FORM BC – 1040

CITY OF BATTLE CREEK

PARTNERSHIP RETURN INSTRUCTIONS

FILING DATE: Calendar year return must be filed by April 30th,

Fiscal year within 4 months after the end of their fiscal year

REMITTANCE: Make check payable to: City Treasurer

Please submit with your BC-1040

MAILING: Mail your return with remittance, and all

supporting documents attached

MAIL RETURNS TO: CITY INCOME TAX DIVISION, P O BOX 1657, BATTLE CREEK, MI 49016-1657

FORMS ARE AVAILABLE AT:http://www.battlecreekmi.gov/403/Income-Tax-Forms

INSTRUCTIONS FOR FORM BC-1065

PARTNERHIPS REQIRED TO FILE A RETURN

Every partnership that conducted business activity in the City of Battle Creek whether or not an office or place of business was maintained in the city is required to file an annual return. Syndicates, joint ventures, pools and like organizations will also use Form BC-1065.

FILING DATE

Calendar year taxpayers must file by April 30th. Fiscal year taxpayers must file within four (4) months after the end of their fiscal year.

OPTION TO PAY TAX AND APPLICABLE TAX RATES

The partnership may elect to file an information return or to compute and pay the tax due with respect to each partner's share of the net profits of the business. The partnership may pay the tax for partners only if it pays for ALL partners subject to tax. Effective 1/1/65, the income tax rate is 1.0% for corporations, 1.0% for residents and .005% for nonresidents.

REMITTANCE AND FORMS

Partnerships electing to pay the tax for all partners must remit the tax when filing the return. Make check or money order payable to: City of Battle Creek

Mail to: City of Battle Creek, P O Box 1657, Battle Creek MI 49016-1657.

Forms are available on our web site at:

http://www.battlecreekmi.gov/403/Income-Tax-Forms

PARTNERSHIP AS TAXPAYER

If the partnership elects to pay the tax for the partners, the individual partners are not required to file a return if such partners have no other income subject to tax. However, an individual return is required from any partner having taxable income other than his distributive share of the net profits of the partnership. In such instances, a partner who is required to file an individual return should refer to the instructions for such return.

Partnerships electing to pay the tax on behalf of the partners assume the status of a taxpayer to the following extent: (1) timely payment must be made; and (2) a Declaration of Estimate Income Tax, Form BC-1040ES, is required if the total estimated tax for the partnership is expected to exceed $100.00. The calendar or fiscal year of the partnership will govern in establishing the dates for filing the declaration and paying the estimated tax.

Partnerships electing to become the taxpayer should start preparation of the return on pg 2 with Schedules A and B. If the partnership is subject to allocation of business income, Schedule D should be completed next. Schedule C is then completed to determine each partner's share of business and non-business income. A partnership with rental real estate must complete Schedule E. Page 1 is to be totally completed.

PARTNERSHIPS FILING AN INFORMATION RETURN

Partnerships filing information returns are required to complete: pg 2: Schedules A, B, C and if appropriate Schedules D and E; and pg 1: Identification and information section and column 1.

The Partnership Return, Form BC-1065, is designed to distinguish between that income taxed to residents, nonresidents and corporations. The purpose of the return is to set forth the entire net profit for the period covered and to show the distributive share of each partner, indicating those who are residents of Battle Creek, nonresidents or corporations. At any time during the year if residency changes use two lines to indicate allocation of income by residency status in all schedules where applicable.

Ordinary business income of the partnership is reported in Schedule A. This ordinary business income is transferred to Schedule C, column 1, by showing the amount of ordinary income distributable to each partner.

Non-business income that may be taxable is reported in Schedule B, by type of income. The taxable portion for resident, nonresident and corporate partners is determined in this schedule in columns 2 through 5. The taxable non-business income is then transferred to Schedule C by showing the amounts applicable to the individual partners.

Column 1, on pg 1, is the final summary transferred from Schedule C, column 7.

RESIDENT PARTNERS are taxed on their entire distributive share of the net profits of the partnership, including that arising from business activities outside of Battle Creek, interest, dividends, rents, royalties, other income, and gains from the sale or exchange of property, either tangible or intangible, regardless of where such property was located.

NONRESIDENT PARTNERS are taxed on their distributive share of the partnership's ordinary business income which is attributable to business activity in Battle Creek, plus net rentals of tangible property in the City and gains for the sale or exchange of tangible property in the City.

Nonresidents are not taxed on their share of net rentals on property located outside the City, gains from the sale or exchange of tangible property located outside the City, gains

from the sale or exchange of securities or other intangible property, or on interest and dividends.

When the receipt of interest and other intangible income is directly related to the nature of the business, such interest, ect, shall be considered business income taxable to nonresidents, and is to be included in the ordinary business income reported in Schedule A, line 1.

