

# 2018

## Shareholder's Instructions for Schedule K-1 (Form 1120S)

Shareholder's Share of Income, Deductions, Credits, etc.  
(For Shareholder's Use Only)

Department of the Treasury  
Internal Revenue Service

Section references are to the Internal Revenue Code unless otherwise noted.

### Future Developments

For the latest information about developments related to Schedule K-1 (Form 1120S) and its instructions, such as legislation enacted after they were published, go to [IRS.gov/Form1120S](https://www.irs.gov/Form1120S).

### What's New

**Qualified business income deduction.** For tax years beginning after 2017, individuals, estates, and trusts may be entitled to a deduction of up to 20% of their qualified business income from a trade or business. For more information, see section 199A and Pub. 535, Business Expenses. *also see Codes V through Z. Qualified business income deduction, under Box 17. Other Information.*

### S corporation shareholder deferral of tax (section 965(i)).

A shareholder of an S corporation may elect under section 965(i) to defer payment of its section 965 net tax liability with respect to an S corporation until the shareholder's tax year which includes a triggering event with respect to the section 965 net tax liability. Triggering events include (1) the corporation ceases to be an S corporation, (2) a liquidation or sale of substantially all assets of the S corporation, a cessation of business by the S corporation, the S corporation ceases to exist, or any similar circumstance, and (3) a transfer of any share of stock in the S corporation.

### Reminder

We expanded the stock basis worksheet. The new worksheet will make it easier for you to figure the basis of your stock and debt in the corporation at the end of each corporate tax year. See the [Worksheet for Figuring a Shareholder's Stock and Debt Basis](#).

## General Instructions

### Purpose of Schedule K-1

The corporation uses Schedule K-1 to report your share of the corporation's income, deductions, credits, and other items. Keep it for your records. Don't file it with your tax return unless backup withholding is reported in box 13 using code O. (See the instructions for *Code O. Backup withholding*, later.) The corporation files a copy of Schedule K-1 with the IRS.

For your protection, Schedule K-1 may show only the last four digits of your identifying number (social security number (SSN), employer identification number (EIN), or individual taxpayer identification number (ITIN)). However, the corporation has reported your complete identifying number to the IRS.

You may be liable for tax on your share of the corporation's income, whether or not distributed. Include your share on your tax return if a return is required. Use these instructions to help you report the items shown on Schedule K-1 on your tax return.

Your share of S corporation income isn't self-employment income and it isn't subject to self-employment tax.

**!** *The amount of loss and deduction you may claim on your tax return may be less than the amount reported on Schedule K-1. It is the shareholder's responsibility to consider and apply any applicable limitations. See [Limitations on Losses, Deductions, and Credits](#), later, for more information.*

Schedule K-1 doesn't show actual dividend distributions the corporation made to you. The corporation must report such amounts totaling \$10 or more for the calendar year on Form

1099-DIV, Dividends and Distributions.

### Inconsistent Treatment of Items

Generally, you must report corporate items shown on your Schedule K-1 (and any attached statements) the same way that the corporation treated the items on its return.

If the treatment on your original or amended return is inconsistent with the corporation's treatment, or if the corporation hasn't filed a return, file Form 8082, Notice of Inconsistent Treatment or Administrative Adjustment Request (AAR), with your original or amended return to identify and explain any inconsistency (or to note that a corporate return hasn't been filed).

If you are required to file Form 8082 but don't do so, you may be subject to the accuracy-related penalty. This penalty is in addition to any tax that results from making your amount or treatment of the item consistent with that shown on the corporation's return. Any deficiency that results from making the amounts consistent may be assessed immediately.

### Errors

If you believe the corporation has made an error on your Schedule K-1, notify the corporation and ask for a corrected Schedule K-1. Don't change any items on your copy of Schedule K-1. Be sure that the corporation sends a copy of the corrected Schedule K-1 to the IRS. If you are unable to reach an agreement with the corporation regarding the inconsistency, file Form 8082.

### Sale of S Corporation Stock

Gain or loss from the disposition of your S corporation stock may be net investment income under section 1411 and could be subject to the net investment income tax. See Form 8960, Net Investment Income

Feb 13, 2019

811751 03-01-19 LHA

Tax - Individuals, Estates, and Trusts, and its instructions for information about how to figure and report the tax.

## International Boycotts

Every corporation that had operations in, or related to, a boycotting country, company, or a national of a boycotting country must file Form 5713, International Boycott Report.

If the corporation cooperated with an international boycott, it must give you a copy of its Form 5713. You must file your own Form 5713 to report the corporation's activities and any other boycott operations that you may have. You may lose certain tax benefits if the corporation participated in, or cooperated with, an international boycott. See Form 5713 and its instructions for details.

## Elections

Generally, the corporation decides how to figure taxable income from its operations. However, certain elections are made by you separately on your income tax return and not by the corporation. These elections are made under the following code sections.

- Section 59(e) (deduction of certain qualified expenditures ratably over the period of time specified in that section). For details, see the instructions for code J in box 12.
- Section 263A(d) (preproductive expenses). See the instructions for code M in box 12.
- Section 617 (deduction and recapture of certain mining exploration expenditures).
- Section 901 (foreign tax credit).

## Additional Information

For more information on the treatment of S corporation income, deductions, credits, and other items, see Pub. 535, Business Expenses; Pub. 550, Investment Income and Expenses; and Pub. 925, Passive Activity and At-Risk Rules.

To get forms and publications, see the instructions for your tax return or visit the IRS website at IRS.gov.

## Limitations on Losses, Deductions, and Credits

There are potential limitations on corporate losses that you can deduct on your return. These limitations and the order in which you must apply them are as follows: the basis limitations, the at-risk limitations, the passive activity limitations, and the excess business loss limitations. These limitations are discussed below.

Other limitations may apply to specific deductions (for example, the section 179 expense deduction). Specific limitations apply before at-risk and passive loss limitations.

## Basis Limitations

Generally, the deduction for your share of aggregate losses and deductions reported on Schedule K-1 is limited to the basis of your stock and loans from you to the corporation. For details and exceptions, see section 1366(d). The basis of your stock is generally figured at the end of the corporation's tax year. Any losses and deductions not allowed this year because of the basis limit can be carried forward indefinitely and deducted in a later year subject to the basis limit for that year.

You are responsible for keeping the information needed to figure the basis of your stock in the corporation. Schedule K-1 provides information to help you figure your stock basis at the end of each corporate tax year. The basis of your stock (generally, its cost) is adjusted annually as follows and, except as noted, in the order listed. In addition, basis may be adjusted under other provisions of the Internal Revenue Code. You should generally use the Worksheet for Figuring a Shareholder's Stock and Debt Basis to figure your aggregate stock and debt basis.

1. Basis is increased by (a) all income (including tax-exempt income) reported on Schedule K-1 and (b) the excess of the deduction for depletion (other than oil and gas depletion) over the basis of the property subject to depletion.

**!** *You must report on your return (if you are required to file one) any amount required to be included in gross income for it to increase your basis.*

2. Basis is decreased (but not below zero) by (a) property distributions (including cash) made by the corporation reported on Schedule K-1, box 16, code D, minus (b) the amount of such distributions in excess of the basis in your stock.

3. Basis is decreased (but not below zero) by (a) nondeductible expenses and (b) the depletion deduction for any oil and gas property held by the corporation, but only to the extent your share of the property's adjusted basis exceeds that deduction.

4. Basis is decreased (but not below zero) by all losses and deductions reported on Schedule K-1.

You may elect to decrease your basis under (4) prior to decreasing your basis under (3). If you make this election, any amount described under (3) that exceeds the basis of your stock and debt owed to you by the corporation is treated as an amount described under (3) for the following tax year.

To make the election, attach a statement to your timely filed original or amended return that states you agree to the carryover rule of Regulations section 1.1367-1(g) and the name of the S corporation to which the rule applies. Once made, the election applies to the year for which it is made and all future tax years for that S corporation, unless the IRS agrees to revoke your election.

The basis of each share of stock is increased or decreased (but not below zero) based on its pro rata share of the above adjustments. If the total decreases in basis attributable to a share exceed that share's basis, the excess reduces (but not below zero) the remaining bases of all other shares of stock in proportion to the remaining basis of each of those shares.

**Basis of loans.** The basis of your loans to the corporation is generally the balance the corporation owes you, adjusted for any reductions and restorations of loan basis (see the instructions for box 16, code E). Any amounts described in (3) and (4), earlier, not used to offset amounts in (1), earlier, or reduce your stock basis, are used to reduce your loan basis (to the extent of such basis prior to such reduction).

**!** *When determining your basis in loans to the corporation, remember that:*

- *Distributions don't reduce loan basis, and*
- *Loans that a shareholder guarantees or co-signs aren't part of a shareholder's loan basis. Shareholders only obtain basis from acting as a guarantee or in a similar capacity to the extent the shareholder makes a payment pursuant to the guarantee.*

See Regulations section 1.1366-2(a) and section 1367 and its regulations for more details.

## Worksheet Instructions for Figuring a Shareholder's Stock and Debt Basis

**!** *Don't use this worksheet if you have made an election under Regulations section 1.1367-1(g).*

**CAUTION**

### Part I. Shareholder Stock Basis

**!** *This worksheet addresses adjustments to stock basis as provided under section 1367.*

**CAUTION**

*Other code sections might also cause a reduction in S corporation stock basis. For example, certain credits require the reduction of both an S corporation's assets as well as the shareholder's stock basis. See sections 50(c)(1) and (5) for details.*

**Line 1.** Enter your basis in the stock of the S corporation at the beginning of the corporation's tax year. Unless this is your initial year owning stock in the S corporation, this amount should be the same as your ending stock basis from the prior tax year.

Stock basis can't be less than zero.

Don't include any basis from indebtedness on this line. Stock basis and debt basis must be figured separately. Debt basis is addressed in Part II of this worksheet.

**Line 2.** Enter any additional contributions to the capital of the S corporation or any additional acquisitions of stock. Don't include any loans to the S corporation.

The basis of stock you purchased is usually its cost.

If you contributed property to the S corporation in exchange for stock in a section 351 transaction, your stock basis is generally figured by taking the carryover basis of assets transferred to the corporation, less the liabilities assumed by the corporation. If the assumed liabilities exceed the adjusted tax basis of the contributed assets, see section 357(c). See section 358 for more information on the basis of stock received in a section 351 transaction.

The basis of inherited property is generally the fair market value (FMV)

at the date of death or the alternate valuation date.

The basis of stock acquired by gift is generally the basis of the stock in the hands of the donor. There are special rules if the FMV of the stock is less than the donor's adjusted basis. See Regulations section 1.1015-1.

The basis for stock received as compensation is the FMV on the date the compensation is included in income. See Pub. 551 for details.

**Line 3.** Enter on lines 3a through 3m all separately figured and non-separately figured items of income from the Schedule K-1. See below for special instructions.

**Reminder.** Enter only positive amounts from the Schedule K-1 on line 3. Negative amounts (decreases to stock basis) are entered on Part III.

**Line 3i.** Enter the amount of other income that increases basis. Special rules apply to basis adjustments resulting from section 965 inclusions and deductions. Report the amount reported on Schedule K-1, box 10, code F reduced by box 12, code K. The amount reported as section 965(c) deductions on Schedule K-1, box 12, code K is not treated as a deduction that will separately reduce basis under part III of this worksheet. See Regulations section 1.965-3(f)(2) for more information.

**Line 3j.** Enter the amount by which your cumulative depletion deduction exceeds your proportionate share of basis in the property subject to depletion. See information reported in Schedule K-1, box 15, using code C.

For oil and gas depletion, don't enter an amount. See the instructions for line 8b for the decrease to basis.

**Line 3k.** Enter the sum of the amounts from Schedule K-1, box 16, codes A and B. Also add the amount from Schedule K-1, box 12, code K. See Regulations section 1.965-3(f)(2) for more information.

**!** *Basis isn't increased by excluded discharge of indebtedness income of the S corporation under sections 108(a) and 108(d)(7)(A).*

**CAUTION**

The income reported on line 3 should be reported on the appropriate areas of your return. See specific instructions for *Income (Loss)*, later.

**Line 6.** Enter the distributions reported on Schedule K-1, box 16, code D. Don't include any Form 1099-DIV distributions on this line.

**Note.** If the amount of the distribution is more than the stock basis before distributions, report the excess amount as a capital gain on Form 8949 and Schedule D. Don't increase your stock basis for the amount of capital gain reported for the excess. See *Nondividend distributions* in the Instructions for Form 8949.

**Line 8a.** Enter the amount from Schedule K-1, box 16, code C.

**Line 8b.** Enter the amount of oil and gas depletion claimed on your personal return up to your proportionate share of basis in the property subject to depletion. Any cumulative depletion in excess of your proportionate share of basis in the property subject to depletion won't reduce your basis.

Don't enter an amount for depletion not related to oil and gas property.

**Line 11.** Use Part III to figure the total allowable loss and deduction items from stock basis. Enter the total from Part III, line 13, column (c). This amount can't exceed the amount on line 10.

**Line 12.** Use Part II to figure the debt basis restoration, if any. Enter the total from Part II, line 8.

**Line 13.** Enter any other decreases to stock basis not accounted for on the lines above. This includes the reduction to basis for the sale or redemption of part of your stock.

