TAX TOPIC

Credit for Taxes Paid to Other Jurisdictions (Business/Nonwage Income)

Bulletin GIT-3B

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Introduction

A resident taxpayer of New Jersey, which includes an individual, estate, or trust, who paid income tax both to New Jersey and to another jurisdiction outside of New Jersey on the same income for the same tax year, may be eligible for a credit against the income tax owed to New Jersey. See N.J.S.A. 54A: 4-1 and N.J.A.C. 18:35-4.1. This bulletin explains when a taxpayer is eligible to claim a credit for taxes paid to another jurisdiction and describes how to calculate the amount of the credit.

Throughout this bulletin are explanations of important concepts and terminology to help determine what income is includible in the credit calculation and how to properly calculate any credit(s) a resident is eligible for. Special attention has been given to calculating the credit on income other than wages (e.g., S corporation income, income from a partnership or sole proprietorship, capital gain/loss, etc.), and how New Jersey adjustments and/or adjustments required by the other jurisdiction affect the credit calculation. The examples provided illustrate how the tax credit is determined in both simple and complex situations. See *List of Examples* on page 12.

A companion publication, Tax Topic Bulletin GIT-3W, *Credit for Taxes Paid to Other Jurisdictions (Wage Income),* contains examples of how the tax credit is calculated on wage income.

All New Jersey tax calculations shown in the examples use figures from the tax tables or tax rate schedules contained in the 2001 New Jersey resident return instruction booklet (Form

NJ-1040-P). Additional explanations and instructions for completing Schedule A of Form NJ-1040 can also be found in the instruction booklet.

Important Change: Taxpayers claiming the New Jersey pension exclusion and/or the other retirement income exclusion should take special notice of the instructions for completing Line 2, Schedule A (Income subject to tax by New Jersey). See *Income Taxed by New Jersey* on page 7 and example 1.

Purpose of the Credit

The purpose of the credit is to minimize double taxation of income that is actually taxed by other jurisdictions. A credit reduces the taxpayer's New Jersey income tax; ***it does not necessarily entitle the taxpayer to a dollar-for-dollar credit for the total amount of taxes paid to the other jurisdiction***. The credit represents the amount of New Jersey income tax that would have been imposed if the income earned in the other jurisdiction had been earned in New Jersey, *or* the amount of tax actually paid to the other jurisdiction, *whichever is less.*

While the purpose of the credit is to minimize double taxation of income that is actually taxed by other jurisdictions, there are statutory limitations:

1. The income must have been taxed, in the same tax year, by *both* New Jersey and another qualified jurisdiction (see *Jurisdiction* on page 4); *and*
2. The credit cannot exceed the proportional credit limitation. See *Proportional Credit Limitation Formula* on page 3.

How to Claim the Credit

To claim credit for taxes paid to another jurisdiction the taxpayer must:

1. Complete New Jersey Schedule A in its entirety. **A separate Schedule A must be completed for each jurisdiction for which the taxpayer is claiming a credit* and for each tax imposed by the same jurisdiction.** (The fiduciary of a resident estate or trust must complete Schedule E, Form NJ-1041 to claim the credit.)

***NOTE:** A city tax imposed in addition to the state tax requires a separate Schedule A if the city and the state taxed different amounts of income. See *Income Subject to Tax by More Than One Jurisdiction Within One State* on page 5.

2. If the taxpayer is eligible to receive a property tax deduction or credit, Worksheet F must be completed to determine whether a greater benefit is obtained from the property tax deduction or the property tax credit.
3. Enclose Schedule A(s) with the NJ-1040 income tax return.

Returns of the Other Jurisdiction(s)

New Jersey no longer requires that a copy of the income tax return(s) filed with the other jurisdiction(s) be enclosed with Form NJ-1040 or Form NJ-1041. However, taxpayers should retain complete copies of any returns filed with other jurisdiction(s). If a return is audited, the taxpayer will be asked to provide:

a) A complete copy of the income tax return(s) filed with the other jurisdiction(s) — if one was filed or required to be filed. If the tax-

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payer filed electronically in the other jurisdiction, a copy of the Electronic Filing Income Tax Return *along with* schedules, worksheets, etc. which establish the nature and source of the income being taxed by the other jurisdiction must be submitted.

b) If the taxpayer participated in a composite return filed in another jurisdiction, a statement, on the filing entity's letterhead, must be submitted that lists the jurisdiction, the taxpayer's share of the gross income taxed by the other jurisdiction, and the taxpayer's share of the tax paid.

c) If the taxpayer was **not** required to file a return with the other jurisdiction, the following must be submitted as applicable:

- W-2 which lists the wage taxes paid and the name of the taxing jurisdiction.
- A statement from the business entity which filed a tax return based on income that lists the taxpayer's share of the gross income taxed by the other jurisdiction, the name of the tax, and the taxpayer's share of the tax paid (e.g., Philadelphia Net Profits Tax, New York City Unincorporated Business Tax).

Proportional Credit Limitation Formula

The credit a taxpayer is allowed is limited to the *lesser* of the proportional credit limitation amount or the actual tax paid to the other jurisdiction. The "proportional credit limitation amount" represents the amount of New Jersey income tax that would have been imposed if the income earned in the other jurisdiction had been earned in New Jersey.

Generally, if the other jurisdiction's effective tax rate is higher than New Jersey's, the credit will be limited to the proportional credit limitation amount. If the other jurisdiction's effective tax rate is lower than New Jersey's, the credit will be limited to the actual tax paid to the other jurisdiction.

The proportional credit limitation amount (PCL) is calculated by dividing the income actually taxed by both New Jersey and the other jurisdiction (a), by the income subject to tax by New Jersey (b), and applying the resulting percentage to the tax calculated on the total New Jersey taxable income (c). The formula is:

$$\frac{a}{b} \times c = PCL$$

The proportional credit limitation amount is then compared to the actual tax paid to the other jurisdiction. The credit allowed is the lesser of the two amounts. See examples 2 and 3.

In situations where a state and a city within that state both impose a tax on the same income that New Jersey taxes, one credit calculation is done. The tax paid to both jurisdictions is added together before the comparison with the proportional credit limitation amount is made.

In situations where one jurisdiction (e.g., Philadelphia) taxes different types of income (e.g., wages and business income) at different tax rates, separate Schedule A credit calculations must be made for each type of income. For each calculation, the actual tax paid on that income is compared to the corresponding proportional credit limitation amount to determine the credit allowed. The total of the credits allowed is then claimed on the New Jersey return.

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In situations where different jurisdictions tax different income (e.g., taxpayer has wages from Delaware and wages from New York State or wages from Delaware and gain from the sale of land in Maryland), a separate Schedule A must be completed for each jurisdiction.

In situations where several jurisdictions tax income of the same type (e.g., partnership income), separate Schedule A credit calculations must be made for each jurisdiction, starting with the jurisdiction with the highest tax rate. See example 4.

Components of the Credit Calculation

Before a credit for taxes paid to another jurisdiction(s) can be calculated, the taxpayer must understand the components of the credit calculation and how to determine each of those components for each jurisdiction and each tax for which a credit is being claimed. The taxpayer must determine:

- What constitutes a *jurisdiction*
- Income *actually taxed* by the other jurisdiction
- Income *properly taxed* by another jurisdiction
- Income actually taxed by both New Jersey and the other jurisdiction
- Income taxed by New Jersey
- *Actual tax paid* to the other jurisdiction

Jurisdiction

For purposes of determining the credit, jurisdiction means any state of the United States other than New Jersey; a political subdivision of any state other than New Jersey, such as a city or a municipality; or the District of Columbia. A jurisdiction does ***not*** include the U.S. Government, Canada, Puerto Rico, or any foreign country or territory. Therefore, no credit is allowed for taxes paid to the U.S. Government, Canada, Puerto Rico, or to any other foreign country or territory.

For example, a taxpayer who lives in New Jersey and works in Delaware may be eligible to claim a credit on the New Jersey resident return for taxes paid to Delaware on the wages earned there because Delaware is considered "another jurisdiction." However, a New Jersey resident who pays tax to Canada on income earned in that country is not eligible to claim a credit because a foreign country is not considered "another jurisdiction" for purposes of the credit.

Income Actually Taxed by Another Jurisdiction

In general, the income actually taxed by another jurisdiction is the gross income sourced to the other jurisdiction, after adjustments allowed by the other jurisdiction have been made but before deducting personal exemptions and standard or itemized deductions.

Income Sourced to Another Jurisdiction v. "Worldwide Income"

Some states require nonresidents to determine the actual amount of tax due by first calculating a *base tax* on the taxpayer's total income from all sources ("worldwide income") as if the taxpayer were a resident of that state, and then multiplying the base tax by the percentage obtained from dividing the amount of income sourced to the other state by total (worldwide) income.

Although this method of tax calculation may result in a higher tax liability in the other jurisdiction for the nonresident, it does not increase the

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amount of income *subject to tax* by the other jurisdiction. Only the income sourced to that state, and not "worldwide income," is actually taxed by the other jurisdiction. See example 5.

As the New Jersey Tax Court stated in *Chin v. Director,* 14 NJ Tax 304 (Tax Ct. 1994): "It is clear that the use of the plaintiff's non-New York income in determining the tax rate to be imposed on his spouse's New York source income did not constitute taxation of that non-New York income. Accordingly, the Director properly excluded the non-New York income from the numerator of the resident credit fraction because it was not subject to tax in New York…."