CORPORATION PARTNERS are taxes on their distributive share of the partnership's ordinary business income attributable to business activity in Battle Creek, plus net rentals of tangible property in the City and gains from the sale or exchange of tangible property in the City. Corporations are not taxed on: their share of net rentals of property located outside the City; or gains from the sale or exchange of tangible property located outside the City.

PAGE 1 INSTRUCTION

Column 1. The amounts to be inserted in column 1, pg 1, are transferred from Schedule C on pg 2 of the return. If this return is an information return, the remaining columns, 2 through 6, on pg 1 need not be completed. However, if the partnership elects to pay the tax, columns 2 through 6 must be completed.

Column 2. Allowable individual partner deductions which relate to the partnership are deducted in column 2. Theses deductions include net operating loss carryover. This column is also used to adjust for a net capital loss realized by any of the partners, in excess of the partner's maximum allowable $3,000.00 capital loss deduction. Therefore, a net capital loss realized by any of the partners, in excess of the partner's allowable capital loss deduction must be added back in column 2, pg 1. The allowable capital loss deduction of each partner is the less of (1) the net capital loss, (2) the amount in column 1, pg 1, computed without regard to capital gains and losses, or (3) $3,000.00. Capital gains and losses, and net operating loss carryovers are to be handled in the same manner as provided in the Federal Internal Revenue Code. Nonresident's partners must allocate net operating losses to Battle Creek at the percentage of business conducted in Battle Creek in the year in which the loss was sustained. ATTACH A SCHEDULE DETAILING COMPUTATION OF AMOUNTS REPORTED IN COLUMN 2.

Column 3. Exemption for 2004 forward is $750.00. An exemption is allowed for each partner who is an individual, the partner's spouse and dependents. Additional exemptions are allowed if the taxpayer or spouse is 65 years of age or older by December 31st of the filing or disabled. If you claim this exemption, you may not claim an additional exemption for totally and permanently disabled. However if you are, blind, deaf, hemiplegic, or quadriplegic you may claim and additional exemption. In general, the same rules apply in determining dependents as under the Federal Internal Revenue Code. A spouse may be taken as an exemption on the partnership return only if such spouse has no income subject to Battle Creek income tax. Exemptions for a partner whose residence status has changed from a resident to a nonresident or form a nonresident to a resident of Battle Creek during the taxable year are first applied against income while a resident, with the balance, if any, applied to Battle Creek income while a nonresident. A partner's personal and dependency exemptions may not be claimed on more than one partnership return. Exemptions are not allowed to other persons who are partners (e.i., corporations who are partners, partnerships who are partners, ect.).

Column 6. In column 6 enter payments made by the partnership: tax paid with a tentative return: payments on Declaration of Estimated Income Tax; or any credits for income taxes paid to any other municipality by the partnership on behalf of Battle Creek resident partners, if the income on which such tax was levied is included in this return. DO NOT take a credit for income taxes paid to any other municipality on behalf of nonresident's partners. The credit for tax paid to any other city shall be the lesser of: (1) the income tax paid the other municipality for Battle Creek resident partner, or (2) 0.005% of an amount obtained by deducting the amount for exemptions claimed for Battle Creek resident partners, on pg 1, column 3, of this return from the gross amount of income of Battle Creek resident partners subject to tax by such other city. All credits in column 6 are to be distributed on lines 8a, b and c, and totaled on line 9. The total on line 9 must agree with the total of column 6.

COMPUTATION AND PAYMENT OF TAX line 10. If tax due (line 7) is greater than the total tax payments (line 9) subtract line 9 from line 7 and enter tax due. Tax due must be paid when filing the return. To pay with a check or money order make payable to Battle Creek City Treasure and mail with return.

To make a payment via direct withdrawal from your bank account, fill in the information on pg 4. Enter and complete the electronic funds withdrawal effective date, bank routing number, bank account number and account type. Mail your complete return to the address provided under remittance and forms.

OVERPAYEMT OF TAX

Line 11. If the total tax payments (line 9) is greater than tax due (line 7) subtract line 7 from line 9 and enter the amount of your overpayment to be refunded. A refund will be issued via paper check unless you choose to get the refund via direct deposit by filing in pg 4. Enter and complete the electronic refund information, bank routing number, bank account number and account type.

Line 12. Enter all or the portion of the overpayment to be credited forward.

Page 2 INSTRUCTIONS

SCHEDULE A – ALLOCABLE BUSINESS INCOME

Schedule A is used to report ordinary business income of the partnership. Ordinary business income of Schedule A is transferred to Schedule C, column 1. Schedule C is used to determine the amount of ordinary business income subject to the Battle Creek tax. Non-business income is reported in Schedule B. The taxable portion of non-business income is transferred to Schedule C. Instructions for Schedules B and C indicate how amounts transferred from Schedules A and B are allocated to the individual partners.

