

# GENERAL INSTRUCTIONS — BANK FRANCHISE TAX RETURN

RSMo 148.010 – 148.112

*This information is for guidance only and does not state the complete law.*

1. **FILE RETURN ON OR BEFORE APRIL 15** (tax becomes delinquent after this date and is subject to interest). The annual interest rate can be obtained from the Department's web site at: [www.dor.mo.gov/tax](http://www.dor.mo.gov/tax). Make check or money order payable to Missouri Department of Revenue. Mail to: Missouri Department of Revenue, P.O. Box 898, Jefferson City, Missouri 65105-0898.

An extension of time to file this return may be obtained from the Department of Revenue upon written request. Such request should indicate the extension period requested, the reason and must be accompanied by a tentative return and payment for the estimated tax due. An extension of time to file the return does not extend the time for payment of the tax. An extension of time may not exceed 180 days from the due date (April 15) pursuant to Regulation 12 CSR 10-10.110. **Note:** Any payment submitted after the due date of April 15 is subject to interest at the rate determined by Section 32.065, RSMo.

If any return is not filed by the due date, a penalty of 5% per month or fraction thereof, not to exceed 25% is calculated on the amount due.

2. **WHO MUST FILE** — Every bank and every trust company organized under any general or special law of this state and every national banking association located in this state and any branch or office physically located in this state of any commercial bank or trust company.
3. If any bank operates more than one office or branch in Missouri, the bank shall file one return giving the address of each such office or branch and setting forth the total dollar amounts of accounts or deposits of each such office. To complete the Bank Franchise Tax Return in this regard, complete the Form 2331, Schedule B. For proper completion of Schedule B, refer to Regulation 12 CSR 10-10.020. If the banking institution has only one office, indicate on Schedule B. **Schedule B must be completed and submitted with the Bank Franchise Tax Return.**
4. All returns are to be filed based upon a calendar year business activity basis.
5. Enter your three digit county code of the principal place of your institution from the list provided at the end of these instructions.

## SPECIFIC INSTRUCTIONS FOR COMPLETION OF THIS RETURN

- Line 1. Enter the amount of taxable income or loss from Federal Form 1120, Line 28, before any net operating loss deduction or special deduction is applied, or Federal Form 1120S, Line 21.

Taxpayers that are members of an affiliated group filing a consolidated federal income tax return shall compute federal taxable income as if a separate federal tax return had been filed by each member of the affiliated group. A pro forma federal return or appropriate schedules should then be attached together with a copy of pages 1 through 4 of the consolidated federal income tax return.

- Line 2. Enter all income received on state and/or political subdivision obligations excluded from the federal return. This income is taxable on this return. Explain if different from tax-exempt interest shown on the federal return.

- Line 3. Enter all income received on federal securities excluded from the federal return (e.g., non-taxable portion Federal Reserve Bank dividends). This income is taxable on this return.

- Line 4. Enter the charitable contribution claimed on the federal return.

- Line 5. Enter the bad debt claimed on the federal return **or** any additions to a bad debt reserve claimed as a deduction on federal return. (The reserve method is not a permissible method on this return.) In the appropriate box, indicate the bad debt method used on the federal return.

- Line 6. Enter the excess, if any, of recoveries of bad debts previously charged off over current year charge offs. Attach schedule of bad debt computation.

- Line 7. Enter any Missouri Bank Franchise Tax deducted on the federal return. This is not an allowable deduction on this return.

**NOTE:** Cash basis banks should add the Missouri Bank Franchise Tax paid in the preceding calendar year.

Accrual basis banks should add the Missouri Bank Franchise Tax accrued during the previous calendar year.

- Line 8. Enter here and on Line 19B taxes to be claimed as credits on this return. All taxes paid to the State of Missouri or any political subdivision thereof are eligible except taxes on real estate, unemployment taxes, bank tax, and taxes on tangible personal property owned by the taxpayer and held for lease or rental to others. Show detail on Schedule A.

All state and local sales and use taxes paid by banks as purchasers to sellers, vendors, or the State of Missouri on purchases of tangible personal property and services enumerated in Chapter 144, RSMo, may be claimed as a credit. Capitalized sales and use taxes paid by banks as purchasers are creditable. Documentation to support the capitalized sales and use tax credit must be available upon request.

Pursuant to Regulation 12 CSR 10-10.150, certain criteria must be met in order for a tax credit to be allowable. The regulation reads as follows:

### 12 CSR 10-10.150 Tax Credits on Bank Tax Return —

(1) The following criteria shall be used to establish whether or not a tax credit may be claimed against the Bank Franchise Tax, imposed by Sections 148.010 to 148.110, RSMo, computed pursuant to Section 148.030.3:

(A) The payment must have been made to the State of Missouri or a political subdivision located in the State of Missouri.

(B) Payment must have resulted from a tax liability imposed by a government agency, as defined in subsection (1)(A), and cannot be a regulatory fee collected solely for the purpose of paying the cost of administering the taxing jurisdiction's laws.

