

IDAHO

2018

Fiduciary Income Tax

Instructions for:

Form 66

Fiduciary Income Tax Return

Form 44

Idaho Business Income Tax
Credits and Credit Recapture

For more information:

tax.idaho.gov

Questions:

(208) 334-7660 in the Boise area
(800) 972-7660 toll-free

Hearing Impaired (TDD):

(800) 377-3529

Refund Information:

(208) 364-7389 in the Boise area
(888) 228-5770 toll-free

UPDATES FOR 2018

CONFORMITY TO INTERNAL REVENUE CODE (IRC)

Idaho conforms to the IRC as of January 1, 2018. Idaho doesn't conform to bonus depreciation for assets acquired after 2009.

REPORTING TAXABLE INCOME CHANGE

Taxpayers have 120 days instead of 60 days to report a change in their federal taxable income or in any tax paid to another state they have claimed a credit for.

TAX RATE REDUCTION

The corporate tax rate decreased by .475%.

CHARITABLE CONTRIBUTION CREDIT

The credit for charitable contributions now includes donations to Idaho-based medical residency placement organizations.

GENERAL INFORMATION

WHO MUST FILE FORM 66?

A fiduciary (guardian, trustee, executor, administrator, receiver, conservator or any person acting in a position of trust or fiduciary capacity for any other person or group of persons) must file an Idaho income tax return on Form 66 for:

- A resident estate with gross income (as defined in IRC Section 61(a)) of \$600 or more for the current tax year
- A nonresident estate with gross income (as defined in IRC Section 61(a)) from Idaho sources of \$600 or more for the current tax year
- A resident trust that's required to file a federal return, including a grantor trust, with gross income (as defined in IRC Section 61(a)) of \$100 or more for the current tax year
- A nonresident trust that's required to file a federal return, including a grantor trust, with gross income (as defined in IRC Section 61(a)) from Idaho sources of \$100 or more for the current tax year
- An estate of a resident individual involved in bankruptcy proceedings under Chapter 7 or 11 of Title 11 of the U.S. Bankruptcy Code with gross income (as defined in IRC Section 61(a)) of \$9,500 or more
- Any resident IRA trust or other trust required to file Form 990-T to report unrelated business taxable income
- Any nonresident IRA trust or other trust required to file Form 990-T to report unrelated business taxable income with gross income from Idaho sources of \$100 or more for the current tax year. For this purpose, gross income includes the trust's share of gross income of a pass-through entity

If you're filing for a foreign trust that's required to file a federal Form 1040NR, file on Idaho Form 43.

RESIDENCY OF ESTATES

An estate is treated as a resident estate if the decedent was domiciled in Idaho on the date of death. If the estate is other than an estate of a decedent, it's treated as a resident estate if the person the estate was created for is an Idaho resident. If the estate doesn't qualify as a resident estate, it's treated as a nonresident estate.

A nonresident estate reports income earned from Idaho sources the same as if the taxpayer was a nonresident individual.

RESIDENCY OF TRUSTS

A trust is treated as a resident if three or more of the following occur in Idaho:

- Domicile or residency of the grantor
- The trust is governed by Idaho law
- Existence of trust property
- Domicile or residency of the trustee
- Administration of the trust, which includes conducting trust business, investing assets, making policy decisions, record-keeping, or filing of tax returns

If the trust doesn't qualify as a resident trust, it's treated as a nonresident trust.

A nonresident trust with income earned from Idaho sources must report that income to Idaho the same as if the taxpayer was a nonresident individual. No distinction is made between living trusts (created by the grantor and funded during the grantor's lifetime) and testamentary trusts (becoming operative when the grantor dies). If a trust isn't required to file a federal return, it isn't required to file an Idaho return.

WHAT TO FILE

File a complete copy of the federal income tax return with the Idaho income tax return. Include all federal Schedules K-1 and Idaho Forms ID K-1 with the return or submit them with the return on compact disc in Word, Excel, or PDF format. If you don't include a complete copy of the federal return, the processing of your return will be delayed.

GENERAL INFORMATION

WHEN TO FILE

Your return is due on or before the 15th day of the fourth month following the close of your tax year. For a calendar year filer, this is April 15, 2019. If the last day for filing a return falls on a Saturday, Sunday or legal holiday, the return is on time if it's filed on the next business day.

WHERE TO FILE

Mail the return and payment to:

Idaho State Tax Commission
PO Box 56
Boise ID 83756-0056

If you're sending your return using a delivery service that requires a physical address, use the following:

Idaho State Tax Commission
800 Park Blvd Plaza IV
Boise ID 83712-7742

ACCOUNTING METHODS

You must use the same accounting method that you used for federal income tax purposes. A change of accounting method must have prior approval from the Internal Revenue Service (IRS). Include a copy of the federal approval with your return.

ACCOUNTING PERIOD

You must use the same accounting period that you used for federal income tax purposes. A change to the annual accounting period must have prior approval from the IRS. Include a copy of the federal approval with your return.

AMENDED RETURNS

Use Form 66 to amend your return. Check the amended return box at the top of the form and enter the reason for amending. See **Amended Return** on page 5 for more information.

If you amend your federal return, you must file an amended Idaho income tax return. The statute of limitations for receiving a refund is three years from the due date of the return or the date the return was filed, whichever is later.

Amended returns claiming refunds that aren't filed on the form for the applicable year will be returned to you.

ASSEMBLING THE RETURN

To make sure that your return is correctly processed, include all forms and schedules in the following order:

1. Form 66, pages 1 and 2
2. Form 75
3. Form 44
4. Form PTE-12
5. Form(s) ID K-1
6. Additional schedules in alphabetical order
7. Additional forms in numerical order
8. Complete copy of federal return

BONUS DEPRECIATION

For Property Acquired Before 2008 or After 2009

If you claimed bonus depreciation for federal purposes:

- Complete and include a separate federal Form 4562 or detailed computation for Idaho depreciation purposes as if you hadn't claimed the special depreciation allowance
- Use the Idaho depreciation amounts to compute the Idaho adjusted basis and any gains or losses from the sale or exchange of the property

- Enter the differences between the Idaho and federal depreciation amounts, and gains and losses from sales or exchanges of the property on the appropriate bonus depreciation line on Form 66, Schedule B

For Property Acquired During 2008 and 2009

Idaho law follows the federal bonus depreciation provisions. Use the same amounts for Idaho as you use for federal purposes. Idaho doesn't require additional forms or computations.

