

PA SCHEDULE NRK-1

2507310056

Nonresident Schedule of Shareholder/
Partner/Beneficiary Pass Through
Income, Loss and Credits
PA-20S/PA-65 NRK-1 (DR) MOD 04-25 (FI)
PA Department of Revenue

2025

SECTION I	SSN	<input type="text"/>	Last Name	<input type="text"/>	Suffix	<input type="text"/>	First Name	<input type="text"/>	MI	<input type="text"/>
	Spouse's SSN If jointly held	<input type="text"/>	Name of Owner Receiving NRK-1 (if other than an individual)							
	FEIN	<input type="text"/>	<input type="text"/>							
	First Line of Address	<input type="text"/>				Amended Schedule	<input type="checkbox"/>	Final	<input type="checkbox"/>	Owner Type:
	Second Line of Address	<input type="text"/>				Shareholder's stock ownership:	<input type="text"/>		%	<input type="checkbox"/>
	City or Post Office	<input type="text"/>	State	<input type="text"/>	ZIP Code	<input type="text"/>	Partner's percentage of:	If Owner is D Fill in:		
		<input type="text"/>		<input type="text"/>		<input type="text"/>	Profit sharing:	<input type="text"/>		
		<input type="text"/>		<input type="text"/>		<input type="text"/>	Loss sharing:	<input type="text"/>		
		<input type="text"/>		<input type="text"/>		<input type="text"/>	Ownership of capital:	<input type="text"/>		
		Name of Entity Issuing NRK-1								
	<input type="text"/>									
	City or Post Office	<input type="text"/>	State	<input type="text"/>	ZIP Code	<input type="text"/>	Entity Type:	<input type="checkbox"/>		
		<input type="text"/>		<input type="text"/>		<input type="text"/>	Included on PA-40 NRC Return	<input type="checkbox"/>		
	FEIN	<input type="text"/>	<input type="checkbox"/>		Fiscal Year	<input type="checkbox"/>	52/53 Week	<input type="checkbox"/>	Short Year	
		<input type="text"/>	<input type="checkbox"/>		Begin	<input type="text"/>	End	<input type="text"/>		

NOTE: Amounts from this schedule must be reported on the appropriate PA Tax Return.**Enter whole dollars only**

SECTION II	1	PA-Taxable Business Income (Loss) from Operations	If a loss, fill in the oval.	<input type="checkbox"/>	1	<input type="text"/>	.00
	2	Net Gain (Loss) from the Sale, Exchange or Disposition of Property . .	If a loss, fill in the oval.	<input type="checkbox"/>	2	<input type="text"/>	.00
	3	Net Income (Loss) from Rents, Royalties, Patents and Copyrights . . .	If a loss, fill in the oval.	<input type="checkbox"/>	3	<input type="text"/>	.00
	4	Income of/from Estates or Trusts			4	<input type="text"/>	.00
	5	Gambling and Lottery Winnings (Loss)	If a loss, fill in the oval.	<input type="checkbox"/>	5	<input type="text"/>	.00
SECTION III	6	PA Nonresident Tax Withheld			6	<input type="text"/>	.00
	7	Total Other Credits. Submit statement			7	<input type="text"/>	.00
SECTION IV	8	Distributions of Cash, Marketable Securities and Property - not including guaranteed payments . . .			8	<input type="text"/>	.00
	9	Guaranteed Payments for Capital or Other Services			9	<input type="text"/>	.00
	10	All Other Guaranteed Payments for Services Rendered (PA-Appportioned Amount Only)			10	<input type="text"/>	.00
	11	Guaranteed Payments to the Retired Partner			11	<input type="text"/>	.00
SECTION V	12	Distributions from PA Accumulated Adjustments Account	If liquidating, fill in the oval.	<input type="checkbox"/>	12	<input type="text"/>	.00
	13	Distributions of Cash, Marketable Securities and Property			13	<input type="text"/>	.00
SECTION VI	14	Nontaxable income (loss) or nondeductible expenses required to	If a loss, fill in the oval.	<input type="checkbox"/>	14	<input type="text"/>	.00
		calculate owner's economic investment. Submit statement.					
SECTION VII	15	Owner's Share of IRC Section 179 (SUPPLEMENTAL INFORMATION ONLY)			15	<input type="text"/>	.00
	16	Owner's Share of Straight-Line Depreciation			16	<input type="text"/>	.00
	17	Partner's Share of Nonrecourse Liabilities at year-end			17	<input type="text"/>	.00
	18	Partner's Share of Recourse Liabilities at year-end			18	<input type="text"/>	.00



