

RPD-41379  
Rev. 08/03/2022

New Mexico Taxation and Revenue Department  
**2022 New Mexico Corporate Income Tax**  
**Net Operating Loss Carryforward**  
**Schedule 1**

2022 CIT-NOL p1  
BARCODE SHOULD READ \*226169999\* where the last four digits are replaced with your vendor code.

Legal Entity Name XX	FEIN 99-9999999
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**Purpose of this Form**

Use this form to calculate the amount of New Mexico net operating loss (NM NOL) carryforward available to be claimed as a deduction on line 16 of the 2022 CIT-1 return. This schedule must be filed with the New Mexico 2022 CIT-1 if an NOL deduction is claimed. For each apportioned NM NOL carryforward in Column 4, use the 2022 New Mexico Corporate Income Tax Grandfathered Net Operating Loss Carryforward Schedule 2a to show how this amount for tax years 2013-2019 was calculated and how any prior year NOL deductions were applied. For each apportioned NM NOL carryforward in Column 5, use the 2022 New Mexico Corporate Income Tax Net Operating Loss Carryforward Schedule 3a to show how this amount for tax years starting with tax year 2020 were calculated and how any carryover from these tax years were applied to an NOL deduction. Additional rows and columns are included to accommodate short periods. Please see instructions and examples after the schedules.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
TAX YEAR ENDING OF CARRY-FORWARD (MM/DD/CCYY)	LEGAL ENTITY NAME	FEIN	From schedule 2a column 8 APPORTIONED NM NOL CARRY-FORWARD for tax years 2013-2019 (in the year in Column 1)	From schedule 3a column 4 APPORTIONED NM NOL CARRY-FORWARD FOR TAX YEARS STARTING IN 2020 (in the year in Column 1)	If you need to add additional pages indicate the page number here: Page <u>1</u> of <u>999</u> <b>AMOUNT APPLIED TO 2022 TAX YEAR</b>	<b>REMAINING BALANCE</b>
MM/DD/CCYY	XXXXXXXXXXXXXXXX	99-9999999	999,999,999	999,999,999	999,999,999	999,999,999
MM/DD/CCYY	XXXXXXXXXXXXXXXX	99-9999999	999,999,999	999,999,999	999,999,999	999,999,999
MM/DD/CCYY	XXXXXXXXXXXXXXXX	99-9999999	999,999,999	999,999,999	999,999,999	999,999,999
MM/DD/CCYY	XXXXXXXXXXXXXXXX	99-9999999	999,999,999	999,999,999	999,999,999	999,999,999
MM/DD/CCYY	XXXXXXXXXXXXXXXX	99-9999999	999,999,999	999,999,999	999,999,999	999,999,999
MM/DD/CCYY	XXXXXXXXXXXXXXXX	99-9999999	999,999,999	999,999,999	999,999,999	999,999,999
MM/DD/CCYY	XXXXXXXXXXXXXXXX	99-9999999	999,999,999	999,999,999	999,999,999	999,999,999
MM/DD/CCYY	XXXXXXXXXXXXXXXX	99-9999999	999,999,999	999,999,999	999,999,999	999,999,999
MM/DD/CCYY	XXXXXXXXXXXXXXXX	99-9999999	999,999,999	999,999,999	999,999,999	999,999,999
<b>SUBTOTAL AMOUNT UTILIZED</b>					<b>999,999,999</b>	
This amount will match the amount of CIT-1, Line 16, and will not be in excess of 80% of the amount of CIT-1, Line 15.						











New Mexico Taxation and Revenue Department

## 2022 New Mexico Corporate Income Tax Net Operating Loss Carryforward Instructions for Schedules 1, 2a, 2b, 3a and 3b

### About the New Mexico Net Operating Loss

The New Mexico net operating loss (NOL) deduction is the portion of the NOL carryover that may be deducted from the taxpayer's apportioned net income under the Internal Revenue Code as of January 1, 2018 for the taxable year in which the deduction is taken, including the 80% limitation of Section 172(a) of the Internal Revenue Code as of January 1, 2018, calculated on the basis of the taxpayer's apportioned net income.

This means that New Mexico conforms with the federal law regarding NOLs **before** the changes provided in the federal 2020 CARES Act. The New Mexico NOL deduction includes the 80% limitation to the deduction that may be taken from the taxpayer's apportioned net income and **does not** allow for the carryback of an NOL deduction to prior years.