**TIP** *If a portion of your stock is redeemed, sold, or otherwise disposed of during the year, attach two separate worksheets. Use the first to figure your stock basis at the date of sale and the second to figure your stock and debt basis at year end.*

**Worksheet for Figuring a Shareholder's Stock and Debt Basis**

**Part I - Shareholder Stock Basis**

1.	Stock basis at the beginning of the corporation's tax year .....	1.	_____
2.	Basis from any capital contributions made or additional stock acquired during the tax year .....	2.	_____
3a.	Ordinary business income (losses go on Part III) .....	3a.	_____
b.	Net rental real estate income (losses go on Part III) .....	3b.	_____
c.	Other net rental income (losses go on Part III) .....	3c.	_____
d.	Interest income .....	3d.	_____
e.	Ordinary dividends .....	3e.	_____
f.	Royalties .....	3f.	_____
g.	Net capital gains (losses go on Part III) .....	3g.	_____
h.	Net section 1231 gain (losses go on Part III) .....	3h.	_____
i.	Other income (losses go on Part III) .....	3i.	_____
j.	Excess depletion adjustment .....	3j.	_____
k.	Tax-exempt income .....	3k.	_____
l.	Recapture of business credits .....	3l.	_____
m.	Other items that increase stock basis .....	3m.	_____
4.	Add lines 3a through 3m .....	4.	_____
5.	Stock basis before distributions. Add lines 1, 2, and 4 .....	5.	_____
6.	Distributions (excluding dividend distributions) .....	6.	_____
<p><b>Note.</b> If line 6 is larger than line 5, subtract line 5 from line 6 and report the result as a capital gain on Form 8949 and Schedule D. See instructions.</p>			
7.	Stock basis after distributions. Subtract line 6 from line 5. If the result is zero or less, enter -0-, skip lines 8 through 14, and enter -0- on line 15 .....	7.	_____
8a.	Nondeductible expenses .....	8a.	_____
b.	Depletion for oil and gas .....	8b.	_____
9.	Add lines 8a and 8b .....	9.	_____
10.	Stock basis before loss and deduction items. Subtract line 9 from line 7. If the result is zero or less, enter -0-, skip lines 11 through 14, and enter -0- on line 15 .....	10.	_____
11.	Allowable loss and deduction items. Enter the amount from Part III, line 13, column (c) .....	11.	_____
12.	Debt basis restoration (see net increase in instructions for Part II, line 8) .....	12.	_____
13.	Other items that decrease stock basis .....	13.	_____
14.	Add lines 11, 12, and 13 .....	14.	_____
15.	<b>Stock basis at the end of the corporation's tax year.</b> Subtract line 14 from line 10. If the result is zero or less, enter -0- .....	15.	_____

**Part II. Shareholder Debt Basis**

You must complete this section if you have personally loaned money to the corporation.

You must account for each formal note (notes with a written instrument) made to your S corporation by entering it separately in its own column. You can't aggregate multiple loans into a single column. If you have more than 3 loans, use additional copies of Part II.

Loans made to the S corporation that aren't evidenced by a written instrument are referred to as an open account debt and aren't separately tracked. If an open account debt has a year-end balance of more than \$25,000, it will be classified as a formal note at the beginning of the next tax year and must be separately tracked.

**CAUTION** *Loans that a shareholder guarantees or co-signs aren't part of a shareholder's loan basis except to the extent the shareholder makes a payment on the loan guaranteed or co-signed.*

**Line 1.** Enter the balance of each loan to the S corporation at the beginning of the corporation's tax year in a separate column.

**Line 2.** Enter any new loans made during the tax year and evidenced by a formal note in a separate column. If a formal note is refinanced, any increase should be entered on line 2 under the same column as the original loan.

Advances and repayments made during the S corporation's tax year on an open account are netted at the close of the S corporation's tax year to determine the amount of any net advance or net repayment. See Regulations section 1.1367-2(d)(2). Enter any net advances on line 2 under the same column as the open account debt. If this is the first year of

the open account debt, enter the net advance in its own column on line 2.

**CAUTION** *Any debt that exceeded \$25,000 at the end of the prior year is treated as a formal note for purposes of calculating the gain on loan repayment. See Regulations section 1.1367-2(a)(2)(ii).*

**Line 4.** For a formal note, enter the amount of principal repayment specific to each loan.

For open account debt, if the repayments exceed the advances for the tax year, the net repayment should be entered on line 4.

**Line 6.** Enter the debt basis of your loan(s) to the S corporation at the beginning of the corporation's tax year.

**Line 7.** Enter the amount from line 2 on line 7.

**Line 8.** You have reduced debt basis if line 6 is less than line 1.

Per section 1367(b)(2)(B), if debt basis has been reduced, it can only be restored with a net increase. The net increase is the amount by which the items that increase stock basis per section 1367(a)(1) (for example, income, tax exempt income, and excess depletion) exceed the items that decrease stock basis per section 1367(a)(2) (for example, losses, deductions, nondeductibles, nondividend distributions, etc.). See Regulations section 1.1367-2(c)(1).

The net increase is figured as follows:

Part I, line 4  
 Minus Part I, line 6  
 Minus Part I, line 9  
 Minus Part I, line 13 (as applicable)  
 Minus Part III, line 13(a)  
 Minus Part III, line 13(b)

If the net increase figured exceeds the total reduction in debt basis (line 1 minus line 6), then the restoration is limited to the amount needed to

restore debt basis to the face of the loan.

**CAUTION** *If you have multiple debts, the net increase is applied first to restore the reduction of basis in any debt repaid in the tax year to the extent necessary to offset any gain that would otherwise be realized. Any remaining net increase is applied to each debt in proportion to its reduced basis. See Regulations section 1.1367-2(c)(2).*

**Line 13.** Enter the smaller of the nondeductible expenses and oil and gas depletion deductions in excess of stock basis (Part I, line 9 minus line 7) or Part II, line 12.

Nondeductible expenses in excess of stock and debt basis don't carry forward (unless an election under Regulations section 1.1367-1(g) is made. As noted earlier, don't use this worksheet if that election has been made).

**Line 15.** Enter the amount from Part III, line 13(d) in the total column on line 15.

**CAUTION** *If you have more than one loan to the corporation, any allocated reduction is prorated to the loans based on the ratio that each individual loan basis bears to the aggregate bases of the loans. See Regulations section 1.1367-2(b)(3).*

**Line 19.** The character of the gain on repayment is dependent on whether the debt is evidenced by a formal note or is an open account.

Debt evidenced by a formal note will result in capital gain, and should be reported on Form 8949 and Schedule D.

Any open account debt will result in ordinary gain, and should be reported on Form 4797.

**CAUTION** *Gain recognized on loan repayment doesn't increase basis.*

**Part II - Shareholder Debt Basis**

		<input type="checkbox"/> Formal note <input type="checkbox"/> Open account debt	<input type="checkbox"/> Formal note <input type="checkbox"/> Open account debt	<input type="checkbox"/> Formal note <input type="checkbox"/> Open account debt	Total
<b>Amount of Debt:</b>					
1.	Loan balance at the beginning of the corporation's tax year .....				
2.	Additional loans (see instructions) .....				
3.	Loan balance before repayment. Combine lines 1 and 2 .....				
4.	Principal portion of debt repayment (this line doesn't include interest) .....	( )	( )	( )	( )
5.	Loan balance at the end of the corporation's tax year. Combine lines 3 and 4 .....				
<b>Adjustments to Debt Basis:</b>					
6.	Debt basis at the beginning of the corporation's tax year .....				
7.	Enter the amount, if any, from line 2 .....				
8.	Debt basis restoration (see instructions) .....				
9.	Debt basis before repayment. Combine lines 6, 7, and 8 .....				
10.	Divide line 9 by line 3 .....				
11.	Nontaxable debt repayment. Multiply line 10 by line 4 .....				
12.	Debt basis before nondeductible expenses and losses. Subtract line 11 from line 9 .....				
13.	Nondeductible expenses and oil and gas depletion deductions in excess of stock basis .....				
14.	Debt basis before losses and deductions. Subtract line 13 from line 12. If the result is zero or less, enter -0- ...				
15.	Allowable losses in excess of stock basis. Enter the amount from Part III, line 13, column (d) .....				
16.	<b>Debt basis at the end of the corporation's tax year.</b> Subtract line 15 from line 14. If the result is zero or less, enter -0- .....				
<b>Gain on Loan Repayment:</b>					
17.	Repayment. Enter the amount from line 4 .....				
18.	Nontaxable repayments. Enter the amount from line 11 .....				
19.	<b>Reportable gain.</b> Subtract line 18 from line 17 .....				

**Part III. Allowable Loss and Deduction Items**

The corporate losses and other deduction items are limited to the sum of your stock and debt basis. When stock and debt basis is insufficient, and there is more than one type of loss or deduction item that reduces basis, the amounts allowed as a loss or deduction are allocated on a pro rata basis. See Regulations sections 1.1366-2(a)(4) and (5).

Loss and deductions in excess of basis are suspended and carried forward indefinitely and the character of the loss and deduction items is retained.

Part III shows the pro rata allocation and tracks any loss or deduction carryforward.

**Column (a).** Enter the loss and deduction amounts for each item as reported on your Schedule K-1.

**Column (b).** Enter any loss or deduction items disallowed due to basis limitations in prior years that were carried forward.

**Column (c).** If Part I, line 10, is zero, skip column (c).

If stock basis, as reported on Part I, line 10, is greater than the sum of column (a) and column (b), line 13, enter the sum of each line for column (a) plus column (b) in column (c). If stock basis, as reported on Part I, line 10, is less than the sum of column (a) and column (b), line 13, enter the pro rata amount on the corresponding line in column (c). The total allocation amount reported in column (c), line 13, can't exceed the amount reported on Part I, line 10.

**Column (d).** If Part II, line 14, is zero, skip column (d).

If column (c), line 13, is less than Part I, line 10, skip column (d).

If debt basis, as reported on Part II, line 14, is greater than column (a) plus column (b) minus column (c), line 13, enter column (a) plus column (b) minus column (c), in column (d) for each line item. If debt basis, as reported on Part II, line 14, is less than column (a) plus column (b) minus column (c), line 13, enter the pro rata amount on the corresponding line in column (d). The total allocation amount reported in column (d), line 13, can't exceed the amount reported on Part II, line 14.

The allowable losses and deductions from columns (c) and (d) should be reported on the appropriate areas of your return (subject to any additional limitations).

**Column (e).** If the sum of column (a) plus (b) exceeds the sum of column (c) plus (d), enter the excess in column (e) for each line item. If you disposed of all your stock, see Regulations section 1.1366-2(a)(6).

**Part III - Allowable Loss and Deduction Items**

	(a) Current year losses and deductions	(b) Carryover amounts (column (e)) from the previous year	(c) Allowable loss from stock basis	(d) Allowable loss from debt basis	(e) Carryover amounts
1. Ordinary business loss .....					
2. Net rental real estate loss .....					
3. Other net rental loss .....					
4. Net capital loss .....					
5. Net section 1231 loss .....					
6. Other loss .....					
7. Section 179 deductions .....					
8. Charitable contributions .....					
9. Investment interest expense .....					
10. Section 59(e)(2) expenditures .....					
11. Other deductions .....					
12. Foreign taxes paid or accrued .....					
13. <b>Total Loss.</b> Combine lines 1 through 12 for each column. Enter the total loss in column (c) on line 11 of Part I and enter the total loss in column (d) on line 15 of Part II .....					

## At-Risk Limitations

Generally, if you have (a) a loss or other deduction from any activity carried on as a trade or business or for the production of income by the corporation, and (b) amounts in the activity for which you aren't at risk, you will have to complete Form 6198, At-Risk Limitations, to figure your allowable loss for the activity.

The at-risk rules generally limit the amount of loss and other deductions that you can claim to the amount you could actually lose in the activity. These losses and deductions include a loss on the disposition of assets and the section 179 expense deduction. However, if you acquired your stock before 1987, the at-risk rules don't apply to losses from an activity of holding real property placed in service before 1987 by the corporation. The activity of holding mineral property doesn't qualify for this exception.

Generally, you aren't at risk for amounts such as the following.

- The basis of your stock in the corporation or the basis of your loans to the corporation if the cash or other property used to purchase the stock or make the loans was from a source (a) covered by nonrecourse indebtedness (except for certain qualified nonrecourse financing, as defined in section 465(b)(6)); (b) protected against loss by a guarantee, stop-loss agreement, or other similar arrangement; or (c) that is covered by indebtedness from a person who has an interest in the activity or from a person related to a person (except you) having such an interest, other than a creditor.
- Any cash or property contributed to a corporate activity, or your interest in the corporate activity, that is (a) covered by nonrecourse indebtedness (except for certain qualified nonrecourse financing, as defined in section 465(b)(6)); (b) protected against loss by a guarantee, stop-loss agreement, or other similar arrangement; or (c) that is covered by indebtedness from a person who has an interest in the activity or from a person related to a person (except you) having such an interest, other than a creditor.

Any loss from a section 465 activity not allowed for this tax year will be treated as a deduction allocable to the activity in the next tax year.

Since at-risk limitations apply for each activity, you should get a separate statement of income, expenses, and other items, for each activity from the corporation.

## Passive Activity Limitations

Section 469 provides rules that limit the deduction of certain losses and credits. These rules apply to shareholders who:

- Are individuals, estates, or trusts; and
- Have a passive activity loss or credit for the tax year.

Generally, passive activities include:

1. Trade or business activities in which you didn't materially participate, and
2. Activities that meet the definition of rental activities under Temporary Regulations section 1.469-1T(e)(3) and Regulations section 1.469-1(e)(3).

Passive activities don't include the following.

1. Trade or business activities in which you materially participated.
2. Rental real estate activities in which you materially participated if you were a real estate professional for the tax year. You were a **real estate professional** only if you met both of the following conditions.

a. More than half of the personal services you performed in trades or businesses were performed in real property trades or businesses in which you materially participated.

b. You performed more than 750 hours of services in real property trades or businesses in which you materially participated.

If you are married filing jointly, either you or your spouse must separately meet both (a) and (b) of the above conditions, without taking into account services performed by the other spouse.

A real property trade or business is any real property development, redevelopment, construction, reconstruction, acquisition, conversion, rental, operation, management, leasing, or brokerage trade or business. Services you performed as an employee aren't treated as performed in a real property trade or business unless you owned more than 5% of the stock (or more than 5% of the capital or profits interest) in the employer.

3. The rental of a dwelling unit any shareholder used for personal purposes during the year for more than the greater of 14 days or 10% of the number of days that the residence was rented at fair rental value.

4. Activities of trading personal property for the account of owners of interests in the activities.

If you have a passive activity loss or credit, use Form 8582, Passive Activity Loss Limitations, to figure your allowable passive losses, and Form 8582-CR, Passive Activity Credit Limitations, to figure your allowable passive credits. See the instructions for these forms for details.

If the corporation had more than one activity, it will attach a statement to your Schedule K-1 that identifies each activity (trade or business activity, rental real estate activity, rental activity other than rental real estate, portfolio income) and specifies the income (loss), deductions, and credits from each activity.

**Material participation.** You must determine if you materially participated (a) in each trade or business activity held through the corporation and (b) if you were a real estate professional (defined earlier), in each rental real estate activity held through the corporation.

Each interest in rental real estate is a separate activity, unless you elect to treat all interests in rental real estate as one activity. For details on making this election, see the Instructions for Schedule E (Form 1040), Supplemental Income and Loss.

All determinations of material participation are based on your participation during the corporation's tax year.

Material participation standards for shareholders who are individuals are listed below. Special rules apply to certain retired or disabled farmers and to the surviving spouses of farmers. See the Instructions for Form 8582 for details.