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Instructions for PA-20S/PA-65 Schedule NRK-1

Nonresident Schedule of Shareholder/Partner/Beneficiary
Pass Through Income, Loss and Credits

PA-20S/PA-65 NRK-1 IN (DR) MOD 04-25

GENERAL INFORMATION

PURPOSE OF SCHEDULE

Partnerships and S corporations use the PA Schedule NRK-1 to report income and losses by class of income to each of its nonresident owners. A PA Schedule NRK-1 is prepared for each individual partner, member or shareholder showing the share of income (losses) by class and other items required to be reported.

Nonresident Pennsylvania partners, members or shareholders (owners) who are individuals are subject to Pennsylvania personal income tax on their share of the entity's Pennsylvania source income, whether or not the income is actually distributed.

The PA-20S/PA-65 Schedule NRK-1 provides each nonresident partner, member or shareholder (owner) and entity owner their share of income, losses and credits from the partnership, PA S corporation, and/or entity formed as a limited liability company classified as a partnership or S corporation for federal income tax purposes.

WHO SHOULD RECEIVE PA SCHEDULE NRK-1

A PA-20S/PA-65 Schedule NRK-1 must be completed for every nonresident owner that has an ownership interest in a partnership, S corporation, and/or entity formed as a limited liability company classified as a partnership or S corporation for federal income tax purposes.

A copy of the PA-20S/PA-65 Schedules NRK-1 for each partner, member or shareholder (owner) must accompany the entity's PA-20S/PA-65 Information Return. Owners must receive a copy or copies to prepare Pennsylvania tax or information returns. The PA S corporation or partnership must also retain a copy of all the PA-20S/PA-65 Schedules NRK-1 as part of the entity's records.

In addition, a PA-20S/PA-65 Schedule NRK-1 must be completed for all nonresident owners that are estates, trusts, other PA S corporations, disregarded entities or other partnerships. The Pennsylvania taxable income passes through to the final taxpayer. Therefore, the immediate partners, members and shareholders must know the total Pennsylvania taxable income in the event the final owner is a Pennsylvania resident. In the event that the final owner is a nonresident of Pennsylvania, the owner must know Pennsylvania source taxable income.

A partnership, S corporation or limited liability company classified as a partnership or S corporation for federal tax purposes (entity) that fails to file a PA-20S/PA-65, S Corporation/Partnership Information Return may be subject to a \$250 non-filer penalty. The \$250 penalty also applies to each missing PA Schedule RK-1 or NRK-1.



NOTE: Entity owners receive both the PA-20S/PA-65 Schedules NRK-1 and RK-1.

PA SCHEDULE NRK-1 FOR C CORPORATION PARTNERS

PAPER RETURNS AND ELECTRONIC FILED RETURNS

The PA-20S/PA-65 Schedule NRK-1 submitted with the PA-20S/PA-65 Information Return does not need to be issued to C corporation taxpayers unless a credit from the PA-20S/PA-65 Schedule OC has been allocated.

If a C corporation taxpayer receives a PA-20S/PA-65 Schedule NRK-1, the amount from Line 7, Total Other Credits, must be reported on the appropriate Pennsylvania tax return.

PART-YEAR RESIDENT OWNERS

The requirements are different for PA S corporations and partnerships to issue PA Schedules RK-1 and/or NRK-1 to its owners as described below.

