

Schedule CMS Instructions

The Credit Manager Schedule reports in Part 1 the taxpayer's credits available (including credits carried over from prior years) and the credits taken not received via a lower tier entity or credit transfer. The exceptions to this rule are Brownfields Credit, Film Incentive Credit, and/or Medical Device Credit received via credit transfers/sales. Credits are shown in a table format and may be listed in any order. Taxpayers with more than one credit available may choose how much of each credit to take in the current year. A taxpayer participating in a combined report and allowing other members of the combined group to use its credits as allowed in 830 CMR 63.32B.2(9), also reports the amount or each credit shared on this schedule.

The table below identifies various credits that may be shown on the credit manager schedule.

| MGL chapter and section | Credit name | Notes | Refundable? | Enumeration |
|-------------------------|--------------------------------|--------------------------------------|----------------------|-------------|
| Ch. 63 § 38Q | Brownfields Credit | Certificate # Required | No | BRWFLD |
| Ch. 63 § 38BB | Certified Housing Credit | Certificate # Required | No | CRTHOU |
| Ch. 63 § 38EE | Community Investment Credit | Certificate # Required | Yes, @100% | CMMINV |
| Ch. 63 § 38AA | Conservation Land Credit | Certificate # Required | Yes, @100% | CNSLND |
| Ch. 63 § 38Z | Dairy Farm Credit | Certificate # Required | Yes, @100% | DAIFRM |
| Ch. 63 § 38N | EDIP Credit | Certificate # / Sch. EDIP Required | If Authorized, @100% | EDIPCR |
| Ch. 63 § 38FF | Emolover Wellness Credit | Certificate # Required | No | EMPWLL |
| Ch. 63 § 38N | EOAC Credit | Period End Date / Sch. EOAC Required | If Authorized | EOACCR |
| Ch. 63 § 38X | Film Incentive Credit | Certificate # Required | If Authorized, @ 90% | FLMCRD |
| Ch. 63 § 38P | Harbor Maintenance Credit | Period End Date / Sch. HM Required | No | HRBMNT |
| Ch. 63 § 38R | Historic Rehabilitation Credit | Certificate # Required | No | HISRHB |
| Ch. 63 § 31A | Investment Tax Credit | Period End Date / Sch. H Required | No | INVTAX |
| Ch. 63 § 31M | Life Science (FDA) Credit | Period End Date /Sch RLSC | If Authorized, @ 90% | LFSFDA |
| Ch. 63 § 38U | Life Science (ITC) Credit | Period End Date /Sch RLSC | If Authorized, @ 90% | LFSITC |
| Ch. 63 § 38CC | Life Science (Jobs) Credit | Period End Date /Sch RLSC | If Authorized, @ 90% | LFSJOB |
| Ch. 63 § 38W | Life Science (RD) Credit | Period End Date /Sch RLSC | If Authorized, @ 90% | LFSRDC |
| Ch. 63 § 31H | Low Income Housing Credit | Certificate # Required | No | LOWINC |
| Ch. 63 § 31L | Medical Device Credit | Certificate # Required | No | MEDDVC |
| Ch. 63 § 38M | Research Credit | Period End Date / Sch. RC Required | No | REARCH |
| Ch. 63 § 31E | Vanpool Credit | Period End Date / Sch. VP Required | No | VANPOL |
| Ch.62 § 6 | Lead Paint | Period End Date / Sch. LP Required | No | LEDPNT |
| Ch.62 § 6 | Septic | Period End Date / Sch. SC Required | No | SEPTIC |
| Ch.62 § 6 | Farming and Fisheries | Period End Date / Sch. FAF Required | No | FRMFSH |
| Ch.62 § 6 | Solar and Wind Energy | Period End Date / Sch. EC Required | No | SLRWND |

Some credits are identified on the credit manager schedule by a certificate number. The certificate number for the credit is assigned by the issuing agency (which may be the Department of Revenue) and must always be reported to claim the credit. A taxpayer with multiple certificates for the same type of credit will enter each separately, with the available (unused) balance associated with that certificate in column (e) and the amount of the credit used in the current year in column (f). Taxpayer's claiming the EDIP Credit for a Certified Jobs Creation Project must enter a certificate number but are only required to complete the header section of schedule EDIP.

Some credits are identified by the period end date which refers to the period in which the credit originated. This may be the current taxable year or a prior year if the credit is being carried forward from a prior year. If the period of origin is the current year, a schedule detailing the calculation of the amount of credit must be enclosed with the return. If the period of origin is a prior year, only the amount carried over to and available in the current year is shown in column (e) and no calculation schedule is required.

If, by operation of M.G.L. c. 63, s. 32C or another provision of law, a credit normally identified by period of origin is eligible for indefinite carryover, the credit should be reported as "non-expiring;" the taxpayer is not required to identify the period of origin on the credit manager schedule. (Non-expiring credits were formerly referred to as "unlimited.")

The abbreviation in the enumeration column is used to identify the credit type on the credit manager schedule (in column a in both Part 1 and Part 2 and column b in Part 3 and Part 4).