The worldwide income is used to determine the tax rate to be imposed on the income sourced to the state, but is not actually taxed. Thus, only income actually sourced to the other state may be included in the numerator. See *Chin v. Director*.

Income Allocations Allowed by the Other Jurisdiction

A jurisdiction may allow income to be allocated when it is earned partly inside and partly outside the state. For example, wages and compensation may be allocated using a ratio of days worked in the state over days worked everywhere. Since the allocation of time worked in the state reduces the wage income taxed by the other jurisdiction, it must be taken into consideration when determining the income actually taxed by the other jurisdiction.

Adjustments (Deductions) Allowed by the Other Jurisdiction

A jurisdiction may allow subtractions or deductions from income to determine the income actually taxed by that jurisdiction. For example, items such as IRA contributions, employee business expenses, and moving expenses may be allowed as deductions from wages. Because those deductions reduce the wage income taxed by the other jurisdiction, they must be taken into consideration when determining the income actually taxed by the other jurisdiction. See examples 6, 7, 8, 9, and 10.*

Income Subject to Tax by More Than One Jurisdiction Within One State

Income can be reported only once on Schedule A. When the same income is taxed by one or more jurisdictions within the same state and the amount of income taxed by each jurisdiction is the same, one credit calculation on Schedule A is done. When the same income is taxed by one or more jurisdictions within the same state and the amount of income taxed by each jurisdiction differs, separate Schedule A calculations must be made. One credit is based on the amount of income taxed by all the jurisdictions and the other credit is based on the difference ("excess income") between the amounts taxed by each jurisdiction.

For example, gross wages after adjustments of $9,000 were earned in and taxed by a state. However, gross wages of $15,000 were earned in and taxed by a city within that state. The amount of "excess income" is $6,000. In such case two credit calculations must be made. The first calculation determines the credit allowed on the amount of income taxed by all the jurisdictions ($9,000), the second calculation determines the credit allowed on the $6,000 of "excess income" (the difference between the amounts taxed by the two jurisdictions.) See example 11.

* See insert at end.

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Income Properly Taxed by Another Jurisdiction

Only income properly taxed by another jurisdiction is includible in the credit calculation.

Income Properly Taxed

In general, another jurisdiction may *properly tax* a nonresident's income from:

- Services rendered within that jurisdiction.
- Net profits from a business, trade, or profession carried on within that jurisdiction, including interest earned by the business, etc.
- A partnership or S corporation as allocated to that jurisdiction.
- Real or tangible personal property located in that jurisdiction.
- Gambling in that jurisdiction.
- Estate or trust distributions which were derived from any of the above types of income located, allocated, or rendered within that jurisdiction.

Income Not Properly Taxed

A nonresident's income from interest, dividends, or gains from intangible personal property which was *not* derived from a business, trade, or profession carried on in the other jurisdiction is *not properly taxable* by another jurisdiction. For example, interest on personal savings on deposit in a bank located in another jurisdiction is not properly taxable by the other jurisdiction. In addition, jurisdictions *cannot* tax a nonresident on most retirement benefits including distributions from deferred compensation plans (i.e., 401(k) plans, 457 plans) and individual retirement accounts.

A taxpayer who inadvertently reported and paid tax to another jurisdiction on income *not* properly taxable by that jurisdiction is not eligible for a credit on the New Jersey resident return for the tax paid on that income. The taxpayer should follow the other jurisdiction's procedures for requesting any refund due.

Dual State Residents

A taxpayer who is considered to be a tax resident of both New Jersey and another jurisdiction for the same period can claim a credit based on *all* income taxed on both the New Jersey and the other jurisdiction's resident return, *except* for S corporation income allocated to New Jersey, which is specifically not allowed under New Jersey Law N.J.S.A. 54A:4-1(c).

The New Jersey credit may only be taken if a similar credit was not taken on the other state's resident return.

Income Actually Taxed by Both NJ and Another Jurisdiction

Income Taxable in Another Jurisdiction Exempt From Tax in NJ

Income must be taxed by *both* New Jersey and the other jurisdiction to be included in the credit calculation. For example, unemployment compensation may be taxed by another jurisdiction but it is not taxable by New Jersey and cannot be included in the credit calculation.

Other Jurisdiction's Additions to Income

The other jurisdiction may require additions to income which are not required by New Jersey and therefore are not reported on the New Jersey return. For example, a depreciation adjustment might be added to the business income taxed by the other jurisdiction but if the adjustment is not

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required or reported on the New Jersey return it cannot be included in the credit calculation. See *Adjustments (Deductions) Allowed by the Other Jurisdiction* on page 5.

Income Taxed by New Jersey

Effective for tax year 2001, the amount to be used as the denominator of the credit calculation fraction at Schedule A, Line 3 is the income subject to tax by New Jersey, Line 2, Schedule A. A taxpayer enters on Line 2, Schedule A the amount reported on Line 29 (New Jersey Gross Income) of the New Jersey income tax resident return, Form NJ-1040. Line 29 is the total of all income reported on the New Jersey return less any New Jersey pension exclusion and other retirement income exclusion, but before exemptions and deductions. See example 1.

Actual Tax Paid to the Other Jurisdiction

The actual tax paid to the other jurisdiction is the amount of tax that is due after deducting all tax credits allowed by that jurisdiction (e.g., Child and Dependent Care, New Job, Research and Development), but before the deduction of any payments made by the taxpayer, whether made as withholdings, estimated payments, extension payments, or an overpayment from a prior year.

If the same income was taxed by both a state and a jurisdiction within that state, the actual tax paid is the total tax paid to the state plus the tax paid to the jurisdiction on that income.

Actual Tax Paid on Income Taxed by More Than One Jurisdiction in a State Outside NJ

When calculating a credit in situations where a state and one or more jurisdictions within the same state tax differing amounts of income, a separate Schedule A must be completed for each jurisdiction. The actual tax paid to the other jurisdiction(s) to be reported on each Schedule A must be the amount of tax paid to the other jurisdiction(s) on the amount of income reported on Line 1 of that Schedule A only. To prorate the tax paid to the other jurisdiction, divide the amount of income on Line 1 by the total amount of income taxed by that jurisdiction and apply the resulting percentage to the total tax paid to the other jurisdiction. See example 11.

Part-Year Residents

A part-year resident is anyone who meets the definition of New Jersey resident for only part of the tax year. (A part-year resident of New Jersey is also a part-year nonresident that year.) A part-year resident who is required to file a New Jersey resident income tax return must report on that return all the income received during the period of New Jersey residency, whether the income was from inside or outside New Jersey. (A part-year nonresident who received income from New Jersey sources during the period of nonresidency may also be required to file a part-year nonresident income tax return with New Jersey.)

For more information on the filing responsibilities of part-year residents and part-year nonresidents, refer to the instructions in the resident income tax return booklet (Form NJ-1040-P) and the nonresident income tax return booklet (Form NJ-1040NR-P), or request Tax Topic Bulletin GIT-6, *Part-year Residents.*

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A part-year resident who paid income tax both to New Jersey and to another jurisdiction outside New Jersey on income that is reported on the part-year resident return may be eligible to claim a credit for the taxes paid to the other jurisdiction. In order to qualify for the credit, the income upon which the credit is based must have been derived from the other jurisdiction during the period of time the taxpayer was a New Jersey resident, and must be actually and properly subject to tax in both the other jurisdiction and New Jersey. Part-year residents use the same criteria and methodology as full-year residents to determine the components of the credit calculation and the amount of the credit.

Estates and Trusts

A resident estate or trust with income from sources outside New Jersey that is subject to tax both by New Jersey and by another jurisdiction outside New Jersey for the same year may be eligible to claim a credit against its New Jersey income tax. The fiduciary of the estate or trust must apply the same principles as those prescribed for resident individuals to determine the components of the credit calculation and the amount of the credit. To receive the credit for the resident estate or trust, the fiduciary must complete Schedule E of Form NJ-1041. A copy of the fiduciary income tax return(s) filed with the other jurisdiction(s) should be retained and must be submitted to the Division of Taxation upon request. See examples 12 and 13.

S Corporation Income

If a taxpayer paid a tax based on income to another jurisdiction on S corporation income, and that income is also taxed in New Jersey in the same tax year, the taxpayer may be eligible for a credit for taxes paid to the other jurisdiction(s). If the other jurisdiction requires the taxpayer to report S corporation income (loss) in separate categories (e.g., as S corporation income, interest, gains), the separate amounts derived from the S corporation must be netted to determine the amount of income eligible for the credit. However, the income must actually be taxed by both New Jersey and the other jurisdiction. See example 14.

Income Not Eligible for a Credit

A credit is *not* allowed:

- For any tax imposed by another jurisdiction on S corporation income which is allocated to New Jersey. **Exception:** When an S corporation allocates 100% of its income to New Jersey and pays a tax based on or measured by income to another jurisdiction, for gross income tax purposes the income taxed by the other jurisdiction will be deemed to be S corporation income allocated outside of New Jersey. If the shareholder filed a personal income tax return, or participated in a composite return, with the other jurisdiction reporting and paying tax on the S corporation income, the taxpayer would be eligible for a credit for taxes paid to other jurisdictions.
- For any taxes paid or accrued on or measured by profits or income imposed on or paid on behalf of a person other than the taxpayer, whether or not the taxpayer may be held liable for the tax.
- If the New Jersey tax is attributable to distributions received and those distributions are taxable to the taxpayer as dividends or as gains from the disposition of property.