### Determining the grandfathered in NOL carryover

The amount of NOL carryover for the taxpayer includes the amount of any grandfathered NOL carryover and is recorded on *Supplemental Carryforward Schedule 2a*. This is the amount of net loss properly reported to New Mexico for taxable years beginning January 1, 2013 and prior to January 1, 2020 as part of a timely filed original return, or **an amended return for those taxable years filed prior to January 1, 2020**, to the extent such loss can be attributed to one or more corporations that are properly included in the taxpayer's return for the first taxable year beginning on or after January 1, 2020. That net loss must be reduced by adding back deductions that were taken by the corporation or corporations for royalties or interest paid to one or more related corporations, but only to the extent that such adjustment would not create a net loss for such related corporations.

The net loss included in the grandfathered carryover must also be reduced by the amount of net operating loss deductions taken prior to January 1, 2020 that would be charged against those losses consistent with the Internal Revenue Code and provisions of the Corporate Income and Franchise Tax Act applicable to the year of the deduction. Finally, the remaining net loss must be apportioned to New Mexico using the apportionment factors that can properly be attributed to the corporation or corporations for the year of the net loss.

### Calculating the NOL carryover

Use *NOL Carryforward Schedule 1* to determine the amount of the NM NOL Carryforward. The taxpayer's NOL carryover includes the portion of the unused grandfathered NOL carryover for that year and the apportioned net loss properly reported on an original or amended tax return for taxable years beginning on or after January 1, 2020 by the taxpayer,

including a filing group as properly determined under the Corporate Income and Franchise Tax. The NOL carryover also includes the portion of an apportioned net loss properly reported to New Mexico for a taxable year beginning on or after January 1, 2020, on a separate year return, to the extent the taxpayer would have been entitled to include the portion of the apportioned net loss in the taxpayer's consolidated NOL carryforward under the IRC, including IRC Sec. 382, and the consolidated filing rules if the taxpayer filed a consolidated federal return including the consolidated filing rules.

The NOL carryover is then reduced by the amount of the net operating loss carryover attributed to an entity that has left the unitary filing group, computed in a manner consistent with the consolidated filing requirements of the Internal Revenue Code and applicable regulations, as if the taxpayer were filing a consolidated return. The amount of NOL carryover for the current year is also reduced by the amount of net operating loss deductions properly taken by the taxpayer in past years, charged against grandfathered NOLs or NOLs created for years after January 1, 2020, in the order of the oldest filing year for which the net loss was created, on a proportional basis based on the net loss for the members of the group, consistent with federal consolidated filing rules.

### Instructions for completing NOL Carryforward Schedule 1.

Use this form to calculate the amount of New Mexico NOL carryforward available to be claimed as a deduction on line 16 of the 2022 CIT-1 return.

**Column 1. TAX YEAR CARRYFORWARD.** Enter the tax year of the New Mexico NOL carryforward.

**Column 2. LEGAL ENTITY NAME.** Enter the name on the entity that reported the NOL. Be sure to list each company on a separate line.

**Column 3. FEIN.** Enter the FEIN for the entity on column 2.

**Column 4. APPORTIONED NM NOL CARRYFORWARD for tax years 2013-2019.** Enter the apportioned New Mexico Carryforward for the year in column 1 and entity in column 2, that originated in tax years in 2013 to 2019. This amount is from the entity's Schedule 2a, column 8, for that corresponding tax year.

**Column 5. APPORTIONED NM NOL CARRY-FORWARD for tax years 2020 and after (in the year in Column 1).** Enter the amount of apportioned New Mexico Carryforward for the year in column 1 and entity in column 2, that originated in tax years in 2020 and after. This amount is from the entity's

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2022 New Mexico Corporate Income Tax Net Operating Loss Carryforward
Instructions for Schedules 1, 2a, 2b, 3a and 3b (continued)

Schedule 3a, column 6, for that corresponding tax year.

Column 6. AMOUNT APPLIED TO 2022 TAX YEAR. Enter the amount from each line you would like to have applied to the 2022 NOL deduction. Add all amounts in this column and enter the subtotal at the bottom of the schedule and on line 16 of the CIT-1. NOTE: The subtotal amount must not be in excess of 80% of the amount of CIT-1, Line 15.

Column 7. REMAINING BALANCE. Add the amounts in column 4 and column 5, then subtract column 6.

Instructions for completing Grandfathered Net Operating Loss Carryforward Supplemental Schedule 2a.

Complete a Schedule 2a form for each legal entity shown on Schedule 1 in order to calculate the amount of apportioned New Mexico NOL carryforward that will be shown on column 4 of Schedule 1. Each separate corporation or group must separately show the calculation of any grandfathered NOL on this form.

Column 1. TAX PERIOD ENDING OF NOL. Enter the tax year of the New Mexico NOL carryforward.