ELECTING SMALL BUSINESS TRUST (ESBT)

If the trust is an ESBT for federal purposes, its treated as an ESBT for Idaho income tax purposes. You don't need a separate election for Idaho.

Special rules apply when computing the tax of an ESBT. The portion of an ESBT that consists of stock of one or more S corporations is treated as a separate trust in computing the tax attributable to the S corporation stock held by the trust. This tax:

- Must be paid by the ESBT
- Must be computed separately from the tax on the remainder of the ESBT at the maximum individual rate of 6.925%. Include the tax computation with the return
- Is entered on Form 66, line 21

Compute the tax on the remainder of the ESBT in the normal way on Form 66. Don't include the S corporation items when computing this tax or distributable net income. Don't apportion any of the S corporation items to the beneficiaries.

If the ESBT consists entirely of stock in one or more S corporations, don't make any entries on page 1, lines 4 through 15. Instead:

- Complete the heading area and lines 1 through 3
- Follow the instructions for line 21 for computing the tax on the S corporation items and enter the amount of tax
- Complete the rest of the return

EXTENSION OF TIME TO FILE

If you can't file your return by the due date, Idaho allows an automatic six-month extension of time to file. To avoid paying a penalty, the amount of tax payments you've made must be at least 80% of the current year's tax liability or 100% of the total tax reported last year. Use Form 41ES to make your payment.

Even though an extension gives you more time to file, the tax is due on the original due date of the return. You must pay interest on any tax paid after the due date.

FEDERAL AUDIT

If your federal taxable income or tax credits change because of an audit, you must send written notice (including an amended return) to the Tax Commission within 120 days of the final federal determination. Include copies of all IRS schedules.

If you owe additional Idaho tax and don't send written notice within 120 days, we apply a 5% negligence penalty. We charge interest on any tax due.

If the final federal determination results in an Idaho refund, you must file an amended Idaho income tax return with the written notice. If the statute of limitations is closed, you have one year from the date of the final determination to file for the refund.

GENERAL INFORMATION

FORMS

Forms are available:

- Online at tax.idaho.gov (some forms are fillable)
- At Tax Commission offices
- By calling (208) 334-7660 in the Boise area or (800) 972-7660

You can use photocopies of these tax forms. Your copy must be legible.

GRANTOR TRUSTS

Trust income taxable to the grantor or another person under IRC Sections 671 through 678 isn't taxed on a fiduciary return. You must show the income information on a separate statement attached to federal Form 1041. Include a copy of that information statement with Form 66. Also include a supplemental statement with Form 66 showing Idaho additions and subtractions to federal taxable income.

INTEREST

Interest applies on delinquent tax from the due date of the return until the tax is paid at the rate of 5% per year (rate effective for 2019).

NET OPERATING LOSS (NOL)

An estate or trust has an Idaho NOL in a year when its Idaho taxable income is less than zero. NOLs incurred in activities not taxable by Idaho can't be subtracted.

For losses incurred after January 1, 2013, you only have one year from the end of the loss year to file an amended return carrying back the Idaho NOL. After that, you must carry the Idaho NOL forward. You can carry forward the remaining amount and apply it to the next 20 years until the NOL is fully absorbed.

For losses incurred after January 1, 2000, and before January 1, 2013, you must carry back the Idaho NOL and apply it to the prior two years. You can carry forward the remaining amount and apply it to the next 20 years until the NOL is fully absorbed.

You can carry back a maximum of \$100,000 (\$50,000 if you're filing as married filing separately) of Idaho NOL. You must carry forward any Idaho NOL in excess of \$100,000.

OTHER RETURNS THAT MAY BE REQUIRED

An Idaho individual income tax return, Form 40 or Form 43, may be required for the last tax year of a decedent or for a beneficiary of a guardianship trust or estate. Refer to the Idaho Individual Income Tax booklet for filing requirements.

If Form 1041-A is required for federal income tax purposes, file a copy of that form with the Tax Commission. Mark the copy "Idaho Information Copy."

PAYMENTS

Electronic payments. There's no fee when paying by ACH Debit. If you pay by credit card or e-check, our third-party provider charges a convenience fee. American Express, Discover, MasterCard, and Visa are accepted. For more information, visit our *E-Pay* page at tax.idaho.gov

Check payments. Make your check or money order payable to the Idaho State Tax Commission. Write your federal employer identification number (EIN) on it and include it with your return. Don't staple your check to your return or send a check stub.

Payments of \$100,000 or more. Idaho law requires you use ACH Debit or ACH Credit (electronic funds transfer) when making payments of \$100,000 or more. If you file a paper tax return, indicate that you paid by one of these methods. If you're making an electronic funds transfer for the first time, read more at tax.idaho.gov/epay. To request our "ACH Credit Addenda

and Bank Information" form, email us at eft@tax.idaho.gov or fax (208) 334-7625.

PENALTIES

Idaho law provides penalties for not filing returns by the due date, not paying tax due on time, and not prepaying enough on extension returns. For more information or to calculate a penalty, see our *Penalties and Interest* page at tax.idaho.gov/penalties.

PERMANENT BUILDING FUND (PBF) TAX

An estate or trust required to file an Idaho income tax return must pay the \$10 PBF tax if all the Idaho adjusted income hasn't been distributed to beneficiaries. Additionally, an estate or trust is required to pay the PBF for each nonresident individual beneficiary who meets the Idaho filing requirement and has the trust or estate pay the tax on the beneficiary's share of distributable Idaho source income. An estate or trust must pay the PBF tax for each nonresident individual beneficiary included in the composite return. A qualified funeral trust isn't required to pay the PBF tax.

QUALIFIED DISABILITY TRUSTS (QDT)

A QDT is any nongrantor trust:

- Described in 42 U.S.C. 1396p(c)(2)(B)(iv) and established solely for the benefit of an individual over 65 years of age who's disabled, and
- All the beneficiaries are determined by the Commissioner of Social Security to have been disabled for some part of the tax year within the meaning of 42 U.S.C. 1382c(a)(3)

QUALIFIED FUNERAL TRUSTS (QFT)

Special rules apply to the taxation of a QFT for trustees that elect to use these rules.