**Individuals.** If you are an individual, you materially participated in an activity only if one or more of the following apply.

1. You participated in the activity for more than 500 hours during the tax year.
2. Your participation in the activity for the tax year constituted substantially all the participation in the activity of all individuals (including individuals who aren't owners of interests in the activity).
3. You participated in the activity for more than 100 hours during the tax year, and your participation in the activity for the tax year wasn't less than the participation in the activity of any other individual (including individuals who weren't owners of

interests in the activity) for the tax year.

4. The activity was a significant participation activity for the tax year, and you participated in all significant participation activities (including activities outside the corporation) during the year for more than 500 hours. A significant participation activity is any trade or business activity in which you participated for more than 100 hours during the year and in which you didn't materially participate under any of the material participation tests (other than this test).

5. You materially participated in the activity for any 5 tax years (whether or not consecutive) during the 10 tax years that immediately precede the tax year.

6. The activity was a personal service activity and you materially participated in the activity for any 3 tax years (whether or not consecutive) preceding the tax year. A personal service activity involves the performance of personal services in the fields of health, law, engineering, architecture, accounting, actuarial science, performing arts, consulting, or any other trade or business in which capital isn't a material income-producing factor.

7. Based on all the facts and circumstances, you participated in the activity on a regular, continuous, and substantial basis during the tax year.

**Work counted toward material participation.** Generally, any work that you or your spouse does in connection with an activity held through an S corporation (where you own your stock at the time the work is done) is counted toward material participation. However, work in connection with the activity isn't counted toward material participation if either of the following applies.

1. The work isn't the type of work that owners of the activity would usually do and one of the principal purposes of the work that you or your spouse does is to avoid the passive loss or credit limitations.

2. You do the work in your capacity as an investor and you aren't directly involved in the day-to-day operations of the activity. Examples of work done as an investor that wouldn't count toward material participation include:

- a. Studying and reviewing financial statements or reports on operations of the activity,
- b. Preparing or compiling summaries or analyses of the

finances or operations of the activity for your own use, and

c. Monitoring the finances or operations of the activity in a nonmanagerial capacity.

**Effect of determination.** Income (loss), deductions, and credits from an activity are nonpassive if you determine that:

- You materially participated in a trade or business activity of the corporation, or
- You were a real estate professional (defined earlier) in a rental real estate activity of the corporation.

If you determine that you didn't materially participate in a trade or business activity of the corporation or if you have income (loss), deductions, or credits from a rental activity of the corporation (other than a rental real estate activity in which you materially participated as a real estate professional), the amounts from that activity are passive. Report passive income (losses), deductions, and credits as follows.

1. If you have an overall gain (the excess of income over deductions and losses, including any prior year unallowed loss) from a passive activity, report the income, deductions, and losses from the activity as indicated in these instructions.

2. If you have an overall loss (the excess of deductions and losses, including any prior year unallowed loss, over income) or credits from a passive activity, report the income, deductions, losses, and credits from all passive activities using the Instructions for Form 8582 or Form 8582-CR, to see if your deductions, losses, and credits are limited under the passive activity rules.

**Special allowance for a rental real estate activity.** If you actively participated in a rental real estate activity, you may be able to deduct up to \$25,000 of the loss (or credit equivalent to a \$25,000 deduction) from the activity from nonpassive income. This "special allowance" is an exception to the general rule disallowing losses in excess of income from passive activities. The special allowance isn't available if you were married, file a separate return for the year, and didn't live apart from your spouse at all times during the year.

Only individuals can actively participate in a rental real estate activity. However, a decedent's estate (including a qualified revocable trust for which a section 645 election has

been made) is treated as actively participating for its tax years ending less than 2 years after the decedent's death, if the decedent would have satisfied the active participation requirement for the activity for the tax year the decedent died.

You aren't considered to actively participate in a rental real estate activity if, at any time during the tax year, your interest (including your spouse's interest) in the activity was less than 10% (by value) of all interests in the activity.

Active participation is a less stringent requirement than material participation. You may be treated as actively participating if you participated, for example, in making management decisions or arranging for others to provide services (such as repairs) in a significant and bona fide sense. Management decisions that can count as active participation include approving new tenants, deciding rental terms, approving capital or repair expenditures, and other similar decisions.

**Modified adjusted gross income limitation.** The maximum special allowance that single individuals and married individuals filing a joint return can qualify for is \$25,000. The maximum is \$12,500 for married individuals who file separate returns and who lived apart at all times during the year. The maximum special allowance for which an estate can qualify is \$25,000 reduced by the special allowance for which the surviving spouse qualifies.

If your modified adjusted gross income (defined below) is \$100,000 or less (\$50,000 or less if married filing separately), your loss is deductible up to the maximum special allowance referred to in the preceding paragraph. If your modified adjusted gross income is more than \$100,000 (more than \$50,000 if married filing separately), the special allowance is limited to 50% of the difference between \$150,000 (\$75,000 if married filing separately) and your modified adjusted gross income. When modified adjusted gross income is \$150,000 or more (\$75,000 or more if married filing separately), there is no special allowance.

Modified adjusted gross income is your adjusted gross income figured without taking into account the following amounts, if applicable.

- Any passive activity loss.
- Any rental real estate loss allowed under section 469(c)(7) to real estate professionals (defined earlier).

- Any overall loss from a publicly traded partnership.
- Any taxable social security or equivalent railroad retirement benefits.
- Any deductible contributions to an IRA or certain other qualified retirement plans under section 219.
- The domestic production activities deduction.
- The student loan interest deduction.
- The tuition and fees deduction.
- The deductible part of self-employment taxes.
- The exclusion from income of interest from Series EE or I U.S. Savings Bonds used to pay higher education expenses.
- The exclusion of amounts received under an employer's adoption assistance program.

**Commercial revitalization deduction.** The special \$25,000 allowance for the commercial revitalization deduction from rental real estate activities isn't subject to the active participation rules or modified adjusted gross income limits discussed above. See section 469(i)(3)(C) as in effect before March 23, 2018, and the instructions for box 12, code N, for more information.

**Special rules for certain other activities.** If you have net income (loss), deductions, or credits from any activity to which special rules apply, the corporation will identify the activity and all amounts relating to it on Schedule K-1 or on an attached statement.

If you have net income subject to recharacterization under Temporary Regulations section 1.469-2T(f) and Regulations section 1.469-2(f), report such amounts according to the Instructions for Form 8582.

If you have net income (loss), deductions, or credits from either of the following activities, treat such amounts as nonpassive and report them as indicated in these instructions.

1. The rental of a dwelling unit any shareholder used for personal purposes during the year for more than the greater of 14 days or 10% of the number of days that the residence was rented at fair rental value.
2. Trading personal property for the account of owners of interests in the activity.

**Self-charged interest.** The corporation will report any "self-charged" interest income or expense that resulted from loans between you and the corporation (or between the corporation and another

S corporation or partnership if both entities have the same owners with the same proportional interest in each entity). If there was more than one activity, the corporation will provide a statement allocating the interest income or expense with respect to each activity. The self-charged interest rules don't apply to your interest in the S corporation if the corporation made an election under Regulations section 1.469-7(g) to avoid the application of these rules. See the Instructions for Form 8582 for details.

### Excess Business Loss Limitations

Losses attributable to your trade or business may be limited, pursuant to section 461. See Form 461 and the instructions for Form 461 for more information.

## Specific Instructions

### Part III. Shareholder's Share of Current Year Income, Deductions, Credits, and Other Items

The amounts shown in boxes 1 through 17 reflect your share of income, loss, deductions, credits, and other items, from corporate business or rental activities without reference to limitations on losses, credits, or other items that may have to be adjusted because of:

1. The adjusted basis of your stock and debt in the corporation,
2. The at-risk limitations, and
3. The passive activity limitations.

For information on these provisions, see *Limitations on Losses, Deductions, and Credits*, earlier.

Other limitations may apply to specific deductions (for example, the section 179 expense deduction). Generally, specific limitations apply before the at-risk and passive loss limitations.

If you are an individual, and the above limitations don't apply to the amounts shown on your Schedule K-1, take the amounts shown and report them on the lines of your tax return as indicated in the summarized reporting information shown on page 2 of Schedule K-1. If any of the above limitations apply, adjust the amounts on Schedule K-1 before you report them on your return.

When applicable, the passive activity limitations on losses are applied after the limitations on losses

for a shareholder's basis in stock and debt and the shareholder's at-risk amount.

The line numbers in the summarized reporting information on page 2 of Schedule K-1 are references to forms in use for calendar year 2018. If you file your tax return on a calendar year basis, but the corporation files a return for a fiscal year, report the amounts on your tax return for the year in which the corporation's fiscal year ends. For example, if the corporation's tax year ends in February 2019, report the amounts on your 2019 tax return.

If you have losses, deductions, or credits from a prior year that weren't deductible or usable because of certain limitations, such as the basis limitations or the at-risk limitations, take them into account in determining your income, loss, or credits for this year. However, except for passive activity losses and credits, don't combine the prior year amounts with any amounts shown on this Schedule K-1 to get a net figure to report on your return. Instead, report the amounts on your return on a year-by-year basis.

**CAUTION** *If you have amounts other than those shown on Schedule K-1 to report on Schedule E (Form 1040), enter each item separately on Schedule E (Form 1040), line 28.*

**Codes.** In box 10 and boxes 12 through 17, the corporation will identify each item by entering a code in the column to the left of the dollar amount entry space. These codes are identified on page 2 of Schedule K-1 and in these instructions.

**Attached statements.** The corporation will enter an asterisk (\*) after the code, if any, in the column to the left of the dollar amount entry space for each item for which it has attached a statement providing additional information. For those informational items that can't be reported as a single dollar amount, the corporation will enter an asterisk in the left column and enter "STMT" in the dollar amount entry space to indicate the information is provided on an attached statement.

## Income (Loss)

### Box 1. Ordinary Business Income (Loss)

The amount reported in box 1 is your share of the ordinary income (loss) from trade or business activities of the corporation. Generally, where you report this amount on Form 1040

depends on whether the amount is from an activity that is a passive activity to you. If you are an individual shareholder filing a 2018 Form 1040, find your situation below and report your box 1 income (loss) as instructed after applying the basis and at-risk limitations on losses. See Limitations on Losses, Deductions, and Credits, earlier. If the corporation had more than one trade or business activity, it will attach a statement identifying the income or loss from each activity.

1. Report box 1 income (loss) from corporate trade or business activities in which you materially participated on Schedule E (Form 1040), line 28, column (i) or (k).

2. Report box 1 income (loss) from corporate trade or business activities in which you didn't materially participate, as follows.

a. If income is reported in box 1, report the income on Schedule E (Form 1040), line 28, column (h).

b. If a loss is reported in box 1, follow the Instructions for Form 8582 to figure how much of the loss can be reported on Schedule E (Form 1040), line 28, column (g).

## Box 2. Net Rental Real Estate Income (Loss)

Generally, the income (loss) reported in box 2 is a passive activity amount for all shareholders. However, the income (loss) in box 2 isn't from a passive activity if you were a real estate professional (defined earlier) and you materially participated in the activity. If the corporation had more than one rental real estate activity, it will attach a statement identifying the income or loss from each activity.

If you are filing a 2018 Form 1040, use the following instructions to determine where to report a box 2 amount after applying the basis and at-risk limitations on losses. See Limitations on Losses, Deductions, and Credits, earlier.

1. If you have a loss from a passive activity in box 2 and you meet all the following conditions, report the loss on Schedule E (Form 1040), line 28, column (g).

a. You actively participated in the corporate rental real estate activities. See Special allowance for a rental real estate activity, earlier.

b. Rental real estate activities with active participation were your only passive activities.

c. You have no prior year unallowed losses from these activities.

d. If you are a married person filing separately, you lived apart from your spouse all year.

e. Your total loss from the rental real estate activities wasn't more than \$25,000 (not more than \$12,500 if married filing separately).

f. You have no current or prior year unallowed credits from a passive activity.

g. Your modified adjusted gross income wasn't more than \$100,000 (not more than \$50,000 if married filing separately and you lived apart from your spouse all year).

2. If you have a loss from a passive activity in box 2 and you don't meet all the conditions in (1) above, follow the Instructions for Form 8582 to figure how much of the loss you can report on Schedule E (Form 1040), line 28, column (g).

3. If you were a real estate professional and you materially participated in the activity, report box 2 income (loss) on Schedule E (Form 1040), line 28, column (i) or (k).

4. If you have income from a passive activity in box 2, report the income on Schedule E (Form 1040), line 28, column (h).

## Box 3. Other Net Rental Income (Loss)

The amount in box 3 is a passive activity amount for all shareholders. If the corporation had more than one rental activity, it will attach a statement identifying the income or loss from each activity. After applying the limitations on losses and deductions, report the income or loss as follows.

1. If box 3 is a loss, follow the Instructions for Form 8582 to figure how much of the loss can be reported on Schedule E (Form 1040), line 28, column (g).

2. If income is reported in box 3, report the income on Schedule E (Form 1040), line 28, column (h).

See Limitations on Losses, Deductions, and Credits, earlier.

## Portfolio Income

Portfolio income or loss (shown in boxes 4 through 8b and in box 10, code A) isn't subject to the passive activity limitations. Portfolio income includes income (not derived in the ordinary course of a trade or business) from interest, ordinary dividends, annuities, or royalties, and gain or loss on the sale of property that produces such income or is held for investment.

## Box 4. Interest Income

Report interest income on Form 1040, line 2b.

## Box 5a. Ordinary Dividends

Report ordinary dividends on Form 1040, line 3b.

## Box 5b. Qualified Dividends

Report any qualified dividends on Form 1040, line 3a.

### TIP

*Qualified dividends are excluded from investment income, but you may elect to include part or all of these amounts in investment income. See the instructions for line 4g of Form 4952, Investment Interest Expense Deduction, for important information on making this election.*

### !

*If you have any foreign source qualified dividends, see the instructions for box 14, later.*

### CAUTION

## Box 6. Royalties

Report royalties on Schedule E (Form 1040), line 4.

## Box 7. Net Short-Term Capital Gain (Loss)

After applying the limitations on losses and deductions, report the net short-term capital gain (loss) on Schedule D (Form 1040), line 5. See Limitations on Losses, Deductions, and Credits, earlier.

## Box 8a. Net Long-Term Capital Gain (Loss)

After applying the limitations on losses and deductions, report the net long-term capital gain (loss) on Schedule D (Form 1040), line 12. See Limitations on Losses, Deductions, and Credits, earlier.

