

**2011 Nonresident Personal Income Tax Return**

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**Are You Subject to Tax in Arizona?**

You are subject to Arizona income tax on all income derived from Arizona sources. If you are in this state for a temporary or transitory purpose or did not live in Arizona but received income from sources within Arizona during 2011, you are subject to Arizona tax. Income from Arizona sources includes wages, rental income, business income, the sale of Arizona real estate, interest and dividends having a taxable or business situs in this state, or any other income from an Arizona source.

**Do You Have to File?**

<b>Arizona Filing Requirements</b> <b>These rules apply to all Arizona taxpayers.</b>		
You must file if you are:	and your Arizona adjusted gross income is at least:	or your gross income is at least:
● Single	\$ 5,500	\$15,000
● Married filing jointly	\$11,000	\$15,000
● Married filing separately	\$ 5,500	\$15,000
● Head of household	\$ 5,500	\$15,000
If you are a nonresident, you must report income derived from Arizona sources.		
To see if you have to file, figure your gross income the same as you would figure your gross income for federal income tax purposes. Then you should exclude income Arizona law does not tax.		
You can find your Arizona adjusted gross income on line 18 of Arizona Form 140NR.		

**NOTE:** *Even if you do not have to file, you must still file a return to get a refund of any Arizona income tax withheld.*

**Do You Have to File if You are an American Indian?**

You must file if you meet the Arizona filing requirements unless **all** the following apply to you.

- You are an enrolled member of an Indian tribe.

- You live on the reservation established for that tribe.
- You earned **all** of your income on that reservation.

The department has issued a ruling on the Arizona tax treatment of American Indians. This ruling is ITR 96-4. To see this ruling, visit our web site at [www.azdor.gov](http://www.azdor.gov) and click on legal research and then click on rulings.

**Do You Have to File if You are the Spouse of an American Indian and You are Not an Enrolled Indian?**

You must file if you meet the Arizona filing requirements. The department has issued a ruling on the tax treatment of spouses of American Indians. This ruling is ITR 96-4. To see this ruling, visit our web site at [www.azdor.gov](http://www.azdor.gov) and click on legal research and then click on rulings.

**Do You Have to File if You are in the Military?**

You must file if you meet the Arizona filing requirements unless **all** the following apply to you.

- You are an active duty member of the United States armed forces.
- Your only income for the taxable year is pay received for active duty military service.
- There was no Arizona tax withheld from your active duty military pay.

If Arizona tax was withheld from your active duty military pay, you must file an Arizona income tax return to claim any refund you may be due from that withholding.

You must also file an Arizona income tax return if you have any other income besides pay received for active duty military service.

If you are an Arizona resident and you have to file an Arizona return, you should file using Form 140. If you were an Arizona resident when you entered the service, you remain an Arizona resident, no matter where stationed, until you establish a new domicile. As an Arizona resident, you must report all of your income, no matter where stationed. You must include your military pay, but using Form 140, you may subtract all pay received for active duty military service, to the extent it is included in your federal adjusted gross income.

If you are not an Arizona resident, but stationed in Arizona, the following applies to you.

- You are not subject to Arizona income tax on your military pay.
- You must report any other income you earn in Arizona. Use Form 140NR, *Nonresident Personal Income Tax Return*, to report this income.

To find out more, see our brochure, Pub 704, *Taxpayers in the Military*. To see this brochure, visit our web site at [www.azdor.gov](http://www.azdor.gov) and click on publications.

**If You Included Your Child's Unearned Income on Your Federal Return, Does Your Child Have to File an Arizona Return?**

No. In this case, the child should not file an Arizona return. The parent must include that same income in his or her Arizona taxable income.

**Residency Status**

If you are not sure if you are an Arizona resident for state income tax purposes, we may be able to help. The

department has issued a procedure on determining residency status. This procedure is ITP 92-1. To see this procedure, visit our web site at [www.azdor.gov](http://www.azdor.gov) and click on legal research and then click on procedures.

## Residents

You are a resident of Arizona if your domicile is in Arizona. Domicile is the place where you have your permanent home. It is where you intend to return if you are living or working temporarily in another state or country. If you leave Arizona for a temporary period, you are still an Arizona resident while gone. A resident is subject to tax on all income no matter where the resident earns the income.

If you are a full year resident, you must file Form 140, Form 140A, or Form 140EZ.

## Part-Year Residents

If you are a part-year resident, you must file Form 140PY, *Part-Year Resident Personal Income Tax Return*.

You are a part-year resident if you did either of the following during 2011.

- You moved into Arizona with the intent of becoming a resident.
- You moved out of Arizona with the intent of giving up your Arizona residency.

## Nonresidents

If you are a nonresident, you must file Form 140NR, *Nonresident Personal Income Tax Return*.

## What if a Taxpayer Died?

If a taxpayer died before filing a return for 2011, the taxpayer's spouse or personal representative may have to file and sign a return for that taxpayer. A personal representative can be an executor, administrator, or anyone who is in charge of the deceased taxpayer's property.

If the deceased taxpayer did not have to file a return but had tax withheld, a return must be filed to get a refund.

The person who files the return should use the form the taxpayer would have used. **If the department mailed the taxpayer a booklet, do not use the label.** The person who files the return should print the word "deceased" after the decedent's name in the address section of the form. Also enter the date of death after the decedent's name.

If your spouse died in 2011 and you did not remarry in 2011, or if your spouse died in 2012 before filing a return for 2011, you may file a joint return. If your spouse died in 2011, the joint return should show your spouse's 2011 income before death, and your income for all of 2011. If your spouse died in 2012, before filing the 2011 return, the joint return should show all of your income and all of your spouse's income for 2011. Print "Filing as surviving spouse" in the area where you sign the return. If someone else is the personal representative, he or she must also sign the return.

## Are any Other Returns Required?

You may also have to file a fiduciary income tax return (Form 141AZ). For details about filing a fiduciary income tax return, call the department at (602) 255-3381.

## Claiming a Refund for a Deceased Taxpayer

If you are claiming a refund for a deceased taxpayer, you **must** complete Form 131, *Claim for Refund on Behalf of Deceased Taxpayer*. Attach this form to the **front** of the return.

## What are the Filing Dates and Penalties?

### When Should You File?

You have extra time to file and pay for 2011 because April 15, 2012 falls on a Sunday and April 16, 2012 is a legal holiday in Washington DC. This means that your 2011 calendar year tax return is due no later than midnight, April 17, 2012. File your return as soon as you can after January 1, but no later than April 17, 2012.

If you are a fiscal year filer, your return is due on the 15th day of the fourth month following the close of your fiscal year.

### What if You Cannot File on Time?

You may request an extension if you know you will not be able to file on time.

**NOTE:** *An extension does not extend the time to pay your income tax. For details, see the instructions for Arizona Form 204.*

### To get a filing extension, you can either:

1. Apply for a state extension (Form 204). To apply for a state extension, file Arizona Form 204 by April 17. See Form 204 for details. You do not have to attach a copy of the extension to your return when you file, but make sure that you check box **82F** on page 1 of the return. If you must make a payment, use Arizona Form 204, or visit [www.aztaxes.gov](http://www.aztaxes.gov) to make an electronic payment.
2. You may use your federal extension (federal Form 4868). File your Arizona return by the same due date. You do not have to attach a copy of your federal extension to your return, but make sure that you check box **82F** on page 1 of the return.

## When Should You File if You are a Nonresident Alien?

The due date for your Arizona return is not the same as the due date for your federal return. Your Arizona return is due by April 17 even though your federal return is due on June 15. If you want to file your Arizona return after April 17, you must ask for a filing extension. You must file this request by April 17. Arizona will allow up to a 6-month extension. This will allow you to file your return by October 15, 2012. See Form 204 for extension filing details.

If you have a federal 6-month extension, you can file your Arizona return under that extension. If you file using your federal extension, Arizona will also allow you an extra 6 months. Because we will allow only 6 months, the due date for your Arizona return is not the same as the due date for your federal return. In this case, your Arizona return will be due by October 15 even though your federal return will not be due until December 15. If you file your 2011 Arizona calendar year return after October 15, 2012, your return will be late.

If you are a fiscal year filer, your return is due on the 15th day of the fourth month following the close of your fiscal year.

## What if You File or Pay Late?

If you file or pay late, we will charge you interest and penalties on the amount you owe. If the U.S. Post Office postmarks your 2011 calendar year return by April 17, 2012, your return will not be late. You may also use certain private delivery services designated by the IRS to meet the "timely mailing as timely filed" rule.

## Late Filing Penalty

If you file late, we will charge you a late filing penalty. This penalty is 4½% of the tax required to be shown on the return for each month or fraction of a month the return is late. This penalty cannot exceed 25% of the tax found to be remaining due.

## Late Payment Penalty

If you pay your tax late, we will charge you a late payment penalty. This penalty is ½ of 1% (.005) of the amount shown as tax for each month or fraction of a month for which the failure continues. We charge this penalty from the original due date of the return until the date you pay the tax. This penalty cannot exceed a total of 10%.

## Extension Underpayment Penalty

If you file your return under an extension, you must pay 90% of the tax shown on your return by the return's original due date. If you do not pay this amount, we will charge you a penalty. This penalty is ½ of 1% (.005) of the tax not paid for each 30 day period or fraction of a 30 day period. We charge this penalty from the original due date of the return until the date you pay the tax. This penalty cannot exceed 25% of the unpaid tax. If we charge you the extension underpayment penalty, we will not charge you the late payment penalty under Arizona Revised Statutes section 42-1125.D.

**NOTE:** *If you are subject to two or more of the above penalties, the total cannot exceed 25%.*

## Interest

We charge interest on any tax not paid by the due date. We will charge you interest even if you have an extension. If you have an extension, we will charge you interest from the original due date until the date you pay the tax. The Arizona interest rate is the same as the federal rate.

## When Should You Amend a Return?

If you need to make changes to your return once you have filed, you should file Form 140X, *Individual Amended Return*. You should file your amended return after your original return has processed. **Do not** file a new return for the year you are correcting. Generally, you have four years to amend a return to claim a refund.

If you amend your federal return for any year, you must also file an Arizona Form 140X for that year. You must file the Form 140X within 90 days of the final determination of the IRS.

If the IRS makes a change to your federal taxable income for any year, you must report that change to Arizona. You may use one of the following two options to report this change.

### Option 1

You may file a Form 140X for that year. If you choose this option, you must amend your Arizona return within 90 days of the final determination of the IRS. Attach a complete copy of the federal notice to your Form 140X.

### Option 2

You may file a copy of the final federal notice with the department within 90 days of the final determination of the IRS. If you choose this option, you must include a statement in which you must:

1. Request that the department recompute your tax; and
2. Indicate if you agree or disagree with the federal notice.

If you do not agree with the federal notice, you must also include any documents that show why you do not agree.

If you choose option 2, mail the federal notice and any other documents to:

Arizona Department of Revenue  
1600 W. Monroe, Attention: Individual Income Audit  
Phoenix, AZ 85007-2650

## Do You Need to Make Estimated Payments in 2012?

You must make Arizona estimated income tax payments during 2012 if:

Your filing status is:	AND Your Arizona gross income for 2011 was greater than:	AND Your Arizona gross income for 2012 exceeds:
Married Filing Joint	\$150,000	\$150,000
Single	\$75,000	\$75,000
Head of Household	\$75,000	\$75,000
Married Filing Separately	\$75,000	\$75,000

If you met the income threshold for 2011, you must make estimated payments during 2012 unless you are sure you will not meet the threshold for 2012.