A QFT is a domestic trust that meets all of the following requirements:

- It was a result of a contract with a person engaged in the trade or business of providing funeral or burial services or property necessary to provide such services
- The sole purpose of the trust is to hold, invest, and reinvest funds in the trust and to use those funds solely to pay for funeral or burial services or property to provide such services for the benefit of the beneficiaries of the trust
- The only beneficiaries are individuals whose services or property will be provided at their death under the contracts described in the first bullet
- The only contributions to the trust are made by or for the benefit of such beneficiaries
- The trustee makes or previously had made the election to treat the trust as a QFT
- If the election hadn't been made, the trust would have been treated as owned by the purchasers of the contracts under the grantor trust provisions of the IRC. However, a trust that isn't treated as owned by the purchaser solely because of the death of an individual is treated as meeting this requirement during the 60-day period beginning on the date of the individual's death

Composite Return

If a person is the trustee of more than one QFT, the trustee can file a single composite return for all of the QFTs. Include a schedule with the composite Form 66 that includes the following information for each separate interest treated as a separate QFT:

- The name of the owner designated as the trust beneficiary. If you list the name of the owner and that trust has more than one beneficiary, you must separate the trust into shares held by the separate beneficiaries
- The type and gross amount of each type of income earned by the QFT for the tax year

GENERAL INFORMATION

- The type and amount of each deduction and credit allocable to the QFT
- The tax and payments made for each QFT and
- The date of the termination if the QFT was terminated during the year

Computing Tax

If a QFT has multiple beneficiaries, each beneficiary's interest is treated as a separate trust for purposes of computing the tax.

If a composite return is filed, include Form PTE-12 and a statement identifying the calculation of Idaho taxable income and the Idaho income tax for each beneficiary.

Permanent Building Fund (PBF) Tax

A QFT isn't required to pay the PBF tax.

Residency of QFTs

A QFT is treated as a resident if at the time of the initial funding of the trust, the QFT is required to be established under the laws of Idaho, or if there is no such requirement, if a funeral home or cemetery located in Idaho is identified to provide the services or merchandise, or both, under the terms of a pre-need contract requiring the establishment of the trust.

Filing Requirements for QFTs

If a QFT has multiple beneficiaries, each beneficiary's interest is treated as a separate trust for purposes of determining whether an Idaho return must be filed. The filing requirements for each separate interest in the QFT are the same as for other resident or nonresident trusts.

ROUNDING

Round the amounts on the return to the nearest whole dollar. Round down if under 50 cents, round up if 50 cents or more.

SIGNATURE

The return must be signed by the fiduciary or officer representing the fiduciary.

TAX DUE FOR NONRESIDENT INDIVIDUAL BENEFICIARIES

The trust or estate can pay the tax on a nonresident individual beneficiary's income from the trust or estate.

The trust or estate is taxed on this income at the corporate rate of 6.925%.

See additional information, including Forms PTE-12 and PTE-01, on our *Pass-through Entity Guidance* page at tax.idaho.gov.

TAX PERIOD/YEAR COVERED BY RETURN

Use the 2018 form to file your tax return for calendar year 2018 or the fiscal year beginning in 2018.

TAX PREPARER CONTACT BOX

This box applies only if you paid a tax preparer to complete your return. If you check the box, you're authorizing the Tax Commission to discuss your return with the paid preparer identified on your return.

You're also authorizing the paid preparer to:

- Give the Tax Commission any information that's missing from your return, and
- Call the Tax Commission for information about processing your return or the status of your refund or payments

You aren't authorizing the paid preparer to receive any refund check, bind you to anything including any additional tax liability, or otherwise represent you before the Tax Commission.

This authorization is valid for up to 180 days from the date the Tax Commission receives the return. If you want the Tax Commission to contact you instead of your preparer, leave the box blank.

FORM 66 SPECIFIC INSTRUCTIONS

Instructions are for lines not fully explained on the form.
General information instructions beginning on page 1 also apply to this form.

The trust or estate must provide each beneficiary with an Idaho Form ID K-1. This form shows the beneficiary's share of Idaho additions, subtractions, and credit information. Form ID K-1 also identifies the beneficiary's share of gross income to help determine Idaho filing requirements of individual beneficiaries. Include all Forms ID K-1 and a complete copy of federal Form 1041, including all federal Schedules K-1, with the Idaho Form 66.

HEADING

File the 2018 return for calendar year 2018 or a fiscal year that begins in 2018. For a fiscal year, fill in the tax year space at the top of the form.

Write your trust/estate name, fiduciary name and title, address, and federal Employer Identification Number (EIN) in the space provided. Don't include the dash.

AMENDED RETURNS

You can use this form as an original return or an amended return. If you're filing this form as an amended return, check the amended return box at the top of the form. Enter the number from the following list that best describes your reason for amending.

1. Federal Audit
2. Net Operating Loss Carryback - Include Form 56 or a schedule showing the application of the loss
3. Federal Amended
4. Other - Include an explanation

Complete the entire form using the corrected amounts.

ELECTING SMALL BUSINESS TRUSTS (ESBT)

Check the box if the trustee elected for the trust to be an ESBT for federal purposes.

QUALIFIED FUNERAL TRUSTS (QFT)

Check the box if the trustee made the election under IRC Section 685 and the trust otherwise qualifies as a QFT. Check the box if filing a QFT composite return. Don't complete lines 4 through 15. Enter zero on line 16 and continue to line 21.

QUALIFIED DISABILITY TRUSTS (QDT)

Check the box if the entity is a qualified disability trust as described in IRC Section 642.

QUESTIONS 1, 2, AND 3

Mark the appropriate boxes and provide the requested information. Answer each question or the return is considered incomplete. Incomplete returns cause processing delays.

Complete questions 1a through 1d if the fiduciary files Form 66 for an estate. Otherwise, go to question 2.

Question 1 ESTATES

- a. Enter the decedent's Social Security number.
- b. Enter the decedent's date of death.
- c. If the decedent was an Idaho resident on the date of death, check the "Yes" box.
- d. If box c is checked "No," enter the decedent's state of residence on the date of death.

Question 2 RESIDENT/NONRESIDENT BENEFICIARIES

Check the "Yes" box if any beneficiary of the trust or estate isn't an Idaho resident. A beneficiary is an Idaho resident if the individual:

- Is domiciled for the entire year in Idaho even though temporarily outside of Idaho and
- Has a home in Idaho for the entire year and spends more than 270 days in Idaho during the tax year

A Form PTE-12 is required if you checked "Yes." See Form PTE-12 instructions.