### !

*If you have any foreign source net long-term capital gain (loss), see the instructions for box 14, later.*

### CAUTION

## Box 8b. Collectibles (28% ) Gain (Loss)

After applying the limitations on losses and deductions, report collectibles gain or loss on line 4 of the 28% Rate Gain Worksheet - Line 18 in the instructions for Schedule D (Form 1040). See Limitations on Losses, Deductions, and Credits, earlier.

## Box 8c. Unrecaptured Section 1250 Gain

There are three types of unrecaptured section 1250 gain. Report your share of this unrecaptured gain on the Unrecaptured Section 1250 Gain Worksheet - line 19 in the

Instructions for Schedule D (Form 1040) as follows.

- Report unrecaptured section 1250 gain from the sale or exchange of the corporation's business assets on line 5.
- Report unrecaptured section 1250 gain from the sale or exchange of an interest in a partnership on line 10.
- Report unrecaptured section 1250 gain from an estate, trust, regulated investment company (RIC), or real estate investment trust (REIT) on line 11.

If the corporation reports only unrecaptured section 1250 gain from the sale or exchange of its business assets, it will enter a dollar amount in box 8c. If it reports the other two types of unrecaptured gain, it will provide an attached statement that shows the amount for each type of unrecaptured section 1250 gain.

**!** *If you have any foreign source unrecaptured section 1250 gain, see the instructions for box 14, later.*

### Box 9. Net Section 1231 Gain (Loss)

The amount in box 9 is generally passive if it is from a:

- Rental activity, or
- Trade or business activity in which you didn't materially participate.

However, an amount from a rental real estate activity isn't from a passive activity if you were a real estate professional (defined earlier) and you materially participated in the activity.

If the amount is either (a) a loss that isn't from a passive activity or (b) a gain, report it on Form 4797, line 2, column (g), after applying the basis and at-risk limitations on losses. See *Limitations on Losses, Deductions, and Credits, earlier*. Don't complete columns (b) through (f) on line 2 of Form 4797, Sales of Business Property. Instead, enter "From Schedule K-1 (Form 1120S)" across these columns.

If the amount is a loss from a passive activity, see *Passive Loss Limitations* in the Instructions for Form 4797. After applying the limitations on losses and deductions, report the loss following the Instructions for Form 8582 to figure how much of the loss is allowed on Form 4797. If the corporation had net section 1231 gain (loss) from more than one activity, it will attach a statement that will identify the section 1231 gain (loss) from each activity.

**!** *If you have any foreign source net section 1231 gain (loss), see the instructions for box 14, later.*

### Box 10. Other Income (Loss)

**!** *Losses reported in box 10 may be limited. See Limitations on Losses, Deductions, and Credits, earlier.*

**Code A. Other portfolio income (loss).** The corporation will report portfolio income other than interest, ordinary dividend, royalty, and capital gain (loss) income, and attach a statement to tell you what kind of portfolio income is reported.

If the corporation held a residual interest in a real estate mortgage investment conduit (REMIC), it will report on the statement your share of REMIC taxable income (net loss) that you report on Schedule E (Form 1040), line 38, column (d). The statement will also report your share of any "excess inclusion" that you report on Schedule E (Form 1040), line 38, column (c), and your share of section 212 expenses that you report on Schedule E (Form 1040), line 38, column (e).

#### Code B. Involuntary conversions.

This is your net loss from involuntary conversions due to casualty or theft. The corporation will give you a statement that shows the amounts to be reported on Form 4684, Casualties and Thefts, line 34, columns (b)(i), (b)(ii), and (c).

If there was a gain (loss) from a casualty or theft to property not used in a trade or business or for income-producing purposes, the corporation will provide you with the information you need to complete Form 4684.

#### Code C. Section 1256 contracts and straddles.

The corporation will report any net gain or loss from section 1256 contracts. Report this amount on Form 6781, Gains and Losses From Section 1256 Contracts and Straddles.

#### Code D. Mining exploration costs recapture.

The corporation will give you a statement that shows the information needed to recapture certain mining exploration costs (section 617). See Pub. 535 for details.

**Code E. Section 951A income.** The corporation will provide information you need to figure your section 951A income. Report your global intangible low-taxed income (GILTI) under

section 951A on Schedule 1 (Form 1040), line 21. See the Instructions for Form 8992 for details.

#### Code F. Section 965(a) inclusion.

The corporation will provide your share of its section 965(a) inclusions. Subtract from this amount the section 965(c) deductions reported in box 12, code K, if applicable. Report the net amount on Schedule 1 (Form 1040), line 21. See the Instructions for Form 1040, Form 965, and Form 965-A for details.

#### Code G. Subpart F income other than sections 951A and 965 inclusion.

The corporation will provide your share of its subpart F inclusions other than sections 951A and 965 inclusions. Report this amount on your Form 1040.

#### Code H. Other income (loss).

Amounts with code H are other items of income, gain, or loss not included in boxes 1 through 9 or in box 10 using codes A through G. The corporation should give you a description and the amount of your share for each of these items.

Report loss items that are passive activity amounts to you following the Instructions for Form 8582.

Code H items may include the following.

- Income from recoveries of tax benefit items. A tax benefit item is an amount you deducted in a prior tax year that reduced your income tax. Report this amount on Schedule 1 (Form 1040), line 21, to the extent it reduced your tax in the prior year.
- Gambling gains and losses.

1. If the corporation wasn't engaged in the trade or business of gambling, (a) report gambling winnings on Schedule 1 (Form 1040), line 21, and (b) deduct gambling losses to the extent of winnings on Schedule A (Form 1040), line 16.

2. If the corporation was engaged in the trade or business of gambling, (a) report gambling winnings on Schedule E (Form 1040), line 28, and (b) deduct gambling losses (to the extent of winnings) on Schedule E (Form 1040), line 28, column (i).

- Gain (loss) from the disposition of an interest in oil, gas, geothermal, or other mineral properties. The corporation will attach a statement that provides a description of the property, your share of the amount realized from the disposition, your share of the corporation's adjusted basis in the property (for other than oil or gas properties), and your share of the total intangible drilling costs, development costs, and mining

exploration costs (section 59(e) expenditures) passed through for the property. You must figure your gain or loss from the disposition by increasing your share of the adjusted basis by the intangible drilling costs, development costs, or mine exploration costs for the property that you capitalized (that is, costs that you didn't elect to deduct under section 59(e)). Report a loss in Part I of Form 4797. Report a gain in Part III of Form 4797 in accordance with the instructions for line 28. See Regulations section 1.1254-4 for details.

- Net short-term capital gain (loss) and net long-term capital gain (loss) from Schedule D (Form 1120S) that isn't portfolio income. An example is gain or loss from the disposition of nondepreciable personal property used in a trade or business activity of the corporation. Report total net short-term gain (loss) on Schedule D (Form 1040), line 5. Report the total net long-term gain (loss) on Schedule D (Form 1040), line 12.

- Current year section 108(i) cancellation of debt income. The corporation will provide your share of the deferred amount that you must include in income in the current tax year under section 108(i)(1) or section 108(i)(5)(D)(i) or (ii).

- Gain from the sale or exchange of qualified small business (QSB) stock (as defined in the Instructions for Schedule D (Form 1040)) eligible for the section 1202 exclusion. The corporation should also give you (a) the name of the corporation that issued the QSB stock, (b) your share of the corporation's adjusted basis and sales price of the QSB stock, and (c) the dates the QSB stock was bought and sold. The following additional limitations apply at the shareholder level.

1. You must have held an interest in the corporation when the corporation acquired the QSB stock and at all times thereafter until the corporation disposed of the QSB stock.

2. Your share of the eligible section 1202 gain can't exceed the amount that would have been allocated to you based on your interest in the corporation at the time the QSB stock was acquired.

See Form 8949, Sales and Other Dispositions of Capital Assets, Schedule D (Form 1040), and the related instructions for details on how to report the gain and the amount of the allowable exclusion.

- Gain eligible for section 1045 rollover (replacement stock purchased by the corporation). The corporation should also give you (a) the name of the corporation that issued the qualified small business (QSB) stock, (b) your share of the corporation's adjusted basis and sales price of the QSB stock, and (c) the dates the QSB stock was bought and sold. To qualify for the section 1045 rollover:

1. You must have held an interest in the corporation during the entire period in which the corporation held the QSB stock (more than 6 months prior to the sale), and

2. Your share of the gain eligible for the section 1045 rollover can't exceed the amount that would have been allocated to you based on your interest in the corporation at the time the QSB stock was acquired.

See Form 8949, Schedule D (Form 1040), and the related instructions for details on how to report the gain and the amount of the allowable postponed gain.

- Gain eligible for section 1045 rollover (replacement stock not purchased by the corporation). The corporation should also give you (a) the name of the corporation that issued the qualified small business (QSB) stock, (b) your share of the corporation's adjusted basis and sales price of the QSB stock, and (c) the dates the QSB stock was bought and sold. To qualify for the section 1045 rollover:

1. You must have held an interest in the corporation during the entire period in which the corporation held the QSB stock (more than 6 months prior to the sale),

2. Your share of the gain eligible for the section 1045 rollover can't exceed the amount that would have been allocated to you based on your interest in the corporation at the time the QSB stock was acquired, and

3. You must purchase other QSB stock (as defined in the Instructions for Schedule D (Form 1040)) during the 60-day period that began on the date the QSB stock was sold by the corporation.

See Form 8949, Schedule D (Form 1040), and the related instructions for details on how to report the gain and the amount of the allowable postponed gain.

## Deductions

**!** *There are potential limitations on corporate losses you can*  
**CAUTION**

*deduct on your return. These limitations and the order in which you must apply them are as follows: the basis limitations, the at-risk limitations, the passive activity limitations, and the excess business loss limitations. See Limitations on Losses, Deductions, and Credits, earlier.*

### Box 11. Section 179 Deduction

Use this amount, along with the total cost of section 179 property placed in service during the year from other sources, to complete Part I of Form 4562, Depreciation and Amortization. The corporation will report on an attached statement your share of the cost of any qualified enterprise zone property or qualified real property it placed in service during its tax year. Report the amount from line 12 of Form 4562 allocable to a passive activity using the Instructions for Form 8582. If the amount isn't a passive activity deduction, report it on Schedule E (Form 1040), line 28, column (j), after applying the basis and at-risk limitations on losses. See Limitations on Losses, Deductions, and Credits, earlier.

### Box 12. Other Deductions

**!** *Deductions reported in box 12 may be limited. See Limitations on Losses, Deductions, and Credits, earlier.*

#### Contributions. Codes A through G.

The corporation will give you a statement that shows charitable contributions subject to the 100%, 60%, 50%, 30%, and 20% adjusted gross income limitations.

If the corporation made a property contribution, it will report on an attached statement your share of both the fair market value and adjusted basis of the property. Use these amounts to adjust your stock basis. If the corporation made a qualified conservation contribution, it will report the fair market value of the underlying property before and after the donation, the type of legal interest contributed, and a description of the conservation purpose furthered by the donation. If the corporation made a contribution of real property located in a registered historic district, it will report any information you will need to take a deduction.

For more details, see Pub. 526, Charitable Contributions, and the instructions for Schedule A (Form 1040). If your contributions are subject to more than one of the AGI limitations, see Pub. 526.

Charitable contribution deductions aren't taken into account in figuring your passive activity loss for the year. Don't enter them on Form 8582.

**Code A. Cash contributions (60%).** Report this amount, subject to the 60% AGI limitation, on Schedule A (Form 1040), line 11.

**Code B. Cash contributions (30%).** Report this amount, subject to the 30% AGI limitation, on Schedule A (Form 1040), line 11.

**Code C. Noncash contributions (50%).** If property other than cash is contributed, and if the claimed deduction for one item or group of similar items of property exceeds \$5,000, the corporation must give you a copy of Form 8283, Noncash Charitable Contributions, to attach to your tax return. Don't deduct the amount shown on Form 8283. It is the corporation's contribution. Instead, deduct the amount identified by code C, box 12, subject to the 50% AGI limitation, on Schedule A (Form 1040), line 12.

If the corporation provides you with information that the contribution was property other than cash and doesn't give you a Form 8283, see the Instructions for Form 8283 for filing requirements. Don't file Form 8283 unless the total claimed deduction for all contributed items of property exceeds \$500.

**Food inventory contributions.** The corporation will report on an attached statement your share of qualified food inventory contributions. The food inventory contribution isn't included in the amount reported in box 12 using code C. The corporation will also report your share of the corporation's net income from the business activities that made the food inventory contribution(s). Your deduction for food inventory contributions can't exceed 15% of your aggregate net income for the tax year from the business activities from which the food inventory contribution was made (including your share of net income from partnership or S corporation businesses that made food inventory contributions). Amounts that exceed the 15% limitation may be carried over for up to 5 years. Report the deduction, subject to the 50% AGI limitation, on Schedule A (Form 1040), line 12.

**Code D. Noncash contributions (30%).** Report this amount, subject to the 30% AGI limitation, on Schedule A (Form 1040), line 12.

**Code E. Capital gain property to a 50% organization (30%).** Report this amount, subject to the 30% AGI limitation, on Schedule A (Form 1040), line 12. See *Special 30% Limit for Capital Gain Property* in Pub. 526.

**Code F. Capital gain property (20%).** Report this amount, subject to the 20% AGI limitation, on Schedule A (Form 1040), line 12.

**Code G. Contributions (100%).** The corporation will report your share of qualified cash contributions that were donated for relief efforts in certain disaster areas. You can elect to deduct 100% of these contributions on Schedule A (Form 1040), line 11. If you don't make this election, add this amount to the cash contributions reported in box 12 using code A and enter the total amount, subject to a 60% AGI limitation, on Schedule A (Form 1040), line 11.

**Qualified conservation contributions of property used in agriculture or livestock production.** The corporation will report on an attached statement your share of qualified conservation contributions of property used in agriculture or livestock production. This contribution isn't included in the amount reported in box 12 using code C or G. If you are a farmer or rancher, you qualify for a 100% AGI limitation for this contribution. Otherwise, your deduction for this contribution is subject to a 50% AGI limitation. Report this deduction on Schedule A (Form 1040), line 12. See Pub. 526 for more information on qualified conservation contributions.

**Code H. Investment interest expense.** Report this amount on Form 4952, line 1.

If the corporation has investment income or other investment expense, it will report your share of these items in box 17 using codes A and B. Include investment income and expenses from other sources to figure how much of your total investment interest is deductible.

For more information on the special provisions that apply to investment interest expense, see Form 4952 and Pub. 550.