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Income Reported on a Composite Return

If a shareholder of an S corporation participated in one or more nonresident composite returns filed by the S corporation on behalf of its shareholders in other jurisdictions, a certified schedule from the S corporation specifying the taxpayer's share of S corporation income allocated to each state and the taxpayer's share of the tax paid to that state should be retained and must be submitted to the Division of Taxation upon request.

Income From a Partnership/ Sole Proprietorship

If a taxpayer is a partner in a partnership or is a sole proprietor of a business and has paid tax to another jurisdiction on the income derived from the partnership or business, the taxpayer may be eligible for a credit for the taxes paid to the other jurisdiction provided the same income is also taxed in New Jersey in the same tax year.

Since New Jersey does not tax partnerships directly, any taxes measured by profits or income which are paid to another jurisdiction by the partnership are deemed to have been paid by the individual partner based on that partner's ownership percentage and are eligible for the resident credit. A sole proprietor is also deemed to have paid any taxes measured by profits or income which are paid by the sole proprietorship. Examples of such taxes are the New York City Unincorporated Business Tax, Philadelphia Business Privilege Tax and Net Profits Tax. See examples 4, 15, 16, 17, and 18.

The sole proprietor or partner should retain copies of the documents listed below for each business entity. These documents must be submitted to the Division of Taxation upon request.

1. A copy of the tax return filed in the other jurisdiction by the sole proprietor or partnership; or
2. A statement on the partnership's letterhead listing the taxing jurisdiction, the name of the tax, the taxpayer's share of the gross income taxed by the other jurisdiction and the taxpayer's share of the tax paid.

NOTE: If the other jurisdiction imposes more than one tax on the business entity, a copy of each tax return or statement from the partnership, for each tax imposed, must be retained.

Income From New York

New Jersey residents who work in New York or earn other taxable income there are often taxed on an amount less than their actual New York source income as a result of the deductions allowed by New York. When calculating a credit for taxes paid to New York, only the income *actually taxed* by New York should be reflected in the computation. Because of New York's method of computing a nonresident taxpayer's tax, it is not possible to identify one particular line on the New York tax return which represents the income subject to tax in New York. Under no circumstances is the "worldwide income" col umn to be used in the credit calculation. See *Income Sourced to Another Jurisdiction v. "Worldwide Income"* on page 4.

Be sure to follow the New York State Nonresident Return (Form IT-203) instructions very carefully to ensure that the correct items and amounts of income are included in the New York State Amount column. If the New York IT-203 is completed correctly, the income (or loss) reported in the New York State Amount column

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will only include income earned from sources in that state and properly taxable to that state.

Items such as interest earned from a New York bank account or dividends paid by a New York corporation are not taxable in New York unless such income is from property employed in a trade, business, profession, or occupation carried on in that state.

Tax paid to New York City as Unincorporated Business Tax (UBT) is an income tax and is imposed on the same income as the individual proprietor's business or the individual partner's distributive share of the partnership's business income. The income taxed under the NYC Unincorporated Business Tax and also taxed by New Jersey can be included in the credit calculation. See example 11.

Income From Pennsylvania

As a result of the Reciprocal Personal Income Tax Agreement between the Commonwealth of Pennsylvania and the State of New Jersey, *wages, salaries, and other compensation* paid to New Jersey residents employed in Pennsylvania are not subject to Pennsylvania income tax. Thus, a New Jersey resident may not claim a credit for taxes paid to Pennsylvania on employee compensation because the earnings are not subject to tax in Pennsylvania.

When Pennsylvania tax is withheld from a New Jersey resident's wages in error, a Pennsylvania nonresident return must be filed to obtain a refund. To stop the withholding of Pennsylvania income tax, a New Jersey resident must complete a Pennsylvania Employee's Statement of Nonresidence in Pennsylvania and Authorization to Withhold Other State's Income Tax (Pennsylvania Form REV-420) and give it to their employer. This form can be obtained from the Pennsylvania Department of Revenue.

The Reciprocal Agreement covers employee compensation (wages, tips, fees, commissions, etc.) *only*. A New Jersey resident who is self-employed or who receives income other than wages (e.g., gain from sale of property) which is taxable in both states, may claim a credit for the taxes paid to Pennsylvania on that income. In no case will a credit be allowed for taxes paid in error to Pennsylvania on employee compensation. See example 19.

Income From Pennsylvania Municipalities

The New Jersey/Pennsylvania Reciprocal Agreement does not apply to the income or wage tax imposed and collected by the City of Philadelphia or any other municipality in Pennsylvania. Therefore, income subject to both New Jersey income tax and the wage or income tax imposed by a Pennsylvania municipality may be included in the credit calculation. A copy of the W-2 (or other jurisdiction's tax return) must be enclosed with the New Jersey return to substantiate the amount of municipal income tax paid.

Wages From Philadelphia

To determine the proper amount of income to place on Line 1 of Schedule A, Form NJ-1040, a New Jersey resident earning wages in Philadelphia must divide the wage tax deducted (as reported in the "Local income tax" box on the W-2) by the Philadelphia nonresident tax rate as follows:

$$\frac{\text{Philadelphia Wage Tax Paid}}{\text{Philadelphia Wage Tax Rate}} = \text{Line 1, Schedule A}$$

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The amount reported at Line 1 cannot be more than the amount of Philadelphia wages included at Line 14, Form NJ-1040. Be sure to use the exact amount of Philadelphia wage tax reported on the W-2 when performing this calculation. Do not round the figure either up or down.

Sole Proprietorship or Partnership Income From Philadelphia

A sole proprietor or partner in a partnership whose income is subject to tax by Pennsylvania, Philadelphia Business Privilege Tax, and Net Profits Tax must consider the taxes paid (based on income) to all jurisdictions when calculating the credit. The Philadelphia Business Privilege Tax imposes two taxes, one based on income and one based on gross receipts. Only the tax based on income qualifies for the credit.

Changes Due to Audit by Other Jurisdictions

When an audit by another state or political subdivision changes the amount of previously reported tax paid, it will result in an adjustment to the credit claimed on the taxpayer's New Jersey return. The taxpayer is required to file an amended New Jersey return, Form NJ-1040X, for the year(s) affected by the audit and pay any amount due. The taxpayer may request a refund of any overpayment resulting from the change "regardless of any otherwise applicable statute of limitations." N.J.S.A. 54A:4-1(e).

Estimated Tax Payments

Individuals and certain estates and trusts who expect their New Jersey gross income tax liability to be more than $400 after taking into account all their exemptions, deductions, credits, including the credit for taxes paid to other jurisdictions, and payments for the tax year are required to make quarterly estimated tax payments. This requirement may affect taxpayers who do not have New Jersey income tax withheld from their wages and/or pension; those who do not have enough tax withheld; those who are self-employed; or those whose income is from sources such as interest, dividends, or capital gains which are not covered by withholding tax. Use Form NJ-1040-ES to file estimated tax payments when due. For more information on estimated taxes, request Tax Topic Bulletin GIT-8, *Estimating Income Taxes.*

Avoiding Mistakes

- Check arithmetic.
- Enter the name of the taxing jurisdiction in the space provided on Line 1 of Schedule A.
- Complete and enclose a separate Schedule A for each taxing jurisdiction.
- Retain a completed copy of the tax return(s) filed with the other jurisdiction(s). For electronic filers, retain a copy of the Electronic Filing Income Tax return along with schedules, worksheets, etc.
- If no tax return is required by the taxing jurisdiction, retain the following as applicable:
  1. A W-2 form which indicates the name of the taxing jurisdiction and the amount of tax withheld.
  2. A statement from the business entity which filed a tax return based on income listing the taxpayer's share of the gross income taxed by the other jurisdiction, the name of the tax, and the taxpayer's share of the tax paid.

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List of Examples

1. Determining the denominator of the credit calculation fraction.

2. Determining the credit when the amount of tax paid to the other jurisdiction exceeds the proportional credit limitation amount.

3. Determining the credit when the amount of tax paid to the other jurisdiction is less than the proportional credit limitation amount.

4. Determining the credit when there is partnership income earned in two different jurisdictions outside New Jersey and a separate New Jersey partnership which has a loss. (Priority of tax rates).

5. Determining the numerator of the credit calculation fraction when the other jurisdiction uses income from all sources to determine the tax due.

6. Determining the numerator of the credit calculation fraction when an adjustment to income on the other jurisdiction's tax return reduces the amount of income subject to tax in the other jurisdiction.

7. Determining the numerator of the credit calculation fraction when a loss used on the New Jersey return is not used on the other jurisdiction's return. (Includes the property tax deducion/credit calculation on Worksheet F.)

8. Determining the numerator of the credit calculation fraction when there is a loss in the other jurisdiction which is not allowed in New Jersey.

9. Determining the numerator of the credit calculation fraction when a loss allowed on the New Jersey return is larger than the loss allowed on the other jurisdiction's return.

10. Determining the numerator of the credit calculation fraction when there is a larger loss utilized on the other jurisdiction's return than the loss on the New Jersey return.

11. Determining the credit for income taxed by New York State and New York City Unincorporated Business Tax (UBT).

12. Determining the credit for a Fiduciary with distributions.

13. Determining the credit for a Fiduciary without distributions.

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14. Determining the credit when S corporation income is reported on the other jurisdiction's return in separate categories.

15. Schedule C adjustments to income which are also taxable to New Jersey are included in the numerator of the credit calculation fraction.

16. Determining the numerator of the credit calculation fraction when New Jersey and the other jurisdiction tax partnership income differently.