Question 3 FINAL RETURN

Check the "Yes" box if this is the final Idaho return for the trust or estate.

LINE 5 INCOME DISTRIBUTION DEDUCTION

Enter the amount of the deduction for distributions to beneficiaries. Include Form PTE-12 with the return if the trust or estate files as a pass-through entity. Enter the total of Idaho distributable income from Form PTE-12 columns (b), (c), and (e).

LINE 6 ESTATE TAX DEDUCTION

Enter the deduction for federal estate tax attributable to income in respect of a decedent. If the income in question has been distributed, only the fiduciary's proportionate share may be deducted. Refer to federal Form 1041 instructions. If any or all of the estate tax is attributed to income that's exempt from Idaho tax, you must make a special Idaho adjustment to add back a proportionate share of the deduction. Include a schedule showing the computation.

LINE 8 EXEMPTION

Enter zero on line 8 if the trust or estate distributes all its income to the beneficiaries, reports the income distribution and pays the tax for the beneficiaries. Enter zero on line 8 if the trust is an exempt trust filing a Form 990-T to report unrelated business taxable income. The exemption for a qualified disability trust (QDT) is the same as the exemption used for federal purposes.

If all income is reported to Idaho, enter the federal exemption from Form 1041, line 20.

If only part of the income is reported to Idaho, enter the amount from line 6 of the following computation:

1. Federal taxable income, Form 1041, line 22, as adjusted for amounts shown on Idaho Form 66, page 2, Schedule B, lines 2 through 10
2. Federal exemption, Form 1041, line 20
3. Add lines 1 and 2
4. Enter amount from Idaho Form 66, line 7
5. Divide line 4 by line 3. (Can't exceed 100%)..... %
6. Exemption. Multiply line 2 by line 5

LINE 11 DONATION TO OPPORTUNITY SCHOLARSHIP PROGRAM

You can make a voluntary donation to the Idaho Opportunity Scholarship Program. The amount designated will either reduce your refund or increase your tax due. Your choice to donate can't be changed; you can't get a refund later.

Contributions help provide need-based scholarship funds to Idaho high school graduates who attend approved higher education institutions in Idaho. This need-based program is built on a shared responsibility model. Students must contribute to the cost of attendance, and apply for other financial aid sources including federal aid. Awards are renewable for up to four years and are based primarily on financial need with some academic consideration. Students must meet a minimum GPA while completing their studies to be eligible for renewal. For more information about the Idaho Opportunity Scholarship Program, please visit www.boardofed.idaho.gov/scholarship/opportunity.asp.

LINE 12 CREDITS

Enter the amount from Form 66, page 2, Schedule C, line 6. Instructions for Schedule C begin on page 8.

FORM 66

LINE 14 INCOME DISTRIBUTION REPORTABLE BY BENEFICIARIES

Determine the amounts from lines 4 and 5 reported by the trust or estate on the fiduciary return. If the trust or estate files as a pass-through entity and includes nonresident beneficiary income in a composite return, this amount is the same as the total on Form PTE-12 column (e). Don't include amounts distributed to a beneficiary who doesn't meet the Idaho individual income tax filing requirement.

If the trust or estate pays the tax for one or more nonresident individual beneficiaries, determine each beneficiary's share of the total business income tax credits allowed from Form 44, Part I, line 9, and enter the total of these amounts on the credits line of Form 66, line 15. Don't enter the total credit earned by the trust or estate if the trust or estate isn't paying the tax for all beneficiaries. See page 10 for Form 44 specific instructions. Include Form 44.

LINE 15 TAX ON INCOME DISTRIBUTION

If the trust or estate pays the tax on a beneficiary's income distribution, this income is taxed at the corporate rate of 6.925%. If a trust or estate files as a pass-through entity and includes nonresident beneficiary income in a composite return, this amount is the same as the total on Form PTE-12 column (f). Any credits from the estate or trust that flow through to the beneficiary can be used to offset the tax attributable to that beneficiary. Include a schedule showing this computation.

LINE 16 PERMANENT BUILDING FUND (PBF) TAX

A trust or estate that meets the Idaho filing requirement and doesn't distribute all of its Idaho adjusted income must pay the \$10 PBF tax. For example, if the trust pays tax on capital gains, the \$10 PBF tax is required.

If a trust or estate reports income on line 14 and pays the tax on income paid to nonresident individual beneficiaries, it's required to pay the \$10 PBF tax for each beneficiary. A trust or estate must pay the PBF tax for each nonresident individual beneficiary included in the composite return.

If all the Idaho adjusted income is distributed to beneficiaries who file Idaho income tax returns, the trust or estate doesn't owe this tax.

Enter zero if this is a QFT.

LINE 17 TOTAL TAX FROM RECAPTURE OF INCOME TAX CREDITS

If the trust or estate pays the tax for one or more beneficiaries, include on line 17 those beneficiaries' share of the total tax from recapture of income tax credits from Form 44, Part II, line 6. See page 11 for specific instructions. Include Form 44.

LINE 18 FUELS TAX DUE

If you buy gasoline, aircraft fuel, or special fuels (diesel, propane, or natural gas) without paying the fuels tax and later use this fuel in licensed vehicles or aircraft, you owe fuels tax. Add the amounts on Form 75, Section IV, lines 3 and 4 and enter the total on line 18. Include Form 75.

LINE 19 SALES/USE TAX DUE

Report use tax due on any purchases you made during the year without paying sales tax. Examples include magazine subscriptions, out-of-state catalog purchases, merchandise purchased over the internet, book and record club items, purchases in a state where no sales tax was charged, etc. Multiply the total amount of these purchases by 6% (.06).

If you computed use tax on Form 75, add it to the use tax on other purchases and enter the total on line 19.

If you have an Idaho sales or use tax account, don't enter your sales or use tax on this line, but continue to report the tax on these purchases on your sales and use tax returns.

LINE 20 TAX FROM RECAPTURE OF QUALIFIED INVESTMENT EXEMPTION (QIE)

If you've claimed the QIE for property tax on property that no longer qualifies before the end of the five-year recapture period, you must recapture part or all of the property tax benefit. Enter the amount from Form 49ER, Part III, line 18. Include Form 49ER.