**Code I. Deductions- Royalty income.** Report deductions allocable to royalties on Schedule E (Form 1040), line 19. For this type of expense, enter "From Schedule K-1 (Form 1120S)."

These deductions aren't taken into account in figuring your passive activity loss for the year. Don't enter them on Form 8582.

**Code J. Section 59(e)(2) expenditures.** The corporation will show on an attached statement the type and the amount of qualified expenditures for which you may make a section 59(e) election. The statement will also identify the property for which the expenditures were paid or incurred. If there is more than one type of expenditure, the amount of each type will also be listed.

If you deduct these expenditures in full in the current year, they are treated as adjustments or tax preference items for purposes of alternative minimum tax. However, you may elect to amortize these expenditures over the number of years in the applicable period rather than deduct the full amount in the current year. If you make this election, these items aren't treated as adjustments or tax preference items.

Under the election, you can deduct circulation expenditures ratably over a 3-year period. Research and experimental expenditures and mining exploration and development costs can be amortized over a 10-year period. Intangible drilling and development costs can be amortized over a 60-month period. The amortization periods begin with the month in which such costs were paid or incurred.

Make the election on Form 4562. If you make the election, report the current year amortization of section 59(e) expenditures from Part VI of Form 4562 on Schedule E (Form 1040), line 28. If you don't make the election, report the section 59(e)(2) expenditures on Schedule E (Form 1040), line 28, and figure the resulting adjustment or tax preference item (see Form 6251, Alternative Minimum Tax - Individuals). Whether you deduct the expenditures or elect to amortize them, report the amount on a separate line in column (i) of line 28 if you materially participated in the activity. If you didn't materially participate, follow the Instructions for Form 8582 to figure how much of the deduction can be reported in column (g).

**Code K. Section 965(c) deduction.** See the instructions for box 10, code F, section 965(a) inclusion, earlier, and the Instructions for Form 965 and Form 965-A for details.

**Code L. Deductions - Portfolio (other).** Generally, you should report these amounts on Schedule A (Form 1040), line 16. See the instructions for Schedule A (Form 1040), line 16, for details.

These deductions aren't taken into account in figuring your passive activity loss for the year. Don't enter them on Form 8582.

**Code M. Preproductive period expenses.** You may be able to deduct these expenses currently or you may need to capitalize them under section 263A. See Pub. 225, Farmer's Tax Guide, and Regulations section 1.263A-4 for details.

**Code N. Commercial revitalization deduction from rental real estate activities.** Follow the Instructions for Form 8582 to figure how much of the deduction can be reported on Schedule E (Form 1040), line 28, column (g).

**Code O. Reforestation expense deduction.** The corporation will provide a statement that describes the qualified timber property for these reforestation expenses. The expense deduction is limited to \$10,000 (\$5,000 if married filing separately) for each qualified timber property, including your share of the corporation's expense and any reforestation expenses you separately paid or incurred during the tax year.

If you didn't materially participate in the activity, use Form 8582 to figure the amount to report on Schedule E (Form 1040), line 28, column (g). If you materially participated in the reforestation activity, report the deduction on Schedule E (Form 1040), line 28, column (i).

**Code P through R.** Reserved for future use.

**Code S. Other deductions.** Amounts with this code may include the following.

- Itemized deductions that Form 1040 filers report on Schedule A (Form 1040).
- Soil and water conservation expenditures and endangered species recovery expenditures. See section 175 for limitations on the amount you are allowed to deduct.
- Expenditures for the removal of architectural and transportation barriers to the elderly and disabled that the corporation elected to treat as a current expense. The deductions are limited by section 190(c) to \$15,000 per year from all sources.
- Interest expense allocated to debt-financed distributions. The manner in which you report such interest expense depends on your use of the distributed debt proceeds. If the proceeds were used in a trade or business activity, report the interest on Schedule E (Form 1040), line 28. In column (a) enter the name of the

corporation and "interest expense." If you materially participated in the trade or business activity, enter the interest expense in column (j). If you didn't materially participate in the activity, follow the Instructions for Form 8582 to figure the interest expense you can report in column (g). Material participation is defined earlier under *Passive Activity Limitations*. If the proceeds were used in an investment activity, report the interest on Form 4952. If the proceeds are used for personal purposes, the interest is generally not deductible.

- Contributions to a capital construction fund (CCF). The deduction for a CCF investment isn't taken on Schedule E (Form 1040). Instead, you subtract the deduction from the amount that would normally be entered as taxable income on Form 1040, line 10. In the margin to the left of line 10, enter "CCF" and the amount of the deduction.

- Penalty on early withdrawal of savings. Report this amount on Schedule 1 (Form 1040), line 30.

- Film, television, and live theatrical production expenses. The corporation will provide a statement that describes the film, television, or live theatrical production generating these expenses. Generally, if the aggregate cost of the production exceeds \$15 million, you aren't entitled to the deduction. The limitation is \$20 million for productions in certain areas (see section 181 for details). If you didn't materially participate in the activity, use Form 8582 to determine the amount that can be reported on Schedule E (Form 1040), line 28, column (g). If you materially participated in the production activity, report the deduction on Schedule E (Form 1040), line 28, column (i).

- Current year section 108(i) original issue discount (OID) deduction. The corporation will provide your share of the corporation's OID deduction deferred under section 108(i)(2)(A)(i) that is allowable as a deduction in the current tax year under section 108(i)(2)(A)(ii) or section 108(i)(5)(D)(i) or (ii).

- The corporation will provide you with a statement with domestic production activities information that you must use to figure the domestic production activities deduction. Use Form 8903, Domestic Production Activities Deduction, to figure this deduction. For details, see the instructions for Form 8903.

- Report the qualified production activities income reported to you by the corporation (in box 12 of Schedule K-1) in the applicable column of Form 8903, line 7.

- Report the portion of employer's Form W-2 wages reported to you by the corporation (in box 12 of Schedule K-1) on Form 8903, line 17.
- Report the domestic production activity deduction from cooperatives reported to you by the corporation (in box 12 of Schedule K-1) on Form 8903, line 23.

The corporation will give you a description and the amount of your share for each of these items.

### Box 13. Credits

If you have credits that are passive activity credits to you, you must complete Form 8582-CR in addition to the credit forms identified below. See *Passive Activity Limitations*, earlier, and the Instructions for Form 8582-CR for details.

#### TIP

*In general, shareholders whose only sources for a credit listed on Form 3800,*

*General Business Credit, Part III, are partnerships, S corporations, estates, trusts, and cooperatives, aren't required to complete the applicable credit form or attach it to their return. Instead, they can report the credit amounts reported to them by these pass-through entities directly on Form 3800, Part III, and enter the EIN of the entity in column (b) of Part III. However, when applicable, all shareholders must complete and attach the following credit forms to their return.*

- Form 3468, Investment Credit (Form 3800, Part III, line 1a).
- Form 8864, Biodiesel and Renewable Diesel Fuels Credit (Form 3800, Part III, line 1f).

See the Instructions for Form 3800 for more details.

**Codes A, B, C, and D. Low-income housing credit.** If section 42(j)(5) applies, the corporation will report your share of the low-income housing credit using code A or code C, depending on the date the building was placed in service. If section 42(j)(5) doesn't apply, your share of the credit will be reported using code B or code D, depending on the date the building was placed in service. Any allowable low-income housing credit reported using code A or code B is reported on line 4 of Form 8586, Low-Income Housing Credit, or Form 3800, Part III, line 1d (see *TIP*, earlier). Any allowable low-income housing credit reported using code C or code D is reported on line 11 of Form 8586 or Form 3800, Part III, line 4d (see *TIP*, earlier).

Keep a separate record of the low-income housing credit from each separate source so that you can correctly figure any recapture of low-income housing credit that may result from the disposition of all or part of your stock in the corporation. For more information on recapture, see the instructions for Form 8611, Recapture of Low-Income Housing Credit.

**Code E. Qualified rehabilitation expenditures (rental real estate).** The corporation will report your share of the qualified rehabilitation expenditures and other information you need to complete Form 3468 related to rental real estate activities using code E. Your share of qualified rehabilitation expenditures from property not related to rental real estate activities will be reported in box 17 using code C. See the Instructions for Form 3468 for details. If the corporation is reporting expenditures from more than one activity, an attached statement will separately identify the expenditures from each activity.

Combine the expenditures (for Form 3468 reporting) from box 13, code E, and from box 17, code C. The expenditures related to rental real estate activities (box 13, code E) are reported on Schedule K-1 separately from other qualified rehabilitation expenditures (box 17, code C) because they are subject to different passive activity limitation rules. See the Instructions for Form 8582-CR for details.

**Code F. Other rental real estate credits.** The corporation will identify the type of credit and any other information you need to figure these credits from rental real estate activities (other than the low-income housing credit and qualified rehabilitation expenditures). These credits may be limited by the passive activity limitations. If the credits are from more than one activity, the corporation will identify the credits from each activity on an attached statement. See *Passive Activity Limitations*, earlier, and the Instructions for Form 8582-CR for details.

**Code G. Other rental credits.** The corporation will identify the type of credit and any other information you need to figure these rental credits. These credits may be limited by the passive activity limitations. If the credits are from more than one activity, the corporation will identify the credits from each activity on an attached statement. See *Passive*

*Activity Limitations*, earlier, and the Instructions for Form 8582-CR for details.

**Code H. Undistributed capital gains credit.** Code H represents taxes paid on undistributed capital gains by a regulated investment company or real estate investment trust. Report these taxes on Schedule 5 (Form 1040), line 74, check box "a" for Form 2439, and enter "Form 1120S" to the right of line 74. Reduce the basis of your stock by this tax.

**Code I. Biofuel producer credit.** Report this amount on line 3 of Form 6478, Biofuel Producer Credit, or Form 3800, Part III, line 4c (see *TIP*, earlier).

**Code J. Work opportunity credit.** Report this amount on line 3 of Form 5884, Work Opportunity Credit, or Form 3800, Part III, line 4b (see *TIP*, earlier).

**Code K. Disabled access credit.** Report this amount on line 7 of Form 8826, Disabled Access Credit, or Form 3800, Part III, line 1e (see *TIP*, earlier).

**Code L. Empowerment zone employment credit.** Report this amount on line 3 of Form 8844, Empowerment Zone Employment Credit, or Form 3800, Part III, line 3 (see *TIP*, earlier).

**Code M. Credit for increasing research activities.** Report this amount on line 37 of Form 6765, Credit for Increasing Research Activities, or in Part III of Form 3800 (see *TIP*, earlier) as follows.

- The S corporation will provide information necessary to determine if it is an eligible small business under section 38(c)(5)(C). If you and the S corporation are eligible small businesses, report the credit on line 4i. For more information, see the instructions for Form 3800.
- All others, report the credit on line 1c.

**Code N. Credit for employer social security and Medicare taxes.** Report this amount on line 5 of Form 8846, Credit for Employer Social Security and Medicare Taxes Paid on Certain Employee Tips, or Form 3800, Part III, line 4f (see *TIP*, earlier).

**Code O. Backup withholding.** This is your share of the credit for backup withholding on dividends, interest income, and other types of income. Include this amount in the total you enter on Form 1040, line 16, and attach a copy of your Schedule K-1 to your tax return. Instead of attaching a copy of your Schedule K-1 to your tax return, you can include a statement

with your return that provides the corporation's name, address, EIN, and backup withholding amount.

**Code P. Other credits.** On a statement attached to Schedule K-1, the corporation will identify the type of credit and any other information you need to figure credits other than those reported with codes A through O. Most credits identified by code P will be reported on Form 3800, Part III (see *TIP*, earlier).

Credits that may be reported with code P include the following.

- Unused investment credit from the qualifying advanced coal project credit, qualifying gasification project credit, or qualifying advanced energy project credit allocated from cooperatives (Form 3468, line 9).
- Unused investment credit from the rehabilitation credit or energy credit allocated from cooperatives (Form 3468, line 13).
- Credits for affected disaster area employers (Form 5884-A).
- Orphan drug credit (Form 8820).
- Enhanced oil recovery credit (Form 8830).
- Renewable electricity, refined coal, and Indian coal production credit. The corporation will provide a statement showing the allocation of the credit for production during the 4-year period beginning on the date the facility was placed in service and for production after that period.
- Indian employment credit (Form 8845).
- Biodiesel and renewable diesel fuels credit. If this credit includes the small agri-biodiesel producer credit, the corporation will provide additional information on an attached statement. If no statement is attached, report this amount on Form 8864, line 9. If a statement is attached, see the instructions for Form 8864, line 9.
- New markets credit (Form 8874).
- Credit for small employer pension plan startup costs (Form 8881).
- Credit for employer-provided childcare facilities and services (Form 8882).
- Low sulfur diesel fuel production credit (Form 8896).
- Qualified railroad track maintenance credit (Form 8900).
- Credit for oil and gas production from marginal wells (Form 8904).
- Distilled spirits credit (Form 8906).
- Energy efficient home credit (Form 8908).
- Alternative motor vehicle credit (Form 8910).
- Alternative fuel vehicle refueling property credit (Form 8911).

- Qualified zone academy bond credit. Report this amount on Form 8912.
- Clean renewable energy bond credit. Report this amount on Form 8912.
- New clean renewable energy bond credit. Report this amount on Form 8912.
- Qualified energy conservation bond credit. Report this amount on Form 8912.
- Build America bond credit. Report this amount on Form 8912.
- Qualified school construction bond credit. Report this amount on Form 8912.
- Mine rescue team training credit (Form 8923).
- Credit for employer differential wage payments (Form 8932).
- Carbon oxide sequestration credit (Form 8933).
- Qualified plug-in electric drive motor vehicle credit (Form 8936).
- Qualified two-wheeled plug-in electric vehicle credit (Form 8936), if applicable.
- Credit for small employer health insurance premiums (Form 8941).
- Employer credit for paid family and medical leave (Form 8994).
- General credits from an electing large partnership. Report these credits on Form 3800, Part III, line 1bb.

## Box 14. Foreign Transactions

**Codes A through R, U, and V.** Use the information identified by codes A through R, code U, code V, and any attached statements to figure your foreign tax credit.

The amounts used to figure your foreign tax credit or deduction may be limited. See *Limitations on Losses, Deductions, and Credits*, earlier.

**CAUTION** *If you have any qualified dividends, capital gains (including any capital gain distributions), capital losses, net section 1231 gains, or net section 1231 losses, you may have to make certain adjustments to those amounts before taking them into account on Form 1116, Foreign Tax Credit.*

For details, see Form 1116 and its separate instructions and Pub. 514, Foreign Tax Credit for Individuals.