17. Determining the credit when there is partnership income earned in New Jersey as well as in two different jurisdictions outside New Jersey.

18. Determining the credit for Philadelphia partnerships subject to the Philadelphia Business Privilege Tax (BPT), Philadelphia Net Profits Tax (NPT), and the Pennsylvania Income Tax.

19. Determining the credit for income, other than wages, earned in Pennsylvania. (Includes the property tax deduction/credit calculation on Worksheet F.)

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EXAMPLES

Example #1 **- Determining the denominator of the credit calculation fraction.**

The denominator of the credit calculation fraction at Line 3, Schedule A is the amount from Line 2, Schedule A, which is taken directly from Line 29 of the New Jersey resident return (Form NJ-1040). This is the taxpayer's New Jersey gross income before personal exemptions and deductions. It includes the taxable portion of all pension or annuity payments, and/or IRA withdrawals, *after* any pension and/or other retirement income exclusions allowed by New Jersey have been subtracted.

	Income Subject to Tax by New Jersey			
	Taxpayer A Without Pension		Taxpayer B With Pension Less Exclusion(s)	
Wages		70,000		0
Interest		250		4,000
Dividends		400		2,500
Gains		0		1,525
Pension/Annuity/IRA	0		30,000	
Pension Exclusion	0		(15,000)	
Taxable Pension		0		15,000
S Corporation Income		21,000		0
Income Subject to Tax Before Exemptions and Deductions		**91,650**		**23,025**

NOTE: Prior to tax year 2001 the denominator of the credit calculation fraction included the taxable portion of any pension/annuity/IRA income *before allowable exclusions*.

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OBSOLETE

***Example #2* - Determining the credit when the amount of tax paid to the other jurisdiction exceeds the proportional credit limitation amount.**

Marty Abbott lives in New Jersey but works primarily in another state. His only income for the year consisted of $115,000 in wages, $105,000 of which was earned in, and taxed by, the other state. Marty's tax liability to the other state, $4,900, exceeds the proportional credit limitation amount from Line 8, Schedule A. Therefore, Marty's credit for taxes paid to the other jurisdiction is $4,689, the proportional credit limitation amount.

	Income Subject to Tax		
	New Jersey	Other Jurisdiction	Both
Wages	115,000	105,000	105,000
Income Subject to Tax Before Exemptions and Deductions	115,000	105,000	105,000
Less Exemptions	(1,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)	114,000		
Tax	5,136	4,900	
Numerator of the credit calculation			**105,000**

OBSOLETE

Example #2 - *continued*

Marty is not entitled to a property tax deduction/credit so he completes only Column B of New Jersey Schedule A as follows:

EXAMPLES

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION** If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name State X) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2)				1.	105,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	115,000	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 105,000 / 2 115,000			3.	91.3043%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040		4.			4. 114,000	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions. 5a.					
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.	5.			5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)		6.			6. 114,000	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)		7.			7. 5,136	
8.	Allowable Credit (Line 3 times Line 7)		8.			8. 4,689	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions. 9a. 4,900					
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**	9.			9. 4,689	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

OBSOLETE

***Example #3* - Determining the credit when the amount of tax paid to the other jurisdiction is less than the proportional credit limitation amount.**

Alice Meyers lives in New Jersey but works primarily in another state. Her only income for the year consisted of $115,000 in wages, $105,000 of which was earned in, and taxed by, the other state. Alice's tax liability to the other state, $4,631, is less than the proportional credit limitation amount from Line 8, Schedule A. Since the credit for taxes paid to another jurisdiction is the lesser of the actual tax paid to the other jurisdiction or the proportional credit limitation amount, Alice's credit will be $4,631, the actual amount of tax paid to the other state on the income being taxed both by that state and by New Jersey.

	Income Subject to Tax		
	New Jersey	Other Jurisdiction	Both
Wages	115,000	105,000	105,000
Income Subject to Tax Before Exemptions and Deductions	115,000	105,000	105,000
Less Exemptions	(1,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)	114,000		
Tax	5,136	4,631	
Numerator of the credit calculation			**105,000**

OBSOLETE

EXAMPLES

Example #3 - *continued*

Alice is not entitled to a property tax deduction/credit so she completes only Column B of New Jersey Schedule A as follows:

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**

If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name State X) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2)					1.	105,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)					2.	115,000	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 105,000 / 2 115,000				3.	91.3043%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**		
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040			4.		4.	114,000	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions.	5a.					
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.		5.		5.	- 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)			6.		6.	114,000	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)			7.		7.	5,136	
8.	Allowable Credit (Line 3 times Line 7)			8.		8.	4,689	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions.	9a. 4,631					
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**		9.		9.	4,631	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

OBSOLETE

***Example #4* - Determining the credit when there is partnership income earned in two different jurisdictions outside New Jersey and a separate New Jersey partnership which has a loss. (Priority of tax rates).**

Jay Johnson, a full-year resident, is a partner in four partnerships. Partnerships ABC and XYZ conduct their business entirely outside of New Jersey in two different states. Partnerships KLM and GSS are New Jersey partnerships. Jay's share of partnership income is $10,000 from ABC, $5,000 from XYZ, $7,000 from KLM, and a loss from GSS of $12,000. Although the other jurisdictions are taxing a total of $15,000 in partnership income, only the $10,000 net partnership income taxed by New Jersey (income after the offsetting loss from GSS) can be included in the numerator of the credit calculation fraction because the numerator is limited to income taxed by *both* New Jersey and the other jurisdiction.

		Income Subject to Tax		
		New Jersey	State 1	State 2
Wages		100,000		
Interest		200		
Partnership Income:				
Partnership ABC	10,000		10,000	
Partnership XYZ	5,000			5,000
Partnership KLM	7,000			
Partnership GSS	(12,000)	10,000		
Income Subject to Tax Before Exemptions and Deductions		110,200	10,000	5,000
Less Exemptions		(1,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)		109,200		
Tax		4,830	650	150
Effective Tax Rate (Tax Liability ÷ Taxable Income)			6.50%	3.00%
Numerator of the credit calculation			**10,000**	**0.00**

OBSOLETE

EXAMPLES

EXAMPLES

Example #4 - *continued*

When figuring the credit for taxes paid to other jurisdictions, Jay will complete the calculation for the state with the highest tax rate first. In this example, the full amount allowable in the numerator is exhausted in the first calculation so there is no additional credit allowed for the taxes paid to the second state. Consequently, Jay needs to complete only one New Jersey Schedule A as follows:

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**

If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name State 1) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2).....				1.	10,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	110,200	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 10,000 / 2 110,200			3.	9.0744%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.		**COLUMN A**		**COLUMN B**		
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040		4.		4.	109,200	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions. 5a.					
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.	5.		5.	- 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)		6.		6.	109,200	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)		7.		7.	4,830	
8.	Allowable Credit (Line 3 times Line 7)		8.		8.	438	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions. 9a. 650					
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**	9.		9.	438	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

UNOFFICIAL

***Example #5* - Determining the numerator of the credit calculation fraction when the other jurisdiction uses income from all sources to determine the tax due.**

Tom and Betty Stone are New Jersey residents. Tom works in New York, his salary is $65,000. Betty teaches at a school in New Jersey, her salary is $35,000. The couple also have income from interest, dividends, and capital gains. Although only Tom's salary is subject to tax by New York, the Stones' New York tax liability is determined by first calculating the tax on the couple's total income from all sources (Federal Amount), as if they were New York residents, and then multiplying the resulting "base tax" by the proportion that total New York source income (Tom's salary) bears to total income from all sources. Determining the tax liability of a nonresident in this manner may result in an increase in the average *rate* at which the income derived from the other jurisdiction is taxed but it does not affect the *amount* of income actually being taxed by the other jurisdiction.

	Income Subject to Tax		
	New Jersey	Federal Amount	New York
Wages	100,000	100,000	65,000
Interest	100	100	0
Dividends	50	50	0
Gains	340	340	0
Income Subject to Tax Before Exemptions and Deductions	100,490	100,490	65,000
Less Exemptions	(2,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)	98,490		
Tax	2,666		3,900
Numerator of the credit calculation			**65,000**

OBSOLETE

EXAMPLES

Example #5 - *continued*

The Stones are not entitled to a property tax deduction/credit so they complete Schedule A, Form NJ-1040 as shown below to determine the amount of their credit for taxes paid to New York.

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**

If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name New York State) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2)			1.	65,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)			2.	100,490	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 65,000 / 2 100,490		3.	64.6831%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.		**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040		4.		4. 98,490	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions. 5a.				
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.	5.		5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)		6.		6. 98,490	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)		7.		7. 2,666	
8.	Allowable Credit (Line 3 times Line 7)		8.		8. 1,724	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions. 9a. 3,900				
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**	9.		9. 1,724	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

OBSOLETE

***Example #6* - Determining the numerator of the credit calculation fraction when an adjustment to income on the other jurisdiction's tax return reduces the amount of income subject to tax in the other jurisdiction.**

Tom Tuttle, a New Jersey resident whose filing status is single, works in another state where he earned wages of $100,000. Tom also had income from a partnership of $35,000, $25,000 of which was earned in the other jurisdiction. Tom's partnership income taxable to New Jersey is $32,500 (after New Jersey modifications of $2,500). The other jurisdiction allows a $1,750 adjustment to total income for self-employment taxes paid. This adjustment reduces the numerator of the credit calculation fraction to $123,250.