As a nonresident, your Arizona gross income is that part of your federal adjusted gross income derived from Arizona sources. Your Arizona gross income is on line 15 of the 2011 Arizona Form 140NR.

See the worksheet for Form 140ES to figure how much your payments should be.

## What if You Make Your Estimated Payments Late?

We will charge you a penalty if you fail to make any required payments. We will charge you a penalty if you make any of your required payments late.

For details, see Arizona Form 221.

## Can You Make Estimated Payments Even if You do Not Have to?

If you do not have to make Arizona estimated income tax payments, you may still choose to make them.

For details, see Arizona Form 140ES.

## Line-by-Line Instructions

### Tips for Preparing Your Return:

- Make sure that you write your SSN on your return.
- Complete your return using black ink.
- You **must** round dollar amounts to the nearest whole dollar. If 50 cents or more, round up to the next dollar. If less than 50 cents, round down. Do not enter cents.
- When asked to provide your own schedule, attach a separate sheet with your name and SSN at the top. Attach your own schedules to your return. Attach these schedules behind page 2 of your return and behind your Schedules A if itemizing.
- You must complete your federal return before you can start your Arizona return.
- Make sure you include your home telephone number. If your daytime number is not the same as your home number, make sure you include a daytime number.

- If filing a fiscal year return, fill in the period covered in the space provided at the top of the form.

## Entering Your Name, Address, and SSN

### Lines 1, 2, and 3 -

**NOTE:** *Make sure that you write your SSN on the appropriate line.*

If your booklet has a peel-off label, use that label if all the information is correct. **If any of the information on the label is incorrect, do not use the label.** Attach the label after you finish your return. If you do not have a peel-off label, print or type your name, address, and SSN in the space provided.

If you are filing a joint return, enter your SSNs in the same order as your names. *If your name appears first on the return, make sure your SSN is the first number listed.*

If you are married filing separately, enter your name and SSN on the first line 1. Then enter your spouse's name and SSN on second line 1.

If you are a nonresident of the United States or a resident alien who does not have an SSN use the identification number (ITIN) the IRS issued to you.

For a deceased taxpayer, see page 2 of these instructions.

Use your current home address. The department will send your refund or correspond with you at that address.

**NOTE:** *Make sure your SSN is correct. If you are filing a joint return, also make sure you list your SSNs in the same order every year.*

Make sure that you enter your SSN on your return. Make sure that all SSNs are clear and correct. You may be subject to a penalty if you fail to include your SSN. It will take longer to process your return if SSNs are missing, incorrect, or unclear.

### ID Numbers for Paid Preparers

If you pay someone else to prepare your return, that person must also include an ID number where requested.

A paid preparer may use any of the following.

- his or her SSN
- his or her PTIN
- the EIN for the business

A paid preparer who fails to include the proper ID numbers may also be subject to a penalty.

## Determining Your Filing Status

The filing status that you use on your Arizona return may be different from that used on your federal return.

Use this section to determine your filing status. Check the correct box (4 through 7) on the front of Form 140NR.

### Line 4 Box - Married Filing a Joint Return

If you are married and filing a joint return, check box 4.

You may file a joint return if you were married as of December 31, 2011. It does not matter whether or not you were living with your spouse. You may file a joint return, even if you and your spouse filed separate federal returns.

You may file a joint return if your spouse died during 2011 and you did not remarry in 2011. See page 2 of these instructions for details.

If you are married to an Arizona full year resident, you may file a joint return with your Arizona resident spouse. If filing a joint return with your Arizona resident spouse, you must use Form 140NR. The department has issued a ruling on filing a joint return with your full-year resident spouse. This ruling is ITR 95-2. To see this ruling, visit our web site at [www.azdor.gov](http://www.azdor.gov) and click on legal research and then click on rulings.

### Line 5 Box - Head of Household

If you are filing as a head of household, check box 5.

You may file as head of household on your Arizona return, only if one of the following applies.

- You qualify to file as head of household on your federal return.
- You qualify to file as a qualifying widow or widower on your federal return.

### Line 6 Box - Married Filing Separately

If you are filing a separate return, check box 6 and enter your spouse's name and SSN on the second line 1.

If you were married as of December 31, 2011, you may choose to file a separate return. You may file a separate return, even if you and your spouse filed a joint federal return.

Arizona is a community property state. If you file a separate return, you must figure how much income to report using community property laws. If one spouse is a resident and the other spouse is not, special rules apply when filing a separate return. The department has issued a ruling on how to report income in this case. This ruling is ITR 93-20. To see this ruling, visit our web site at [www.azdor.gov](http://www.azdor.gov) and click on legal research and then click on rulings.

**NOTE:** *In some cases you may treat community income as separate income. The department has issued a ruling on when you may treat community income as separate income. This ruling is ITR 93-22. To see this ruling, visit our web site at [www.azdor.gov](http://www.azdor.gov) and click on legal research and then click on rulings.*

### Line 7 Box - Single

If you are filing as single, check box 7.

Use this filing status if you were single on December 31, 2011. You are single if any of the following apply to you.

- You have never been married.
- You are legally separated under a decree of divorce or of separate maintenance.
- You were widowed before January 1, 2011, and you did not remarry in 2011, and you do not qualify to file as a qualifying widow or widower with dependent children on your federal return.

## Exemptions

Write the number of exemptions you are claiming in boxes 8, 9, and 10. Do not put a checkmark. You may lose the exemption if you put a checkmark in these boxes. You may lose the dependent exemption if you do not complete Part A on page 2.

### Line 8 Box - Age 65 or Over

Write "1" in box 8 if you or your spouse were 65 or older in 2011. Write "2" in box 8 if both you and your spouse were 65 or older in 2011.

**Line 9 Box - Blind**

Write "1" in box 9 if you or your spouse are totally or partially blind. Write "2" in box 9 if both you and your spouse are totally or partially blind.

If you or your spouse were partially blind as of December 31, 2011, you must get a statement certified by your eye doctor or registered optometrist that:

1. You cannot see better than 20/200 in your better eye with glasses or contact lenses or
2. Your field of vision is 20 degrees or less.

If your eye condition is not likely to improve beyond the conditions listed above, you can get a statement certified by your eye doctor or registered optometrist to that effect instead.

You must keep the statement for your records.

**Line 10 Box - Dependents**

You must complete Part A on page 2 of your return before you can total your dependent exemptions.

You may claim only the following as a dependent.

- A person that qualifies as your dependent on your federal return.

**NOTE:** *If you do not claim a dependent exemption for a student on your federal return in order to allow the student to claim a federal education credit on the student's federal return, you may still claim the exemption on your Arizona return. For more information, see Arizona Individual Income Tax Ruling ITR 05-02.*

- A person who is age 65 or over (related to you or not) that does not qualify as your dependent on your federal return, but one of the following applies.
  1. In 2011, you paid more than one-fourth of the cost of keeping this person in an Arizona nursing care institution, an Arizona residential care institution, or an Arizona assisted living facility. Your cost must be more than \$800.
  2. In 2011, you paid more than \$800 for either Arizona home health care or other medical costs for the person.
- A stillborn child if the following apply:
  1. The stillbirth occurred in Arizona during 2011.
  2. You received a certificate of birth resulting in stillbirth from the Arizona Department of Health Services.
  3. The child would have otherwise been a member of your household.

**Completing Line(s) A1**

Enter the following on line(s) A1.

1. The dependent's name. If you are claiming an exemption for a stillborn child and the child was not named, enter "stillborn child" in place of a name.
2. The dependent's SSN. If you are claiming an exemption for a stillborn child enter the certificate number from the certificate of birth resulting in stillbirth.
3. The dependent's relationship to you.
4. The number of months the dependent lived in your home during 2011. If you are claiming an exemption for a stillborn child, enter the date of birth resulting in the stillbirth.

You may lose the exemption if you do not furnish this information.

**Line A2 - Total Dependents**

Enter the total number of persons listed on line(s) A1. Enter the same number on the front of the return in box 10.

**Lines A3a and A3b - Persons You did Not Take as Dependents on Your Federal Return**

On line A3a, enter the following.

1. The names of any dependents age 65 or over listed on line(s) A1 that you cannot take as a dependent on your federal return.
2. The name of any stillborn child listed on line(s) A1, if the stillborn child was named. If the stillborn child was not named, enter "stillborn child" on line A3a. Also enter the date of birth resulting in the stillbirth.

On line A3b, enter the name of any student listed on line(s) A1, that you did not claim as an exemption on your federal return in order to allow that student to claim a federal education credit on the student's federal return.

**Reporting Your Residency Status**

Check the appropriate box (11 through 13). Check only one box.

**Line 11 Box - Nonresident**

Check box 11 if you were not an Arizona resident during 2011, and were not on active military duty in Arizona.

**Line 12 Box - Nonresident Active Military**

Check box 12 if you were a nonresident on active duty military assignment in Arizona during 2011.

**Line 13 Box - Composite Return**

Check box 13 if this is a composite return being filed by one of the following.

1. A partnership filing on behalf of its nonresident partners.
2. An S corporation filing on behalf of its nonresident shareholders.

For information on filing an Arizona nonresident composite income tax return, see Arizona Department of Revenue Income Tax Ruling *ITR 97-1*.

**Determining Arizona Income**

Now complete Parts B, C, and D on page 2 of the return.

Use Part B to determine what portion of your total income is taxable by Arizona.

**NOTE:** *If you are unable to determine the proper line to use, please call one of the numbers listed on the back cover.*

**FEDERAL Column**

Enter the actual amounts shown on your 2011 federal income tax return in the FEDERAL column. Complete lines B5 through B15. Line B15 should equal the federal adjusted gross income shown on your 2011 federal return Form 1040, Form 1040A, or Form 1040EZ.

**ARIZONA Column**

Enter that portion of your federal income received from Arizona sources in the ARIZONA column. Such income includes wages earned in Arizona, Arizona rental and business income, and gains on the sale of Arizona property.

**NOTE:** *If you are filing a joint return with your full year resident spouse, you must enter your Arizona source income in the ARIZONA column and your spouse must enter all income from all sources in the ARIZONA column. For details, see Arizona Department of Revenue Income Tax Ruling ITR 95-2.*

The Tax Reform Act of 1986 limits the amount of losses that you may deduct from passive activities. A passive activity is one that involves the conduct of any trade or business in which the taxpayer does not materially participate.

As a nonresident, your Arizona gross income may include some of these losses. You may consider only those passive losses that arose from Arizona sources. Your 2011 Arizona gross income can include only Arizona source losses you used on your 2011 federal return.

### **Line B4 - Spouse of Active Duty Military Member**

Check Box B4 if married and you are the spouse of an active duty military member and you qualify for relief under the Military Spouses Residency Relief Act. For information about who qualifies for relief, see the department's brochure titled "Spouses of Active Duty Military Members."

### **Lines B5 through B14 -**

The following line-by-line instructions apply to the ARIZONA column.

### **Line B5 - Wages, Salaries, Tips, etc.**

Enter all amounts received for services performed in Arizona.