### Codes S and T. Extraterritorial income exclusion.

1. *Corporation didn't claim the exclusion.* If the corporation reports your share of foreign trading gross receipts (code S) and the extraterritorial income exclusion (code

T), the corporation wasn't entitled to claim the exclusion because it didn't meet the foreign economic process requirements. You may still qualify for your share of this exclusion if the corporation's foreign trading gross receipts for the tax year were \$5 million or less. To qualify for this exclusion, your foreign trading gross receipts from all sources for the tax year also must have been \$5 million or less. If you qualify for the exclusion, report the exclusion amount in accordance with the instructions for box 1, 2, or 3, whichever applies. See Form 8873, Extraterritorial Income Exclusion, for details.

2. *Corporation claimed the exclusion.* If the corporation reports your share of foreign trading gross receipts but not the amount of the extraterritorial income exclusion, the corporation met the foreign economic process requirements and claimed the exclusion when figuring your share of corporate income. You also may need to know your share of foreign trading gross receipts from this corporation to determine if you met the \$5 million or less exception discussed above for purposes of qualifying for an extraterritorial income exclusion from other sources.

### TIP

*When asked for, the corporation should furnish you a copy of the corporation's*

*Form 8873 if there is a reduction for international boycott operations, illegal bribes, kickbacks, or similar items.*

### Code U. Section 965 information.

If the corporation had a section 965(a) inclusion, it will attach a copy of the Form 965, including Schedules F, G, and H, to your Schedule K-1.

### Code V. Other foreign transactions.

On a statement attached to Schedule K-1, the corporation will report any other information on foreign transactions that you may need using code V.

## Box 15. Alternative Minimum Tax (AMT) Items

Use the information reported in box 15 (as well as your adjustments and tax preference items from other sources) to prepare your Form 6251, Alternative Minimum Tax - Individuals, or Schedule I (Form 1041), Alternative Minimum Tax - Estates and Trusts.

**Code A.** This amount is your share of the corporation's post-1986 depreciation adjustment. If you are an

individual shareholder, report this amount on Form 6251, line 2l.

**Code B.** This amount is your share of the corporation's adjusted gain or loss. If you are an individual shareholder, report this amount on Form 6251, line 2k.

**Code C.** This amount is your share of the corporation's depletion adjustment. If you are an individual shareholder, report this amount on Form 6251, line 2d.

### Codes D and E. Oil, gas, & geothermal properties - Gross income and deductions.

The amounts reported on these lines include only the gross income (code D) from, and deductions (code E) allocable to, oil, gas, and geothermal properties included in box 1 of Schedule K-1. The corporation should have attached a statement that shows any income from or deductions allocable to such properties that are included in boxes 2 through 12, 16, and 17 of Schedule K-1. Use the amounts reported here and any other reported amounts to help you figure the net amount to enter on Form 6251, line 2t.

**Code F. Other AMT items.** Report the information on the statement attached by the corporation on the applicable lines of Form 6251 or Schedule I (Form 1041).

## Box 16. Items Affecting Shareholder Basis

**Code A. Tax-exempt interest income.** Report on your return, as an item of information, your share of the tax-exempt interest received or accrued by the corporation during the year. Individual shareholders include this amount on Form 1040, line 2a. Generally, you must increase the basis of your stock by this amount.

**Code B. Other tax-exempt income.** Generally, you must increase the basis of your stock by the amount shown, but don't include it in income on your tax return.

**Code C. Nondeductible expenses.** The nondeductible expenses paid or incurred by the corporation aren't deductible on your tax return. Generally, you must decrease the basis of your stock by this amount.

**Code D. Property distributions.** Reduce the basis of your stock (as explained earlier) by distributions, not reported on Form 1099-DIV, of property or money. This amount will include any amounts included in income with respect to new clean renewable energy, qualified energy

conservation, qualified school construction, build America, or (for bonds issued after October 3, 2008) qualified zone academy bonds. If these distributions exceed the basis of your stock, the excess is treated as capital gain from the sale or exchange of property and is reported on Form 8949 and Schedule D (Form 1040).

**Code E. Repayment of loans from shareholders.** If these payments are made on a loan with a reduced basis, the repayments must be allocated in part to a return of your basis in the loan and in part to the receipt of income. See Regulations section 1.1367-2 for information on reduction in basis of a loan and restoration in basis of a loan with a reduced basis. See Rev. Rul. 64-162, 1964-1 (Part 1) C.B. 304, and Rev. Rul. 68-537, 1968-2 C.B. 372, for details.

## Box 17. Other Information

**Code A. Investment income.** Report this amount on Form 4952, line 4a.

**Code B. Investment expenses.** Report this amount on Form 4952, line 5.

**Code C. Qualified rehabilitation expenditures (other than rental real estate).** The corporation will report your share of qualified rehabilitation expenditures and other information you need to complete Form 3468 for property not related to rental real estate activities in box 17 using code C. Your share of qualified rehabilitation expenditures related to rental real estate activities is reported in box 13 using code E. See the Instructions for Form 3468 for details. If the corporation is reporting expenditures from more than one activity, the attached statement will separately identify the expenditures from each activity.

Combine the expenditures (for Form 3468 reporting) from box 13, code E, and from box 17, code C. The expenditures related to rental real estate activities (box 13, code E) are reported on Schedule K-1 separately from other qualified rehabilitation expenditures (box 17, code C) because they are subject to different passive activity limitation rules. See the Instructions for Form 8582-CR for details.

**Code D. Basis of energy property.** If the corporation provides an attached statement for code D, use the information on the statement to complete lines 12a-12d, 12f, 12g, 12j, 12l, 12m, 12o, and 12q-12v of Form 3468.

**Codes E and F. Recapture of low-income housing credit.** The corporation will identify by code E your share of any recapture of a low-income housing credit from its investment in partnerships to which the provisions of section 42(j)(5) apply. All other recapture of low-income housing credits will be identified by code F.

Keep a separate record of each type of recapture so that you will be able to correctly figure any credit recapture that may result from the disposition of all or part of your corporate stock. For details, see Form 8611.

**Code G. Recapture of investment credit.** The corporation will provide any information you need to figure your recapture tax on Form 4255, Recapture of Investment Credit. See the Form 3468 on which you took the original credit for other information you need to complete Form 4255.

You may also need Form 4255 if your proportionate stock interest in the corporation is reduced by more than one-third after you were allocated part of an investment credit.

**Code H. Recapture of other credits.** On a statement attached to Schedule K-1, the corporation will report any information you need to figure the recapture of other credits including the new markets credit, Indian employment credit, credit for employer-provided childcare facilities and services, alternative motor vehicle credit, alternative fuel vehicle refueling property credit, and qualified plug-in electric drive motor vehicle credit.

**Code I. Look-back interest - Completed long-term contracts.** The corporation will report any information you need to figure the interest due or to be refunded under the look-back method of section 460(b)(2) on certain long-term contracts. Use Form 8697, Interest Computation Under the Look-Back Method for Completed Long-Term Contracts, to report any such interest.

**Code J. Look-back interest - Income forecast method.** The corporation will report any information you need to figure the interest due or to be refunded under the look-back method of section 167(g)(2) for certain property placed in service after September 13, 1995, and depreciated under the income forecast method. Use Form 8866, Interest Computation Under the Look-Back Method for Property Depreciated Under the

Income Forecast Method, to report any such interest.

**Code K. Dispositions of property with section 179 deductions.** The corporation will report your share of gain or loss on the sale, exchange, or other disposition of property for which a section 179 expense deduction was passed through to shareholders with code K. If the corporation passed through a section 179 expense deduction for the property, you must report the gain or loss, if any, and any recapture of the section 179 expense deduction for the property on your income tax return (see the Instructions for Form 4797 for details). The corporation will provide all the following information.

1. Description of the property.
2. Date the property was acquired and placed in service.
3. Date of the sale or other disposition of the property.
4. Your share of the gross sales price or amount realized.
5. Your share of the cost or other basis plus the expense of sale.
6. Your share of the depreciation allowed or allowable.
7. Your share of the section 179 expense deduction (if any) passed through for the property and the corporation's tax year(s) in which the amount was passed through.

To figure the depreciation allowed or allowable for Form 4797, line 22, add to the amount from item (6) above the amount of your share of the section 179 expense deduction, reduced by any unused carryover of the deduction for this property. This amount may be different than the amount of section 179 expense you deducted for the property if your interest in the corporation has changed.

8. If the disposition is due to a casualty or theft, any information you need to complete Form 4684.
9. If the sale was an installment sale made during the corporation's tax year, any information you need to complete Form 6252, Installment Sale Income. The corporation will separately report your share of all payments received for the property in the following tax years. See the Instructions for Form 6252 for details.

**Code L. Recapture of section 179 deduction.** The corporation will report your share of any recapture of section 179 expense deduction if business use of any property for which the section 179 expense

deduction was passed through to shareholders dropped to 50% or less before the end of the recapture period. If this occurs, the corporation must provide the following information.

1. Your share of the depreciation allowed or allowable (not including the section 179 expense deduction).

2. Your share of the section 179 expense deduction (if any) passed through for the property and the corporation's tax year(s) in which the amount was passed through. Reduce this amount by the portion, if any, of your unused (carryover) section 179 expense deduction for this property.

**Code M. Section 453(l)(3) information.** The corporation will report any information you need to figure the interest due under section 453(l)(3) with respect to the disposition of certain timeshares and residential lots on the installment method. Report the interest on Schedule 4 (Form 1040), line 62. Check box "c" and enter "453(l)(3)" and the amount of the interest in the space next to that box. See section 453(l)(3) for details on how to figure the interest.

**Code N. Section 453A(c) information.** The corporation will report any information you need to figure the interest due under section 453A(c) with respect to certain installment sales. Report the interest on Schedule 4 (Form 1040), line 62. Check box "c" and enter "453A(c)" and the amount of the interest in the space next to that box. See section 453A(c) for details on how to figure the interest.

**Code O. Section 1260(b) information.** The corporation will report any information you need to figure the interest due under section 1260(b). If the corporation had gain from certain constructive ownership transactions, your tax liability must be increased by the interest charge on any deferral of gain recognition under section 1260(b). Report the interest on Schedule 4 (Form 1040), line 62. Enter "1260(b)" and the amount of the interest in the space to the left of line 62. See section 1260(b) for details on how to figure the interest.

**Code P. Interest allocable to production expenditures.** The corporation will report any information you need relating to interest you are required to capitalize under section 263A for production expenditures. See Regulations sections 1.263A-8 through 1.263A-15 for details.

**Code Q. CCF nonqualified withdrawals.** The corporation will report

your share of nonqualified withdrawals from a capital construction fund (CCF). These withdrawals are taxed separately from your other gross income at the highest marginal ordinary income or capital gains tax rate. Attach a statement to your federal income tax return to show your computation of both the tax and interest for a nonqualified withdrawal. Include the tax and interest on Schedule 4 (Form 1040), line 62. In the space to the left of line 62, enter the amount of tax and interest and "CCF."

**Code R. Depletion information - Oil and gas.** This is your share of gross income from the property, share of production for the tax year, and other information needed to figure your depletion deduction for oil and gas wells. The corporation should also allocate to you a proportionate share of the adjusted basis of each corporate oil or gas property. See Pub. 535 for details on how to figure your depletion deduction.

Reduce the basis of your stock by the amount of this deduction up to the extent of your adjusted basis in the property.

**Code S. Reserved.**

**Code T. Section 108(i) information.** If the corporation made a section 108(i) election, it will provide all the information you will need to determine your share of the following.

- Deferred cancellation of debt income.
- Deferred original issue discount deduction.

**Code U. Net investment income.** The corporation may use code U to report information you may need to determine your net investment income tax under section 1411, including information regarding income from controlled foreign corporations (CFCs) and passive foreign investment companies (PFICs) the stock of which is owned by the corporation. Any information not provided elsewhere on Schedule K-1 (or an attachment to Schedule K-1) is provided using code U. For CFCs and PFICs that you treat as qualified electing funds (QEFs), the information that is relevant to you will depend on whether you, the corporation, or a subsidiary pass-through entity has made an election under Regulations section 1.1411-10(g) with respect to the CFC or QEF. For example, if the corporation made an election under Regulations section 1.1411-10(g) for a CFC the stock of which is owned by the corporation, and the relevant

income and deduction items derived from that CFC are reported elsewhere on Schedule K-1, you will not need the information provided using code U to complete your Form 8960, Net Investment Income Tax - Individuals, Estates, and Trusts.

Follow the instructions for Form 8960 to figure and report your net investment income and adjusted gross income or modified adjusted gross income. See Regulations sections 1.1411-1 through 1.1411-10 for more details.

**Codes V through Z. Qualified business income deduction.** Generally, you are allowed a deduction of up to 20% of your net qualified business income plus 20% of your qualified REIT dividends and PTP income from your S corporation. The corporation will provide the information you need to figure your deduction.

Once you have this information, you will use one of two worksheets to help you figure your qualified business income deduction.

1. Use the Qualified Business Income Deduction - Simplified Worksheet, included in the Instructions for Form 1040 if:

- a. You have qualified business income, REIT dividends, or PTP income (defined below), and
- b. Your 2018 taxable income before the qualified business income deduction doesn't exceed \$157,500 (\$315,000 if married filing jointly), and
- c. You aren't a patron in a specified agricultural or horticultural cooperative.

2. Use Worksheet 12-A in Pub. 535 if you don't meet all three of these requirements.

**Code V. Section 199A qualified business income.** Use the appropriate worksheet to report your portion of qualified business income.

- Qualified Business Income Deduction - Simplified Worksheet, line 1. See the instructions for Form 1040.
- Worksheet 12-A in Pub. 535. If this is a specified service trade or business, complete Schedule A; if you choose to aggregate multiple trades or businesses, complete Schedule B; if any of your qualified trades or businesses generated a net loss, complete Schedule C; otherwise enter this amount on lines 1 and 2.

**Code W. Section 199A W-2 wages from the trade or business.** Report the portion of Form W-2 wages reported to you by the S corporation on the appropriate worksheet.

- Qualified Business Income Deduction - Simplified Worksheet, this item is not required to be reported. See the instructions for Form 1040.
- Worksheet 12-A in Pub. 535. If this is a specified service trade or business, complete Schedule A; if you choose to aggregate multiple trades or businesses, complete Schedule B; otherwise enter this amount on line 4.