Column 2. NOL GENERATED IN THE YEAR LISTED IN COLUMN 1. Enter the amount of the loss that was reported on the return in the year listed column 1.

Column 3. ADJUSTING ENTRY (+/-). Add-back any deductions that were taken by the corporation or corporations for royalties or interest paid to one or more related corporations.

Column 4. ADJUSTED NET OPERATING LOSS. Enter the difference of column 2 and column 3.

Column 5. AMOUNT OF NOL UTILIZED. Enter the total amount of the NOL carryforward applied in previous tax years. How the carryover was applied is shown on Schedule 2b.

Column 6. REMAINING BALANCE BEFORE APPORTIONMENT. Subtract the amount in column 5 from the amount in column 4.

Column 7. APPORTIONMENT FACTOR. Use the apportionment factor used in the tax year of the net loss.

Column 8. REMAINING BALANCE AFTER APPORTIONMENT. Multiply the apportionment factor in column 7 by the remaining balance in column 6.

Instructions for completing Grandfathered Net Operating Loss Carryforward Supplemental Carryforward Schedule 2b.

Use this form to show how the amount of NM NOL carryforward utilized, shown on column 5 of Schedule 2a, was applied. Additional rows and columns are included in this schedule to accommodate short periods. This form must be filed along with Schedule 2a.

Enter the corresponding tax year and adjusted NOL from Schedule 2a. The amount in the column Adjusted Net Operating Loss is the same as Schedule 2a, column 4. The columns in the center of the schedule are used to show the tax years where the loss was utilized. Enter the period where the loss was utilized at the top of the column. The column on the far right, "Amount of NOL Utilized," is a total of the amounts utilized and is entered on Schedule 2a, Column 5.

Instructions for completing Net Operating Loss Carryforward Supplemental Schedule 3a.

Complete a Schedule 3a form for each legal entity shown on Schedule 1 with a New Mexico NOL reported on a return for tax years starting in 2020 in order to calculate the amount of apportioned New Mexico NOL carryforward that will be shown on column 5 of Schedule 1. Each separate corporation or group must separately show the calculation of any NOL from tax year 2020 and after on this form.

Column 1. TAX PERIOD ENDING OF NOL. Enter the tax period of the New Mexico NOL carryforward. This period will be in tax year 2020 or afterward.

Column 2. APPORTIONED NOL GENERATED IN THE YEAR LISTED IN COLUMN 1. Enter the amount of New Mexico apportioned net loss that was reported on the return for the tax year listed column 1.

Column 3. AMOUNT OF APPORTIONED NOL UTILIZED STARTING IN TAX YEAR 2020. Enter the total amount of the NOL applied to tax years 2020 and after shown on Schedule 3b.

Column 4. REMAINING BALANCE. Subtract the amount column 3 from the amount in column 2. Enter the difference in column 4 and on schedule 1, column 5.

Instructions for completing Net Operating Loss Carryforward Supplemental Schedule 3b.

Use this form to show how the amount of NM NOL carryforward shown on column 3 of Schedule 3a was applied. Additional rows and columns are included in this schedule to accommodate short periods. This form must be filed along with form 3a.

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**2022 New Mexico Corporate Income Tax Net Operating Loss Carryforward  
Instructions for Schedules 1, 2a, 2b, 3a and 3b (continued)**

Enter the corresponding tax year and apportioned NOL generated in the tax year from Schedule 3a, column 2. The columns in the center of the schedule are used to show the tax years where the loss was utilized. Enter the period where the loss was utilized at the top of the column. The column on the far right, "Amount of NOL Utilized In Tax Year 2020 and after," is a total of the amounts utilized and is entered on Schedule 3a, column 3.

**Instructions for Source of the New Mexico  
NOL schedule.**

If this is a return for a filing group that is claiming some amount of NOL carryover, list the amount included on that NOL by a separate corporate entity or other filing group.

TAX INFORMATION AND POLICY OFFICE

DRAFT FORM

DO NOT FILE

TAX INFORMATION AND POLICY OFFICE



New Mexico Taxation and Revenue Department  
**2022 New Mexico Corporate Income Tax**  
**Grandfathered Net Operating Loss Carryforward Supplemental**  
**Schedule 2a**

Legal Entity Name TAXPAYER #1	FEIN 11-1111111
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**Purpose of this Form**