**NOTE Active Duty Military Members:** *Do not include active duty military pay unless the active duty military member is an Arizona resident filing a joint return with his or her Arizona nonresident spouse on Form 140NR. If you are an Arizona resident active duty military member including military pay on line B5 in the "ARIZONA" column, also include that amount in the amount entered as an other subtraction from income on Form 140NR, page 2, line D31.*

**NOTE: Spouses of Active Duty Military Members:** *If you are the spouse of an active duty military and you qualify for relief under the Military Spouses Residency Relief Act, do not enter any wages, salaries or tips you earned during the taxable year for services performed in Arizona.*

### **Line B6 - Interest**

If you have an Arizona business, enter only interest (including U.S. Government interest) you earned on accounts pledged as collateral. Also enter your distributive share of interest from a partnership doing business in Arizona or an S corporation doing business in Arizona. Do not include any other interest income even if it was earned in Arizona banks.

### **Line B7 - Dividends**

If you have an Arizona business, enter only those dividends earned on stocks pledged as collateral, including dividends from small business corporations. Also enter your distributive share of dividend income from a partnership doing business in Arizona or an S corporation doing business in Arizona. Do **not** include any other dividend income.

### **Line B8 - Arizona Income Tax Refunds**

Enter the amount of Arizona income tax refunds received in 2011 that you included in your federal adjusted gross income.

### **Line B9 - Business Income or (Loss)**

Enter income or (loss) from Arizona businesses.

### **Line B10 - Gains or (Losses)**

Enter gains or (losses) on sales of Arizona property.

### **Line B11 - Rents, etc.**

Enter rent or royalty income earned on Arizona properties. Enter income from Form 141AZ Schedule K-1(NR), line 2, from estates or trusts. Also enter income or (loss) from Schedule(s) K-1(NR) from Arizona partnerships (Form 165), or small business corporations (Form 120S).

### **Line B12 - Other Income Reported on Your Federal Return**

Enter other income from sources within Arizona. Do not include pension income or social security taxed by the federal government.

### **Net Operating Losses**

Arizona does not have specific provisions for calculating the net operating loss of an individual. Generally, the amount of Arizona source net operating loss deduction included in your federal adjusted gross income is the amount allowable for Arizona purposes. However, there are instances when the amount allowable for Arizona purposes may be different.

As an Arizona nonresident, you may have had a loss from prior year Arizona business operations. However, the loss cannot offset this year's income unless the loss is a net operating loss for federal purposes. You can include the loss deduction in your Arizona gross income only to the extent included in your federal adjusted gross income. You cannot deduct any amount of that net operating loss that has been absorbed by non-Arizona income in any intervening years. Additionally, you cannot include any amount of that net operating loss that has already been deducted for Arizona purposes.

Enter the amount of net operating loss deduction included in your federal adjusted gross income that was derived from Arizona sources. Do not include any amount of the loss that has already been deducted for Arizona purposes.

For information on deducting a net operating loss carryback in cases where you did not make an election under I.R.C. § 172(b)(1)(h), see Arizona Department of Revenue Income Tax Procedure *ITP 99-1*. To see this procedure, visit our web site at [www.azdor.gov](http://www.azdor.gov) and click on legal research and then click on procedures.

If you made an election under I.R.C. § 172(b)(1)(h), see the instructions for "Other Subtractions to Income."

### **Line B13 - Total Income**

Add lines B5 through B12 and enter the total.

### **Line B14 - Other Federal Adjustments**

Include on line B14 any other federal adjustments included in your federal adjusted gross income that are attributable to the Arizona source income reported on your 2011 Arizona nonresident return.

**Line B16 - Arizona Income**

Complete line B16 as instructed on the form.

**Line B17 - Arizona Percentage**

Divide line B16 by line B15 and enter the result. (**Do not enter more than 100 percent.**) This is the Arizona percentage of your total income.

Example:		
Arizona Gross Income from line B16	Federal Adjusted Gross Income from line B15	Arizona percentage
\$ 7,500	\$ 30,000	$\$7,500/\$30,000 = 25\%$

**Determining Additions to Income****Line C18 - I.R.C. § 179 Expense in Excess of Allowable Amount**

Enter the amount of I.R.C. § 179 expense included in your Arizona gross income that exceeds \$25,000. If you make an entry here, also see the instructions for line D30, "Adjustment for I.R.C. § 179 Expenses not Allowed."

**Line C19 - Total Depreciation Included in Arizona Gross Income**

Enter the amount of depreciation deducted on the federal return that is included in Arizona gross income. If you make an entry here, also see the instructions for line D31, "Other Subtractions from Income".

**Line C20 - Other Additions to Income**

Use line C20 if any of the special circumstances below apply. Attach your own schedule to the back of your return, explaining any amounts entered on line C20.

**A. Fiduciary Adjustment**

A fiduciary uses Form 141AZ, Schedule K-1(NR), to report to you your share of the fiduciary adjustment from the trust or estate. Line 5 of Form 141AZ, Schedule K-1(NR), shows your share of the fiduciary adjustment from the estate or trust.

Depending on your situation, you may either add (line C20) or subtract (line D31) this amount.

If the amount reported on line 5 of your Arizona Form 141AZ, Schedule K-1(NR), is a positive number, enter that amount as an addition on line C20.

If the amount on line 5 of your Arizona Form 141AZ, Schedule K-1(NR), is a negative number, enter that amount as a subtraction from income on line D31.

**B. Agricultural Water Conservation System Credit**

If you take this credit (Form 312), you cannot deduct any expenses for which you claim the credit. If you take this credit, enter the amount of such expenses that you deducted on your federal return.

**C. Items Previously Deducted for Arizona Purposes**

Arizona statutes prohibit a taxpayer from deducting items more than once. However, under the operation of former Arizona law (1989 and prior), you could deduct certain items in greater amounts for Arizona purposes than federal purposes. Investment interest and passive activity losses were such items. In some cases, you could have deducted such amounts in their entirety on the Arizona return. For federal purposes, the deduction for these items was limited, with the unused portions being carried forward and deducted in future years. Your Arizona return may include these previously deducted items

because of the difference between the federal and former Arizona treatment. If your Arizona taxable income includes items previously deducted for Arizona purposes, you must add such amounts to your Arizona gross income.

**D. Claim of Right Adjustment for Amounts Repaid in 2011**

You must make an entry here if **all** of the following apply.

1. During 2011, you were required to repay amounts held under a claim of right.
2. The amount required to be repaid was subject to Arizona income tax in the year included in income.
3. The amount required to be repaid during 2011 was more than \$3,000.
4. You took a deduction for the amount repaid on your 2011 federal income tax return.
5. The deduction taken on your federal income tax return is reflected in your Arizona taxable income.

If the above apply, enter the amount deducted on your federal income tax return which is reflected in your Arizona taxable income.

For more information on the Arizona claim of right provisions, see Arizona Department of Revenue Individual Income Tax Procedure ITP 95-1.

**E. Claim of Right Adjustment for Amounts Repaid in Prior Taxable Years**

You must make an entry here if **all** of the following apply.

1. During a year prior to 2011 you were required to repay income held under a claim of right.
2. You computed your tax for that prior year under Arizona's claim of right provisions.
3. A net operating loss or capital loss was established due to the repayment made in the prior year.
4. You are entitled to take that net operating loss or capital loss carryover into account when computing your 2011 Arizona taxable income.
5. The amount of the loss carryover included in your Arizona gross income is more than the amount allowed to be taken into account for Arizona purposes.

Enter the amount by which the loss carryover included in your Arizona gross income is more than the amount allowed for the taxable year under Arizona law.

**F. Addition to S Corporation Income Due to Credits Claimed**

Shareholders of an S corporation who claim a credit passed through from an S corporation must make an addition to income for the amount of expenses disallowed by reason of claiming the credit.

An S corporation that passes the following credits through to its shareholders must notify each shareholder of his or her pro rata share of the adjustment. You must enter an amount on this line when claiming any of the following credits.

- Agricultural water conservation system credit
- Environmental technology facility credit
- Pollution control credit
- Credit for solar hot water heater plumbing stub outs and electric vehicle recharge outlets
- Credit for employment of TANF recipients
- Agricultural pollution control equipment credit
- Motion picture credits

### G. Solar Hot Water Heater Plumbing Stub Out and Electric Vehicle Recharge Outlet Expenses

If you take a credit for installing solar hot water heater plumbing stub outs or electric vehicle recharge outlets in a dwelling you constructed (Form 319), you cannot deduct any expenses for which you claim the credit. If you take this credit, enter the amount of such expenses that you deducted on your federal return.

### H. Wage Expense for Employers of TANF Recipients

If you take a credit for employing TANF recipients (Form 320), you cannot deduct any wage expense for which you claim the credit. If you take this credit, enter the amount of such expenses that you deducted on your federal return.

### I. Motion Picture Expenses

If you take a motion picture credit on Form 334, you cannot deduct any expenses related to the production or related to a transferred credit. Enter the amount of any such expenses that were deducted in computing Arizona gross income for which you claimed a credit.

### J. Early Withdrawal of Arizona, County, City, or School Retirement System Contributions

If you meet all the following, you must enter an amount here.

1. You left your job with the State of Arizona or an Arizona county, city, or school district for reasons other than retirement.
2. When you left, you took out the contributions you had made to the retirement system while employed.
3. You deducted these contributions on your Arizona income tax returns that you filed in prior years.
4. You did not include these contributions in your federal adjusted gross income this year.

If you meet all these tests, you must report as income those contributions previously deducted on your prior year Arizona tax returns.

For more information, see Arizona Department of Revenue Income Tax Ruling ITR 93-7.

### K. Medical Savings Account (MSA) Distributions

For information on Arizona's MSA provisions, see the department's MSA brochure, Pub 542.

You must add amounts received from an MSA here if any of the following apply.

#### 1 - You Withdrew Funds From Your MSA for Other than Qualified Expenses

You must make an entry here if all of the following apply.

1. You have an MSA that qualifies as an MSA under Arizona law.
2. If you are an employee, your high deductible health coverage is provided by your Arizona employer. If you are self employed, your high deductible health coverage is provided by your Arizona business.
3. You withdrew money from your MSA during 2011.
4. You did not use the amount withdrawn to pay qualified medical expenses.
5. You did not have to include the withdrawal as income on your federal income tax return.

Enter the amount withdrawn.

#### 2 - Deceased Account Holder Where the Named Beneficiary is Not the Decedent's Surviving Spouse

You must make an entry here if all of the following apply:

1. The account holder died during the year.
2. The account holder's MSA qualified as an MSA under Arizona law.
3. If the account holder was an employee, the account holder's high deductible health coverage was provided by his or her Arizona employer. If the account holder was self employed, the account holder's high deductible health coverage was provided by his or her Arizona business.
4. You are the named beneficiary of the decedent's MSA.
5. You are not the decedent's surviving spouse.
6. You did not have to include the value of the MSA as income on your federal income tax return.

In this case, the MSA ceased to be an MSA. Enter the fair market value of the MSA as of the date of death, less the amount of MSA funds used within one year of the date of death, to pay the decedent's qualified medical expenses. If the MSA has not paid all of the decedent's medical expenses by the time you file this return, reduce the fair market value by only those expenses the MSA paid. If the MSA pays additional expenses for the decedent after you file, you may file an amended return to further reduce the fair market value of the MSA.

#### 3 - Decedent's Final Return and no Named MSA Beneficiary

Make an entry here if all of the following apply.

1. The account holder died during the year.
2. The account holder's MSA qualified as an MSA under Arizona law.
3. If the account holder was an employee, the account holder's high deductible health coverage was provided by his or her Arizona employer. If the account holder was self employed, the account holder's high deductible health coverage was provided by his or her Arizona business.
4. There is no named MSA beneficiary.
5. This is the decedent's final return.
6. The value of the MSA did not have to be included on the decedent's final federal income tax return.