Example with taxpayer that did not receive any credits from lower tier entities:

In the example below, the taxpayer is filing a return for the taxable year ending 12/31/2016 and has an Investment Tax Credit from the current year, all of which is being used in the current year. The taxpayer must enclose schedule H with the return, showing the calculation of the current year credit. The taxpayer also has a non-expiring Investment Tax Credit and used only \$500 of the credit in the current year. No Schedule H is required for the non-expiring credit, which is a credit carried forward from a prior year that is not tracked by a certificate number. The taxpayer also has 2 dif-

ferent Film Credits available and enters them separately with the certificate numbers. All of the 1st credit and part of the 2nd credit are used by the taxpayer. These credits, regardless of the year in which they originate, must be identified by the certificate number.

The taxpayer also has a Harbor Maintenance tax credit that originated in the 12/31/2015 year. This is shown on the credit although none of the Harbor Maintenance credit is used in the current year. Because the credit relates to a prior year, schedule HM is not required.

| 1a. Credit type | 1b. Fill in if non-expiring | 1c. Period end date (mm/dd/yyyy) | 1d. Certificate number | 1e. Credit available or certificate balance | 1f. Credit taken this year | 1g. Credit shared this year |
|-----------------|-----------------------------|----------------------------------|------------------------|---|----------------------------|-----------------------------|
| INVTAX | | 12/31/2016 | | \$8,000 | \$8,000 | |
| INVTAX | ○ | | | \$3,500 | \$500 | |
| FLMCRD | | | 000000000 | \$5,000 | \$5,000 | |
| FLMCRD | | | 000000001 | \$6,500 | \$3,500 | |
| HRBMNT | | 12/31/2015 | | \$3,000 | | |
| | | | | | \$17,000 | |

The total of the credits taken (column (f)) is reported on the taxpayer's return (Form 355, Tax Calculation, line 7, or Form 355S, line 10 or other applicable line item for a corporation not filing as part of a combined report.)

Taxpayers participating in a combined report filing form 355U enter the total amount of the taxpayer's own EDIPC, EOAC, Investment Tax Credit, Brownfields Credit and Vanpool Credit taken on U-IC line 2, the total amount of the (Part 38M) Research Credit on U-IC, line 5 and the total amount of any other credits taken on schedule U-IC, line 8. Credits the corporation allows affiliates to use under the sharing rules are reported in column (g) of the credit manager. The recipient of the shared credits reports them on schedule U-CS and, in the appropriate category, on their own schedule U-IC. (Per U-IC instruction)

Part 2 of the Credit Manager Schedule reports any refundable credits claimed in the current year that were not received via Massachusetts K1s or via credit transfer*. Certain credits are refundable only if specifically authorized or, in the case of the Film Credit, if the original recipient has not transferred the credit to another. Other conditions may apply depending on the terms applicable to the specific credit. Credits are identified separately. The amount in column (f) is the amount of the refund requested, which may be 100% or 90% of the amount reported in column (e). In the example below, the taxpayer has refundable film credit (allowed at 90% of the available balance) and a refundable conservation land credit (allowed at 100%). Although not shown in the example, taxpayer reported both credits on Part 1 of the credit manager schedule and used part of the film credit to reduce its excise for the year to 0; the \$10,000 amount shown in column (d) of Part 2 is the balance remaining after deducting the portion used in the current year and shown in column (f) of part 1.)

| 2a. Credit type | 2b. Period end date (mm/dd/yyyy) | 2c. Certificate number | 2d. Credit available or certificate balance | 2e. Reduction in balance for refund | 2f. Refundable credit taken (100% or 90%) |
|-----------------|----------------------------------|------------------------|---|-------------------------------------|---|
| FLMCRD | | 000000011 | \$10,000 | \$10,000 | \$9,000 |
| CNSLND | | 111000000 | \$1,000 | \$1,000 | \$1,000 |

The total of the amounts shown in column (f) are shown on the appropriate line of the taxpayer's return (Form 355, Tax Calculation, line 18, or Form 355S, line 21, schedule U-ST, line 43 or other applicable line item.)

Comprehensive example with taxpayers that receive credits from a lower tier partnership:

In the example below, the taxpayer is a partnership with a Federal ID number of 987654321 filing a return for the taxable year ending 12/31/2016 and has a Conservation Land Tax Credit of \$50,000 awarded in the current year. Partner A, B, and C respectively own 50%, 30%, 20% of the partnership. The partnership should file Part 1 of the Schedule CMS to reflect the claimed credit of \$50,000 and the pass-through of those credits to its partners via Part 1, column g.