PA S CORPORATIONS ONLY SHAREHOLDER NONRESIDENCY PERIOD

A PA S corporation must submit a separate PA-20S/PA-65 Schedule NRK-1 for that portion of the tax year during which a part-year resident shareholder was a nonresident of Pennsylvania. Part-year shareholders have business income and losses prorated based upon the number of days in the tax year these individuals are located within and outside the state. Each shareholder's pro rata distributive share of total PA source income, losses and credits reported on the PA-20S/PA-65 Information Return determines the income amounts for the lines that are included on the PA Schedule NRK-1. Income is allocated based on days residing or not residing in Pennsylvania. Pennsylvania considers any day or partial day an owner has a residence or domicile within the commonwealth to be a Pennsylvania residency day. The owner will receive PA Schedules NRK-1 and RK-1 reflecting the proportionate share of income earned while a resident and a nonresident.

In order to calculate the PA Schedule NRK-1 income and losses by class for the non-residency period, first determine the proportional number of days a shareholder did not reside in the state. Using the number of days a shareholder was not located in the state as the numerator, divide this figure by the total number of days in the tax year representing the denominator. The resulting ratio should be multiplied by the PA source income and losses by class shown on page one of the PA-20S/PA-65 Information Return. This figure is then multiplied

by the shareholder's stock ownership percentage to determine the PA Schedule NRK-1 income and losses by class.

PARTNERSHIPS ONLY NONRESIDENCY PERIOD

A nonresident partner reports income based upon residency status at year-end and does not prorate the income. The partnership must submit a separate PA-20S/PA-65 Schedule NRK-1 for each individual partner if during the partnership's taxable year the partner was:

- A nonresident of Pennsylvania at the close of the taxable year;
- Deceased and a nonresident of Pennsylvania at the time of the partner's death during the taxable year; and/or
- A nonresident of Pennsylvania at the close of business on the day during the taxable year that the partner sold, exchanged, disposed of, liquidated, or redeemed the entire interest in the partnership.



NOTE: Income is considered earned on the final day of the tax year. If the partner is a nonresident on the last day of the year, the partner will receive a PA-20S/PA-65 Schedule NRK-1 showing Pennsylvania source income only.

ENTITIES WITH A SIGNIFICANT NUMBER OF OWNERS

The department will not accept any Schedules RK-1/NRK-1 in CD rom format. Please reference Informational Notice PIT 2013-02. Schedules RK-1 and NRK-1 submitted in this format will not be processed and the entity may be subject to the \$250 non-filer penalty that applies for each missing Schedule RK-1 and NRK-1.

HOW TO AMEND PA SCHEDULE NRK-1

An amended PA-20S/PA-65 Information Return and an amended PA-20S/PA-65 Schedule NRK-1 for each owner must be filed to correct any error on or reflect any change to the original PA-20S/PA-65 Information Return, whether or not an amended federal Form 1120S or federal Form 1065 was filed for that year.

To amend an original PA-20S/PA-65 Schedule NRK-1, use a blank schedule for the tax year to be amended and fill in the "Amended Schedule" oval at the top of the schedule. Do not send a copy of the original schedule. Complete the schedule by entering the corrected information and submit it with the amended PA-20S/PA-65 Information Return. See WHERE TO FILE in the PA-20S/PA-65 Information Return instructions.



IMPORTANT: When submitting an amended NRK-1, the amended PA-20S/PA-65 Information Return **must** accompany it, or it will not be accepted by the department.

COMPLETING PA SCHEDULE NRK-1

FOREIGN ADDRESS STANDARDS

If the PA S corporation, partnership or entity formed as a limited liability company classified as a partnership or PA S

corporation for federal income tax purposes is located outside the U.S., it is important to write the foreign address on the PA-20S/PA-65 Schedule NRK-1 according to U.S. Postal Service standards.

Failure to use these standards may delay processing or correspondence necessary to complete the processing of the return.

