agency and who reimburse "qualifying new employees" (defined below) for all or part of day-care services necessary to enable such employees to be employed at the enterprise zone facility to which the tax incentive qualification certificate applies, can claim a nonrefundable tax credit equal to the amount reimbursed. However, the credit is limited to a maximum of \$300 for each child or dependent of the qualifying new employee receiving the day-care services. Only reimbursements of amounts that new employees pay to day-care centers licensed by the Ohio Department of Human Services for day-care services provided during the first 24 months of employment are eligible for this credit. The credit is available for the taxable year in which the reimbursement is made.

Important: Taxpayers claiming the day-care credit should maintain for four years a supporting schedule that provides the following information for **each** qualifying new employee receiving reimbursement for day-care expenses:

- Name of employee
- Date hired
- Number of children or dependents receiving day-care services
- Amount reimbursed to employee.

For purposes of the enterprise zone day-care credit and the enterprise zone training credit, R.C. section 5709.64(A)(2) defines "qualifying new employees" as persons who at the time they were hired were one of the following:

- Unemployed persons residing for at least six months in the county in which the enterprise's project site is located;
- "Job Training Partnership Act" eligible employees residing for at least six months in the county in which the enterprise's project site is located;
- Recipients of aid to dependent children, general relief or unemployment compensation benefits who reside for at least six months in the county in which the enterprise's project site is located;
- Handicapped persons as defined under division (A) of R.C. section 3304.11, residing for at least six months in the county in which the enterprise's project site is located; OR
- Residents for at least one year of an enterprise zone located in the county in which the enterprise's facility is located.

The employer calculates the credit. If the employer is a pass-through entity, each equity investor in the pass-through entity may claim a proportionate share of the credit. Enter the credit amount in schedule E-2, line 1 in the appropriate column. Credit amounts that are not used in the year generated can be carried forward to the next succeeding taxable year or years until fully utilized.

Enterprise Zone Training Credit

Employers that hold a tax incentive qualification certificate issued by the Ohio Development Services Agency and that pay or reimburse all or part of the cost of participation by “qualifying new employees” in a “qualified training program” can claim a nonrefundable tax credit equal to the amount that the employer pays or reimburses the qualifying new employee for the training program. However, the maximum credit is \$1,000 per employee. In addition, the employee must be employed by the enterprise for at least 90 days following completion of the training program. This credit is allowed for the taxable year in which the employee completes the 90 days of subsequent employment.

Important: Taxpayers claiming the training credit should maintain for four years a supporting schedule providing the following information for **each** qualifying new employee for whom the taxpayer is claiming the credit:

- Name of employee
 - Date hired and date of termination (if applicable)
 - Amount paid or reimbursed for all or part of the cost of the employee’s participation in the qualified training program
- R.C. section 5709.61(P) defines a “qualified training program” as any noncredit training program or course of study that is offered by any of the following:
- State college or university
 - University branch district
 - Community college
 - Technical college
 - College or university certified under R.C. section 1713.02
 - School district
 - Joint vocational school district
 - School registered under R.C. section 3332.05
 - An entity administering any federal, state or local adult education and training program; OR
 - Any enterprise

In addition, a qualified training program must meet all the following requirements:

- The training program is approved by the director of the Ohio Development Services Agency; AND
- The purpose of the training program is to satisfy the need of a particular industry or enterprise for skilled or semi-skilled employees; AND
- An individual is required to complete the course or program before filling a position at the enterprise’s facility.

The employer calculates the credit. If the employer is a pass-through entity, each equity investor may claim a proportionate share of the credit. Enter the credit amount in Schedule E-2, line 1 in the appropriate column. Credit amounts that are not used can be carried forward to the succeeding taxable year or years until fully utilized.

Line 10 – Research and Development Loan Repayment Credit

House Bill 494, 130th General Assembly, effective March

20, 2015, amended this nonrefundable credit to make it applicable to tax years beginning in 2003 and going forward. The credit was originally only available for tax years 2003 through 2007. The amount of the nonrefundable credit equals the borrower’s qualified research and development loan payments during the calendar year – regardless of whether the taxpayer’s taxable year is a calendar year or a fiscal year. The term “qualified research and development loan payments” means payments of principal and interest on a loan made to the borrower from Ohio’s research and development fund administered by the Ohio Department of Development.

The borrower’s credit generated as a result of its qualified research and development loan payments made during a calendar year that includes the last day of the taxpayer’s taxable year may not exceed \$150,000 per loan. The credit amount not used in the taxable year can be carried forward until fully used. The borrower may assign the tax credit, or a portion thereof, to any of the following: (i) the borrower’s related member, (ii) the owner or lessee of the eligible research and development project, or (iii) a related member of the owner or lessee of the eligible research and development project. If the borrower is a pass-through entity and if the taxpayer is a partner or member of the pass-through entity-borrower, the taxpayer can claim a proportionate share of the pass-through entity-borrower’s credit.

Federal Privacy Act Notice

Because we require you to provide us with a Social Security number, the *Federal Privacy Act of 1974* requires us to inform you that providing us with your Social Security number is mandatory. Ohio Revised Code sections 5703.05, 5703.057 and 5747.08 authorize us to request this information. We need your Social Security number in order to administer this tax.