		Income Subject to Tax	
		New Jersey	Other Jurisdiction
Wages		100,000	100,000
Interest		200	
Partnership Income	35,000		25,000
Less: New Jersey Modifications	(2,500)	32,500	
Self-Employment Tax			(1,750)
Income Subject to Tax Before Exemptions and Deductions		132,700	123,250
Less Exemptions		(1,000)	
New Jersey Taxable Income (From Line 35, Form NJ-1040)		131,700	
Tax		6,263	8,630
Numerator of the credit calculation			**123,250**

OBSOLETE

EXAMPLES

Example #6 - *continued*

Tom is not eligible for a property tax deduction/credit. His Schedule A will look like this:

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**

If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name Name of Jurisdiction) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2)				1.	123,250	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	132,700	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 123,250 / 2 132,700			3.	92.8787%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040			4.		4. 131,700	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions.	5a.				
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.		5.		5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)			6.		6. 131,700	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)			7.		7. 6,263	
8.	Allowable Credit (Line 3 times Line 7)			8.		8. 5,817	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions.	9a. 8,630				
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**		9.		9. 5,817	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

EXAMPLES

OBSOLETE

***Example #7* - Determining the numerator of the credit calculation fraction when a loss used on the New Jersey return is not used on the other jurisdiction's return.**

John Smith is a full-year New Jersey resident. His wages for the year, all of which were earned in this State, totaled $100,000. His interest income was $500. John sold land in another jurisdiction for a gain of $35,000. He also sold stock for a net loss of $7,000. John's total New Jersey Net Gains or Income from the Disposition of Property (Line 18, Form NJ-1040) is $28,000. The numerator of the credit calculation fraction is limited to income taxed by both jurisdictions, in this case $28,000.

John owns a home in New Jersey on which he paid $3,850 in property taxes. He completes both Columns A and B of Schedule A and Worksheet F.

		Income Subject to Tax		
		New Jersey	Other Jurisdiction	Both
Wages		100,000		
Interest		500		
Net Gains or Income from Disposition of Property:				
Sale of Land Outside NJ	35,000		35,000	
Sale of Stock Holdings	(7,000)	28,000		28,000
Income Subject to Tax Before Exemptions and Deductions		128,500	35,000	28,000
Less Exemptions		(1,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)		127,500		
Tax		5,996	1,150	920
Numerator of the credit calculation				**28,000**

OBSOLETE

EXAMPLES

EXAMPLES

Example #7 - *continued*

The amount on Line 1 is limited to the amount of income taxed by both New Jersey and the other jurisdiction ($28,000). The amount in Box 9a is the tax actually paid to the other jurisdiction on $28,000, which is calculated as follows: $1,150 × ($28,000 ÷ $35,000) = $920.

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION** If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name Name of Jurisdiction) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2)			1.	28,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)			2.	128,500	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 28,000 / 2 128,500		3.	21.7899%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.		**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040		4. 127,500		4. 127,500	
5.	Property Tax and Deduction — Enter property tax or 18% of rent due and paid in 2001. See instructions.	5a. 3,850				
	Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.		5. 3,850		5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)		6. 123,650		6. 127,500	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)		7. 5,750		7. 5,996	
8.	Allowable Credit (Line 3 times Line 7)		8. 1,253		8. 1,307	
9.	Credit for Taxes Paid to Other Jurisdiction — Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions.	9a. 920				
	Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**		9. 920		9. 920	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

OBSOLETE

Example #7 - *continued*

John Smith receives a greater benefit from the property tax deduction. He enters the amounts from Lines 5, 6, and 7, Column A, Schedule A on Lines 36, 37, and 38, Form NJ-1040. His credit for taxes paid to other jurisdictions for Line 39, Form NJ-1040 is $920, the amount on Line 2, Column A, Worksheet F. His property tax deduction on Line 36, Form NJ-1040 is $3,850.

Worksheet F
Which Property Tax Benefit to Use

	COLUMN A	COLUMN B
1. Tax. Enter amounts from Line 7, Schedule A, Columns A and B here	1. 5,750	1. 5,996
2. Credit for Taxes Paid to Other Jurisdictions. Enter amounts from Line 9, Schedule A, Columns A and B here. If you completed more than one Schedule A, enter the total of all Line 9 amounts (Columns A and B) in the corresponding column	2. 920	2. 920
3. Balance of Tax Due. Subtract line 2 from line 1 in each column	3. 4,830	3. 5,076
4. Subtract line 3, Column A from line 3, Column B and enter result here		4. 246

5. **Is the line 4 amount $50 or more ($25 if filing status is married, filing separate return and you maintain the same residence as your spouse)?**

● Yes. You receive a greater tax benefit by taking the Property Tax Deduction. Make the following entries on Form NJ-1040:

Form NJ-1040	*Enter amount from:*
Line 36	Line 5, Column A, Schedule A
Line 37	Line 6, Column A, Schedule A
Line 38	Line 7, Column A, Schedule A
Line 39	Line 2, Column A, Worksheet F
Line 44	Make no entry

○ No. You receive a greater tax benefit from the Property Tax Credit. (**Part-year residents,** see instructions before answering "No"). Make the following entries on Form NJ-1040:

Form NJ-1040	*Enter amount from:*
Line 36	Make no entry
Line 37	Line 6, Column B, Schedule A
Line 38	Line 7, Column B, Schedule A
Line 39	Line 2, Column B, Worksheet F
Line 44	$50 ($25 if filing status is married, filing separate return and you maintain the same residence as your spouse). **Part-year residents,** see instructions.

OBSOLETE

EXAMPLES

Example #8 **- Determining the numerator of the credit calculation fraction when there is a loss in the other jurisdiction which is not allowed in New Jersey.**

Mary Lorrey is a single New Jersey resident who earned wages of $115,000 in another state. Mary was also a partner in a partnership in the other state. The partnership had a loss for the year, Mary's share of which was $10,000. The other state allows Mary to apply her partnership loss against her wage income, thereby reducing the amount of income subject to tax by that state by the amount of the loss. In New Jersey, a loss in one category of income cannot be used to offset income (gains) in another category. Also, a net loss cannot be reported as such on Form NJ-1040. The schedule below shows how Mary will determine the credit for taxes paid to the other jurisdiction.

	Income Subject to Tax	
	New Jersey	Other Jurisdiction
Wages	115,000	115,000
Partnership Loss	0	(10,000)
Income Subject to Tax Before Exemptions and Deductions	115,000	105,000
Less Exemptions	(1,000)	
New Jersey Taxable Income (From Line 35, Form NJ-1040)	114,000	
Tax	5,136	5,022
Numerator of the credit calculation		**105,000**

EXAMPLES

OBSOLETE

Example #8 **-** *continued*

Mary's New Jersey Schedule A will be completed as follows:

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**

If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name Name of Jurisdiction) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2)				1.	105,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	115,000	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 105,000 / 2 115,000			3.	91.3043%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040		4.			4. 114,000	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions. 5a.					
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.	5.			5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)		6.			6. 114,000	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)		7.			7. 5,136	
8.	Allowable Credit (Line 3 times Line 7)		8.			8. 4,689	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions. 9a. 5,022					
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**	9.			9. 4,689	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

EXAMPLES

EXAMPLES

OBSOLETE

***Example #9* - Determining the numerator of the credit calculation fraction when a loss allowed on the New Jersey return is larger than the loss allowed on the other jurisdiction's return.**

Alan and Marie Potts are married and live in New Jersey. Alan earns wages of $55,800 in another state and the couple also had income from interest ($3,800) and dividends ($3,450). During the year, Alan sold two properties. The sale of the first property, located in the state where Alan is employed, yielded a gain of $91,500, which must be reported on both the New Jersey resident return and the nonresident return of the other state. The sale of the second property, located in New Jersey, resulted in a $21,237 loss. The couple also incurred a $5,700 loss on a rental property they own in the other jurisdiction. The rental loss may be used to reduce the wage and gain income taxed by the other jurisdiction, however, it may not be used to offset income in other categories on the New Jersey return. Thus, the loss incurred on the sale of the New Jersey property may be used on the New Jersey return to reduce the gain realized from the sale of the property located in the other state, but only the jointly taxed income can be used in the numerator of the credit calculation fraction.

		Income Subject to Tax		
		New Jersey	Other Jurisdiction	Both
Wages		55,800	55,800	55,800
Interest		3,800		
Dividends		3,450		
Net Gains or Income from Disposition of Property:				
Sale of Property Outside NJ	91,500		91,500	
Sale of New Jersey Property	(21,237)	70,263		70,263
Net Gains or Income from Rents, etc.		0	(5,700)	
Income Subject to Tax Before Exemptions and Deductions		133,313	141,600	126,063
Less Exemptions		(2,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)		131,313		
Tax		4,480	5,500	4,897
Numerator of the credit calculation				**126,063**

Example #9 - *continued*

The amount in Box 9a is the tax actually paid to the other jurisdiction on $126,063, which is calculated as follows: $5,500 × ($126,063 ÷ $141,600) = $4,897.

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**

If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name Name of Jurisdiction) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2).....					1.	126,063	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)					2.	133,313	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 126,063 / 2 133,313				3.	94.5617%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**		
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040			4.		4.	131,313	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions.	5a.					
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.		5.		5.	- 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)			6.		6.	131,313	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)			7.		7.	4,480	
8.	Allowable Credit (Line 3 times Line 7)			8.		8.	4,236	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions.	9a. 4,897					
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**		9.		9.	4,236	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

EXAMPLES

***Example #10* - Determining the numerator of the credit calculation fraction when there is a larger loss utilized on the other jurisdiction's return than the loss on the New Jersey return.**

Assume the same facts as in Example 9, except that the rental loss was $30,000 instead of $5,700.