To comply with foreign address standards, use the following rules when completing the address portion of the PA-20S/PA-65 Schedule NRK-1.

- Eliminate apostrophes, commas, periods and hyphens. Write the address in all uppercase letters. Addresses should have no more than four lines and must be written in black ink or typewritten. Pencil is unacceptable.
- Write the name of the entity in the spaces provided. Mail may not be addressed to a person in one country "in care of" a person in another country. The address of items sent to general delivery must indicate the addressee's full legal name.
- Write the address in the spaces provided, including street and building name and number, apartment or suite numbers, city name and city or provincial codes. All lines of the delivery address should appear in all capital letters. The house number and street address or box number must appear when mail is addressed to towns or cities.
- Write only the name of the country in the space provided for the city or post office.
- **Do not** include any entries in the state field other than "OC" for Out-of-Country. The ZIP Code spaces should remain blank on the PA-20S/PA-65 Schedule NRK-1.

Providing the address in this format will better ensure that the department is able to contact the entity if additional information is required.

Below are examples of properly completed foreign addresses.

Foreign Address Examples

Name: DIETRICH ENTERPRISES
Address 1: HARTMANNSTRASSE 7
Address 2: 5300 BONN 1
City: GERMANY
State: OC
ZIP Code: Leave Blank

OR

Name: DIETRICH ENTERPRISES
Address 1: 117 RUSSELL DR
Address 2: LONDON W1PGHQ
City: ENGLAND
State: OC
ZIP Code: Leave Blank

Canada (Only) Address Example

The following address format may be used when the postal address delivery zone number is included in the address:

Name: NORTH BY NORTHWEST CO
Address 1: 1010 CLEAR ST
Address 2: OTTAWA ONT K1A 0B1
City: CANADA
State: OC
ZIP Code: Leave Blank

If the entity's address does not fit in the available spaces on the PA-20S/PA-65 Schedule NRK-1 using this format, submit a separate statement that includes the entity's name, entity's federal employer identification number, tax year and complete address.



NOTE: For a Canadian address, two spaces must exist between the province abbreviation and the postal code. Please review example above where "ONT" (province abbreviation) and "K1A 0B1" (postal code) are shown with the proper address format, separated by two spaces.

SECTION I

GENERAL INFORMATION



IMPORTANT: All required information must be included for both the RECEIVER and ISSUER of the NRK-1. Failure to provide a complete SSN/FEIN for either party, along with their full name and address, will result in an incomplete NRK-1 and may lead to processing issues with the department.

SSN

Enter the nine-digit Social Security number (SSN) of the individual receiving the PA-20S/PA-65 Schedule NRK-1. If the owner is a disregarded entity, use the SSN of the beneficial owner. Do not use the TIN of a disregarded entity.

LAST NAME, SUFFIX, FIRST NAME, MIDDLE INITIAL

Enter the last name; suffix such as Jr., Sr., etc.; first name and middle initial of the individual receiving the PA-20S/PA-65 Schedule NRK-1.

SPOUSE'S SSN

Enter the nine-digit SSN of the spouse (if jointly held) receiving the PA-20S/PA-65 Schedule NRK-1.

FEIN

Enter the nine-digit federal employer identification number (FEIN) of the owner (if other than an individual) receiving the PA-20S/PA-65 Schedule NRK-1.



NOTE: Do not use the TIN of a disregarded entity as the owner receiving NRK-1. List the TIN of the beneficial owner in the appropriate section for SSN or FEIN. Provide the FEIN of the disregarded entity within the OWNER portion of Section I.

NAME OF OWNER RECEIVING NRK-1 (IF OTHER THAN AN INDIVIDUAL)

If the owner of the entity is a partnership, PA S corporation, estate, trust or entity formed as a limited liability company classified as a partnership or PA S corporation for federal income tax purposes, enter the name of the entity owner receiving the PA-20S/PA-65 Schedule NRK-1. Eliminate all

punctuation such as apostrophes, commas, periods and hyphens.

