



ALABAMA DEPARTMENT OF REVENUE
Alabama S-Corporation Nonresident Agreement

For the year January 1 – December 31, 20____, or other tax year beginning _____ 20____, ending _____ 20____.

SHAREHOLDER SOCIAL SECURITY NUMBER / FEIN

•

SHAREHOLDER TAX YEAR

•

NAME

•

LEGAL RESIDENCE

CITY

STATE OF LEGAL RESIDENCE

ZIP

SHAREHOLDER'S ENTITY TYPE

S CORPORATION FEIN

CORPORATION TAX YEAR

NAME

ADDRESS

CITY

STATE

ZIP

AGREEMENT

- (1) I hereby agree that I will timely file a nonresident income tax return with the Alabama Department of Revenue and include therein my pro rata share of the income, loss and deductions of the above named entity for any taxable year in which I am a shareholder and will pay any tax liability due thereon.
- (2) I hereby irrevocably appoint the registered agent of the above entity and any agent or officer of the entity present in Alabama as my agent for service of process of any documents from the Alabama Department of Revenue in connection with my income tax returns or those of the entity, and that I hereby consent to personal jurisdiction by the State of Alabama in connection with my income tax returns or those of the entity. In addition, I hereby appoint the following person or firm in Alabama as agent for service of process: (OPTIONAL)

- (3) This agreement will be binding upon my heirs, representatives, assignees, successors, executors and administrators.

- (4) I understand this agreement may not be revoked or cancelled after the due date (with extensions) of the entity's Alabama return.

SIGNATURE OF OWNER / SHAREHOLDER

TITLE OR STATUS

(If shares are jointly owned, each owner must execute a separate agreement. If held as trustee or custodian, indicate title or status. If executed under power of attorney, so state.)

**A COPY OF THIS FORM MUST BE ATTACHED TO THE ALABAMA FORM 20S RETURN
EACH YEAR THE AGREEMENT IS IN EFFECT.**

Instructions for Completion of Schedule NRA

Schedule NRA must be completed by each nonresident shareholder of the entity. Once filed, Schedule NRA remains in effect until the shareholder notifies the entity in writing that the Schedule NRA has been revoked. A copy should be filed with the Alabama Form 20S return each year. A copy of Schedule NRA should be maintained for future reference.

If the Schedule NRA is not submitted timely by the entity on behalf of the nonresident shareholder, when applicable, the entity must complete the Form PTE-C on behalf of that shareholder and pay to the state an amount equal to the highest income tax rate applicable to individuals multiplied by the owner's pro rata share of income allocated and apportioned to this State as reflected in the entity's return for the period in question. In the spaces provided at the top of the form, insert the name and legal residence address of the shareholder. Also include the taxpayer identification number (Social Security Number or Federal Employer Identification Number) and the tax year of the owner. **BE SURE TO ENTER THE LEGAL RESIDENCE OF THE SHAREHOLDER.**

For the S corporation, enter the Federal Employer Identification Number (FEIN), tax year, name, and address.

In paragraph (2) on Schedule NRA, you may elect to insert the name and address of an agent in Alabama (selected by you) that you wish to have for service of documents in connection with the Alabama Income Tax Returns of the shareholder or the entity. This agency designation is **OPTIONAL** with the owner/shareholder and is in **ADDITION** to the agents designated by regulation.

This agreement must be signed by the owner/shareholder in the space provided. If the signature is by an attorney-in-fact, agent, or trustee, enter the proper title or status of the signer in the space provided. The shareholder may authorize any other person, including an officer, or employee of the entity to execute this agreement on his/her behalf, if a properly executed power of attorney is filed with this Department no later than the date on which this agreement is submitted. If shares of the Alabama S corporation are jointly owned, each owner must execute a separate agreement.

A nonresident owner of a subchapter K entity cannot enter into a consent agreement. Any consent agreements filed by a subchapter K entity, as defined in §40-18-1, **Code of Alabama 1975**, for its nonresident members prior to the passage of the Entertainment Industry Incentive Act of 2009 by the Alabama Legislature are void, effective for tax years beginning after December 31, 2008.

For further information concerning S corporations, see Reg. 810-3-160.01 and Sections 40-18-176, **Code of Alabama 1975**.