In this case, the MSA ceases to be an MSA. Enter the fair market value of the MSA as of the date of death. This rule applies in all cases in which there is no named beneficiary, even if the surviving spouse ultimately obtains the right to the MSA assets.

**NOTE:** *The following are not withdrawals. Do not enter any of the following:*

- Amounts from the MSA used to pay qualified medical expenses
- A qualified return of excess contributions
- A qualified rollover
- The fair market value of an MSA received by a surviving spouse who was the deceased account holder's named beneficiary

*For more information about the above items, see the department's MSA brochure, Pub 542.*



### L. Adjusted Basis in Property for Which You Have Claimed a Credit for Investment in Qualified Small Businesses

If you claim a credit for an investment in a qualified small business on Arizona Form 338, you must adjust your basis in the investment by the amount of the credit claimed. You must report this difference in basis on the Arizona return that you file for the taxable year in which you sell or otherwise dispose of the investment. If you sold or otherwise disposed of the investment during the 2011 taxable year, enter the amount by which the adjusted basis computed under the internal revenue code with respect to that property exceeds the adjusted basis of the property computed under Arizona Revised Statutes section 43-1074.02.

### M. Original Issue Discount (OID) on Reacquisition of Debt Instrument

For federal purposes, when a taxpayer made the special election to defer discharge of indebtedness (DOI) income under I.R.C. § 108(i) (for 2009 or 2010), the taxpayer was not allowed to take a deduction with respect to the portion of any OID that accrued with respect to that DOI income, during the income deferral period. In this case, the taxpayer had to deduct the aggregate amount of the OID deductions disallowed ratably over a 5 year period, beginning with the period in which the income was includable in federal adjusted gross income.

Arizona did not adopt the federal provisions requiring a taxpayer to defer the OID deduction in cases where the taxpayer federally deferred the DOI income. For Arizona purposes, you had to report the Arizona source DOI income from a debt reacquisition in the year in which you reacquired the debt, and you were allowed to subtract any OID related to that DOI income in the year the OID accrued. (See the instructions for "Other Subtractions from Income.") If your Arizona gross income includes a deduction for any accrued OID that you have already subtracted for Arizona purposes, you must make an addition to Arizona income for the amount of deferred OID deducted on your federal return that you included in your Arizona gross income. Generally, this addition will not apply until taxable year 2014 through 2018. However, if you were required to accelerate reporting of the Arizona source DOI income for federal purposes and were allowed to deduct accrued OID attributable to that income on an Arizona return filed for a year prior to 2014, this addition may apply to an earlier year. On line C20, enter the amount of any previously deferred OID that you deducted in computing your 2011 Arizona gross income, to the extent that the amount was previously subtracted from Arizona gross income.

### N. Other Adjustments

Other special adjustments may be necessary. You may need to make an addition for depreciation or amortization. You may also need to make an addition if you claimed certain tax credits. Call one of the numbers listed on the back cover if any of the following apply.

- You are a previously certified defense contractor that elected to amortize under Arizona Revised Statutes section 43-1024.
- You sold or disposed of property that was held for the production of income and your basis was computed under the Arizona Income Tax Act of 1954.
- You claimed the environmental technology facility credit.
- You claimed the pollution control credit.
- You claimed the recycling equipment credit.

- You claimed the agricultural pollution control equipment credit.
- You elected to amortize the basis of a pollution control device or the cost of a child care facility under Arizona law in effect before 1990. You are still deducting amortization or depreciation for that device or facility on your federal income tax return.

### Line C21 - Total Additions

Add lines C18 through C20. Enter the total on line C21 and on the front of your return, line 16.

### Determining Subtractions From Income

You may only subtract those items for which statutory authority exists. Without such authority you cannot take a subtraction. If you have any questions concerning subtractions from income, call one of the numbers listed on the back cover.

**NOTE:** *You may not subtract any amount which is allocable to income excluded from your Arizona income.*

### Line D22 - Exemption: Age 65 or Over

Multiply the number in box 8 on the front of your return by \$2,100 and enter the result.

### Line D23 - Exemption: Blind

Multiply the number in box 9 on the front of your return by \$1,500 and enter the result.

### Line D24 - Exemption: Dependents

Multiply the number in box 10 on the front of your return by \$2,300 and enter the result.

### Line D25 - Total

Add lines D22 through D24 and enter the total.

### Line D26 - Prorated Exemptions

Multiply the amount on line D25 by your Arizona percentage from line B17 and enter the result.

**NOTE Active Duty Military Personnel Only:** *If you were on active duty in Arizona during 2011, but you were a resident of another state, you must prorate these exemptions.*

### Line D27 - Interest on U.S. Obligations

Enter the amount of interest income from U.S. Government obligations included as income on line B6 in the ARIZONA column. U.S. Government obligations include obligations such as savings bonds and treasury bills. You must reduce this subtraction by any interest or other related expenses incurred to purchase or carry the obligation. Reduce the subtraction only by the amount of such expenses included in your Arizona gross income.

### Line D28 - Arizona Lottery Winnings

You may subtract up to \$5,000 of winnings received in 2011 for Arizona lottery prizes. Only subtract those Arizona lottery winnings that you included on line B12 in the ARIZONA column and reported on your federal income tax return.

If you subtract Arizona lottery winnings here, you may have to adjust the amount of gambling losses claimed as an itemized deduction.

### Line D29 - Agricultural Crops Given to Arizona Charitable Organizations

Arizona law allows a subtraction for qualified crop gifts made during 2011 to one or more charitable organizations. To take this subtraction, all of the following must apply.

1. You must be engaged in the business of farming or processing agricultural crops.
2. The crop must be grown in Arizona.
3. You made your gift to a charitable organization located in Arizona that is exempt from Arizona income tax.

The subtraction is the greater of 80% of the wholesale market price or 80% of the most recent sale price for the contributed crop.

To determine if your crop gift qualifies for this subtraction, see Arizona Department of Revenue Income Tax Procedure ITP 93-2.

### **Line D30 - Adjustment for I.R.C. § 179 Expense not Allowed**

Enter 20% of the amount entered on line C18 for excess I.R.C. § 179 expense. This same amount can be subtracted in each of the following four taxable years also, effectively amortizing the difference in treatment over five years. If you made an addition for I.R.C. § 179 expense on your 2007, 2008, 2009 and/or 2010 return(s), also enter 20% of the amount added for 2007, 2008, 2009 and/or 2010.

### **Line D31 - Other Subtractions**

Use line D31 if any of the following special circumstances apply. Attach your own schedule to the back of the return, explaining any amounts entered here.

#### **A. Certain Wages of American Indians**

Enrolled members of American Indian tribes may subtract wages earned while living and working on their tribe's reservation. You can subtract only those amounts that you included on line B5, ARIZONA column. The federal government must recognize these tribes.

For more information, see Arizona Department of Revenue Income Tax Ruling *ITR 96-4*.

#### **B. Qualified Wood Stove, Wood Fireplace, or Gas Fired Fireplace**

Arizona law provides a subtraction for converting an existing fireplace to one of the following:

- a qualified wood stove
- a qualified wood fireplace
- a gas fired fireplace and non-optional equipment directly related to its operation.

You may subtract up to \$500 of the costs incurred for converting an existing fireplace on your property located in Arizona. When you figure your subtraction, do not include taxes, interest, or other finance charges.

A qualified wood stove or a qualified wood fireplace is a residential wood heater that was manufactured on or after July 1, 1990, or sold at retail on or after July 1, 1992. The residential wood heater must also meet the U.S. Environmental Protection Agency's July 1990 particulate emissions standards.

A qualified gas fired fireplace is any device that burns natural or liquefied petroleum gas as its fuel through a burner system that is permanently installed in the fireplace. The conversion of an existing wood burning fireplace to noncombustible gas logs that are permanently installed in the fireplace also qualifies as a gas fired fireplace.

#### **C. Claim of Right Adjustment for Amounts Repaid in Prior Taxable Years**

You must make an entry here if **all** of the following apply.

1. During a year prior to 2011 you were required to repay income held under a claim of right.

2. The amount required to be repaid was subject to Arizona income tax in the year included in income.
3. You computed your tax for that prior year under Arizona's claim of right provisions.
4. A net operating loss or capital loss was established due to the repayment made in the prior year.
5. You are entitled to take that net operating loss or capital loss carryover into account when computing your 2011 Arizona taxable income.
6. The amount of the loss carryover allowed to be taken into account for Arizona purposes is more than the amount included in your Arizona gross income.

Enter the amount by which the loss carryover allowed for the taxable year under Arizona law is more than the amount included in your Arizona gross income.

For more information on the Arizona claim of right provisions, see Arizona Department of Revenue Individual Income Tax Procedure *ITP 95-1*.

#### **D. Deposits Made Into Your MSA**

If you have an MSA, you may be able to subtract deposits made into that MSA. Make an entry here if all of the following apply.

1. You have an MSA that qualifies as an MSA under Arizona law, but not federal law.
2. If you are an employee, your high deductible health coverage is provided by your Arizona employer. If you are self employed, your high deductible health coverage is provided by your Arizona business.
3. Either you or your employer made deposits into that MSA during the tax year.
4. You had to include the deposits in income on your federal income tax return.

You can subtract these deposits only to the extent included in your Arizona gross income. Enter these deposits here.

#### **E. Employer Contributions Made to Employee MSAs**

If you are an employer, you may subtract the amount contributed to your employees' MSAs that are established under Arizona law. You can subtract these contributions only to the extent not deductible for federal income tax purposes. You can subtract these contributions only to the extent included in your Arizona gross income. Enter these contributions here.

#### **F. Certain Expenses not Allowed for Federal Purposes**

You may subtract some expenses that you cannot deduct on your federal return when you claim certain federal tax credits. These federal tax credits are:

- the federal work opportunity credit;
- the empowerment zone employment credit;
- the credit for employer-paid social security taxes on employee cash tips;
- the Indian employment credit.

If you received any of the above federal tax credits for 2011, enter the portion of wages or salaries attributable to Arizona source income that you paid or incurred during the taxable year that is equal to the amount of those federal tax credits you received.

#### **G. Recalculated Arizona Depreciation**

Enter the total amount of depreciation attributable to assets used in your Arizona business allowable pursuant to I.R.C. § 167(a) for the taxable year calculated as if you had elected not to claim bonus depreciation for eligible properties for federal purposes.

## H. Basis Adjustment for Property Sold or Otherwise Disposed of During the Taxable Year

With respect to property used in an Arizona business that is sold or otherwise disposed of during the taxable year by a taxpayer who has complied with the requirement to add back all depreciation with respect to that property on tax returns for all taxable years beginning from and after December 31, 1999, enter the amount of depreciation that has been allowed pursuant to I.R.C. § 167(a) to the extent that the amount has not already reduced Arizona taxable income in the current or prior years. (Note: The practical effect of this is to allow a subtraction for the difference in basis for any asset for which bonus depreciation has been claimed on the federal return.) You may make this adjustment for only property that was used in your Arizona business.

## I. Fiduciary Adjustment

If the amount on Form 141AZ, Schedule K-1(NR), line 5, is a negative number, enter that amount as a subtraction from income on line D31.