		Income Subject to Tax		
		New Jersey	Other Jurisdiction	Both
Wages		55,800	55,800	55,800
Interest		3,800		
Dividends		3,450		
Net Gains or Income from Disposition of Property:				
Sale of Property Outside NJ	91,500		91,500	
Sale of New Jersey Property	(21,237)	70,263		70,263
Net Gains or Income from Rents, etc.		0	(30,000)	
Income Subject to Tax Before Exemptions and Deductions		133,313	117,300	126,063
Less Exemptions		(2,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)		131,313		
Tax		4,480	4,557	4,897
Numerator of the credit calculation			**117,300**	

EXAMPLES

OBSOLETE

Example #10 **-** *continued*

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**

If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name Name of Jurisdiction) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2).....				1.	117,300	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	133,313	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 117,300 / 2 133,313			3.	87.9884%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040		4.			4. 131,313	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions. 5a.					
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.	5.			5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)		6.			6. 131,313	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)		7.			7. 4,480	
8.	Allowable Credit (Line 3 times Line 7)		8.			8. 3,942	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions. 9a. 4,557					
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**	9.			9. 3,942	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

OBSOLETE

EXAMPLES

* See Insert at end for additional example.

EXAMPLES

OBSOLETE

Example #11 **- Determining the credit for income taxed by New York State and New York City Unincorporated Business Tax (UBT).**

Joe and Sally Smith are full-year New Jersey residents. The couple are married and filed a joint return on which they reported total income for the year of $175,000. The income consisted of Sally's wages, earned in New Jersey ($25,000), interest ($15,000), dividends ($10,000), capital gains ($25,000), and Joe's net profits from the business he owns in New York City ($100,000). New York State imposed $6,600 in tax based on taxable income of $75,000. In addition, New York City imposed $4,000 in Unincorporated Business Tax (UBT) on the full $100,000.

The Smiths must complete two separate Schedule As, one for the $75,000 taxed by both New York State and New York City, and one for the $25,000 "excess income" taxed only under the New York City UBT. The results of the two separate credit calculations are then added to determine the total credit for taxes paid to other jurisdictions.

	Income Subject to Tax		
	New Jersey	New York State	New York City UBT
Wages	25,000		
Interest	15,000		
Dividends	10,000		
Capital Gains	25,000		
Net Profits from Business	100,000	75,000	100,000
Income Subject to Tax Before Exemptions and Deductions	175,000	75,000	100,000
Less Exemptions	(2,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)	173,000		
Tax	6,978	6,600	4,000
Numerator of the credit calculation		**(a) 75,000**	**(b) 25,000**

(a) Schedule A for income taxed by *both* jurisdictions
(b) Schedule A for "excess income" taxed only by the city UBT

Example #11 - *continued*

(a) Credit for taxes paid on the income taxed by both New York State and New York City.

The Smiths enter $75,000 on Line 1 of the first Schedule A. This is the amount of income taxed by both New York State and New York City (UBT). The entry on Line 9 of this schedule is the lesser of the amount on Line 8 or the amount in Box 9a (the total tax actually paid to both the state and the city on the $75,000 of jointly-taxed income). The total tax actually paid on $75,000 is $9,600 ($6,600 paid to the State plus $3,000 paid to New York City for UBT). The amount of UBT paid on $75,000 is calculated as follows: $4,000 × ($75,000 ÷ $100,000) = $3,000.

Schedule A — **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION** — If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name New York State and City) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2)					1.	75,000
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)					2.	175,000
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 75,000 / 2 175,000				3.	42.8571%
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040			4.		4.	173,000
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions.	5a.				
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.		5.		5.	- 0 -
6.	New Jersey Taxable Income (Line 4 minus Line 5)			6.		6.	173,000
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)			7.		7.	6,978
8.	Allowable Credit (Line 3 times Line 7)			8.		8.	2,991
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions.	9a. 9,600				
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**		9.		9.	2,991

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

EXAMPLES

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Example #11 - *continued*

(b) Credit for taxes paid to New York City on the "excess income" (i.e., the amount of income taxed by the city but not by the state).

Income can only be reported once on Schedule A. The Smiths enter $25,000 on Line 1 of the second Schedule A. This is the income subject only to the New York City UBT. The entry on Line 9 of this schedule will be the lesser of the amount on Line 8 or the amount in Box 9a (the UBT actually paid to New York City on $25,000). The amount of UBT paid on $25,000 is calculated as follows:
$4,000 × ($25,000 ÷ $100,000) = $1,000.

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION** If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name New York City UBT) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2)				1.	25,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	175,000	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 25,000 / 2 175,000			3.	14.2857%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.		**COLUMN A**		**COLUMN B**		
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040		4.		4.	173,000	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions. 5a.					
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.	5.		5.	- 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)		6.		6.	173,000	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)		7.		7.	6,978	
8.	Allowable Credit (Line 3 times Line 7)		8.		8.	997	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions. 9a. 1,000					
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**	9.		9.	997	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

The total credit for taxes paid to both jurisdictions reported on Line 39, Form NJ-1040, is $3,988 ($2,991 from Line 9, Column B of the first Schedule A, plus $997 from Line 9, Column B of the second Schedule A).

OBSOLETE

Example #12 **- Determining the credit for a Fiduciary with distributions.**

A fiduciary return filed for the Estate of Charles Hart reports that the Estate earned $4,000 in interest income and $25,000 on the gain realized from the disposition of property. The gain from the disposition of property was also taxed by another jurisdiction. However, the Estate distributed $12,000 which reduced the jointly taxed income to $13,000.

	Income Subject to Tax		
	New Jersey	Other Jurisdiction	Both
Interest	4,000		
Net Gains or Income from Disposition of Property	25,000	25,000	25,000
Distributions	(12,000)	(12,000)	(12,000)
Income Subject to Tax Before Exemptions and Deductions	17,000	13,000	13,000
Less Exemptions	(1,000)		
New Jersey Taxable Income (From Line 20, Form NJ-1041)	16,000		
Tax	224	435	
Numerator of the credit calculation			**13,000**

Schedule E of the New Jersey fiduciary return (Form NJ-1041) was completed as follows:

Schedule E	**CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**	A copy of other state(s) or political subdivision tax return(s) must be retained with your records.		
43.	Income actually taxed by other jurisdiction during tax year (indicate name State X) ..... *(Do not combine the same income taxed by more than one jurisdiction.) Amount on Line 43 cannot exceed amount on Line 44*	43	13,000	
44.	Income subject to tax by New Jersey (From Page 1, Line 16)	44	17,000	
45.	Maximum Allowable Credit (43) 13,000 × 224 = ... (Divide Line 44 into Line 43) (44) 17,000 (New Jersey Tax, Line 23, Page 1)	45	171	
46.	Income tax paid to other jurisdiction	46	435	
47.	Credit Allowed. (Enter lesser of Line 45 or Line 46 here and on Page 1, Line 25)	47	171	

OBSOLETE

EXAMPLES

EXAMPLES

OBSOLETE

Example #13 - Determining the credit for a Fiduciary without distributions.

A fiduciary return filed for the Estate of Barbara Ziegler reports that the Estate earned $4,000 in interest income and $25,000 on a gain realized from the disposition of property. The gain from the disposition of property was also taxed by another jurisdiction. There were no distributions made by the Estate. A credit for taxes paid to the other jurisdiction is claimed on the $25,000 of jointly taxed income.

	Income Subject to Tax		
	New Jersey	Other Jurisdiction	Both
Interest	4,000		
Net Gains or Income from Disposition of Property	25,000	25,000	25,000
Income Subject to Tax Before Exemptions and Deductions	29,000	25,000	25,000
Less Exemptions	(1,000)		
New Jersey Taxable Income (From Line 20, Form NJ-1041)	28,000		
Tax	420	837	
Numerator of the credit calculation			**25,000**

Schedule E of the New Jersey fiduciary return (Form NJ-1041) was completed as follows:

Schedule E **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION** A copy of other state(s) or political subdivision tax return(s) must be retained with your records.

43.	Income actually taxed by other jurisdiction during tax year (indicate name State Y) ..... *(Do not combine the same income taxed by more than one jurisdiction.) Amount on Line 43 cannot exceed amount on Line 44*	43	25,000
44.	Income subject to tax by New Jersey (From Page 1, Line 16)	44	29,000
45.	Maximum Allowable Credit (43) 25,000 × 420 = ... (Divide Line 44 into Line 43) (44) 29,000 (New Jersey Tax, Line 23, Page 1)	45	362
46.	Income tax paid to other jurisdiction	46	837
47.	Credit Allowed. (Enter lesser of Line 45 or Line 46 here and on Page 1, Line 25)	47	362

Example #14 **- Determining the credit when S corporation income is reported on the other jurisdiction's return in separate categories.**

Abe Avery is a shareholder in a Federal S corporation which does business outside of New Jersey. The S corporation has ordinary income of $35,000 and interest income of $2,500. In addition, Mr. Avery has wages of $100,000 and personal interest of $200, all earned in New Jersey. Even though the other jurisdiction requires that the S corporation income be reported in separate categories and New Jersey requires that the income be netted into one category, all of the S corporation income is taxed by both jurisdictions and is, therefore, included in the numerator.