(C) The following should be used as a general guideline to determine if an exaction, required by subsection (1)(A), is an allowable tax credit or a non-creditable fee:

1. If the proceeds, paid as defined in subsection (1)(A), are collected for deposit into the general revenue account of the taxing jurisdiction, to raise revenue for said entity, then it is a tax and is an allowable tax credit.

2. If the proceeds, paid as defined in subsection (1)(A), are collected primarily to cover the costs of the regulation of an activity, and which are then deposited with the regulatory agency, then it is a non-creditable fee.

(2) At all times the burden of establishing whether an exaction is an allowable tax credit or a non-creditable fee shall be on the taxpayer.

An accrual basis taxpayer that is a member of an affiliated group filing a consolidated Missouri income tax return shall allocate a portion of the consolidated Missouri income tax liability for the year by multiplying such liability by a fraction, the numerator of which is the separate Missouri taxable income of such member, and the denominator of

which is the sum of the separate Missouri taxable incomes of all members having Missouri taxable income for the applicable year.

A cash basis taxpayer that is a member of an affiliated group filing a consolidated Missouri income tax return shall allocate each component of the consolidated Missouri income tax paid (or refunded) during the year by multiplying each component by a fraction, the numerator of which is the separate Missouri taxable income of such member for the applicable year, and the denominator of which is the sum of the separate Missouri taxable incomes of all members having Missouri income for the applicable year.

In the computation of separate Missouri taxable income, each member of a group filing a consolidated Missouri income tax return shall start with its separate federal taxable income as computed pursuant to the method applicable to the group under Treasury Regulation 1.1552-1. The amount of the federal income tax deduction of each member under Section 143.171.1, RSMo, shall be that portion of the actual federal consolidated income tax liability of the group as is required to be allocated to such member under Internal Revenue Code Section 1552 without regard to any additional allocations under Treasury Regulation 1.1502-33(d).

Sales tax paid to check printer(s) on checks the bank sold to its customers is not an allowable credit.

The annual registration fee is not an allowable credit because it is considered a fee and not a tax.

**Attach schedule of taxes deducted on Line 17, federal Form 1120 or federal Form 1120S, Line 12, for verification purposes.**

- Line 9. Enter deductions claimed on the federal return which are not allowable on this return and income not included on the federal return which is required to be included on this return. (Attach schedule.) The environmental tax under Section 59A of the Internal Revenue Code must be added back to income.
- Line 10. Enter the total of Lines 1 through 9.
- Line 11. Enter the excess, if any, of bad debt chargeoffs over current year recoveries. Attach schedule of bad debt computation.
- Line 12. Enter the relevant income period deduction for federal income taxes. The relevant income period deduction will be the amount actually accrued (if an accrual basis taxpayer) or paid (if a cash basis taxpayer) during the income period.
- A taxpayer that is a member of an affiliated group of corporations which filed a consolidated federal income tax return shall determine its deduction for, or its gross income in respect of federal income taxes paid or accrued during the income period to the United States as if it and all other members of the affiliated group of which it was a member had filed separate federal income tax returns for all relevant income periods.
- Line 13. Enter the total amount of any deduction claimed on this return and not included on the federal return. These deductions must be itemized on a schedule attached to this return.
- Banks that are required to recapture bad debt reserve to income pursuant to 26 USC § 585 should include the dollar amount recaptured to income on Line 13.
- Line 14. Enter the total of Lines 11 through 13.
- Line 15. Subtract Line 14 from Line 10 and enter amount. If "loss", indicate by brackets "( )" and enter "none" on Line 18.

- Line 16. Enter the charitable contribution deduction claimed on this return. The contribution deduction is limited to 5% of taxable income before the contribution deduction. Contribution carryover from prior year's allowance on federal return is not allowable on this return. Attach charitable contribution schedule for verification purposes.
- Line 17. Subtract Line 16 from Line 15 and enter amount.
- Line 18. Multiply the taxable income amount on Line 17 by 7% and enter amount. If Line 10 includes income from business activity both within and without the State of Missouri from offices or branches located in such state, the taxpayer may be eligible to apportion the tax. These taxpayers shall complete Form 4347, Apportionment Schedule Bank Franchise Tax and attach to this return.
- Line 19A. Enter the Bank Franchise Tax from Line 7A Schedule BF.
- Line 19B. Enter the amount from Line 8.
- Line 20A. Enter the amount of tentative payment (if applicable).
- Line 20B. Enter overpayment of previous year's tax.
- Line 20C. Enter the amount of tax credits claimed from the list on the following page. **Attach a schedule listing the amounts for each tax credit. A copy of the approved authorization must be attached to the return. See 148.064.1, RSMo for ordering of tax credits. Tax credits can only be used once.**
- Line 20D. Enter approved Enterprise Zone Credit. **Attach copy of approval from Department of Economic Development or credit will be disallowed.**
- Compute allowable Enterprise Zone Credit as follows, whichever method is greater. However, the same method must be used for both taxes.
- Seven percent (7%) calculation for Line 20D: Taxable Income Line 17 multiplied by percentage in second paragraph of Certification of Eligibility multiplied by 7% **OR** tax liability on Line 18 less Lines 19A and 19B multiplied by the percentage shown which may be used to offset the tax.
- Schedule BF calculation for Line 7B: Total assets shown on Line 6A or 6B multiplied by percentage in second paragraph of Certification of Eligibility multiplied by .00033 **OR** tax liability on Line 7A multiplied by the percentage shown which may be used to offset the tax.
- Line 20E. Enter the amount of your Bank Franchise Tax Credit. This amount is equal to 1/60th of one percent (.000167) of the amount entered on Line 6A or 6B of Schedule BF. If your bank franchise tax was already reduced to zero by other credits, you may use the Bank Franchise Tax Credit towards your corporate income tax liability.
- Line 21. Subtract Lines 19A and 19B from Line 18. Amount shall not be less than zero. Subtract Lines 20A through 20E from result above and enter amount.
- Line 22A. Calculate interest for period which tax payment is delinquent. Interest is calculated from the due date of April 15 through date of payment at the annual rate. The annual interest rate can be obtained from the Department's web site at: **[www.dor.mo.gov/tax](http://www.dor.mo.gov/tax)**.
- Line 22B. Compute additions to tax, if applicable, and enter on Line 22B. A. For failure to pay by the due date — multiply Line 21 by 5%; or B. For failure to file your return by the due date — multiply Line 21 by 5% for each month late, not to exceed 25%.
- Line 23. Enter the total of Lines 21, 22A, and 22B.
- Line 24. Enter the amount shown on Line 7H Schedule BF.
- Line 25. Enter the total of Lines 23 and 24. If a balance due, a remittance should be submitted for this amount.