Partnership's Part 1

| 1a. Credit type | 1b. Fill in if non-expiring | 1c. Period end date (mm/dd/yyyy) | 1d. Certificate number | 1e. Credit available or certificate balance | 1f. Credit taken this year | 1g. Credit shared this year |
|-----------------|-----------------------------|----------------------------------|------------------------|---|----------------------------|-----------------------------|
| CNSLND | | | 22222222 | \$50,000 | | \$50,000 |

Partner A is a C-Corporation that applies \$5,000 of the credit against its excise and claims a refund for the remaining portion of the credit. Partner A completes Part 3 to reflect the receipt of the lower tier credits and fills in Part 3, column 3g to reflect the application of the \$5,000 against its excise. Partner A also completes Part 4 to identify the refundable balance of the credit (originating from a lower tier) being available and the amount refunded.

Partner A's Part 3

| 3a. Federal ID number of credit source | 3b. Credit type | 3c. Fill in if non-expiring | 3d. Period end date (mm/dd/yyyy) | 3e. Certificate number | 3f. Credit received | 3g. Credit taken this year | 3h. Credit shared this year |
|--|-----------------|-----------------------------|----------------------------------|------------------------|---------------------|----------------------------|-----------------------------|
| 987654321 | CNSLND | | | 22222222 | \$25,000 | \$5,000 | |

Partner A's Part 4

| 4a. Federal ID number of credit source | 4b. Credit type | 4c. Period end date (mm/dd/yyyy) | 4d. Certificate number | 4e. Credit available or certificate balance | 4f. Reduction in balance for refund | 4g. Refundable credit taken (100% or 90%) |
|--|-----------------|----------------------------------|------------------------|---|-------------------------------------|---|
| 987654321 | CNSLND | | 222222222 | \$20,000 | \$20,000 | \$20,000 |

Partner B is an S-Corporation with a Federal ID number of 888888888 that elects to pass-through its distributive share of the Conservation Land Tax Credit to its shareholders. Partner B completes Part 3 to claim the credit it received from the lower tier partnership and also completes Part 3, column 3h to reflect the distribution of those credits to its shareholders. Partner B has three shareholders that each own one-third of the ownership interests in the S-Corporation.

Partner B's Part 3

| 3a. Federal ID number of credit source | 3b. Credit type | 3c. Fill in if non-expiring | 3d. Period end date (mm/dd/yyyy) | 3e. Certificate number | 3f. Credit received | 3g. Credit taken this year | 3h. Credit shared this year |
|--|-----------------|-----------------------------|----------------------------------|------------------------|---------------------|----------------------------|-----------------------------|
| 987654321 | CNSLND | | | 222222222 | \$15,000 | | \$15,000 |

All three shareholders utilize their distributive share of credits and fill in Part 3 accordingly.

Shareholder X, Y, Z's Part 3

| 3a. Federal ID number of credit source | 3b. Credit type | 3c. Fill in if non-expiring | 3d. Period end date (mm/dd/yyyy) | 3e. Certificate number | 3f. Credit received | 3g. Credit taken this year | 3h. Credit shared this year |
|--|-----------------|-----------------------------|----------------------------------|------------------------|---------------------|----------------------------|-----------------------------|
| 888888888 | CNSLND | | | 222222222 | \$5,000 | \$5,000 | |

Finally, Partner C is a C-Corporation that is part of a Unitary Group that files in Massachusetts. Partner A and B are not part of this unitary group. Partner C will be applying its distributive share of the Conservation Land Tax Credit against its excise. Partner C also received a distributive share of Low-Income Housing Credit from another lower tier partnership with a Federal ID number of 555555555. Partner C will be allowing affiliates to use this credit under the sharing rules and will report the shared credit in Part 3, column h.

Partner C's Part 3

| 3a. Federal ID number of credit source | 3b. Credit type | 3c. Fill in if non-expiring | 3d. Period end date (mm/dd/yyyy) | 3e. Certificate number | 3f. Credit received | 3g. Credit taken this year | 3h. Credit shared this year |
|--|-----------------|-----------------------------|----------------------------------|------------------------|---------------------|----------------------------|-----------------------------|
| 987654321 | CNSLND | | | 222222222 | \$10,000 | \$10,000 | |
| 555555555 | LOWINC | | | 333333333 | \$5,000 | | \$5,000 |

Example illustrating the application of Residential Property credits to individual taxpayers:

The Credit Manager Schedule will now also be used by individual taxpayers for certain credits. In the example below, the taxpayer is an individual with a Federal ID number of 333333333 filing a return for the taxable year ending 12/31/2016 and has an available Septic Credit of \$8,000 in the current year. Since this is the first year the taxpayer is claiming the Septic Credit, the individual taxpayer must also enclose a Schedule SC. The individual should file Part 1 of the Schedule CMS to reflect a claimed credit of \$1,500 (Schedule SC, Line 13).

Individual taxpayer's Part 1

| 1a. Credit type | 1b. Fill in if non-expiring | 1c. Period end date (mm/dd/yyyy) | 1d. Certificate number | 1e. Credit available or certificate balance | 1f. Credit taken this year | 1g. Credit shared this year |
|-----------------|-----------------------------|----------------------------------|------------------------|---|----------------------------|-----------------------------|
| SEPTIC | | 12/31/2016 | | \$8,000 | \$1,500 | |
| | | | | | \$1,500 | |