		Income Subject to Tax		
		New Jersey	Other Jurisdiction	Both
Wages		100,000		
Interest:				
Personal Interest		200		
S Corporation Interest			2,500	2,500
S Corporation Income:				
Ordinary	35,000		35,000	35,000
Interest	2,500	37,500		
Income Subject to Tax Before Exemptions and Deductions		137,700	37,500	37,500
Less Exemptions		(1,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)		136,700		
Tax		6,582	2,625	
Numerator of the credit calculation				**37,500**

OBSOLETE

EXAMPLES

Example #14 - *continued*

Mr. Avery's New Jersey Schedule A was completed as follows:

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**

If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name Name of Jurisdiction) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2).....				1.	37,500	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	137,700	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 37,500 / 2 137,700			3.	27.2331%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040			4.		4. 136,700	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions.	5a.				
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.		5.		5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)			6.		6. 136,700	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)			7.		7. 6,582	
8.	Allowable Credit (Line 3 times Line 7)			8.		8. 1,792	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions.	9a. 2,625				
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**		9.		9. 1,792	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

EXAMPLES

OBSOLETE

Example #15 **- Schedule C adjustments to income which are also taxable to New Jersey are included in the numerator of the credit calculation fraction.**

Sam Baker works in another jurisdiction where he earned wages of $100,000. He also has a business in the other jurisdiction. For New Jersey tax purposes, the business had a net profit of $36,000 after adding back $1,000 deducted on the Federal return for taxes based on income. Of the total business income, $25,000 was derived from the other jurisdiction. When Sam completed the other jurisdiction's nonresident return, he was required to add back the $1,000 in taxes based on income. Therefore, the $1,000 is correctly included in the numerator of the credit calculation fraction.

		Income Subject to Tax		
		New Jersey	Other Jurisdiction	Both
Wages		100,000	100,000	100,000
Interest		200		
Net Profits from Business	35,000		25,000	25,000
Taxes Based on Income	1,000	36,000	1,000	1,000
Income Subject to Tax Before Exemptions and Deductions		136,200	126,000	126,000
Less Exemptions		(1,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)		135,200		
Tax		6,486	8,820	
Numerator of the credit calculation				**126,000**

OBSOLETE

EXAMPLES

Example #15 - *continued*

Mr. Baker's New Jersey Schedule A was completed as follows:

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**

If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name Name of Jurisdiction) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2)				1.	126,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	136,200	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 126,000 / 2 136,200			3.	92.5110%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040			4.		4. 135,200	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions.	5a.				
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.		5.		5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)			6.		6. 135,200	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)			7.		7. 6,486	
8.	Allowable Credit (Line 3 times Line 7)			8.		8. 6,000	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions.	9a. 8,820				
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**		9.		9. 6,000	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

EXAMPLES

OBSOLETE

Example #16 **- Determining the numerator of the credit calculation fraction when New Jersey and the other jurisdiction tax partnership income differently.**

Bill Jones is a partner in New York Partnership ABC. Bill's share of the partnership's income consisted of ordinary income of $34,000, ordinary interest of $1,000, interest from New York obligations of $7,500 and interest from New Jersey obligations of $5,000. The numerator of the credit calculation is limited to income which is also included in the denominator (income subject to tax by New Jersey). Since New Jersey allowed the deduction for expenses related to exempt interest in determining partnership ordinary income and interest from New Jersey obligations is not taxed by New Jersey, these amounts cannot be included in the numerator of the credit calculation fraction.

		Income Subject to Tax		
		New Jersey	New York	Both
Interest Income:				
From Personal Savings		200		
From Partnership ABC			1,000	1,000
Partnership Income (Federal Schedule K-1 items):				
Ordinary Income	34,000		34,000	34,000
Interest	1,000			
Interest from New York Obligations	7,500	42,500		
New York Additions:				
Expenses Related to Exempt Income			500	
Interest from Non-New York (NJ) Obligations			5,000	
Income Subject to Tax Before Exemptions and Deductions		42,700	40,500	35,000
Less Exemptions		(1,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)		41,700		
Tax		813	2,600	2,247
Numerator of the credit calculation				**35,000**

OBSOLETE

EXAMPLES

Example #16 - *continued*

The tax paid to New York on taxable income of $40,500 is $2,600. The amount in Box 9a is the tax paid to New York on $35,000, which is calculated as follows: $2,600 × ($35,000 ÷ $40,500) = $2,247.

Bill's New Jersey Schedule A was completed as follows:

Schedule A — **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION** — If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name New York) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2)				1.	35,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	42,700	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 35,000 / 2 42,700			3.	81.9672%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040			4.		4. 41,700	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions.	5a.				
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.		5.		5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)			6.		6. 41,700	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)			7.		7. 813	
8.	Allowable Credit (Line 3 times Line 7)			8.		8. 666	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions.	9a. 2,247				
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**		9.		9. 666	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

DRAFT

Example #17 **- Determining the credit when there is partnership income earned in New Jersey as well as in two different jurisdictions outside New Jersey.**

Aaron Adams, a full-year resident of New Jersey who works in this State, is a partner in three separate partnerships: ABC, XYZ, and KLM. Partnerships ABC and XYZ conduct their business entirely outside of New Jersey in two different states. KLM is a New Jersey partnership. Aaron's share of partnership income from ABC is $10,000, from XYZ, $5,000, and from KLM, $7,000. His total partnership income for New Jersey tax purposes is $22,000. A separate Schedule A must be completed for each jurisdiction to determine the credit for taxes paid to that jurisdiction. The credit allowed in each case is the lesser of the proportional credit limitation amount or the actual tax paid to that state. The total credit for taxes paid to other jurisdictions is the sum of the two separate allowable credits.

		Income Subject to Tax		
		New Jersey	State 1	State 2
Wages		100,000		
Interest		200		
Partnership Income:				
Partnership ABC	10,000		10,000	
Partnership XYZ	5,000			5,000
Partnership KLM	7,000	22,000		
Income Subject to Tax Before Exemptions and Deductions		122,200	10,000	5,000
Less Exemptions		(1,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)		121,200		
Tax		5,594	650	150
Numerator of the credit calculation			**(a) 10,000**	**(b) 5,000**

(a) Schedule A income taxed by state 1
(b) Schedule A income taxed by state 2

OBSOLETE

EXAMPLES

Example #17 - *continued*

(a) Credit for taxes paid on the income derived from State 1.

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**

If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name State 1) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2)				1.	10,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	122,200	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 10,000 / 2 122,200			3.	8.1833%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040			4.		4. 121,200	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions.	5a.				
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.		5.		5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)			6.		6. 121,200	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)			7.		7. 5,594	
8.	Allowable Credit (Line 3 times Line 7)			8.		8. 458	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions.	9a. 650				
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**		9.		9. 458	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

EXAMPLES

OBSOLETE

Example #17 - *continued*

(b) Credit for taxes paid on the income derived from State 2.

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**

If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name State 2) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2).....				1.	5,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	122,200	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 5,000 2 122,200			3.	4.0917%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040		4.			4. 121,200	
5.	Property Tax and Deduction — Enter property tax or 18% of rent due and paid in 2001. See instructions.	5a.					
	Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.		5.			5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)		6.			6. 121,200	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)		7.			7. 5,594	
8.	Allowable Credit (Line 3 times Line 7)		8.			8. 229	
9.	Credit for Taxes Paid to Other Jurisdiction — Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions.	9a. 150					
	Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**		9.			9. 150	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

The total credit for taxes paid to other jurisdictions reported on Line 39, Form NJ-1040, is $608 ($458 from Line 9, Column B of the Schedule A for state 1, plus $150 from Line 9, Column B of the Schedule A for state 2.)

EXAMPLES

EXAMPLES

OBSOLETE

***Example #18* - Determining the credit for Philadelphia partnerships subject to the Philadelphia Business Privilege Tax (BPT), Philadelphia Net Profits Tax (NPT), and the Pennsylvania Income Tax.**

Bob Brown, a full-year resident has wages of $100,000 and interest income of $200. In addition, Bob is a partner in a Philadelphia partnership. His partnership income is subject to tax by the Commonwealth of Pennsylvania, and also by the City of Philadelphia: Business Privilege Tax (BPT) and Net Profits Tax (NPT). A New Jersey resident is entitled to credit for taxes paid to another jurisdiction provided the tax is imposed on income. The Philadelphia NPT is a tax on income and allows a credit for 60% of the Philadelphia BPT paid. The Philadelphia BPT imposes two taxes: one based on income and one based on gross receipts. Only taxes paid based on income qualify for the credit calculation. Taxes paid based on gross receipts do not qualify for the credit for taxes paid to other jurisdictions. You must consider the taxes paid (based on income) to all jurisdictions when calculating the credit.