LINE 21 TAX ON ESBT OR QFT COMPOSITE RETURN

ESBTs: If the trust is an ESBT, the portion that consists of stock in one or more S corporations is treated as a separate trust and you must compute the tax separately on that separate trust. Compute the tax on the S corporation items making the following modifications:

- Take into account only the income, losses, deductions, and credits that could be taken into account as pass-through items to S corporation shareholders and gain or loss from the disposition of S corporation stock
- Don't claim an income distribution deduction or an exemption amount
- Don't claim a deduction for capital losses in excess of capital gains
- Make the applicable adjustments on Schedules A and B and complete a separate Schedule C for the S corporation items
- Compute tax at 6.925%. Include the tax computation with the return

Enter the tax for the S corporation items on line 21.

QFTs: If the trust files a composite QFT return, use the same information and schedules for Idaho as you use to determine tax on federal Form 1041-QFT. Calculate each QFT's Idaho taxable income and liability on a separate schedule and include it with the composite Idaho return.

To arrive at the QFT's Idaho taxable income, each QFT included in the Idaho composite return should start with its federal taxable income as reported in the detail information attached to the federal Form 1041-QFT composite return. Each QFT's federal taxable income is then subject to the Idaho modifications. These are listed on Form 66, Page 2, Schedule B. If the QFT is a nonresident, the computations listed on Form 66, Page 2, Schedule A must be made using the applicable information from the Form 1041-QFT before making the Idaho Schedule B modifications.

A QFT isn't entitled to claim the exemption deduction in computing Idaho taxable income.

Report the total of the Idaho income tax due for all of the QFTs on line 21.

LINE 23 ESTIMATED TAX PAYMENTS

Enter the total amount of payments made and the amount applied from your 2017 return. If payment is made under other EIN(s), provide a schedule with the EIN(s), amount(s), and rollforward(s). Rollforwards are refund amounts from the prior year that are rolled forward to the taxpayer's current year account, rather than being refunded to the taxpayer.

LINE 24 IDAHO INCOME TAX WITHHELD

Enter the amount of Idaho income tax withheld and not repaid by an employer on wages and salaries of a decedent's estate. Include state copies of W-2s or 1099s.

LINE 25 SPECIAL FUELS AND GASOLINE TAX REFUND

The special fuels (diesel, propane, or natural gas) tax refund is available to those who use the fuel for heating or in off-highway equipment and have paid the tax on the special fuels purchased. Enter the amount from Form 75, Section IV, line 2. Include Form 75.

FORM 66

The gasoline tax refund is available to those who buy and use gasoline in off-highway equipment or auxiliary engines. Enter the amount from Form 75, Section IV, line 1. Include Form 75.

LINE 26 TAX REIMBURSEMENT INCENTIVE CREDIT

Enter the total credit allowed from the Idaho Reimbursement Incentive Certificate. Include a copy of the certificate with the return.

LINE 29 PENALTY AND INTEREST

Penalty: Idaho law provides penalties for not filing returns by the due date, not paying tax due on time, and not prepaying enough on extension returns. For more information or to calculate a penalty, see our *Penalties and Interest* page at tax.idaho.gov/penalties.

Interest: Interest is charged from the due date until paid. The rate for 2019 is 5%.

LINE 32 REFUND

If you're filing an original return, you can receive all or part of the overpayment listed on line 31 as a refund, or apply all or part of the overpayment to your 2019 estimated tax. Enter the amount you want refunded to you. If you enter the total from line 31, you must enter zero on line 33.

LINE 33 ESTIMATED TAX

If you're filing an original return, you can apply all or part of the overpayment listed on line 31 as a credit against your 2019 estimated tax. The amount you list on line 33 plus the amount on line 32 must equal the overpayment listed on line 31. If you listed the total overpayment as the amount you want refunded to you on line 32, you must enter zero on line 33.

SCHEDULE A

The income of a nonresident or part-year resident trust or estate includable for Idaho fiduciary income tax purposes is that portion of its federal taxable income derived from Idaho sources.

LINE 1 TOTAL INCOME FROM FEDERAL FORM 1041, LINE 9

Include the total income from federal Form 1041, line 9, and any ESBT or QFT taxable income that's not included on federal Form 1041, line 9.

LINES 2 AND 3 INCOME AND CAPITAL GAIN OR LOSS DERIVED FROM IDAHO SOURCES

Include those items includable for federal fiduciary income tax purposes attributable to, or resulting from, ownership in Idaho of any interest in real or tangible personal property (including real property or property rights from which "gross income from mining" as defined by IRC Section 631(c) is derived); or the carrying on of a trade, business, profession, or occupation in Idaho.

To determine income or capital gain or loss derived from Idaho sources:

- Income from intangible personal property, including annuities, dividends, interest, and gains from the disposition of intangible personal property, is income derived from Idaho sources only to the extent that the income is derived from property employed in a trade, business, profession, or occupation carried on in Idaho
- Deductions with respect to capital losses, net long-term capital gains, and net operating losses are based solely on income, gain, loss and deduction connected with Idaho sources. However, salaries, wages, commissions, and compensation for personal services performed outside Idaho aren't derived from Idaho sources

- A nonresident beneficiary's distributive share of income, gain, loss, and deduction derived from or connected with Idaho sources is determined under Idaho Code section 63-3026A
- If a trade, business, profession, or occupation is carried on partly inside and partly outside Idaho, items of income, gain, loss, and deduction derived from or connected with Idaho sources are determined under Idaho Code sections 63-3026A and 63-3027
- Deductions with respect to passive activity losses derived from Idaho sources are allowed to the extent they're allowed as a deduction on your federal income tax return. To determine the amount of your Idaho passive activity loss deduction, compute the federal passive loss allowed for each passive activity. Your Idaho passive activity loss deduction for each passive activity carried on in Idaho is the amount you deducted to arrive at federal taxable income or (loss)
- Income taxes paid to Idaho are allowed as a deduction, but don't include the amount of income taxes paid to other states

Enter the amount of trust or estate income derived from Idaho sources on Schedule A, line 2. Don't include ESBT or QFT taxable income from Idaho sources. Enter the amount of Idaho capital gain or loss on Schedule A, line 3.

LINE 5 PERCENT OF TOTAL FEDERAL INCOME DERIVED FROM IDAHO SOURCES

Divide line 4 by line 1. Round to four digits to the right of the decimal point. For example: .66666 is rounded to .6667 and should be entered as 66.67%. The percent can't exceed 100%.