**Code X. Section 199A unadjusted basis on acquisition of qualified property.** Report the portion of unadjusted basis of qualified property reported to you by the S corporation on the appropriate worksheet.

- Qualified Business Income Deduction - Simplified Worksheet, this item is not required to be reported. See the instructions for Form 1040.
- Worksheet 12-A in Pub. 535. If this is a specified service trade or business, complete Schedule A; if you choose to aggregate multiple trades or businesses, complete Schedule B; otherwise enter this amount on line 7.

**Code Y. Section 199A REIT dividends.** Report the portion of qualified REIT dividends reported to you by the S corporation on the appropriate worksheet.

- Qualified Business Income Deduction - Simplified Worksheet, line 6. See the Instructions for Form 1040.
- Worksheet 12-A in Pub. 535, line 28. See Pub. 535.

**Code Z. Qualified publicly traded partnership (PTP) income.** Report the portion of qualified PTP income reported to you by the S corporation on the appropriate worksheet.

- Qualified Business Income Deduction - Simplified Worksheet, line 6. See the Instructions for Form 1040.
- Worksheet 12-A in Pub. 535, line 28. See Pub. 535.

**Code AA. Excess taxable income.** If the S corporation is required to file Form 8990, Limitation on Business Interest Expense Under Section 163(j), it may determine it has excess taxable income. Report this amount of excess taxable income on Form 8990, Schedule B, line 45(c), if you are required to file Form 8990. See the instructions for Form 8990 for details.

**Code AB. Excess business interest income.** If the S corporation is required to file Form 8990, Limitation on Business Interest Expense Under Section 163(j), it may determine it has

excess business interest income. Report this amount of excess business interest income on Form 8990, Schedule B, line 45(d), if you are required to file Form 8990. See the instructions for Form 8990 for details.

**Code AC. Other information.** The corporation will use code AC to report the following to shareholders.

1. Any information you need to complete a disclosure statement for reportable transactions in which the corporation participates. If the corporation participates in a transaction that must be disclosed on Form 8886, Reportable Transaction Disclosure Statement, both you and the corporation may be required to file Form 8886 for the transaction. The determination of whether you are required to disclose a transaction of the corporation is based on the category(ies) under which the transaction qualifies for disclosure and is determined by you and the corporation. You may have to pay a penalty if you are required to file Form 8886 and don't do so. See the instructions for Form 8886 for details.

2. Gross farming and fishing income. If you are an individual shareholder, report this income, as an item of information, on Schedule E (Form 1040), Part V, line 42. Don't report this income elsewhere on Form 1040.

For a shareholder that is an estate or trust, report this income to the beneficiaries, as an item of information, on Schedule K-1 (Form 1041). Don't report it elsewhere on Form 1041.

3. Excess business loss limitation. If the corporation has deductions attributable to a business activity, it will provide a statement showing the aggregate gross income or gain and the aggregate deductions from the business activity that you need to figure any excess business loss limitation. See section 461 and the Instructions for Form 461 for details.

4. The amount included in gross income with respect to qualified zone academy bonds issued before October 4, 2008. Income with respect to these qualified zone academy bonds can't be used to increase your stock basis. Because this amount is already included in income elsewhere on Schedule K-1, you must reduce your stock basis by this amount. See Part 1, line 13, of the Worksheet for Figuring a Shareholder's Stock and Debt Basis.

5. The amount included in gross income with respect to clean renewable energy bonds. Income with respect to clean renewable energy bonds can't be used to increase your stock basis. Because this amount is already included in income elsewhere on Schedule K-1, you must reduce your stock basis by this amount. See Part 1, line 13, of the Worksheet for Figuring a Shareholder's Stock and Debt Basis.

6. Qualified investment in qualifying advanced coal project property. Use the amounts the corporation provides you to figure the amounts to report on Form 3468, lines 5a, 5b, and 5c.

7. Qualified investment in qualifying gasification property. Use the amounts the corporation provides you to figure the amounts to report on Form 3468, lines 6a and 6b.

8. Qualified investment in qualifying advanced energy project credit property. Use the amounts the corporation provides you to figure the amount to report on Form 3468, line 7.

9. Inversion gain. The corporation will provide a statement showing the amounts of each type of income or gain that is included in inversion gain. The corporation has included inversion gain in income elsewhere on Schedule K-1. Inversion gain is also reported under code AC because your taxable income and alternative minimum taxable income can't be less than the inversion gain. Also, your inversion gain (a) isn't taken into account in figuring the net operating loss (NOL) for the tax year or the NOL that can be carried over to each tax year, (b) may limit your credits, and (c) is treated as income from sources within the United States for the foreign tax credit. See section 7874 for details.

10. Patron reduction and domestic production activities deduction under section 199A(g)(2). If the S corporation is a patron of an agricultural or horticultural cooperative, you must figure your patron reduction using Schedule D in Pub. 535. You may also be allowed a domestic production activities deduction, if one is passed through the cooperative, to the S corporation, to you. See Pub. 535 for more information.

11. Any other information you may need to file your return not shown elsewhere on Schedule K-1.

The corporation should give you a description and the amount of your share for each of these items.

# 2018 Shareholder's Instructions for Schedule K-1 (100S)

## For S Corporation Shareholder's Use Only

References in these instructions are to the Internal Revenue Code (IRC) as of **January 1, 2015**, and to the California Revenue and Taxation Code (R&TC).

### General Information

In general, for taxable years beginning on or after January 1, 2015, California law conforms to the Internal Revenue Code (IRC) as of January 1, 2015. However, there are continuing differences between California and federal law. When California conforms to federal tax law changes, we do not always adopt all of the changes made at the federal level. For more information, go to [ftb.ca.gov](http://ftb.ca.gov) and search for **conformity**. Additional information can be found in FTB Pub. 1001, Supplemental Guidelines to California Adjustments, the instructions for California Schedule CA (540 or 540NR), and the Business Entity tax booklets.

The instructions provided with California tax forms are a summary of California tax law and are only intended to aid taxpayers in preparing their state income tax returns. We include information that is most useful to the greatest number of taxpayers in the limited space available. It is not possible to include all requirements of the California Revenue and Taxation Code (R&TC) in the instructions. Taxpayers should not consider the instructions as authoritative law.

The California Schedule K-1 (100S), Shareholder's Share of Income, Deductions, Credits, etc. line items are formatted similar to the federal Schedule K-1 (Form 1120S), Shareholder's Share of Income, Deductions, Credits, etc. For more information, get the Schedule K Federal/State Line References chart included in the Form 100S, S Corporation Tax Booklet.

A corporation with a valid federal S corporation election is considered an S corporation for California purposes and is deemed to make the California S election on the same date as the federal election.

California conforms to the federal provision that affects discharge of indebtedness of an S corporation. IRC Section 108 provides that income from the discharge of indebtedness of an S corporation that is excluded from the S corporation's income is not taken into account as an item of income by any shareholder and thus does not increase the basis of any shareholder's stock in the corporation. This provision applies, for California purposes, to discharges of indebtedness incurred in taxable years ending after December 31, 2001.

California follows federal instructions (**with some exceptions**) for reporting the sale, exchange, or disposition of an asset for which an IRC Section 179 expense deduction was claimed in prior years by a partnership, limited liability company, or S corporation.

Shareholders should follow federal reporting requirements as detailed in federal Form 1120S, U.S. Income Tax Return for an S Corporation, and federal Form 4797, Sales of Business Property.

California conforms to the federal qualification requirements for S corporations and their shareholders.

### A Purpose

The S corporation uses Schedule K-1 (100S) to report the shareholder's share of the S corporation's income, deductions, credits, etc. Information from the Schedule K-1 (100S) is used to complete your California tax return. Keep a copy of Schedule K-1 for your records. However, **do not** file the schedule with your California tax return.

Although the S corporation is subject to various taxes, you are liable for the income tax on your share of the S corporation's income, whether or not distributed, and you must include your share on your California tax return.

The amount of losses and deductions that you may claim on your tax return may be less than the amount reported on Schedule K-1 (100S). Generally, the amount of losses and deductions you may claim is limited to your basis in the S corporation stock, debt owed to you by the S corporation, and the amount for which you are considered at-risk. Also, if the S corporation has losses, deductions, or credits from a passive activity, you must apply the passive activity rules. It is your responsibility to consider and apply any applicable limitations. See General Information C, Limitations on Losses, Deductions, and Credits. Use these instructions to help you report the items shown on Schedule K-1 (100S) on your California tax return.

For the line items where "attach schedule" appears, the S corporation should provide additional information applicable to that line.

### B Reporting Information from Columns (c), (d), and (e)

#### Inconsistent treatment of items

Generally, shareholders must report IRC subchapter S items shown on their Schedule K-1 (100S), and any attached schedules, the same way the corporation treated the items on its tax return. If the treatment on a shareholder's original or amended tax return is inconsistent with the corporation's treatment, or if the corporation has not filed a tax return, you must attach a statement with your original or amended tax return to identify and explain any inconsistency or to note that a corporate tax return has not been filed. If a shareholder is required to attach this statement but fails to do so, the shareholder may be subject to an accuracy related penalty.

### Line 1 through Line 18

If you are an individual shareholder, take the amounts in column (c) that are from nonpassive activities and enter these amounts on the appropriate California form or schedule as explained in these instructions.

Report the amounts in column (d) or column (e) that are from passive activities on the California form or schedule where they are normally reported. Bring the total amounts figured on the appropriate California form or schedule to form FTB 3801, Passive Activity Loss Limitations, to figure the amount of your passive activity loss limitation. Then transfer the passive activity loss back to the form or schedule it is normally reported on to figure your California adjustment amount. Enter this adjustment amount on the corresponding line of Schedule CA (540 or 540NR), California Adjustments, or Form 541, California Fiduciary Income Tax Return.

If there is no California schedule or form to figure your passive activity loss adjustment amount on (i.e., rental loss from passive activities), you may figure the adjustment amount on the California Worksheets on Side 2 of form FTB 3801. Enter the total of your adjustments from all passive activities from the worksheets on Schedule CA (540 or 540NR), as applicable.

If you have losses, deductions, credits, etc., from a prior year that were not deductible or usable because of certain limitations, such as the at-risk rules, these carryforward losses, deductions, and credits may be taken into account in determining your net income, loss, etc., for this taxable year. However, do not combine the prior year amounts with any amounts shown on this Schedule K-1 (100S) to get a net figure to report on any supporting schedules, statements, or forms attached to your tax return. Instead, report the amounts on an attached schedule, statement, or form on a year-by-year basis.

### C Limitations on Losses, Deductions, and Credits

The amounts shown on line 1 through line 3 reflect your share of income or loss from the S corporation's business or rental operations without reference to your limitations on losses or adjustments that may be required because of the following:

- The adjusted basis of your S corporation ownership interest per IRC Section 1366(d).
- The amount for which you are at-risk as determined under IRC Section 465.
- The passive activity limitations of IRC Section 469.

Get the instructions for federal Schedule K-1 (Form 1120S), box 1 through box 3 for more information.

**Basis rules**

Generally, you may not claim your share of the S corporation loss (including capital loss) that is greater than the adjusted basis of your shareholder interest at the end of the S corporation's taxable year.

Basis is increased by:

1. All income (including tax-exempt income) reported on Schedule K-1 (100S).
2. Money and adjusted basis of property contributed to the corporation.
3. The excess of the deduction for depletion over the adjusted basis of the property subject to depletion.

Basis is decreased by:

1. Fair market value of property distributions (including cash) made by the S corporation (excluding dividend distributions reported on Form 1099-DIV, Dividends and Distributions, and distributions in excess of basis) reported on Schedule K-1 (100S), line 16d.
2. All losses and deductions (including nondeductible expenses) reported on Schedule K-1 (100S).

These items are not a complete list of factors that determine basis. For examples, see Treas. Reg. Section 1.1367-1.

**At-risk rules**

Generally, if you have: (1) a loss or other deduction from an activity carried on as a trade or business or for the production of income by the corporation; and (2) amounts in the activity for which you are not at-risk, you will have to complete federal Form 6198, At-Risk Limitations, to figure the allowable loss to report on your tax return. For California purposes, you must complete federal Form 6198 using California amounts.

The at-risk rules generally limit the amount of loss (including loss on disposition of assets) and other deductions (such as IRC Section 179) that you may claim to the amount you could actually lose in the activity. Get the instructions for federal Schedule K-1 (Form 1120S), for more information about at-risk limitations.

**Passive activity limitations**

Generally, California tax law conforms to federal IRC Section 469 rules that limit the deduction of certain losses and credits.

These rules apply to shareholders who meet both of the following:

- Are individuals, estates, or trusts.
- Have a loss or credit from a passive activity.

A passive activity is generally a rental activity or a trade or business activity in which the shareholder does not materially participate.

If you have a loss or deductions from a passive activity, you will need to complete form FTB 3801 to figure the allowable amounts to report on your individual tax return. You will also need to complete form FTB 3801, if you have passive activity income from this S corporation and passive activity loss or deduction from another source.

The amounts reported on Schedule K-1 (100S), line 2 and line 3 are from rental activities of the S corporation and are generally passive activity income (loss) to all shareholders.

There is an exception to this rule for losses incurred by qualified investors in qualified low-income housing projects. The S corporation will identify any of these qualified amounts on an attachment for line 2.

Passive activity credits are also limited to passive income. See the instructions for line 13d.

California **does not** conform to the passive activity loss provisions of the IRC relating to real estate professionals.

**D California Adjustment - Column (c)**

Use this column to account for your proportionate share of the differences in the computation of federal and California income.

The most common adjustment items are as follows:

- California minimum franchise tax.
- Depreciation expense due to different basis of the assets or depreciation method used.
- Gain or loss on sale of assets due to the effects of different depreciation methods or basis.
- Government bond interest income:
  - a) U.S. bond interest is taxable for federal purposes but not for California purposes.
  - b) State bond interest (other than from California bonds) is taxable for California purposes but not for federal purposes.

**E Total Amounts Using California Law - Column (d) and California Source Amounts and Credits - Column (e)**

Shareholders who are California residents will use amounts shown in column (d) because California resident individuals are subject to personal income tax on all income from whatever source derived (R&TC Section 17041). Nonresident shareholders who do not conduct a trade or business that is unitary with the S corporation should use the amounts in column (c), column (d) (for total income purposes), column (e) (for California source income purposes), and Table 1. If the nonresident shareholder conducts a unitary business with the S corporation, data in column (e) should not be used. Instead, the

shareholder must combine its share of the S corporation's income with the income from its trade or business and apportion that income using an apportionment percentage consisting of a combination of the factors from its trade or business and the shareholder's share of the factors from the S corporation from Table 2. Amounts in Table 1 should be sourced to the residence or commercial domicile of the shareholder.