## J. Net Operating Loss Adjustment.

**NOTE:** *This subtraction applies to only those individuals who made an election under the special federal net operating loss rules for 2008 and 2009. Under the special rules for 2008 and 2009, you could have elected to carry the net operating loss back for 3, 4 or 5 years, instead of the normal 2 years. This election would have been allowed under I.R.C. § 172(b)(1)(h) as amended by the American Recovery and Reinvestment Act of 2009 or the Worker, Homeownership, and Business Assistance Act of 2009.*

Arizona did not adopt the special federal net operating loss rules for losses incurred during 2008 or 2009. For Arizona purposes, you must deduct an Arizona source net operating loss as if the loss was computed under I.R.C. § 172 in effect prior to the enactment of those special rules. If you made an election to deduct your 2008 or 2009 federal net operating loss under I.R.C. § 172(b)(1)(h), you may have to enter an amount here. Figure how much of the net operating loss carry forward would have been allowed as a deduction on your 2011 federal income tax return, if the election described in I.R.C. § 172(b)(1)(h) had not been made in the year of the loss. Then figure how much of the carry forward computed under that method was derived from Arizona source losses. The amount you may take as a subtraction is the difference between the amount of Arizona source net operating loss carryover allowable as a deduction for federal purposes under the as if calculation and the amount of the Arizona source net operating loss deduction actually taken for federal purposes that you included in your Arizona gross income. On line D31, enter the amount of allowable Arizona source loss carry forward deduction that exceeds the actual amount of Arizona source net operating loss carry forward deduction that was deducted in arriving at Arizona gross income.

**NOTE:** *As an Arizona nonresident, you may have had a loss from prior year Arizona business operations. However, the loss cannot offset this year's income unless the as if calculation results in an Arizona source net operating loss deduction for federal purposes. You can only take this subtraction if the as if federal net operating loss deduction for 2011 includes Arizona source losses that have not been absorbed by non-Arizona income in any intervening years. You cannot subtract any amount of that net operating loss that has been absorbed by non-Arizona income in any intervening years. You also cannot take a subtraction for any amount that has already been deducted for Arizona purposes.*

## K. Previously Deferred Discharge of Indebtedness (DOI) Income Adjustment

Generally, when a loan is settled for less than the amount owed, DOI income is realized by the debtor and usually must be included in the debtor's gross income. The amount of DOI income is generally equal to the amount of loan forgiveness. DOI income also occurs when a debtor repurchases his or her own debt at a discount (a price lower than the adjusted basis issue price of the debt instrument). In debt repurchase transactions, the amount of DOI income is generally equal to the difference between the adjusted issue price and the price paid for the debt instrument.

For federal purposes, a taxpayer may have made a special election for taxable years 2009 or 2010 to include DOI income in connection with the reacquisition of a business debt instrument, ratably over a 5 year period. A taxpayer that made this election will generally include this income in federal adjusted gross income beginning with the 2014 taxable year. A taxpayer would have made the federal election under I.R.C. § 108(i) as added by the American Recovery and Reinvestment Act of 2009.

Arizona did not adopt the special federal DOI income deferral provisions for the 2009 or 2010 taxable year. For Arizona purposes, if you made the federal election to defer the inclusion of Arizona source DOI income under I.R.C. § 108(i), you were required to add the amount of that deferred DOI income to Arizona income for the year for which you made the election. If you made the required addition to Arizona income on the Arizona return filed for the year in which you reacquired the debt instrument (2009 or 2010), Arizona will not tax that Arizona source DOI income twice. In the year in which you include that deferred Arizona source DOI income in your federal adjusted gross income, and likewise your Arizona gross income, you may take a subtraction for the amount included for that year. Usually this subtraction will apply to taxable years 2014 through 2018. However, if you had to accelerate the deferral for federal purposes, this subtraction may apply to a taxable year prior to 2014. On line D31, enter the amount of previously deferred Arizona source DOI income that you included in your Arizona gross income for the current taxable year to the extent that the amount was previously added to your Arizona income.

## L. Original Issue Discount (OID) on Reacquisition of Debt Instrument

For federal purposes, when a taxpayer made the special election to defer DOI income under I.R.C. § 108(i), the taxpayer was not allowed to take a deduction with respect to the portion of any OID that accrued with respect to that DOI income, during the income deferral period. In this case, the taxpayer must deduct the aggregate amount of the OID deductions disallowed ratably over a 5 year period, beginning with the period in which the income is includible in federal adjusted gross income.

Arizona did not adopt the federal provisions requiring a taxpayer to defer the OID deduction in cases where the taxpayer federally deferred the DOI income under I.R.C. § 108(i). For Arizona purposes, you were required to add the amount of deferred Arizona source DOI income to Arizona gross income on the return filed for the year in which you reacquired the debt instrument. Since Arizona is taxing the federally deferred Arizona source income for 2009 or 2010 on your 2009 or 2010 Arizona return, you may subtract the amount of OID that accrued during the taxable year with respect to that Arizona source DOI income. On line D31, enter the amount of any OID related to that Arizona source income that was deferred and not

allowed to be deducted in computing your federal adjusted gross income for 2011 under I.R.C. § 108(i).

**M. Other Adjustments**

Other special adjustments may be necessary. Call one of the numbers listed on the back cover if any of the following apply.

- You are a previously certified defense contractor that elected to amortize under Arizona Revised Statutes section 43-1024.
- You sold or disposed of property that was held for the production of income subject to Arizona tax and your basis was computed under the Arizona Income Tax Act of 1954.
- You deferred exploration expenses determined under Internal Revenue Code section 617 in a taxable year ending before January 1, 1990, and you have not previously taken a subtraction for those expenses.

**Line D32 - Total Subtractions**

Add lines D26 through D31. Enter the total here and on the front of your return on line 17.

**Line E33 - Last Name(s) Used in Prior Years**

Use line E33 if the last name that you are using on this return is not the same as the last name you used on Arizona returns filed for the last 4 years. On line E33, enter any other last name(s) that you used when filing your Arizona return during the last 4 years.

**Totaling Your Income**

**Line 14 - Federal Adjusted Gross Income**

You must complete your federal return before completing your Arizona return. You must complete a 2011 federal return to determine your federal adjusted gross income even if not filing a federal return.

Arizona uses federal adjusted gross income as a starting point to determine Arizona taxable income. Enter your federal adjusted gross income from page 2, line B15.

**Line 15 - Arizona Income**

Enter your Arizona income from page 2, line B16, of your return.

**Line 16 - Additions to Income**

Enter the amount from page 2, line C21, of your return.

**Line 17 - Subtractions From Income**

Enter the amount from page 2, line D32, of your return.

**Line 18 - Arizona Adjusted Gross Income**

Add lines 15 and 16, then subtract line 17 from the sum. You may also complete the following worksheet to figure your Arizona adjusted gross income.

1. Enter the amount from Form 140NR, page 1, line 15.		00
2. Enter the amount from Form 140NR, page 1, line 16		00
3. Add line 1 to line 2. Enter the total.		00
4. Enter the amount from Form 140NR, page 1, line 17.		00
5. Subtract the amount on line 4 from the amount on line 3. Enter the total here and also on Form 140NR, page 1, line 18.		00

**Figuring Your Arizona Tax**

**Line 19 - Itemized or Standard Deductions**

You must decide whether to take the standard deduction or to itemize your deductions. Your Arizona income tax will be less if you take the larger of your standard deduction or your itemized deduction.

 When you **e-File**, the software completes the math for you.

**Your Standard Deduction**

**Tax Tip:** *You must prorate the standard deduction.*

Nonresident individuals, who claim the standard deduction, must prorate the deduction by the percentage which the taxpayer's Arizona gross income is of the taxpayer's federal adjusted gross income. This will in effect prorate the standard deduction between income taxable to Arizona and income not taxable to Arizona and allow only that portion of the deduction allocable to income taxable to Arizona.

If you take the standard deduction, check box 19S.

If your filing status is:	Your standard deduction prior to prorating is:
• Single	\$4,703
• Married filing separately	\$4,703
• Married filing jointly	\$9,406
• Head of household	\$9,406

1. Amount from standard deduction chart. Enter the amount shown for your filing status.	\$
2. Enter your Arizona percentage from Form 140NR, page 2, line B17.	%
3. Multiply line 1 by the percent on line 2. Enter the result here and on Form 140NR, page 1, line 19. Also check box 19S if you are taking the standard deduction.	\$

**Your Itemized Deduction**

You may itemize deductions on your Arizona return even if you do not itemize deductions on your federal return. The itemized deductions allowed for Arizona purposes are those itemized deductions that are allowable under the Internal Revenue Code. As an Arizona nonresident, you must prorate these deductions by the percentage which your Arizona gross income is of your federal adjusted gross income.

To determine your Arizona itemized deductions, complete a federal Form 1040, Schedule A. Then complete the Arizona Form 140NR, Schedule A(NR). If you itemize deductions, check box 19I.

**NOTE:** *If you itemize, you must attach a copy of your federal Schedule A and your Arizona Schedule A(NR) to your Arizona return.*

## Line 20 - Personal Exemptions

Your personal exemption depends on your filing status. See Personal Exemption Chart. Then complete the Personal Exemption Worksheet.

Personal Exemption Chart	
If you checked filing status:	Personal Exemption before proration:
• Single (Box 7)	\$2,100
• Married filing joint return (Box 4) and claiming no dependents (Box 10)	\$4,200
• Married filing joint return (Box 4) and claiming at least one dependent (Box 10 excluding persons listed on Page 2, line A3a)	\$6,300
• Head of household and you are <b>not</b> married (Box 5)	\$4,200
• Head of household and you <b>are</b> a married person who qualifies to file as head of household (Box 5)	\$3,150 Or Complete Form 202 <i>Personal Exemption Allocation Election</i> .
• Married filing separately (Box 6) with neither spouse claiming any dependents (Box 10)	\$2,100 Or Complete Form 202 <i>Personal Exemption Allocation Election</i> .
• Married filing separately (Box 6) with one spouse claiming at least one dependent (Box 10 excluding persons listed on Page 2, line A3a)	\$3,150 Or Complete Form 202 <i>Personal Exemption Allocation Election</i> .

**NOTE For Active Duty Military Personnel Only:** *If you were on active duty in Arizona during 2011, but were a resident of another state, do not prorate your personal exemption. You are allowed a 100% deduction for the personal exemption (to include spouse).*

Personal Exemption Worksheet	
1. Amount from personal exemption chart. If you were an active duty military member during 2011, skip lines 2 and 3 and enter this amount on Form 140NR, page 1, line 20. All other taxpayers complete lines 2 and 3.	\$
2. Enter your Arizona percentage from Form 140NR, page 2, line B17.	%
3. Multiply line 1 by the percent on line 2. Enter the result here and on Form 140NR, page 1, line 20.	\$

A married couple who does not claim any dependents may take one personal exemption of \$4,200 (prior to prorating). If the husband and wife file separate returns, either spouse may (prior to prorating) take the entire \$4,200 exemption, or the spouses may divide the \$4,200 (prior to prorating) between them. You and your spouse must complete Form 202 if either you or your spouse claim a personal exemption of more than

\$2,100 (prior to prorating). If you and your spouse do not complete Form 202, you may (prior to prorating) take an exemption of only \$2,100 (one-half of the total \$4,200).

A married couple who claims at least one dependent may take one personal exemption of \$6,300 (prior to prorating). If the husband and wife file separate returns, either spouse may (prior to prorating) take the entire \$6,300 exemption, or the spouses may divide the \$6,300 between them. You and your spouse must complete Form 202 if either you or your spouse claim a personal exemption of more than \$3,150 (prior to prorating). If you and your spouse do not complete Form 202, you may (prior to prorating) take an exemption of only \$3,150 (one-half of the total \$6,300).