LINE 6 DEDUCTIONS FROM FEDERAL FORM 1041 NOT ALLOCABLE TO ANY SPECIFIC INCOME

Enter the amount of deductions included on federal Form 1041, lines 10 through 15c, but not state or local income taxes included on line 11 or federal NOL included on line 15b. These lines include deductions not directly allocable to any specific income including charitable deductions, fiduciary fees, and attorney and accounting fees. Don't include directly allocable deductions on this line. These should have been included on lines 1 and 2. Include the amounts used in computing ESBT or QFT taxable income.

SCHEDULE B

LINE 1 ADJUSTED TOTAL INCOME (LOSS)

If this is a resident return, enter the amount of federal adjusted total income (loss) from federal Form 1041, line 17. If this is a nonresident return, enter the amount from Schedule A, line 8. See instructions for Schedule A. If you filed a federal Form 4720, enter the amount from Form 990-T, line 34, or from the attached schedule to Form 4720.

LINE 2 INTEREST AND DIVIDENDS NOT TAXABLE UNDER FEDERAL LAW

Enter the interest and dividends net of applicable amortization received or accrued from obligations of any state or political subdivision excluded from federal taxable income under the provisions of the IRC. This amount can't be less than zero. Nonresidents don't include any amounts. Include a schedule.

LINE 3 STATE, MUNICIPAL, AND LOCAL INCOME TAXES

Enter the total of all state, municipal, and local taxes measured by net income that have been paid or accrued during the tax year less any refunds that have been included in federal adjusted total income. Include a schedule of all taxes deducted on the federal return. Only include amounts from Schedule B, line 1.

FORM 66

LINE 4 NET OPERATING LOSS DEDUCTED ON FEDERAL RETURN

Only include the net operating loss deducted on the federal return if it's included in the amount on Schedule A, line 8.

LINE 5 BONUS DEPRECIATION

If you claimed bonus depreciation for federal purposes for property acquired before 2008 or after 2009:

- Complete a separate federal Form 4562 or detailed computation for Idaho depreciation purposes as if the special depreciation allowance hadn't been claimed
- Compute the Idaho adjusted basis and any gains or losses from the sale or exchange of property using the Idaho depreciation amounts
- If the federal depreciation (including gains and losses) is more than the Idaho depreciation (including gains and losses), include the difference as an addition on this line; otherwise, enter the difference on line 9

Don't enter any amounts for property acquired during 2008 and 2009.

LINE 6 OTHER ADDITIONS

Enter any miscellaneous Idaho additions. Include a schedule identifying each addition. Include unrelated business taxable income on this line.

LINE 7 IDAHO NET OPERATING LOSS (NOL)

Enter the Idaho NOL carryover. If this is an amended return to claim an NOL carryback, enter the amount of the NOL carryback. Include a schedule detailing the computation of the loss and prior loss application.

Enter the total of the NOL carryover and carryback amounts on line 7. Include Form 56 or a schedule showing the application of the loss.

LINE 8 INCOME EXEMPT FROM IDAHO TAX

Enter the amount of interest income received from U.S. government obligations (U.S. Savings Bonds, etc.) and Idaho municipal securities not distributed. Expenses related to the production of this income reduce the amount you enter here. This amount is adjusted to reflect the estate tax deduction on line 6, page 1, attributed to income exempt from Idaho tax. The fiduciary must provide the beneficiary with the necessary information if a portion of this adjustment was distributed. Include a schedule showing your computations. If this is a nonresident return, don't include any amounts unless included in line 1.

LINE 9 SUBTRACTION FOR BONUS DEPRECIATION

If you claimed bonus depreciation for federal purposes for property acquired before 2008 or after 2009:

- Complete a separate federal Form 4562 or detailed computation for Idaho depreciation purposes as if the special depreciation allowance hadn't been claimed
- Compute the Idaho adjusted basis and any gains or losses from the sale or exchange of property using the Idaho depreciation amounts
- If the federal depreciation (including gains and losses) is less than the Idaho depreciation (including gains and losses), include the difference as a deduction on this line; otherwise, enter the difference on line 5

Don't enter any amounts for property acquired during 2008 and 2009.

LINE 10 OTHER SUBTRACTIONS

Enter any miscellaneous Idaho deductions. Include a schedule identifying each deduction.

SCHEDULE C

Compute tax credits according to the following instructions and the instructions accompanying the appropriate forms. Credits pass through to beneficiaries the same way income and expenses are distributed.

The fiduciary must provide each beneficiary with an Idaho Form ID K-1. This form shows the beneficiary's share of credits earned, credits subject to recapture, and contribution information needed to calculate certain credits. Each beneficiary uses this information to determine the amount of Idaho credit allowed, recapture required, and credit carryovers that exist on the beneficiary's Idaho income tax return. Credits reported by each beneficiary are subject to the limitations applicable to that beneficiary. Include copies of Form ID K-1 with the Idaho Fiduciary Income Tax Return for the year the credit is earned in.

If an individual beneficiary's share of the income is taxed on the trust or estate return, the tax may be offset by that beneficiary's share of credits. Credits applied to this tax are computed based on the credit limitations applicable to trusts or estates. For example, if a trust pays the tax for three individual beneficiaries, the amount of credit for contributions to educational institutions is the lesser of the following amounts:

- 50% of the three beneficiaries' share of the amount donated
- 50% of the tax computed for the three beneficiaries or
- \$500

Credits allowed to a beneficiary that aren't used to offset that beneficiary's tax can't be used to offset the tax computed for other beneficiaries. The broadband equipment investment credit can be transferred to another taxpayer rather than used by the taxpayer who earns the credit.

To claim a credit you acquired through a transfer, include a copy of the Idaho Statement of Credit Transfer, Form 70, with each return you're claiming transferred credit on.

LINE 1 PROPERTY TAX EXEMPTION

Check the "Yes" box if you elected the property tax exemption on personal property that qualifies for the investment tax credit. Include a copy of your Form 49E.

LINE 2 CREDIT FOR TAXES PAID TO ANOTHER STATE

This credit only applies to resident or part-year resident trusts or estates.

An Idaho trust or estate must report all of its income regardless of where it was earned. If the trust or estate is also taxed by another state on income reported on the Idaho return, it can claim a credit against the Idaho tax. The credit is limited to the proportion of the Idaho tax that the federal total income of the trust or estate derived from sources in the other state and taxed by that state bears to the federal total income.