If the PA Schedule NRK-1 is being issued to an individual or disregarded entity whose beneficial owner is an individual (See, NOTE under FEIN above), fill this area in with the individual owner information. Fill the Owner Type as "D" and fill in the box below Owner Type with the FEIN of the Disregarded Entity.

FIRST LINE OF ADDRESS

Enter the street address of the owner receiving the PA-20S/PA-65 Schedule NRK-1. If the address has an apartment number, suite or RR number, enter it after the street address. Eliminate all punctuation such as apostrophes, commas, periods and hyphens.



NOTE: If the street address along with the apartment number, suite or RR number does not fit on the first line of address, then enter the street address on the second line of address and the apartment number, suite or RR number on the first line of address.

SECOND LINE OF ADDRESS

Enter the post office box, if appropriate, of the owner receiving the PA-20S/PA-65 Schedule NRK-1. If there is no post office box, leave the second line of the address blank. Eliminate all punctuation such as apostrophes, commas, periods and hyphens.

For a foreign address enter the city or municipal designation. See FOREIGN ADDRESS EXAMPLES.

For a Canadian address, enter the city and postal delivery zone number. See CANADA ADDRESS EXAMPLE.



IMPORTANT: If the address has only a post office box, enter on the first line of address.

CITY, STATE AND ZIP CODE

Enter the appropriate information in each box. Eliminate all punctuation such as apostrophes, commas, periods and hyphens.

NAME OF ENTITY ISSUING NRK-1

Enter the name of the entity issuing the PA-20S/PA-65 Schedule NRK-1. Eliminate all punctuation such as apostrophes, commas, periods and hyphens.

CITY, STATE AND ZIP CODE

Enter the appropriate information of the entity issuing the PA-20S/PA-65 Schedule NRK-1 in each box. Eliminate all punctuation such as apostrophes, commas, periods and hyphens.

FEIN

Enter the nine-digit FEIN of the entity issuing the PA-20S/PA-65 Schedule NRK-1.

AMENDED SCHEDULE

Fill in the oval if the PA-20S/PA-65 Schedule NRK-1 is an amended schedule.

FINAL

Fill in the oval if the PA-20S/PA-65 Schedule NRK-1 is a final schedule.

SHAREHOLDER'S STOCK OWNERSHIP

Enter the shareholder's percentage of stock ownership in the PA S corporation.

Valid values are: "00000" to "10000", where 10000 = 100%
Decimal point is implied after 3rd character from the left
e.g. to indicate 33.33%, the value should be "03333"
e.g. to indicate 25%, the values should be "02500"

PARTNERSHIP PERCENTAGE

Enter the partner's percentage of each of the following at the close of the taxable year:

- Profit sharing
- Loss sharing
- Ownership of capital

Valid values are: "00000" to "10000", where 10000 = 100%
Decimal point is implied after 3rd character from the left
e.g. to indicate 33.33%, the value should be "03333"
e.g. to indicate 25%, the values should be "02500"

OWNER

From the list below, enter the code that corresponds with the type of owner receiving the PA-20S/PA-65 Schedule NRK-1:

- I = Individual
- S = S Corporation
- C = C Corporation
- E = Estate
- T = Trust
- P = Partnership
- L = LLC
- X = Exempt
- D = Disregard Entity

If owner is a disregarded entity, the FEIN field below must be filled out.

PARTNER

Fill in the oval that designates what type of partner received the PA-20S/PA-65 Schedule NRK-1. Fill in one oval only.

ENTITY

From the list below, enter the code that corresponds with the type of owner issuing the PA-20S/PA-65 Schedule NRK-1:

- S = S Corporation
- P = Partnership
- E = Estate
- T = Trust
- L = LLC

FISCAL YEAR

If the PA S corporation, partnership or limited liability company filing as a partnership or PA S corporation for

federal income tax purposes does not file on a calendar-year basis, fill in fiscal-year oval. Enter the month, day and year (MMDDYY) when the fiscal year begins and ends.