If you are a married person who qualifies to file as a head of household, you may take the entire \$6,300 (prior to prorating) personal exemption or you may divide the exemption with your spouse. You and your spouse must complete Form 202 if either you or your spouse claim a personal exemption of more than \$3,150 (prior to prorating). If you and your spouse do not complete Form 202 you may (prior to prorating) take an exemption of only \$3,150 (one-half of the total \$6,300).

The spouse who claims more than one-half of the total personal exemption (prior to prorating) must attach the original Form 202 to his or her return. The spouse who claims less than one-half of the total personal exemption (prior to prorating) must attach a copy of the completed Form 202 to his or her return.

## Line 21 - Taxable Income

Subtract lines 19 and 20 from line 18 and enter the result. Use this amount to calculate your tax using Tax Table X or Y.

## Line 22 - Tax Amount

Enter the tax from Tax Table X or Y.

## Line 23 - Tax from Recapture of Credits from Arizona Form 301

Enter the amount of tax due from recapture of credits from Form 301, Part II, line 34.

## Line 24 - Subtotal of Tax

Add lines 22 and 23.

## Lines 25 and 26 - Clean Elections Fund Tax Reduction

You may designate \$5 of your tax go to the Clean Elections Fund and may also reduce your tax by up to \$5. If you are married filing a joint return, both you and your spouse may make this designation and also reduce your tax by up to \$10.

## Single Taxpayers, Heads of Household, and Married Taxpayers Filing a Joint Return With Only One Spouse Making a Designation

To make this designation, Check box 251 marked yourself.

If you checked box 251 and the amount on Form 140NR, page 1, line 24 is \$10 or more, enter \$5 on line 26. If the amount on line 24 is less than \$10, complete the following worksheet.

## Married Taxpayers Filing a Joint Return With Both Spouses Making a Designation

If both spouses want to make this designation, one spouse should check box 251, and the other spouse should check box 252.

If you checked both box 251 and box 252 and the amount on Form 140NR, page 1, line 24 is \$20 or more, enter \$10 on

line 26. If the amount on line 24 is less than \$20, complete the worksheet below.

Clean Elections Fund Tax Reduction Worksheet	
1. Enter the amount of tax from Form 140NR, page 1, line 24.	
2. If you checked box 251, enter \$5. If a joint return and your spouse also checked box 252, enter \$10.	
3. Balance of tax eligible for tax reduction. Subtract line 2 from line 1. If less than zero, enter zero "0".	
4. If you checked box 251, enter \$5. If a joint return and your spouse also checked box 252, enter \$10.	
5. Tax reduction. Enter the lesser of line 3 or line 4. Also enter this amount on Form 140NR, page 1, line 26.	

**NOTE:** Amounts designated to the Clean Elections Fund here do not qualify for the credit on line 30.

### Line 27 - Reduced Tax

Subtract line 26 from line 24. Enter the result.

### Line 28 - Nonrefundable Credits from Arizona Form 301 or Forms 321, 322, and 323 if Form 301 is not Required

Complete line 28 if you take any of the following credits. Also make sure that you attach the Arizona Form 301 if you are required to complete Form 301 and the appropriate credit form or forms to your return.

- 1. Defense Contracting Credits.** Your unused defense contracting credit carryover may be carried forward as a credit against subsequent taxable years' tax liability through tax year 2011. See Form 302 for details.
- 2. Enterprise Zone Credit.** The enterprise zone credit has been repealed effective June 30, 2011. Employment positions filled after June 30, 2011 do not qualify. Credits established in tax year 2011 will expire if not used by tax year 2016. See Form 304 for more information.
- 3. Environmental Technology Facility Credit.** You may qualify for this credit if your business incurred expenses in constructing a qualified environmental technology manufacturing facility. Use Form 305 to figure this credit.
- 4. Military Reuse Zone Credit.** You may qualify for this credit if you have qualifying net increases in full-time employment within a military reuse zone. Use Form 306 to figure this credit.
- 5. Recycling Equipment Credit.** The recycling equipment credit allowable to individuals has been repealed. You may not take this credit for taxable years beginning January 1, 2003 or later. However, the repeal did not affect any credit carryover that accrued prior to the repeal. Use Form 307 to figure any allowable credit carryover.
- 6. Credit for Increased Research Activities - Individuals.** You may qualify for this credit if you incurred qualified research expenses for research conducted in Arizona. Use Form 308-I to figure this credit.
- 7. Credit for Taxes Paid to Another State or Country.** You may qualify for this credit if you paid tax to Arizona and another state or country on the same income. Use Form 309 to figure this credit.

**8. Agricultural Water Conservation System Credit.** You may qualify for this credit if you incurred expenses to purchase and install an agricultural water conservation system in Arizona. Use Form 312 to figure this credit.

**9. Pollution Control Credit.** You may qualify for this credit if you purchased depreciable property used in a trade or business to reduce or prevent pollution. Use Form 315 to figure this credit.

**10. Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets.** You may qualify for this credit if you install solar hot water heater plumbing stub outs or electric vehicle recharge outlets in houses or dwelling units you construct. The taxpayer that constructed the dwelling may also transfer the credit to a purchaser. Use Form 319 to figure this credit.

**11. Credit for Employment of TANF Recipients.** You may qualify for this credit if you employed TANF recipients during the taxable year. Use Form 320 to figure this credit.

**12. Credit for Contributions to Charities that Provide Assistance to the Working Poor.** You may qualify for this credit if you made contributions to certain charities that provide help to the working poor. Use Form 321 to figure this credit.

**13. Credit for Contributions Made or Fees Paid to Public Schools.** You may qualify for this credit if you paid certain fees to public schools in Arizona. Use Form 322 to figure this credit.

**14. Credit for Contributions to Private School Tuition Organizations.** You may qualify for this credit if you made contributions to a school tuition organization that provides scholarships or grants to qualified schools. Use Form 323 to figure this credit.

**15. Agricultural Pollution Control Equipment Credit.** You may qualify for this credit if you are involved in commercial agriculture and incur expenses to purchase tangible personal property that is primarily used in your trade or business in Arizona to control or prevent pollution. Use Form 325 to figure this credit.

**16. Credit for Donation of School Site.** You may qualify for this credit if you donated real property and improvements to a school district or a charter school for use as a school or as a site for the construction of a school. Use Form 331 to figure this credit.

**17. Credit for Healthy Forest Enterprises.** You may qualify for this credit if you had net increases in qualified employment positions as a healthy forest enterprise. Use Form 332 to figure this credit.

**18. Credit for Employing National Guard Members.** You may qualify for this credit if you are an employer who has an employee that is a member of the Arizona National Guard if the employee is placed on active duty. Use Form 333 to figure this credit.

**19. Motion Picture Credits.** The motion picture credit was effective from and after December 31, 2005 through December 31, 2010. However, if a motion picture production company submitted its application for pre-approval for motion picture production credits before December 31, 2010, the department will allow qualified expenses incurred after December 31, 2010, as long as the expenses are incurred during the required 24-month period provided in the pre-approval issued by the Arizona Commerce Authority (or its predecessor), and all other requirements have been met. See Form 334 for more information.

**20. Credit for Solar Energy Devices - Commercial or Industrial Applications.** This credit is available to taxpayers that

install solar energy devices for commercial, industrial, or other nonresidential applications in Arizona. Use Form 336 to figure this credit.

**21. Credit for Investment in Qualified Small Businesses.** You may qualify for this credit if you made a cash contribution in a qualified small business. Use Form 338 to figure this credit.

**22. Credit for Donations to the Military Family Relief Fund.** You may qualify for this credit if you made a cash contribution to the Arizona Military Family Relief Fund during the taxable year. Use Form 340 to figure this credit.

**23. Renewable Energy Production Tax Credit.** You may qualify for this credit if you produced electricity using renewable energy resources. Use Form 343 to figure this credit.

**24. Solar Liquid Fuel Credit.** You may qualify for this credit if you incurred expenses for research and development costs associated with solar liquid fuel. Use Form 344 to figure this credit.

**25. Credit for New Employment.** You may qualify for this credit if your business had a net increase in qualified employment positions after June 30, 2011. Use Form 345 to figure this credit.

Compute your credit on the appropriate form. Then complete Form 301 and enter the amount from Form 301, Part II, line 65. The credits on line 28 cannot reduce your tax below zero. These credits are not refundable credits.

Attach Arizona Form 301 along with any supporting documents to your return.

**Line 29 - Credit Type**

If you entered an amount on line 28, write the form number of each credit claimed.	
<b>If you are claiming:</b>	<b>Write form number:</b>
1. Defense Contracting Credits	302
2. Enterprise Zone Credit	304
3. Environmental Technology Facility Credit	305
4. Military Reuse Zone Credit	306
5. Recycling Equipment Credit	307
6. Credit for Increased Research Activities - Individuals	308
7. Credit for Taxes Paid to Another State or Country	309
8. Agricultural Water Conservation System Credit	312
9. Pollution Control Credit	315
10. Credit for Solar Hot Water Heater Plumbing Stub Outs and Electric Vehicle Recharge Outlets	319
11. Credit for Employment of TANF Recipients	320
12. Credit for Contributions to Charities That Provide Assistance to the Working Poor	321
13. Credit for Contributions Made or Fees Paid to Public Schools	322
14. Credit for Contributions to Private School Tuition Organizations	323

15. Agricultural Pollution Control Equipment Credit	325
16. Credit for Donation of School Site	331
17. Credit for Healthy Forest Enterprises	332
18. Credit for Employing National Guard Members	333
19. Motion Picture Credits	334
20. Credit for Solar Energy Devices - Commercial or Industrial Applications	336
21. Credit for Investment in Qualified Small Businesses	338
22. Credit for Donations to the Military Family Relief Fund	340
23. Renewable Energy Production Tax Credit	343
24. Solar Liquid Fuel Credit	344
25. Credit for New Employment	345

**Line 30 - Clean Elections Fund Tax Credit**

**NOTE:** An amount entered on Form 140NR, page 1, line 26 does not qualify for the credit. Do not include that amount here. For the purpose of this credit, that amount is not a donation.

If you made a donation to the Citizens Clean Elections Fund, you may take a credit for that gift.

For 2011, you may claim a credit for:

- Donations made directly to the fund during 2011.
- A donation made to the fund on your 2010 income tax return that you filed in 2011.

You may not claim a credit on the 2011 return for a donation made to the fund on your 2011 return. If you make a donation to the fund with your 2011 return, that you file in 2012, you may claim a credit for that donation on your 2012 return.

Complete the following worksheet to figure your credit.

<b>Worksheet for Calculating the 2011 Clean Elections Fund Tax Credit</b>	
1. Enter the amount donated directly to the fund during 2011.	
2. Enter the amount donated to the fund with your 2010 tax form.	
3. Add line 1 and line 2. Enter the total.	
4. Enter the amount from Form 140NR, page 1, line 27.	
5. Enter the amount from Form 140NR, page 1, line 28.	
6. Subtract line 5 from line 4.	
7. Multiply line 6 by 20% (.20).	
8. Enter \$670 if single, head of household, or married filing separately. Enter \$1,340 if married filing joint.	
9. Enter the larger of line 7 or line 8.	
10. Enter the smaller of line 3, line 6, or line 9 here and also on Form 140NR, page 1, line 30.	
<b>NOTE:</b> This credit will only reduce your tax and cannot be refunded. You may not carry forward any amount of unused credit.	

**Line 31 - Balance of Income Tax**

Subtract lines 28 and 30 from line 27. If the sum of lines 28 and 30 is more than line 27, enter zero on line 31.