**Specific Line Instructions**

If the shareholder is not an individual, the shareholder may report the amounts as instructed on their California income tax return.

**Income (Loss)****Line 1 - Ordinary business income (loss)**

The amount reported on line 1, column (d) or column (e) is your share of the ordinary income (loss) from the trade or business activities of the S corporation. Generally, where you report this amount on Form 540, California Resident Income Tax Return; Long Form 540NR, California Nonresident or Part-Year Resident Income Tax Return; or Form 541, depends on whether or not the amount is from an activity that is a passive activity to you.

If, in addition to this passive activity income, you have a passive activity loss from this S corporation or from any other source, report the line 1, column (d) or column (e) income on form FTB 3801.

If a loss is reported on line 1, column (d) or column (e), report the loss on the applicable line of form FTB 3801 to determine how much of the loss is allowable.

**Line 2 - Net rental real estate income (loss)**

Generally, the income (loss) reported on line 2, column (d) or column (e), is a passive activity amount to all shareholders. However, there is an exception for losses from a qualified low-income housing project. The loss limitations do not apply to qualified investors in a qualified low-income housing project.

The S corporation will have attached a schedule for line 2 to identify such amounts, if applicable. Enter the California adjustment amount from column (c) on Schedule CA (540 or 540NR), as applicable.

Use the following instructions to determine where to enter a line 2 amount.

- If you have a loss on line 2, column (d) or column (e) (other than a qualified low-income housing project loss), enter this passive activity loss on the applicable line of form FTB 3801 to determine how much of the loss is allowable.

If you are a qualified investor reporting a qualified low-income housing project loss, enter the California adjustment amount from column (c) directly on Schedule CA (540 or 540NR), as applicable.

- If you have income on line 2, column (d) or column (e) and no passive losses, enter the California adjustment from column (c) on Schedule CA (540 or 540NR), as applicable.

### Line 3 - Other net rental income (loss)

The amount on line 3, column (d) or column (e) is a passive activity amount for all shareholders.

- If line 3, column (d) or column (e) is a loss, enter the loss on the applicable line of form FTB 3801.
- If income is reported on line 3, column (d) or column (e) and you have no passive losses, enter the California adjustment from column (c) on Schedule CA (540 or 540NR), as applicable.

### Line 4 through Line 8 and Line 10a - Portfolio income (loss)

Income (loss) referred to as "portfolio" income (loss) in these instructions is not part of a passive activity subject to the rules of IRC Section 469. Portfolio income includes income not derived in the ordinary course of a trade or business from interest, dividends, annuities, or royalties and gain (loss) on the sale of property that produces these types of income or is held for investment. If you have amounts on Schedule K-1 (100S), line 4 through line 8 and line 10a, report these amounts as follows:

- Enter line 4, column (c) and/or column (e) on Schedule CA (540), Part I, or Schedule CA (540NR), Part II, line 2, whichever column is applicable.
- Enter line 5, column (c) and/or column (e) on Schedule CA (540), Part I, or Schedule CA (540NR), Part II, line 3, whichever column is applicable.
- Enter line 6, column (c) and/or column (e) on Schedule CA (540), Part I, or Schedule CA (540NR), Part II, line 17, whichever column is applicable.
- Enter line 7 and line 8, column (d) or column (e) on Schedule D (540 or 540NR), line 2.
- Enter line 10a, column (d) or column (e) on the applicable schedule.

Generally, amounts reported on line 7 and line 8 are gains or losses attributable to the disposition of property held for investment and are therefore classified as portfolio income (loss). If, however, an amount reported on line 7 or line 8, column (d) or column (e), is a passive activity amount, the S corporation should identify the amount.

The S corporation uses line 10a, column (d) or column (e), to report portfolio income other than interest, dividend, royalty, and capital gain (loss) income. A statement will be attached to tell you what kind of portfolio income is reported on line 10a, column (d) or column (e).

### Line 9 - Net IRC Section 1231 gain (loss)

If the amount on line 9 relates to a rental activity, the IRC Section 1231 gain (loss) is a passive activity amount.

- If the amount is not a passive activity amount to you, report it on Schedule D-1, Sales of Business Property, line 2, column (g). You do not have to complete the information called for in column (b) through column (f). Write "From Schedule K-1 (100S)" across these columns.
- If a gain is reported on line 9, column (d) or column (e), and it is a passive activity amount to you, report the gain on Schedule D-1, line 2, column (g), and refer to "Passive Loss Limitations" in the instructions for Schedule D-1.
- If a loss is reported on line 9, column (d) or column (e) and it is a passive activity amount to you, report the loss on Schedule D-1, line 2, column (g), and refer to "Passive Loss Limitations" in the instructions for Schedule D-1. You will need to use form FTB 3801 to determine how much of the loss is allowed on Schedule D-1.

### Line 10b - Other income (loss)

Amounts on this line are other items of income, gain, or loss not included on line 1 through line 10a. The S corporation should give you a description of your share for each of these items.

Report income or gain items that are passive activity amounts to you as instructed below. If, in addition to this passive activity income or gain, you have passive activity losses from any other source, also report the passive activity income or gain on form FTB 3801.

Line 10b items may include the following:

- S corporation gains from the disposition of farm recapture property (refer to Schedule D-1) and other items to which IRC Section 1252 applies.
- Recovery of bad debts, prior taxes, and delinquency amounts (IRC Section 111). Report the amount from line 10b, column (c), on Schedule CA (540), Part I, or Schedule CA (540NR), Part II, line 21, whichever column is applicable.
- Gains and losses from gambling, IRC Section 165(d).
- Any income, gain, or loss to the S corporation under IRC Section 751(b) from a partnership. Report this amount on Schedule D-1, line 10.
- Specially allocated ordinary gain (loss) from a partnership. Report this amount on Schedule D-1, line 10.
- Net gain (loss) from involuntary conversions due to casualty or theft. The S corporation will give you a schedule that shows the California amounts to be entered on federal Form 4684, Casualties and Thefts, line 34, column (b)(i), column (b)(ii), and column (c).

- Net short-term capital gain or loss, net long-term capital gain or loss, gain or loss from Schedule D (100S) that is **not** portfolio income (e.g., gain or loss from the disposition of nondepreciable personal property used in a trade or business activity of the S corporation).
- Any new gain or loss from IRC Section 1256 contracts.
- Gain (loss) from the disposition of an interest in oil, gas, geothermal, or other mineral properties.

## Deductions

### Line 11 - IRC Section 179 expense deduction

The maximum amount of IRC Section 179 expense deduction for recovery property that you may claim from all sources is \$25,000. The S corporation will give you information on your share of the cost of the S corporation's IRC Section 179 property so that you can compute this limitation. Your IRC Section 179 deduction is also limited to your taxable income from all your trades or businesses. Get form FTB 3885A, Depreciation and Amortization Adjustments, federal Publication 534, Depreciating Property Placed in Service Before 1987, and federal Publication 946, How to Depreciate Property, for more information.

### Line 12a - Charitable contributions

The S corporation will give you a schedule that shows which contributions were subject to the 50%, 30%, and 20% limitations. Get the federal instructions for Form 1040, U.S. Individual Income Tax Return for more information.

If there is an amount on Schedule K-1 (100S), line 12a, column (c), enter this amount on Schedule CA (540), Part II, or Schedule CA (540NR), Part III, Adjustments to Federal Itemized Deductions, lines 11 through 13, whichever is applicable.

### Line 12b - Investment interest expense

If the S corporation paid or accrued interest on debts it incurred to buy or hold investment property, the amount of interest you can deduct may be limited.

For more information and the special provisions that apply to investment interest expense, get form FTB 3526, Investment Interest Expense Deduction, and federal Publication 550, Investment Income and Expenses.

Enter the amount from column (d) or column (e) on form FTB 3526 along with your investment interest expense from other sources. Form FTB 3526 will help you determine how much of your total investment interest is deductible.

### Line 12c1 - IRC Section 59(e)(2) expenditures

Amounts on line 12(c)(1) may not necessarily be California source amounts. Get the instructions for federal Schedule K-1 (Form 1120S).

**Line 12d - Deductions-portfolio**

Amounts entered on this line are the expenses (other than investment interest expense and expenses from a real estate mortgage investment conduit (REMIC) paid or incurred to produce portfolio income. If you have an amount on Schedule K-1 (100S), line 12d, column (c), enter this amount on the applicable line of Schedule CA (540 or 540NR). However, if any of the line 12d amount should not be reported on Schedule CA (540 or 540NR), the S corporation will identify that amount for you.

**Line 12e - Other deductions**

Amounts on this line are other deductions not included on line 11, and line 12a through line 12d. If there is an amount on Schedule K-1 (100S), line 12e, column (c), enter this amount on the applicable line of Schedule CA (540 or 540NR).

**Credits**

The S corporation must provide the information you need to compute a credit allowable on your tax return.

**Line 13a - Low-income housing credit**

Your share of the S corporation's low-income housing credit is shown on line 13a, column (d) or column (e). Any available credit is entered on form FTB 3521, Low-Income Housing Credit. To claim this credit, attach a copy of form FTB 3521 to your tax return.

You may not claim the low-income housing credit on any qualified low-income housing project for which any person was allowed any benefit under Section 502 of the federal Tax Reform Act of 1986. Also, the passive activity credit limitations of IRC Section 469 may limit the amount of credit you may claim. Get form FTB 3801-CR, Passive Activity Credit Limitations, to figure the amount of credit that may be limited under the passive activity rules.

For more information, see the instructions for line 13d.

**Line 13b - Credits related to rental real estate activities**

If applicable, the S corporation may use this line, through an attached schedule, to give you the information you need to compute credits related to rental real estate activities other than the low-income housing credit.

For more information, see the instructions for line 13d.

**Line 13c - Credits related to other rental activities**

If applicable, the S corporation will use this line, through an attached schedule, to give you the information you need to compute credits related to rental activities other than rental real estate activities.

For more information, see the instructions for line 13d.

**Line 13d - Other credits**

If applicable, the S corporation will use this line, through an attached schedule, to give you the information you need to compute credits related to a trade or business activity.

Credits that may be reported on line 13c or line 13d depend on the type of activity they relate to.

For a complete list of credits, refer to the Credit Table in the applicable tax booklet.

The pass-through rules of IRC Section 1366, the at-risk limitations of IRC Section 465, and the passive activity limitations of IRC Section 469 may limit the amount of credits that you may take. Credits on line 13d may be passive activity credits to shareholders who do not materially participate in the activities of the S corporation.

Passive activity credits are limited to tax attributable to passive activities income. If you do not materially participate in the activity of the S corporation, get form FTB 3801-CR, to determine the amount of the credit you may take.

**Line 14 - Total withholding**

Line 14 includes withholding from payments made to the S corporation allocated to all shareholders based on their stock ownership, payments withheld on nonresident shareholders, and backup withholding. S corporation shareholders must attach Form 592-B, Resident and Nonresident Withholding Tax Statement, to the front of their California tax return to claim the withholding credit. **Do not** use Schedule K-1 (100S) to claim the withholding credit.

Report the total withholding credit entered on Schedule K-1 (100S), line 14, under the Payments Section of Form 540, or Long Form 540NR. See instructions for Form 540, or Long Form 540NR for more information.

**Alternative Minimum Tax (AMT) Items****Line 15a through Line 15f**

Use the information reported on line 15a through line 15f (as well as adjustments and tax preference items from other sources) to prepare Schedule P (540, 540NR, or 541), Alternative Minimum Tax and Credit Limitations.

For more information about AMT Items, get the instructions for federal Schedule K-1 (Form 1120S).

**Items Affecting Shareholder Basis**

Amounts on line 16a through line 16e may not necessarily be California source amounts. However, enter the same amount in column (e) as entered in column (d).

**Line 16a through Line 16c**

Get the instructions for federal Schedule K-1 (Form 1120S).

**Line 16d - Total property distributions (including cash)**

Reduce your basis in stock of the S corporation by the fair market value of the distributions on line 16d. If these distributions exceed your basis in stock, the excess is treated as gain from the sale or exchange of property and is reported on Schedule D (540 or 540NR).

**Line 16e - Repayment of loans from shareholders**

If the line 16e payments are made on indebtedness with a reduced basis, the repayments result in income to you to the extent the repayments are more than the adjusted basis of the loan. See IRC Section 1367(b)(2) for information on reduction in basis of a loan and restoration of basis of a loan with a reduced basis. See federal Revenue Ruling 68-537, 1968-2 C.B. 372, for more information.

**Other Information****Line 17a and Line 17b - Investment income and investment expenses**

If the S corporation paid or accrued interest on debts it incurred to buy or hold investment property, the amount of interest you can deduct may be limited.

For more information and the special provisions that apply to investment interest expense, get form FTB 3526, and federal Publication 550.

Use the column (d) or column (e) amounts on these lines to determine the amount to enter on form FTB 3526, line 4a and line 5.

The amounts shown on line 17a and line 17b include only investment income and expenses included on line 4 through line 6, line 10a, and line 12d of this Schedule K-1 (100S). The S corporation should attach a schedule that shows you the amount of any investment income and expenses included in any other lines of your Schedule K-1 (100S). Use these amounts, if any, to adjust line 17a and line 17b to determine your total investment income and total investment expenses from this S corporation. Combine these totals with investment income and expenses from all other sources to determine the amount to enter on form FTB 3526, line 4a and line 5.

**Line 17c - Total taxable dividend distributions**

The S corporation must issue a federal Form 1099-DIV to you for this distribution. Report this amount as a taxable dividend on your tax return.

**Line 17d - Other Information**

The S corporation will provide supplemental information required to be reported to you on this line. If the S corporation is claiming tax benefits from a former Enterprise Zone (EZ), Local Agency Military Base Recovery Area (LAMBRA), Manufacturing Enhancement Area (MEA), or Targeted Tax Area (TTA), the S corporation will give you your pro-rata share of (1) business income apportioned to the EZ, LAMBRA, MEA, or TTA, and (2) business capital gains and losses included in (1) on this line. Get form FTB 3805Z, Enterprise Zone Deduction and Credit Summary; form FTB 3807, Local Agency Military Base Recovery Area Deduction and Credit Summary; form FTB 3808, Manufacturing Enhancement Area Credit Summary; or form FTB 3809, Targeted Tax Area Deduction and Credit Summary, to claim any applicable credit.