52/53 WEEK

If the PA S Corporation, partnership or limited liability company filing as a partnership or PA S corporation for federal income tax purposes files on a basis of 52/53 week, fill in the oval. Enter the month day and year (MMDDYY) when the 52/53 week year begins and ends.



NOTE: Do not fill in the fiscal filer oval.

SHORT YEAR

A short year is an accounting period shorter than one year and not a 52/53 week taxable year.

A short-year return is required for the following reasons:

- Changes in the annual accounting period. For example, the entity changes from a fiscal-year filer to a calendar-year filer; or
- An entity is in existence during only part of the tax year. For example, if the year is the initial year or final year for all entities.

See the PA-20S/PA-65 Information Return instructions on how to file a short-year return.

LINE INSTRUCTIONS

SECTION II

OWNER'S DISTRIBUTIVE SHARE OF PENNSYLVANIA SOURCE INCOME (LOSS)

LINE 1

PENNSYLVANIA TAXABLE BUSINESS INCOME (LOSS) FROM OPERATIONS

Enter the owner's pro rata distributive share from the PA-20S/PA-65 Information Return, Line 2h. The entity must report the owner's share of income (loss) whether distributed or not. If reporting a loss fill in the oval.



Guaranteed payments should not be included on Line 1 of PA-20S/PA-65 Schedule NRK-1.

LINE 2

NET GAIN (LOSS) FROM THE SALE, EXCHANGE OR DISPOSITION OF PROPERTY

This figure will flow from PA-20S/PA-65 Schedule D, Part I, Line 16. If reporting a loss fill in the oval.

LINES 3 THROUGH 5

Enter the owner's pro rata distributive share of the separately stated items of other Pennsylvania taxable income (loss) from the PA-20S/PA-65 Information Return. If reporting a loss on Line 3 and/or Line 5, fill in the oval.

SECTION III

OWNER'S SHARE OF PENNSYLVANIA CREDITS

Enter the owner's pro rata distributive share of the separately stated credits that the PA S corporation or partnership passes through to the owners from the PA-20S/PA-65 Information Return.

LINE 6

PENNSYLVANIA NONRESIDENT TAX WITHHELD

Enter the Pennsylvania nonresident tax withheld from nonresident owners of Pennsylvania that was submitted to the Pennsylvania Department of Revenue.

Include the excess withholding paid on behalf of nonresidents of Pennsylvania if the owner will receive a refund or credit of the excess.


LINE 7

TOTAL OTHER CREDITS

Enter the owner's pro rata share from PA-20S/PA-65 Information Return, Section V, Line 13a. The entity must provide the owner with a statement listing which credit(s) have been passed through to them.

When applicable, Line 7 includes credits for PA S corporations treated as C corporations in other states.

The statement must include the entity's name, entity's federal employer identification number, tax year, owner name(s), and owner tax identification number(s).

 **IMPORTANT:** See PA-20S/PA-65 Schedule OC instructions for which credits must be applied to corporate tax liability prior to being passed through to the entity's owners. C corporation owners cannot claim credit for taxes paid to other states.

SECTION IV

DISTRIBUTIONS FROM PARTNERSHIPS

Noncorporate shareholders and partners should use the amounts from PA-20S/PA-65 Schedule NRK-1, Section IV through Section VII, to determine or calculate their Pennsylvania economic investment in the entity. Partners include Line 10 in net classified income on their Pennsylvania tax returns.

LINE 8

DISTRIBUTION OF CASH, MARKETABLE SECURITIES AND PROPERTY NOT INCLUDING GUARANTEED PAYMENTS

Enter the partner's share of such distributions of cash, marketable securities and property other than guaranteed payments. Nontaxable distributions reduce the nonresident's economic investment.

LINE 9

GUARANTEED PAYMENTS FOR CAPITAL OR OTHER SERVICES

Enter the partner's share of guaranteed payments for capital or other services. For nonresidents a guaranteed payment for other services or for the use of capital is allocable to their state of residence. Nonresidents are not taxed on a guaranteed payment for the use of capital for Pennsylvania personal income tax purposes.