Use this form to calculate the net operating loss (NOL) carryforward **for tax years prior to January 1, 2020**. Submit an additional schedule 2a for each member of the filing group that filed a separate corporate return for New Mexico, or for members that filed as part of a different filing group, for tax years beginning January 1, 2013 and prior to January 1, 2020 on which an NOL was reported. Each year or short period for which an NOL was reported should be a different entry on this schedule. The remaining balance after apportionment in column 8 is entered on Schedule 1, column 4. For each prior-year NM NOL carryforward, you will also show how you applied the NOL in the tax years prior to January 1, 2020. Additional rows and columns are included in this schedule to accommodate short periods. Please see instructions and examples after the schedules.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
TAX PERIOD ENDING OF NOL (Tax Years 2013-2019) (MM/DD/CCYY)	NOL GENERATED IN THE YEAR LISTED IN COLUMN (1)	ADJUSTING ENTRY (+/-)	ADJUSTED NET OPERATING LOSS	AMOUNT OF NOL UTILIZED (from Schedule 2b)	REMAINING BALANCE BEFORE APPORTIONMENT	APPORTIONMENT FACTOR	REMAINING BALANCE AFTER APPORTIONMENT (enter on schedule 1, Column 4)
12/31/2013	12,000,000	(2,500,000)	9,500,000	9,500,000	0	15.2345%	0
12/31/2014	5,000,000	(1,000,000)	4,000,000	3,600,000	400,000	20.5789%	82,316
06/30/2015	3,000,000	(500,000)	2,500,000	0	2,500,000	33.4589%	836,473
12/31/2019	2,500,000	(1,000,000)	1,500,000	0	1,500,000	48.3243%	724,865



New Mexico Taxation and Revenue Department  
**2022 New Mexico Corporate Income Tax**  
**Grandfathered Net Operating Loss Carryforward Supplemental**  
**Schedule 2a**

Legal Entity Name <b>TAXPAYER #2</b>	FEIN <b>22-2222222</b>
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**Purpose of this Form**

Use this form to calculate the net operating loss (NOL) carryforward for tax years prior to January 1, 2020. Submit an additional schedule 2a for each member of the filing group that filed a separate corporate return for New Mexico, or for members that filed as part of a different filing group, for tax years beginning January 1, 2013 and prior to January 1, 2020 on which an NOL was reported. Each year or short period for which an NOL was reported should be a different entry on this schedule. The remaining balance after apportionment in column 8 is entered on Schedule 1, column 4. For each prior-year NM NOL carryforward, you will also show how you applied the NOL in the tax years prior to January 1, 2020. Additional rows and columns are included in this schedule to accommodate short periods. Please see instructions and examples after the schedules.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
TAX PERIOD ENDING OF NOL (Tax Years 2013-2019) (MM/DD/CCYY)	NOL GENERATED IN THE YEAR LISTED IN COLUMN (1)	ADJUSTING ENTRY (+/-)	ADJUSTED NET OPERATING LOSS	AMOUNT OF NOL UTILIZED (from Schedule 2b)	REMAINING BALANCE BEFORE APPORTIONMENT	APPORTIONMENT FACTOR	REMAINING BALANCE AFTER APPORTIONMENT (enter on schedule 1, Column 4)
12/31/2014	200,000	1,000,000	1,200,000	0	1,200,000	.10	120,000
06/30/2015	100,000	500,000	600,000	0	600,000	.10	60,000
12/31/2016	500,000	2,500,000	3,000,000	0	3,000,000	.10	300,000
12/31/2019	300,000	1,000,000	1,300,000	0	1,300,000	.10	130,000

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**2022 New Mexico Corporate Income Tax**  
**Grandfathered Net Operating Loss Carryforward Supplemental**  
**Schedule 2b**

Legal Entity Name      TAXPAYER #2	FEIN      22-2222222
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**Purpose of this Form**

Use this form to show how the amount of NM NOL carryforward utilized, shown in column 5 of Schedule 2a, was applied. If you are member of a filing group and filed as separate companies in prior years, you must complete a separate Schedule 2b for each company to show how each NM NOL carried forward was applied. Additional rows and columns are included in this schedule to accommodate short periods. Please see instructions and examples after the schedules.

		TAX PERIOD LOSS IS UTILIZED (MM/DD/CCYY)					
TAX PERIOD ENDING (Tax Years 2013-2019) (MM/DD/CCYY)	ADJUSTED NET OPERATING LOSS (same as Schedule 2a, column 4)						AMOUNT OF NOL UTILIZED (enter on Schedule 2a, column 5)
12/31/2014	1,200,000						0
06/30/2015	600,000						0
12/31/2016	3,000,000						0
12/31/2019	1,300,000						0
<b>TOTAL AMOUNT OF LOSS UTILIZED IN THE TAX YEAR</b>		0	0	0	0	0	



