



NET OPERATING LOSS (NOL) DEDUCTION - Instructions

WHEN TO USE FORM DP-132

Use this form to detail the NOL carryforward amounts that comprise the current taxable period NOL deduction taken on Form NH-1040, NH-1041, NH-1065 or NH-1120. This form must be attached to the New Hampshire tax return for the taxable period the NOL deduction is claimed.

WHEN TO USE FORM DP-132-WE

Use Form DP-132-WE to detail the NOL carryforward amounts that comprise the current taxable period NOL deduction taken on NH-1120-WE. NOTE: This worksheet is applicable when the combined group members are the same in all taxable periods. See Rev 303.03. If there are two or more New Hampshire nexus members of the combined group, attach additional Forms DP-132-WE.

NAME AND TAXPAYER IDENTIFICATION NUMBER

Enter the Business Organization's name and Taxpayer Identification Number [Social Security Number (SSN), Federal Employer Identification Number (FEIN), or Department Identification Number (DIN)] in the spaces provided.

For the purpose of administering any state tax as allowed under 42 U.S.C. Section 405, the Commissioner of the Department of Revenue Administration is authorized to require the submission of an SSN, FEIN, or any other identifying number used in filing or preparing federal tax returns by individuals, businesses, or return preparers. (See RSA 21-J:27-a; N.H. Code of Admin. Rules, Rev 2903.02(c); and 42 U.S.C. Section 405(c)(2)(C)(i)). Where SSNs or FEINs are required, taxpayers who have been issued a DIN shall use their DIN only, and not their SSN or FEIN.

Enter the beginning and ending dates of the taxable period if different from the calendar year.

Column (A)

Enter the month, day, and year (MMDDYYYY) of each taxable period from which the NOL is being carried forward.

Column (B)

Enter the amount of the NOL that is available for carryforward purposes.

Combined groups DP-132-WE: If there is more than one New Hampshire nexus member in the combined group, then the carryforward loss must be allocated in accordance with the N.H. Code of Admin. Rules, Rev. 303.03 for that tax period.

The apportioned loss cannot exceed the following limits based on the tax period in which the loss was incurred. For taxable periods ending:

From July 1, 2005 to December 31, 2012 the maximum amount that may be carried forward is \$1,000,000.

For taxable periods ending on or after January 1, 2013, the maximum amount that may be carried forward is \$10,000,000.

Column (C)

Enter the NOL amount that was claimed as a deduction in the prior taxable period(s).

Column (D)

Enter only those amounts that will be claimed as a deduction this taxable period.

Column (E)

Enter the excess amount(s) available for future deduction.

N.H. Code of Admin. Rules, Rev 303.03 of the New Hampshire Business Profits Tax includes guidance on how to compute the NOL. The RSAs and administrative rules regarding NOL provisions (RSA 77-A:4, XIII and Rev 303.03) may be obtained from our website at www.revenue.nh.gov or by visiting any New Hampshire Depository Library or the New Hampshire State Library, 20 Park Street, Concord, NH 03301, where copies may be made for a fee.



WORKSHEET FOR APPORTIONMENT OF NET OPERATING LOSS (NOL)

(SEE RSA 77-A:4, XIII)

LINE 1

Enter this tax period's NOL as defined in the United States Income Tax Regulations relative to IRC § 172 in effect pursuant to RSA 77-A:4, XIII. If a gain or zero, **DO NOT** use this worksheet. (Business organizations not qualifying for treatment as a Subchapter "C" Corporation under the IRC should calculate their NOL as if the business organization were a Subchapter "C" Corporation). The line references for each tax year are listed below for your reference. Use the line reference that correspond with the tax year for which this form is being used.

LINE 2

Enter the current tax period's New Hampshire apportionment percentage from Form DP-80, Line 5, expressed to six decimal places.

LINE 3

Enter the amount of Line 1 multiplied by Line 2.

LINE 4

For taxable periods ending from July 1, 2005 to December 31, 2012, \$1,000,000 is the maximum amount that may be carried forward each year.

For taxable periods ending on or after January 1, 2013 forward, \$10,000,000 is the maximum amount that may be carried forward each year.

LINE 5

Enter the lesser of Line 3 or Line 4. This is your New Hampshire NOL available from the current tax period for carryforward. Enter this amount on Form DP-132 or DP-132-WE, Column B.

COMBINED FILERS: Rev 303.03(d) states, with regard to NOLs for combined filers, that each business organization subject to RSA 77-A shall treat its apportioned share of the combined loss amount as a tax attribute that remains with that business organization. The individual member's net operating loss, pursuant to RSA 77-A:4, XIII applied to the individual member's allocated portion of the BPT liability, should be tracked in the event of an individual member's disposition or acquisition.

Business Organization Name

Taxpayer Identification Number

For the CALENDAR year **2020**
or other taxable period beginning:

MMDDYYYY

and ending: MMDDYYYY

1 The amount of the current period NOL (See entity type line references below) 1

	<u>July 1, 2005 - Tax Year 2010</u>	<u>Tax Year 2011</u>	<u>Tax Year 2012 - Present</u>
Proprietorship:	Line 6 of NH-1040	Line 3 adjusted by Line 4 of NH-1040	Line 5 of NH-1040
Fiduciary:	Line 6 of NH-1041	Line 3 adjusted by Line 4 of NH-1041	Line 5 of NH-1041
Partnership:	Line 5 of NH-1065	Line 3 adjusted by Line 4 of NH-1065	Line 5 of NH-1065
Corporation:	Line 1(c) of NH-1120	Line 3 adjusted by Line 4 of NH-1120	Line 5 of NH-1120
Combined:	Line 1(c) of NH-1120-WE	Line 11(c) of NH-1120-WE	Line 11(c) of NH-1120-WE

2 Current period apportionment percentage from Form DP-80, expressed to six decimal places 2

3 Apportionment limitations (Line 1 multiplied by Line 2) 3

4 Statutory limitations (See instructions above) 4

5 New Hampshire NOL available for carryforward (the lesser amount of Line 3 or Line 4) 5