### AVAILABLE TAX CREDITS

Affordable Housing Assistance	Film Production	Pregnancy Resource
Agricultural Products Utilization	Historic Preservation	Qualified Equity Investments
Alternative Fuel Infrastructure	Infrastructure Development	Qualified Research Expenses
Bond Enhancement	Maternity Home	Rebuilding Communities
Brownfield "Jobs and Investment"	Mature Worker Childcare Program	Rebuilding Communities and Neighborhood
Business Use Incentives for Large-scale Development (BUILD)	Missouri Business Modernization and Technology	Preservation Act
Community Bank Investment	Missouri Higher Education Scholarship Fund	Remediation
Demolition	Missouri Low Income Housing	Residential Treatment Agency
Development	Missouri Quality Jobs	Shelter for Victims of Domestic Violence
Development Reserve	Neighborhood Assistance	Skills Development
Distressed Areas Land Assemblage	New Enhanced Enterprise Zone	Small Business Incubator
Export Finance	New Enterprise Creation	Small Business Investment
Family Development Account	New Generation Cooperative	Special Needs Adoption
Family Farms Act	New Market	Transportation Development
		Youth Opportunities

### County Codes

Code	County	Code	County	Code	County	Code	County	Code	County
001	ADAIR	047	CLAY	093	IRON	139	MONTGOMERY	185	ST CLAIR
003	ANDREW	049	CLINTON	095	JACKSON	141	MORGAN	187	ST FRANCOIS
005	ATCHISON	051	COLE	097	JASPER	143	NEW MADRID	189	ST LOUIS COUNTY
007	AUDRAIN	053	COOPER	099	JEFFERSON	145	NEWTON	193	STE GENEVIEVE
009	BARRY	055	CRAWFORD	101	JOHNSON	147	NODAWAY	195	SALINE
011	BARTON	057	DADE	103	KNOX	149	OREGON	197	SCHUYLER
013	BATES	059	DALLAS	105	LACLEDE	151	OSAGE	199	SCOTLAND
015	BENTON	061	DAVIESS	107	LAFAYETTE	153	OZARK	201	SCOTT
017	BOLLINGER	063	DEKALB	109	LAWRENCE	155	PEMISCOT	203	SHANNON
019	BOONE	065	DENT	111	LEWIS	157	PERRY	205	SHELBY
021	BUCHANAN	067	DOUGLAS	113	LINCOLN	159	PETTIS	207	STODDARD
023	BUTLER	069	DUNKLIN	115	LINN	161	PHELPS	209	STONE
025	CALDWELL	071	FRANKLIN	117	LIVINGSTON	163	PIKE	211	SULLIVAN
027	CALLAWAY	073	GASCONADE	119	MCDONALD	165	PLATTE	213	TANEY
029	CAMDEN	075	GENTRY	121	MACON	167	POLK	215	TEXAS
031	CAPE GIRARDEAU	077	GREENE	123	MADISON	169	PULASKI	217	VERNON
033	CARROLL	079	GRUNDY	125	MARIES	171	PUTNAM	219	WARREN
035	CARTER	081	HARRISON	127	MARION	173	RALLS	221	WASHINGTON
037	CASS	083	HENRY	129	MERCER	175	RANDOLPH	223	WAYNE
039	CEDAR	085	HICKORY	131	MILLER	177	RAY	225	WEBSTER
041	CHARITON	087	HOLT	133	MISSISSIPPI	179	REYNOLDS	227	WORTH
043	CHRISTIAN	089	HOWARD	135	MONITEAU	181	RIPLEY	229	WRIGHT
045	CLARK	091	HOWELL	137	MONROE	183	ST CHARLES	510	ST LOUIS CITY