If you have credit for taxes paid to more than one state, use a separate Schedule C for each state. You must include a copy of the other state's tax return with your Idaho return. Enter the total on line 2g. Amounts on line 2d should be rounded to four digits to the right of the decimal point. For example, .66666 is rounded to .6667 and should be entered as 66.67%.

If the trust is an ESBT, complete a separate Schedule C for the S corporation items. Modify the Schedule C to report the applicable S corporation amounts from the ESBT tax computation schedules.

FORM 66

LINE 3 CREDIT FOR CONTRIBUTIONS TO IDAHO EDUCATIONAL ENTITIES

Donations made by a trust or estate to a qualified educational entity can qualify for a tax credit. Donations of goods or services don't qualify.

If the trust or estate pays the tax for one or more beneficiaries, the credit is limited to the smallest of:

- The beneficiary's share of one-half of the amount donated
- 50% of the tax computed for the beneficiary
- \$500 or
- The beneficiary's tax, minus the amount on Schedule C, line 2g attributable to that beneficiary

Don't enter the total credit earned by the trust or estate if the trust or estate isn't paying the tax for all beneficiaries.

A qualified educational entity includes:

- A nonprofit corporation, fund, foundation, research park, trust, or association organized and operated exclusively for the benefit of Idaho colleges and universities
- A nonprofit, private, or public Idaho school (elementary, secondary, or higher education) or its foundation
- Idaho education public broadcast system foundations
- The Idaho State Historical Society or its foundation
- An Idaho public library or its foundation
- An Idaho library district or its foundation
- An Idaho public or private nonprofit museum
- The Idaho Commission for Libraries
- Idaho Commission on Hispanic Affairs
- Idaho Commission for the Blind and Visually Impaired
- Idaho Council on Developmental Disabilities
- Idaho State Independent Living Council
- Idaho STEM Action Center
- Idaho Council for the Deaf and Hard of Hearing
- Medical residency programs or support organizations devoted to training residents in Idaho

LINE 4 CREDIT FOR CONTRIBUTIONS TO IDAHO YOUTH AND REHABILITATION FACILITIES

A trust or estate can claim this credit if it donated cash or goods to the following:

- Qualified center for independent living
- Youth or rehabilitation facility or its foundation or
- Nonprofit substance abuse center licensed by Idaho Department of Health and Welfare

If the trust or estate pays the tax for one or more beneficiaries, the credit is limited to the smallest of:

- The beneficiary's share of one-half of the amount donated
- 20% of the tax computed for the beneficiary
- \$100 or
- The beneficiary's tax, less the amount on line 3 and Form 44, Part I, line 1

Don't enter the total credit earned by the trust or estate if the trust or estate isn't paying the tax for all beneficiaries.

The qualified youth or rehabilitation facilities and their foundations are:

- Anchor House
- The Arc, Inc., Boise
- The Children's Home Society of Idaho, Inc., Boise
- The Children's Village, Inc., Coeur d'Alene
- Dawn Enterprises, Inc., Blackfoot
- Development Workshop, Inc., Idaho Falls
- Gem Youth Services, Emmett
- Hope House, Inc., Nampa
- Idaho Drug Free Youth, Inc., Coeur d'Alene
- Idaho Elks Rehabilitation Hospital, Inc., Boise
- Idaho Youth Ranch
- Kinderhaven, Sandpoint
- Learning Lab, Inc., Boise
- Magic Valley Rehabilitation Services, Inc., Twin Falls
- New Day Products, Inc., Pocatello
- Northwest (North Idaho) Children's Home
- Opportunities Unlimited, Inc., Lewiston
- Panhandle Special Needs, Inc., Sandpoint
- Project P.A.T.C.H. (Planned Assistance for Troubled Children)
- Shepherd's Home, Inc., McCall
- Transitional Employment Services for the Handicapped, Coeur d'Alene
- Walker Center, Gooding
- Western Idaho Training Co., Inc., Caldwell
- Winchester Occupational Workshop, Winchester
- Women's and Children's Alliance

The following are the qualified centers for independent living:

- Disability Action Center Northwest, Moscow and Coeur d'Alene
- Living Independence Network Corporation, Boise and Twin Falls
- Living Independently For Everyone, Inc., Blackfoot, Idaho Falls, and Pocatello

LINE 5 TOTAL BUSINESS INCOME TAX CREDITS

Enter the total business income tax credits from Form 44, Part I, line 9. See page 10 for specific instructions. Include Form 44.

Idaho Fiduciary Tax Computation Schedule

If Idaho taxable income is:	The tax is:
Less than or equal to \$1,504	1.125% of Idaho taxable income, line 9
Over \$1,504 but not over \$3,008.....	\$16.92 plus 3.125% of excess over \$1,504
Over \$3,008 but not over \$4,511	\$63.91 plus 3.625% of excess over \$3,008
Over \$4,511 but not over \$6,015	\$118.42 plus 4.625% of excess over \$4,511
Over \$6,015 but not over \$7,519.....	\$187.97 plus 5.625% of excess over \$6,015
Over \$7,519 but not over \$11,279.....	\$272.56 plus 6.625% of excess over \$7,519
\$11,279 or more	\$521.63 plus 6.925% of excess over \$11,279

**INSTRUCTIONS FOR FORM 44
IDAHO BUSINESS INCOME TAX CREDITS AND CREDIT RECAPTURE**

Part I of Form 44 provides a list of the Idaho business credits allowed and the credit carryover amounts.

Part II of Form 44 provides a list of the tax from recapture of income tax credits.

You must include Form 44 with your return if you're claiming any business income tax credits or have any tax from recapture of income tax credits.

PART I BUSINESS INCOME TAX CREDITS

Part I has two columns: the Credit Allowed column for the amount of credit allowed for the tax year and the Carryover column for the amount of carryover that exists at the end of the tax year.

The broadband equipment investment credit can be transferred to another taxpayer rather than used by the taxpayer who earns the credit.

To claim a credit you acquired through a transfer, include a copy of the Idaho Statement of Credit Transfer, Form 70, with each return you're claiming transferred credit on.

LINE 1 INVESTMENT TAX CREDIT (ITC)

If you acquired an asset for use in your business, you may have earned an ITC.

Credit Allowed: Enter the credit allowed from Form 49, Part II, line 8.

Carryover: Enter the credit available minus the credit allowed: Form 49, Part II, line 7 minus the amount on line 8.