Pennsylvania personal income tax rules classify distributions of guaranteed payments for capital or other services as follows:

- A withdrawal proportionately from the capital of all partners;
- A gain from the disposition of the recipient's partnership interest and a loss from the disposition of the other partners' partnership interests, to the extent derived from the capital of the other partners; and
- A return of capital by the recipients to the extent derived from their own capital. The distributions that the partnership makes that represent repayments of the partner's own capital are not considered income for Pennsylvania personal income tax purposes.


LINE 10

ALL OTHER GUARANTEED PAYMENTS FOR SERVICES RENDERED (PENNSYLVANIA-APPORTIONED AMOUNT ONLY)

Enter the partner's share of such payments taxable in Pennsylvania. Pennsylvania taxes nonresidents of Pennsylvania on guaranteed payments based on Pennsylvania-apportioned calculations for ordinary income.

 **NOTE:** The partner must know the class of income from which the partnership made the guaranteed payments. The partner must then properly classify the payments on the PA-40 Individual Income Tax Return.

Guaranteed payments are apportioned the same as business income. For example if the guaranteed payment is \$100 and the Pennsylvania apportionment is 50 percent, then only \$50 is included in the business income.

 **IMPORTANT:** If the total guaranteed payments include more than one of the income classes described below, the partnership must provide a statement to the partners showing the amounts for each line.

For Pennsylvania personal income tax purposes, guaranteed payments are classified as follows:

- If services are rendered directly in the production of income from a business, profession, or farm, the guaranteed payments are gross income from that income class.
- If services are rendered directly in the production of rental or royalty income, the guaranteed payments are gross income from that income class.

A guaranteed payment is allocable to Pennsylvania to the extent it is deductible from net profits or rental and royalty income that is allocable to Pennsylvania. Income allocable to Pennsylvania is income derived from Pennsylvania sources.

HEALTH SAVINGS ACCOUNTS (HSA)

Contributions by a partnership to a bona fide partner's HSA are not contributions by an employer. The contributions are treated as a distribution of money and are not included in the partner's income.

Contributions by a partnership to a partner's HSA for services rendered, however, are treated as guaranteed payments that are deducted by the partnership and included in the partner's income. In both situations, the partnership can deduct the contribution made to the partner's HSA.

Contributions to a nonresident partner's HSA for services must be apportioned.

Contributions by an S corporation to a 2 percent shareholder/employee's HSA for services rendered are deducted by the S corporation as wage or salary expense and included in the shareholder/employee's gross compensation. The shareholder/employee can deduct the contribution made to the shareholder/employee's HSA.

LINE 11

GUARANTEED PAYMENTS TO A RETIRED PARTNER

Guaranteed payments to a retired partner must meet the exception as described in IRC §1402(a)(10).

Generally, retirement payments received by a retired partner from a partnership (of which he or she is a member or former member) are counted as net earnings from self-employment. Certain periodic payments by a partnership to a retired partner made on account of retirement under a written plan of partnership are excluded from the tax. To be effective, the plan must meet such requirements as are prescribed by Reg §1.1402(a)-17. It must apply to partners generally or to a class or classes of partners, and provide such payments at least until the retired partner's death.

The exclusion applies to retirement payments received by a retired partner only if he or she renders no services in any business conducted by the partnership during the taxable year of such partnership, ending within or with his or her taxable year in which amounts were received. At the end of such partnership's taxable year: (1) there must be no obligation from other partners to the retired partner, other than to make retirement payments under the plan; and (2) the retired partner's share in the capital of the partnership had been paid to him or her in full. Code Sec. 1402(a)(10) Reg §1.1402(a)-17.