SCHEDULE B – NON-BUSINESS INCOME AND EXCLUSIONS

Schedule B is used to allocate the total non-business income of the partnership between resident partners and nonresident partners. After determining the total taxable income for resident and nonresident partners, the totals are transferred to Schedule C, wherein an analysis is made to determine the amount of non-business income distributable to each individual partner. Therefore, compute the total amount of distributable non-business income, by type of income, and enter these amounts on the proper lines of Schedule B, column 1. For each category of non-business income, use columns 2 and 3 to show the resident partners' excludable and taxable portion, and use columns 4 and 5 to show the nonresident partners' excludable and taxable portion. The total of columns 2 through 5 must equal the total of column 1.

INTEREST AND DIVIDENDS – In column 1, line 1, and report total partnership non-business interest income. In column 1, line 2, report total partnership income from dividends. The interest and dividends reported on line 1 and 2, column 1, are to be apportioned between resident partners (columns 2 and 3) and nonresident partners (columns 4 and 5). Resident partners exclude in column 2 the total nontaxable interest form obligations of the United States, the States or of subordinate units of government of the States. Interest and dividend income is not taxable to nonresidents.

SALE OR EXCHANGE OF PROPERTY – Report in column 1, lines 3, 4, and 5, the total taxable net gain or loss form sales and exchanges of property, short-term and Section 1231, respectively. Gains or losses on the sale of obligations of the United States or attributable to the period prior to July 1, 1967 are excluded. The nonresident excludable portion also includes that portion of the gain (or loss) which arose from the sale or exchange of intangible assets, and of tangible property located outside Battle Creek. The taxable nonresident partners' portion in column 5 will be the gain (or loss) attributable to the period after July 1, 1967 from the sale or exchange of tangible real and personal property located in Battle Creek.

RENTS AND ROYALTIES – Report in column 1 line 6, 7 and 8 the total net income or loss from all rents and royalties. The resident partners; portion of rents and royalties is taxable. Non-resident and corporate partners exclude net income or loss from rents, and royalties attributable to property located OUTSIDE Battle Creek.

OTHER INCOME – Report in column 1, line 9, and all other partnership income.

TOTAL NON-BUSINESS INCOME – Enter on line 10 the totals for each column in Schedule B. After transferring the amounts form columns 3 and 5 of Schedule B to Schedule C, the total of Schedule C, column 6a, (taxable resident partners' non-business income) must equal the total of Schedule B, column 3, and total of Schedule C, column 6b, (taxable nonresident partners' non-business income) must equal the total of Schedule B, column 5.

SCHEDULE C – DISTRIBUTION TO PARTNERS

The totals of columns 1, 6a, 6b of Schedule C, showing the distribution to individual partners of ordinary and non-business income, must agree with the totals transferred from Schedule A and B.

Column 1. Enter in column 1 the individual partner's share of business income from Schedule A, line 5. If Sec. 179 depreciation is in included in Schedule A and the partners have unequal credits for such additional depreciation (e.g., if one partner is single and one is married filing jointly for federal income tax purposes), the apportionment of income to partners in this column will require a special computation.

Column 7. Transfer the amount of each individual partner's share shown in column 7, Schedule C to column 1, pg 1 of the return.

SCHEDULE D – BUSINESS ALLOCATION PERCENTAGE

The business allocation percentage is to be applied to the distributive share of business income of CORPORATE AND NON-RESIDENT partners if business activity of the partnership is conducted both within and outside the City of Battle Creek.

Line 1a. Enter in column 1 the average net book value of all real and tangible personal property owned by the business, regardless of location; and in column 2 shows the net book value of the real and tangible personal property owned and located or used in the City of Battle Creek. The average net book value of real and tangible person property may be

determined by adding the net book values of the beginning and end of the year and dividing the sum thus obtained by two.

Line 1b. Enter in column 1 the gross annual rent multiplied by 8 for all rented real property regardless of location. In column 2 show the gross annual rent multiplied by 8 for rented real property located in the City of Battle Creek. Gross annual rent refers to real property only, rented or leased during the taxable period, and should include the actual sums of money or other consideration payable, directly or indirectly, by the taxpayer for the use or possession of such property.

Line 2. Enter in column 1 the total compensation paid to all employees during the year and in column 2 show the amount of compensation paid to employees for work or services performed within the City of Battle Creek.

Line 3. Enter in column 1 the total gross revenue from all sales or services rendered during the year, and in column 2 show the amount of revenue derived from sales made or services rendered in the City of Battle Creek during the year. If there is no regularly maintained sales force outside the City, this allocation factor must be 100% for business with no other business activity outside the City.

Page 3 INSTRUCTIONS

THIRD PARTY DESIGNEE

If the “Yes” box is marked, the partnership is authorizing Battle Creek Income Tax Department to call the preparer to answer any questions that may arise during the processing of its return. The partnership is also authorizing the preparer: to give the Department any information about the processing of the return or the status of any related refund or payments; and to respond to certain notices that the partnership has shared with the preparer about math errors, offsets and return preparation.

NOTICE

These instructions are interpretations of the City of Battle Creek Income Tax Ordinance. The ordinance will prevail in any disagreement between the instructions and the ordinance.