LINE 2 CREDIT FOR PRODUCTION EQUIPMENT USING POST-CONSUMER WASTE

If you purchased equipment that manufactures a product from post-consumer or post-industrial waste, you may be eligible for a tax credit. The credit is 20% of your cost to purchase qualified equipment.

Qualified equipment is machinery or equipment in Idaho with a useful life of three years or more. In addition, 90% of the equipment's production must result in products utilizing post-consumer or post-industrial waste.

Product is any manufactured material that's composed of at least 50% of post-consumer or post-industrial waste and offered for sale. Product doesn't include shredded material unless it's incorporated directly into the manufacturing process.

Post-consumer waste or post-industrial waste includes only glass, paper, or plastic that has been or would have been

disposed of as solid waste. It doesn't include radioactive or hazardous waste.

Include a schedule showing your computations, listing the qualified equipment, identifying the post-consumer or post-industrial waste products, and identifying the newly manufactured products.

Credit Allowed: Enter the smallest of:

- \$30,000
- 20% of the cost to purchase qualified equipment plus the amount of credit carried forward or
- The tax on line 10 minus the amounts on Schedule C, lines 2, 3, and 4 and Form 44, Part I, line 1

Carryover: Enter the amount of credit available minus the amount allowed. Include a schedule showing your computations. You may carry forward the unused portion of the credit up to seven years.

LINE 3 PROMOTER-SPONSORED EVENT CREDIT

If you issued temporary sales tax permits to participants of a promoter-sponsored event on behalf of the Tax Commission, you can claim a \$1 credit for each temporary permit issued during the tax year. Promoter-sponsored events include swap meets, flea markets, gun shows, and fairs. You must have filed Form ST-124 with the Tax Commission to qualify for the credit.

Credit Allowed: Enter the smaller of:

- \$1 for each temporary permit issued during the tax year or
- The tax on line 10 minus the amounts on Schedule C, lines 2, 3, and 4 and Form 44, Part I, lines 1 and 2

LINE 4 CREDIT FOR IDAHO RESEARCH ACTIVITIES

If you incurred expenses for research conducted in Idaho, you may have earned the credit for Idaho research activities.

Credit Allowed: Enter the credit allowed from Form 67, line 29. Include Form 67.

Carryover: Enter the amount of credit carryover to future years from Form 67, line 30.

LINE 5 BROADBAND EQUIPMENT INVESTMENT CREDIT

If you acquired qualified broadband equipment to use in your Idaho business, you may qualify for the broadband equipment investment credit. You may also claim this credit if you acquired the credit through a transfer.

Credit Allowed: Enter the credit allowed from Form 68, line 18. Include Form 68.

Carryover: Enter the amount of credit carryover to future years from Form 68, line 19.

FORM 44

LINE 6 SMALL EMPLOYER INVESTMENT TAX CREDIT

You can claim this credit if you've certified by filing Form 89SE that you've met, or will meet, the tax incentive criteria for this credit and you've acquired an asset for use in your business that otherwise qualifies for the ITC.

Credit Allowed: Enter the credit allowed from Form 83, line 28. Include Form 83.

Carryover: Enter the amount of credit carryover to future years from Form 83, line 29.

LINE 7 SMALL EMPLOYER REAL PROPERTY IMPROVEMENT TAX CREDIT

You can claim this credit if you've certified by filing Form 89SE that you've met, or will meet, the tax incentive criteria for this credit and you've acquired real property improvements for use in your business at the project site during the project period.

Credit Allowed: Enter the credit allowed from Form 84, line 26. Include Form 84.

Carryover: Enter the amount of credit carryover to future years from Form 84, line 27.

LINE 8 SMALL EMPLOYER NEW JOBS TAX CREDIT

You can claim this credit if you've certified by filing Form 89SE that you've met, or will meet, the tax incentive criteria for this credit and you have qualified new employees at the project site during the project period.

Credit Allowed: Enter the credit allowed from Form 85, line 35. Include Form 85.

Carryover: Enter the amount of credit carryover to future years from Form 85, line 36.

PART II TAX FROM RECAPTURE OF INCOME TAX CREDITS

LINE 1 TAX FROM RECAPTURE OF ITC

If you've claimed ITC on property that no longer qualifies before the end of the five-year recapture period, you must compute the ITC recapture. This includes property moved outside of Idaho.

Enter the amount from Form 49R, Part III, line 15. Include Form 49R.

LINE 2 TAX FROM RECAPTURE OF BROADBAND EQUIPMENT INVESTMENT CREDIT

If you've claimed a broadband equipment investment credit on property that no longer qualifies before the end of the five-year recapture period, you must compute the broadband equipment investment credit recapture. This includes property that no longer qualifies for the ITC.

Enter the amount from Form 68R, Part III, line 15. Include Form 68R.

LINE 3 TAX FROM RECAPTURE OF SMALL EMPLOYER INVESTMENT TAX CREDIT

If you've claimed a small employer investment tax credit on property that no longer qualifies before the end of the five-year recapture period, you must compute the small employer investment tax credit recapture. This includes property moved outside of Idaho.

You must also compute recapture if you didn't meet the tax incentive criteria required to qualify for this credit at the project site during the project period.

Enter the amount from Form 83R, Part III, line 15. Include Form 83R.

LINE 4 TAX FROM RECAPTURE OF SMALL EMPLOYER REAL PROPERTY IMPROVEMENT TAX CREDIT

If you've claimed a small employer real property improvement tax credit on property that no longer qualifies before the end of the five-year recapture period, you must compute the small employer real property improvement tax credit recapture.

You must also compute recapture if you didn't meet the tax incentive criteria required to qualify for this credit at the project site during the project period.

Enter the amount from Form 84R, Part III, line 15. Include Form 84R.

LINE 5 TAX FROM RECAPTURE OF SMALL EMPLOYER NEW JOBS TAX CREDIT

If you've claimed a small employer new jobs tax credit and you didn't maintain the required level of new employees for the entire five-year recapture period, you must compute the small employer new jobs tax credit recapture.

You must also compute recapture if you didn't meet the tax incentive criteria required to qualify for this credit at the project site during the project period.

Enter the amount from Form 85R, line 13. Include Form 85R.

These instructions don't provide a comprehensive explanation of Idaho tax laws or rules.

Costs associated with this publication are available from the Idaho State Tax Commission in accordance with Section 60-202, Idaho Code.