SECTION V

DISTRIBUTIONS FROM PA S CORPORATIONS

LINE 12

DISTRIBUTIONS FROM THE PENNSYLVANIA ACCUMULATED ADJUSTMENTS ACCOUNT

Enter the shareholder's share of such distributions. Nontaxable distributions reduce the nonresident's economic investment. If a liquidating distribution, fill in the oval.

LINE 13

DISTRIBUTIONS OF CASH, MARKETABLE SECURITIES AND PROPERTY

Enter the shareholder's share of such distributions. Nontaxable distributions reduce the nonresident's economic investment.

TIP The PA S corporation should not include distributions to Pennsylvania nonresident shareholders from its PA C corporation earnings and profits as taxable dividend income.

SECTION VI

NONTAXABLE INCOME (LOSS) OWNER'S ECONOMIC INVESTMENT

LINE 14

NONTAXABLE INCOME OR NONDEDUCTIBLE EXPENSES REQUIRED TO CALCULATE OWNER'S ECONOMIC INVESTMENT. SUBMIT A STATEMENT

The difference between federal and Pennsylvania depreciation should not be included on this line. Line 14 is based on permanent nontaxable income or nondeductible expenses in calculating Pennsylvania taxable income. This amount is generally not the same amount reported on the PA-20S/PA-65 Information Return, Section IV, Line 12 because Line 12 should include non-permanent items.

The owners need this information to determine their personal Pennsylvania economic investment in the entity, taking into consideration the losses and distributions that may exceed their economic investment. Submit a statement that includes the entity's name, federal employer identification number and tax year and provide a breakdown of all nontaxable income earned and all non-deductible expenses not taken. This amount should only include permanent differences needed to calculate the owner's economic investment in the entity. If reporting a loss fill in the oval.

The entity provides the owners with this information so the owners can calculate their economic investment. Examples of nontaxable income are tax-exempt interest, gifts, inheritance, loan proceeds, insurance proceeds and federal tax refunds. Examples of nondeductible expenses are partner's retirement contributions, partner's life and health insurance premiums.

These items may be listed on federal Form 1120S Schedule K as "Items Affecting Shareholder Basis" and on federal Form 1065 Schedule K as "Other Information".

SECTION VII

SUPPLEMENTAL INFORMATION

The owners will need certain information to determine their personal Pennsylvania economic investment in the entity.

LINE 15

OWNER'S SHARE OF IRC §179 ALLOWED (PENNSYLVANIA-APPORTIONED AMOUNT ONLY)

Enter the owner's share of IRC §179 depreciation expense. Each entity and individual taxpayer is limited to the IRC §179 federal depreciation expense for years beginning on or after January 1, 2023. Do not deduct this amount from any income class. This is for information only and is used to verify the owner has not exceeded the IRC §179 depreciation expense on a individual entity or aggregate basis. This amount has already been deducted from the applicable income class. Do NOT deduct again.

LINE 16

OWNER'S SHARE OF STRAIGHT-LINE DEPRECIATION (PENNSYLVANIA-APPORTIONED AMOUNT ONLY)

Enter the owner's share of the entity's total expense. In years in which the entity incurs a loss and the owner is not able to use the entire loss, the owner is required to reduce their economic investment in the entity by their share of straight-line depreciation. Therefore, assets for which accelerated depreciation has been calculated must be recalculated using straight-line depreciation in order to calculate Pennsylvania economic investment. The life of the asset must be the same life that was used to calculate depreciation expense deducted in determining Business Income (Loss) from Operations and/or Rental Income (Loss).

LINE 17

PARTNER'S SHARE OF NONRECOURSE LIABILITIES AT YEAR-END

Enter the partner's share of nonrecourse liabilities at year-end.

A nonrecourse liability is a secured liability, identified by the partnership, for which the partners are not personally liable. Nonrecourse liabilities apportion such debts to each partner's outside basis and validate deductions based on such liabilities.

LINE 18

PARTNER'S SHARE OF RECOURSE LIABILITIES AT YEAR-END

Enter the partner's share of recourse liabilities at year-end. A recourse liability is one for which a partner is personally liable.