**Line 32 - Unpaid Arizona Use Tax**

Use line 32 to report any use tax that you owe from out-of-state purchases that you made in 2011. Enter an amount on line 32 to report your use tax only if all of the following apply.

1. The items you bought were not for business purposes.
2. You stored, used or consumed the item in Arizona.
3. You are not a registered retailer.

For example, you may have bought goods from a catalogue or from the Internet. You may have purchased items costing more than \$200, while traveling outside of the U.S. If you made any out-of-state purchase during 2011 and paid **no** sales tax on that purchase, you must complete the use tax worksheet, if items 1 through 3 above apply. You should keep your receipts or invoices for your out-of-state purchases.

Some items are exempt from use tax. For example, you do not have to pay use tax on any of the following items:

- Prescription drugs
- Prescription eyeglasses
- Contact lenses
- Hearing aids

Other items may also be exempt from use tax. To find out more about use tax and items exempt from use tax, see our brochure, *Pub 610, Use Tax*. To see this brochure, visit our web site at [www.azdor.gov](http://www.azdor.gov) and click on publications.

If you did not make any out-of-state purchases during 2011, you do not owe any use tax. In this case, enter "0" on line 32.

**Arizona's Use Tax**

Arizona's use tax has been part of our tax laws since 1955. Every state with a sales tax also has a use tax. When Arizona shoppers buy from out-of-state sellers who do not collect tax, this puts in-state sellers at a disadvantage. The use tax puts all retailers on a level playing field.

**What if I Have Already Paid Tax on My Out-of-State Purchase?**

If you have paid sales tax to another state on the purchase, or if you have already paid your Arizona use tax, then you should enter "0" on line 32.

**Use Tax Worksheet**

Complete the following worksheet to figure your unpaid use tax.

**Example:** Rita is living in Phoenix and she orders a new bedspread from the Out-of-State Catalog Store based in New York. Rita will use this bedspread in her Arizona winter home. The price is \$125. The Catalog Store collects no tax. Rita must pay Arizona use tax on this purchase. Rita will complete the worksheet as follows:

Use Tax Worksheet - Example	
1. Taxable Purchases	\$125.00
2. Arizona use tax rate	.066
3. Multiply line 1 by the decimal on line 2. Enter the result here.	8.25
4. Round the amount on line 3 to the nearest whole dollar. If 50 cents or more, round up to the next dollar; if less than 50 cents, round down. Also enter this amount on Form 140NR, page 1, line 32.	\$8.00
In this example, Rita will enter \$8 on Form 140NR, page 1, line 32.	

**Line 33 - Balance of Tax**

Add lines 31 and 32. Enter the result.

**Totaling Payments**

**Line 34 - Arizona Income Tax Withheld**

Enter the Arizona income tax withheld shown on the Form(s) W-2 from your employer. Do not include income taxes withheld by any other state. Attach the Form(s) W-2 after the last page of your return.

**Line 35 - Arizona Estimated Tax Payments for 2011 and Amount Applied from 2010 Return**

Use this line if you did one of the following:

1. Made estimated income tax payments to Arizona for 2011.
2. Applied any of your refund from your 2010 Arizona return to 2011 estimated taxes for Arizona.

Enter the total amount paid and/or applied to 2011 taxes.

**NOTE:** *If you made joint Arizona estimated payments for 2011, but are filing separate 2011 Arizona income tax returns, see Arizona Department of Revenue Income Tax Ruling ITR 02-3.*

**Line 36 - 2011 Arizona Extension Payment (Form 204)**

Use this line to report the payment you sent with your extension request, or the electronic extension payment you made using [www.aztaxes.gov](http://www.aztaxes.gov).

**Line 37 - Other Refundable Credits**

Enter the total of refundable credits you are claiming from Form 308-I, *Credit for Increased Research Activities - Individuals*, or Form 342, *Credit for Renewable Energy Industry*.

If you enter an amount on this line, be sure you check the box or boxes to show which credits you are claiming. Also be sure to attach the credit claim form (308-I or 342) to your return when you file.

**Credit for Increased Research Activities - Individuals (Form 308-I)**

You may qualify for the refundable increased research activities credit if you incurred qualified research expenses

The following example shows how to complete the worksheet.

Use Tax Worksheet	
1. Taxable Purchases	
2. Arizona use tax rate	.066
3. Multiply line 1 by the decimal on line 2. Enter the result here.	
4. Round the amount on line 3 to the nearest whole dollar. If 50 cents or more, round up to the next dollar; if less than 50 cents, round down. Also enter this amount on Form 140NR, page 1, line 32.	



for research conducted in Arizona. For more information about this credit, and to see whether you may claim a refund of this credit, see Arizona Form 308-I.

If you are claiming a refund of the increased research activities credit from Form 308-I, enter the amount from Form 308-I, Part IV, line 29.

#### **Renewable Energy Industry Credit (Form 342)**

You may qualify for the refundable renewable energy industry credit if you expanded or located a qualified renewable energy operation in Arizona. For more information about this credit, see Arizona Form 342.

If you are claiming the renewable energy industry credit, from Form 342, enter the amount from Form 342, Part IV, line 12.

**NOTE:** *If you are claiming a refundable credit from both Form 308-I and Form 342, add the amount from Form 308-I, part IV, line 29 to the amount from Form 342, Part IV, line 12 and enter the total on Form 140NR, page 1, line 37.*

#### **Line 38 - Total Payments**

Add lines 34 through 37. Enter the total.

Also, do the following if you computed your 2011 tax under Arizona's claim of right provisions.

1. Write "ARS § 43-1029" and the amount of the prior year tax reduction in the space to the left of your total payment amount.
2. Include the credit for the prior year tax reduction in the total entered on line 38.
3. Attach a schedule explaining the amounts repaid and the computation of the prior year tax reduction.

For more information on Arizona's claim of right provisions, see Arizona Department of Revenue Individual Income Tax Procedure ITP 95-1.

#### **Figuring Your Overpayment or Tax Due**

##### **Line 39 - Tax Due**

If line 33 is more than line 38, you have tax due. Subtract line 38 from line 33. Skip lines 40, 41 and 42.

##### **Line 40 - Overpayment**

If line 38 is more than line 33, subtract line 33 from line 38. Complete lines 41 and 42.

##### **Line 41 - Amount of Line 40 to Apply to 2012 Tax**

If you want all or part of your refund applied to next year's Arizona estimated taxes, enter that amount.

**NOTE:** *If you apply any of the amount shown on line 40 to 2012, you cannot use that amount to pay any tax that is later found to be due for 2011. You also may not claim a refund for that amount until you file your 2012 return.*

##### **Line 42 - Balance of Overpayment**

Subtract line 41 from line 40 to determine your overpayment balance before voluntary gifts and any estimated payment penalty.

#### **Making Voluntary Gifts**

You can make voluntary gifts to each of the funds shown below. A gift will reduce your refund or increase the amount due with your return.

**NOTE:** *If you make a gift, you cannot change the amount of that gift later on an amended return.*

#### **Line 43 - Aid for Education Fund**

Gifts go to the Arizona Assistance for Education Fund. The Arizona Board of Education will distribute money in this fund to school districts.

**CAUTION:** *If you make a contribution to the Aid to Education Fund, you must contribute your entire refund. You may not give more than or less than your entire refund.*

#### **Line 44 - Arizona Wildlife Fund**

You may give some or all of your refund to the Arizona Wildlife Fund. You may also give more than your entire refund.

Your gift to the Arizona Wildlife Fund helps protect wildlife in the state. Many species like bald eagles, Apache trout and black-footed ferrets benefit from your gifts to this fund. Gifts are also used to improve areas for watching wildlife statewide.

#### **Line 45 - Citizens Clean Elections Fund**

You may give some or all of your refund to the Citizens Clean Elections Fund. You may also send in additional money with your return. If you send in additional money with your return, include that amount on line 59. Enter the amount you want to donate on line 45.

If you make a donation to the fund with your 2011 return, that you file in 2012, you may claim a credit for that donation on your 2012 return.

The Citizens Clean Elections Fund provides funding to each participating candidate who qualifies for campaign funding.

#### **Line 46 - Child Abuse Prevention Fund**

You may give some or all of your refund to the Arizona Child Abuse Prevention Fund. You may also give more than your entire refund.

Gifts go to the Arizona Child Abuse Prevention Fund. This fund provides financial aid to community agencies for child abuse prevention programs.

#### **Line 47 - Domestic Violence Shelter Fund**

You may give some or all of your refund to the Domestic Violence Shelter Fund. You may also give more than your entire refund.

Gifts go to the Domestic Violence Shelter Fund. This fund provides financial aid to shelters for victims of domestic violence.

#### **Line 48 - I Didn't Pay Enough Fund**

You may give some or all of your refund to the I Didn't Pay Enough Fund. You may also give more than your entire refund.

Gifts that you make to the I Didn't Pay Enough Fund will aid the state by going to the Arizona general fund.

#### **Line 49 - National Guard Relief Fund**

You may give some or all of your refund to the National Guard Relief Fund. You may also give more than your entire refund.

Gifts go to the National Guard Relief Fund. This fund provides financial aid to families of Arizona National Guard members when the National Guard member is placed on active duty and is serving in a combat zone.

#### **Line 50 - Neighbors Helping Neighbors Fund**

You may give some or all of your refund to the Neighbors Helping Neighbors Fund. You may also give more than your entire refund.

Gifts go to the Neighbors Helping Neighbors Fund. This fund provides eligible recipients with emergency aid in paying energy utility bills and conserving energy.

**Line 51 - Special Olympics Fund**

You may give some or all of your refund to the Special Olympics Fund. You may also give more than your entire refund.

Gifts go to the Special Olympics Fund. This fund helps provide programs of the Arizona Special Olympics.

**Line 52 - Veterans' Donations Fund**

You may give some or all of your refund to the Veterans' Donations Fund. You may also give more than your entire refund.

Gifts go to the Veterans' Donations Fund, which may be used for veterans in Arizona.

**Line 53 - Political Gift**

Gifts go to one of the following political parties:

- Democratic
- Green
- Libertarian
- Republican

You may give some or all of your refund to a political party. You may also give more than your entire refund.

**Line 54 - Political Party**

Check the box for the political party to which you wish to give. Select only one party. If you do not select a political party, the department will return the amount on line 53.

**Line 55 - Estimated Payment Penalty and MSA Withdrawal Penalty****Estimated Payment Penalty**

**NOTE:** Do not complete Form 221, *Underpayment of Estimated Tax by Individuals*, if the amount on Form 140NR, page 1, line 34, is more than the amount on Form 140NR, page 1, line 31. If the amount on Form 140NR, page 1, line 34, is more than the amount on Form 140NR, page 1, line 31, skip line 55, unless you must report an MSA penalty.

You must have made Arizona estimated income tax payments during 2011 if:

Your filing status is:	AND	AND
	Your Arizona gross income for 2010 was greater than:	Your Arizona gross income for 2011 exceeded:
Married Filing Joint	\$150,000	\$150,000
Single	\$75,000	\$75,000
Head of Household	\$75,000	\$75,000
Married Filing Separately	\$75,000	\$75,000

If you report as a farmer or fisherman for federal purposes, you were not required to make estimated payments during 2011 if the following apply.

1. You are a calendar year filer. You file your Arizona return by March 1, 2012. You pay in full the amount stated on your return as owed.
2. You are a fiscal year filer. You file your Arizona return by the first day of the third month after the end of your fiscal year. You pay in full the amount stated on your return as owed.