	Income Subject to Tax			
	New Jersey	PA Income	Phila BPT	Phila NPT
Wages	100,000			
Interest	200			
Partnership ABC	500,000	225,000	275,000	275,000
Income Subject to Tax Before Exemptions and Deductions	600,200	225,000	275,000	275,000
Less Exemptions	(1,000)			
New Jersey Taxable Income (From Line 35, Form NJ-1040)	599,200			
Tax Liability	36,043	6,300	17,875	10,909
Less BPT Credit ($17,875 × 60%)				(10,725)
Tax	36,043	6,300	17,875	184
Effective Tax Rate (Tax Liability ÷ Taxable Income)		2.80%	6.50%	0.067%
Actual tax paid to other jurisdiction:				
PA State tax	6,300			
Phila. BPT	17,875			
Phila. NPT	184			
	24,359			
Numerator of the credit calculation				**275,000**

***Example* #18 -** *continued*

Bob Brown's New Jersey Schedule A was completed as follows:

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION** If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name PA, Philadelphia BPT/NPT) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2).....				1.	275,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	600,200	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 275,000 / 2 600,200			3.	45.8181%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040			4.		4. 599,200	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions.	5a.				
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.		5.		5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)			6.		6. 599,200	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)			7.		7. 36,043	
8.	Allowable Credit (Line 3 times Line 7)			8.		8. 16,514	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions.	9a. 24,359				
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**		9.		9. 16,514	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

EXAMPLES

Example #19 **- Determining the credit for income, other than wages, earned in Pennsylvania.**

Molly Thatcher is a 66-year-old New Jersey resident who earned $50,000 in wages from her Pennsylvania employer. Molly is also a member of a Pennsylvania partnership. Her share of the partnership's income for the tax year is $30,000. Molly paid $5,150 in property taxes for the year on the residence she owns in New Jersey and is therefore eligible for a property tax deduction or credit.

Molly's partnership income is subject to tax by both New Jersey and Pennsylvania; therefore, a credit may be claimed on her New Jersey resident return for any income tax paid to Pennsylvania on this income. However, under the provisions of the New Jersey/Pennsylvania Reciprocal Personal Income Tax Agreement, Molly's wages are not subject to tax in Pennsylvania and may not be included in the numerator of the credit calculation fraction.

	Income Subject to Tax		
	New Jersey	Pennsylvania	Both
Wages	50,000		
Partnership Income (PA)	30,000	30,000	30,000
Income Subject to Tax Before Exemptions and Deductions	80,000	30,000	30,000
Less Exemptions	(2,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)	78,000		
Tax	2,844	840	
Numerator of the credit calculation			**30,000**

EXAMPLES

OBSOLETE

Example #19 - *continued*

Molly Thatcher completes her Schedule A and Worksheet F as follows.

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION**

If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name Pennsylvania) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2)				1.	30,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)				2.	80,000	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 30,000 / 2 80,000			3.	37.5000%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.			**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040		4.	78,000	4.	78,000	
5.	Property Tax and Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions.	5a. 5,150				
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.		5. 5,150	5.	- 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)			6. 72,850	6.	78,000	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)			7. 2,534	7.	2,844	
8.	Allowable Credit (Line 3 times Line 7)			8. 950	8.	1,067	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions.	9a. 840				
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**		9.	9.	840	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

OBSOLETE

EXAMPLES

EXAMPLES

Example #19 - *continued*

Molly receives a greater benefit from the property tax deduction. She enters the amounts from Lines 5, 6, and 7, Column A, Schedule A on Lines 36, 37, and 38, Form NJ-1040. Her credit for taxes paid to other jurisdictions for Line 39, Form NJ-1040 is $840, the amount on Line 2, Column A, Worksheet F. Her property tax deduction on Line 36, Form NJ-1040 is $5,150. Molly's Worksheet F looks like this:

Worksheet F
Which Property Tax Benefit to Use

	COLUMN A	COLUMN B
1. Tax. Enter amounts from Line 7, Schedule A, Columns A and B here	1. 2,534	1. 2,844
2. Credit for Taxes Paid to Other Jurisdictions. Enter amounts from Line 9, Schedule A, Columns A and B here. If you completed more than one Schedule A, enter the total of all Line 9 amounts (Columns A and B) in the corresponding column	2. 840	2. 840
3. Balance of Tax Due. Subtract line 2 from line 1 in each column	3. 1,694	3. 2,004
4. Subtract line 3, Column A from line 3, Column B and enter result here		4. 310

5. **Is the line 4 amount $50 or more ($25 if filing status is married, filing separate return and you maintain the same residence as your spouse)?**

● Yes. You receive a greater tax benefit by taking the Property Tax Deduction. Make the following entries on Form NJ-1040:

Form NJ-1040	*Enter amount from:*
Line 36	Line 5, Column A, Schedule A
Line 37	Line 6, Column A, Schedule A
Line 38	Line 7, Column A, Schedule A
Line 39	Line 2, Column A, Worksheet F
Line 44	Make no entry

○ No. You receive a greater tax benefit from the Property Tax Credit. (**Part-year residents,** see instructions before answering "No"). Make the following entries on Form NJ-1040:

Form NJ-1040	*Enter amount from:*
Line 36	Make no entry
Line 37	Line 6, Column B, Schedule A
Line 38	Line 7, Column B, Schedule A
Line 39	Line 2, Column B, Worksheet F
Line 44	$50 ($25 if filing status is married, filing separate return and you maintain the same residence as your spouse). **Part-year residents,** see instructions.

OBSOLETE

INSERT

The following paragraph should be inserted on page 5 of Tax Topic Bulletin GIT-3B, "Credit for Taxes Paid to Other Jurisdictions (Business/Nonwage Income)" after the section entitled "Adjustments (Deductions) Allowed by the Other Jurisdiction."

Adjustments (Deductions) Not Allowed by the Other Jurisdiction But Allowed by New Jersey

A jurisdiction may not allow subtractions or deductions from income to determine the income actually taxed by that jurisdiction. Do not include in the numerator of the credit fraction any expenses allocated to the other jurisdiction that were used to reduce the income in the denominator. For example, interest allowed to purchase the interest in the partnership and expenses paid by the partner that were not reimbursed by the partnership.

The following example should be inserted after the current Example 10 at page 34.

Example - **Determining the numerator of the credit calculation fraction when certain adjustments (deductions) are not allowed by the other jurisdiction but are allowed by New Jersey.**

Jerry Smith is a partner in New Jersey partnership A. Jerry's share of partnership income is $50,000 from which he receives a NJ-K-1 with 50% allocated to New York and 50% allocated to New Jersey. Jerry has $2,000 in interest paid to purchase the partnership interest and has $8,000 in other miscellaneous expenses for which he was not reimbursed by the partnership. His New York partnership income is $25,000.

		Income Subject to Tax		
		New Jersey	New York State	Both
Partnership Income (Federal Schedule K-1 Items):				
Ordinary Income	50,000			
Less New Jersey Expenses	(10,000)	40,000	25,000	20,000
Income Subject to Tax Before Exemptions and Deductions		40,000	25,000	20,000
Less Exemptions		(1,000)		
New Jersey Taxable Income (From Line 35, Form NJ-1040)		39,000		
Tax		683	1,600	1,280
Numerator of the credit calculation				**20,000**

The New York credit is reduced by 50% of the $10,000 of expenses allowed by New Jersey, but not by New York ($25,000 – $5,000 = $20,000).

OBSOLETE

Example **-** *continued*

The tax on New York taxable income of $25,000 is $1,600. The amount in Box 9a is the tax paid to New York on $20,000, which is calculated as follows: $1,600 × ($20,000 ÷ $25,000) = $1,280.

Jerry's New Jersey Schedule A will be completed as follows:

Schedule A **CREDIT FOR INCOME OR WAGE TAXES PAID TO OTHER JURISDICTION** If you are claiming a credit for income taxes paid to more than one jurisdiction, a separate Schedule A must be enclosed for each.

A COPY OF OTHER STATE OR POLITICAL SUBDIVISION TAX RETURN MUST BE RETAINED WITH YOUR RECORDS

1.	Income actually taxed by other jurisdiction during tax year (indicate name New York State) (DO NOT combine the same income taxed by more than one jurisdiction) (The amount on Line 1 cannot exceed the amount shown on Line 2).....			1.	20,000	
2.	Income subject to tax by New Jersey (From Line 29, Form NJ-1040)			2.	40,000	
3.	Maximum Allowable Credit Percentage (Divide Line 2 into Line 1)	1 20,000 / 2 40,000		3.	50%	
	IF YOU ARE NOT ELIGIBLE FOR A PROPERTY TAX BENEFIT ONLY COMPLETE COLUMN B.		**COLUMN A**		**COLUMN B**	
4.	Taxable Income (after Exemptions and Deductions) from Line 35, Form NJ-1040		4.		4. 39,000	
5.	Property Tax Deduction	Enter property tax or 18% of rent due and paid in 2001. See instructions. 5a.				
		Eligible amount (Box 5a, or $10,000, whichever is less) See instructions.	5.		5. - 0 -	
6.	New Jersey Taxable Income (Line 4 minus Line 5)		6.		6. 39,000	
7.	Tax on Line 6 amount (From Tax Tables or Tax Rate Schedules)		7.		7. 683	
8.	Allowable Credit (Line 3 times Line 7)		8.		8. 342	
9.	Credit for Taxes Paid to Other Jurisdiction	Enter in Box 9a the income or wage tax paid to other jurisdiction during tax year on income shown on Line 1. See instructions. 9a. 1,280				
		Credit allowed. (Enter lesser of Line 8 or Box 9a.) **(The credit may not exceed your New Jersey tax on Line 38).**	9.		9. 342	

- If you are not eligible for a property tax benefit, enter the amount from Line 9, Column B, on Line 39, Form NJ-1040. Make no entry on Lines 36 or 44, Form NJ-1040.
- If you are eligible for a property tax benefit, you must complete Worksheet F to determine whether you receive a greater benefit by claiming a property tax deduction or taking the property tax credit.

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