**If the above applies, check box 2 on line 56 and do not complete Form 221.**

An individual who fails to make the required estimated payments is subject to penalty on any estimated tax payment that is late or underpaid.

Complete and attach Form 221, *Underpayment of Estimated Tax by Individuals*, to determine if any penalty is due. Enter the total penalty from Form 221.

**MSA Withdrawal Penalty**

You must pay a withdrawal penalty if you made an MSA withdrawal during 2011 and all of the following apply.

1. You have an MSA that qualifies as an MSA under Arizona law.
2. You used the amount withdrawn for purposes other than to pay for qualified medical expenses.
3. You made the withdrawal on a day other than the last business day of the year.
4. The withdrawal is not subject to the federal withdrawal penalty.

The penalty is equal to 10% of the withdrawal. The withdrawal penalty is not subject to abatement. You must remit this penalty with your income tax return filed for the year in which you made the withdrawal.

Multiply the amount of your withdrawal subject to penalty by 10%. Enter the result.

The following withdrawals are not subject to the penalty.

1. Any withdrawal subject to the federal withdrawal penalty.
2. Withdrawals made from your MSA on the last business day of the tax year.
3. Any withdrawal made by an account holder who is at least age 59 1/2 when he or she makes the withdrawal.

**NOTE:** The following are not withdrawals. Do not enter a penalty for any of the following:

- Amounts from the MSA used to pay qualified medical expenses
- A qualified return of excess contributions
- A qualified rollover
- The fair market value of an MSA received by a surviving spouse who was the deceased account holder's named beneficiary

For more information about the above items, see the department's MSA brochure, Pub 542.

**Line 56 -**

**Box 1** - Check box 1 if any of the following applies to you.

1. You checked the box on line 1 of Form 221.
2. You completed the annualized income worksheet on Form 221.
3. You elected to be treated as a nonresident alien on your federal income tax return. You made three estimated payment installments. Your first installment equaled 50% of the total of all of your required installments.

**Box 2** - If you are an individual who for federal purposes reports as a farmer or fisherman, check box 2.

**Box 3** - If you completed and attached Form 221, check box 3.

**Box 4** - If you included an MSA penalty on line 55, check box 4.

**Figuring Your Refund or Tax Due****Line 58 - Refund**

Subtract line 57 from line 42. Enter your refund on line 58 and skip line 59.

If you owe money to any Arizona state agency, court, county, incorporated city or town and certain federal agencies, your refund may go to pay some of the debt. If so, the department will let you know by letter.

**Tax Tip:** *If you change your address before you get your refund, let the department know. Write to: Refund Desk, Arizona Department of Revenue, 1600 W Monroe, Phoenix AZ 85007. Include your SSN in your letter.*

### Direct Deposit of Refund

Complete the direct deposit line if you want us to directly deposit the amount shown on line 58 into your account at a bank or other financial institution (such as a mutual fund, brokerage firm or credit union) instead of sending you a check.

**NOTE:** *Check the box on line 58A if the direct deposit will ultimately be placed in a foreign account. If you check box 58A, do not enter your routing or account numbers. If this box is checked, we will not direct deposit your refund. We will send you a check instead.*

### Why Use Direct Deposit?

- You will get your refund fast - even faster if you e-file!
- Payment is more secure since there is no check to get lost.
- It is more convenient. No trip to the bank to deposit your check.
- Saves tax dollars. A refund by direct deposit costs less to process than a check.

**NOTE:** *We are not responsible for a lost refund if you enter the wrong account information. Check with your financial institution to get the correct routing and account numbers and to make sure your direct deposit will be accepted.*

### Routing Number

**MAKE SURE YOU ENTER THE CORRECT ROUTING NUMBER.**

The routing number must be 9 digits. The first 2 digits must be 01 through 12 or 21 through 32. Otherwise, the direct deposit will be rejected and a check sent instead. On the sample check below, the routing number is 250250025.

Your check may state that it is payable through a financial institution different from the one at which you have your checking account. If so, **do not** use the routing number on that check. Instead, contact your financial institution for the correct routing number to enter here.

### Account Number

**MAKE SURE YOU ENTER THE CORRECT ACCOUNT NUMBER.**

The account number can be up to 17 characters (both numbers and letters). **DO NOT** include hyphens, spaces or special symbols. Enter the number from left to right and leave any unused boxes blank. On the sample check that follows, the account number is 20202086. Be sure **not** to include the check number.

**NOTE:** *If the direct deposit is rejected, a check will be sent instead.*

### Sample Check

JOHN DOE OR JANE DOE  
123 First Street  
Sometown, AZ 00000

PAY TO THE ORDER OF **SAMPLE** \$

THIS BANK Sometown, AZ 00000

For

Routing Number: 250250025  
Account Number: 20202086

1234  
10-0000-0000

DOLLARS

**Do not include the check number.**

**Note:** *The routing and account numbers may be in different places on your check.*

### Line 59 - Amount Owed

Add lines 39 and 57. Enter the amount you owe on line 59. If you are making voluntary donations on lines 44 through 53 in excess of your overpayment, enter the difference on line 59. You may pay only with a check, electronic check, money order, or credit card.

### Check or money order

**NOTE:** *Attach your check to the front of your return in the upper left hand corner where indicated. Please do not send cash.*

Make your check payable to Arizona Department of Revenue. Write your SSN on the front of your check or money order.

The department cannot accept checks or money orders in foreign currency. You must make payment in U.S. dollars.

### Electronic payment from your checking or savings account

You can make an electronic payment from your checking or savings account to pay your balance due for 2011. There is no fee to use this method. To make an electronic payment, go to [www.aztaxes.gov](http://www.aztaxes.gov) and click on the "Make a Payment" link. The "E-Check" option in the "Payment Method" drop-down box will debit the amount from the checking or savings account that you specify. If you make an electronic payment from your checking or savings account, you will receive a confirmation number. **Please keep this confirmation number as proof of payment.**

**NOTE:** *You may not make an electronic payment from your checking or savings account if the payment will ultimately be coming from a foreign account. In this case, you must pay by check or money order.*

### Credit card payment

You can pay with your Discover, MasterCard, Visa, or American Express credit card. Go to [www.aztaxes.gov](http://www.aztaxes.gov) click on the "Make a Payment" link and choose the credit card option. This will take you to a third party vendor site. The provider **will charge** you a convenience fee based on the amount of your tax payment. The service provider will tell you what the fee is during the transaction; you will have the option to continue or cancel the transaction. If you complete the credit card transaction, you will receive a confirmation number. **Please keep this confirmation number as proof of payment.**

### Installment Payments

If you cannot pay the full amount shown on line 59 when you file, you may ask to make monthly installment payments. To make this request, complete Arizona Form 140-IA and mail the completed form to the address on the Form 140-IA. **Do not mail Form 140-IA with your income tax return.** You may obtain Arizona Form 140-IA from our web site at [www.azdor.gov](http://www.azdor.gov).

If you cannot pay the full amount shown on line 59, you will be charged interest and may be charged a late payment penalty on the tax not paid by April 17, 2012. To limit the interest and penalty charges, pay as much of the tax as possible when you file.

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## Sign Your Return

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You must sign your return. If married filing a joint return, both you and your spouse must sign even if only one had income. Form 140NR is not considered a valid return unless you sign it. The department cannot send a refund check without proper signatures on the return.

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## Instructions Before Mailing

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- Make sure your SSN is on your return.
- Be sure you enter your home telephone number in the space provided on the front of your return. If your daytime telephone number is not the same as your home number, also enter a daytime number.
- Check to make sure that your math is correct. A math error can cause delays in processing your return.
- Make sure your **name** is on the return. If you received your return in the mail, use the preprinted label. **If the label is not correct, do not use it.**
- If claiming **dependent** exemptions, write the number of dependents claimed on the **front** of the return. On page 2 of the return, also write each dependent's name, relationship, SSN, and the number of months that he or she lived in your home.
- Check the **boxes** to make sure you filled in all required boxes.
- If you requested a filing extension, make sure that you check box 82F on page 1 of the return.
- Sign your return and have your spouse sign if filing jointly.
- Write your SSN on the front of your check. Attach your check to the front of your return in the upper left hand corner where indicated.

The Department of Revenue may charge you \$25 for a check returned unpaid by your financial institution.

- Attach **all** required documents. Place these documents to the back of your return. Use just one staple to attach your documents where shown on page 1 of the return. Please do not use tape. Documents you must attach include those items listed in numbers 1 through 4 below.
  1. Attach *Form(s) W-2* after the last page of your return.
  2. Attach Arizona Form 301, applicable credit forms, and your own schedules after page 2 of your return. If itemizing, attach these forms after your Arizona Schedule A and your federal Schedule A.
  3. If claiming a credit for taxes paid to another state or country, attach a copy of the other state's or country's filed return.
  4. If you itemize, be sure to attach Arizona Schedule A(NR) and a copy of the federal Schedule A. Attach the Arizona Schedule A(NR) and the federal Schedule A directly after page 2 of your return. Attach other forms and schedules behind the Schedules A.
- Do not send correspondence with your return.

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## Filing Your Return

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Before you mail your return, make a copy of your return. Also make a copy of any schedules that you are sending in

with your return. Keep the copies for your records. Be sure that you file the original and not a copy.

To mail your return, use the envelope that came in your booklet.

To avoid delays, please use separate envelopes for each return.

## Where Should I File My Return?

If you are expecting a refund, or owe no tax, or owe tax but are not sending a payment, use the yellow address label attached to the envelope. If the envelope or label is missing, send the return to: Arizona Department of Revenue, PO Box 52138, Phoenix AZ 85072-2138.

If you are sending a payment with this return, use the white address label attached to the envelope. If the envelope or label is missing, send the return to: Arizona Department of Revenue, PO Box 52016, Phoenix AZ 85072-2016.

## Make sure you put enough postage on the envelope.

The U.S. Post Office must postmark your return or extension request by midnight April 17. A postage meter postmark will not qualify as a timely postmark. *Only a postmark from the U.S. Post Office will qualify.* You may also use certain private delivery services designated by the IRS to meet the "timely mailing as timely filed" rule.

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## How Long To Keep Your Return

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You must keep your records as long as they may be needed for the administration of any provision of Arizona tax law. Generally, this means you must keep records that support items shown on your return until the period of limitations for that return runs out.

The period of limitations is the period of time in which you can amend your return to claim a credit or refund or the department can assess additional tax. A period of limitations is the limited time after which no legal action can be brought. Usually, this is four years from the date the return was due or filed.

In some cases, the limitation period is longer than four years. The period is six years from when you file a return if you underreport the income shown on that return by more than 25%. The department can bring an action at any time if a return is false or fraudulent, or you do not file a return. To find out more about what records you should keep, get federal Publication 552.

## Where's My Refund

If you e-filed, you can expect your refund within 2 weeks of the date you filed. If you filed a paper return, you can expect your refund within 12 weeks of the date you filed. You can check on your refund by visiting [www.azdor.gov](http://www.azdor.gov) and clicking on "Where's my refund?" If you have not received your refund within the noted time frames, you may call one of the numbers listed on the back cover. Before you call, be sure to have a copy of your 2011 tax return on hand. You will need to know your SSN, your filing status and your 5-digit zip code.

## Calling the Department

Your tax information on file with the department is confidential. If you want the department to discuss your tax matters with someone other than yourself, you must authorize the department to release confidential information to that person. You may use Form 285 to authorize the department to release confidential information to your appointee. See Form 285 for details.