

## ALTERNATIVE ENERGY PRODUCT MANUFACTURERS TAX CREDIT CLAIM FORM

**INSTRUCTIONS FOR USING THIS FORM:** When claiming the alternative energy product manufacturers tax credit, this claim form must accompany the CRS-1, E911 or TRS return in which the taxpayer wishes to apply the credit. Any portion of the alternative energy product manufacturers tax credit that remains unused at the end of the taxpayer's reporting period may be carried forward for 5 years. To claim the credit, attach a completed Form RPD-41331, *Alternative Energy Product Manufacturers Credit Claim Form*, to the return in which you wish to apply the credit on or before the due date of the return. You may apply this credit when you file your return online. Sign into Taxpayer Access Point (TAP) at <https://tap.state.nm.us>, and follow the prompts to attach this form. To mail in, attach this form and any applicable payments to the tax return and mail to the address on the return. For assistance claiming your approved credit, call (505) 827-0792.

|                                                                                                |                                         |                                      |
|------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------|
| Name of business                                                                               | SSN or FEIN                             | New Mexico CRS identification number |
| Enter the report period of the attached return<br><br>_____ through _____<br>MM/DD/YY MM/DD/YY | Name and phone number of contact person |                                      |

### Instructions for worksheet to compute the total unused credit available

**(a) Credit number.** Enter the credit number for each alternative energy product manufacturers tax credit approved by the Taxation and Revenue Department. If additional space is needed, attach a schedule on a separate page in the same format. Do not enter a credit if the date of the approval is more than five years from the end of the calendar year in which the credit was originally approved. Unused alternative energy product manufacturers tax credits may only be carried forward for five years following the date the credit was approved.

**(b) Amount of credit approved.** For each tax credit listed in column (a), enter the amount of credit approved.

**(c) Total credit applied to previous reports.** For each credit amount listed in column (b), enter the total amount of credit previously applied to modified combined tax liabilities.

**(d) Unused credit available for carry forward.** Subtract column (c) from column (b).

### Line instructions

**Line 1. Total credit available.** Enter the sum of all amounts in column (d) on line 1. If supplemental pages are attached, enter the sum of all amounts in column (d) from all pages.

**Line 2. Unused credit applied.** Enter the portion of unused credit available for carry-forward to be applied against the attached CRS-1, E911 or TRS Form. Note: Apply older credits first.

### Worksheet to compute the total unused credit available

| (a) Credit number | (b) Amount of credit approved | (c) Total credit applied to previous reports | (d) Unused credit available for carry-forward [(b) - (c)] |
|-------------------|-------------------------------|----------------------------------------------|-----------------------------------------------------------|
|                   |                               |                                              |                                                           |
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**Line 1. TOTAL credit available.** Enter the sum of column (d). If supplemental pages are attached, enter the sum of column (d) from all pages.

1.

**Line 2. Unused credit applied.** Enter the portion of total credit available to be applied to the attached New Mexico tax return. Do not enter more than the amount of tax due on the return.

2.

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**ABOUT THIS CREDIT:** A new tax credit is created for up to 5% of qualified expenditures for manufacturing equipment used in a manufacturing operation that produces alternative energy products. To be eligible to claim a credit, the taxpayer must employ personnel to perform production tasks in conjunction with manufacturing equipment not previously existing at the site. Additionally, the manufacturer must employ at least one new full-time employee in addition to the number of full-time employees employed one year prior to the day on which the taxpayer applies for the credit for every:

- \$500,000, or a portion of that amount, of qualified expenditures claimed by the taxpayer in a tax year in the same application, up to a value of \$30 million, and
- \$1 million, or a portion of that amount, of qualified expenditures claimed by the taxpayer in a tax year in the same application, over \$30 million.

Use Form RPD-41330, *Application for Alternative Energy Product Manufacturers Tax Credit*, to apply for the credit. Once approved, use this form to claim the credit against modified combined tax liability.

**You must apply for the alternative energy product manufacturers tax credit on or before the last day of the year following the end of the calendar year in which the qualified expenditure is made.**

**RECAPTURE MAY BE REQUIRED:** If the taxpayer or successor in the business of the taxpayer ceases operations at a facility in New Mexico for at least 180 consecutive days within a two-year period after the taxpayer has claimed an alternative energy product manufacturers tax credit, the Department may not grant additional credit with respect to that facility. Amounts of credit approved but not yet claimed, will be extinguished, and within 30 days after the one hundred eightieth (180) day of cessation of operations, the taxpayer must pay the modified income tax liability against which approved credit was taken. For purposes of a recapture of this credit, having ceased operations does not include reasonable periods for maintenance or retooling, for the repair or replacement of facilities damaged or destroyed, or during labor disputes.

**HOW TO CLAIM THE CREDIT:** Once you have been issued approval, the credit may be applied against the manufacturers modified combined tax liability, which includes gross receipts tax, compensating tax, withholding tax, E911 and TRS liabilities and any other tax collected at the same time and in the same manner as the gross receipts tax less any local option gross receipts tax due (5.125% of taxable gross receipts), less any credit other than the alternative energy product manufacturers tax credit. A pass-through entity (PTE) who has been approved for the credit may pass the credit to its owners, members or partners by submitting Form RPD-41364, *Notice of Distribution of Alternative Energy Product Manufacturers Tax Credit*, to the Department reporting the transfer. The owner, member or partner can then apply the credit against its modified combined liability.

Complete the name and address block of the eligible manufacturer. Complete the worksheet to compute the total unused credit available (see instructions). Submit a completed Form RPD-41331 along with a CRS-1, E911 or TRS form for the report period to which you wish to apply the credit. Any alternative energy product manufacturers tax credit that remains unused at the end of the calendar year in which the taxpayer is approved for the credit may be carried forward for 5 years. When completing the CRS-1, E911 and TRS forms, do not reduce the amount due on the report form by the amount of the credit; instead, underpay the tax due on the return and attach the credit claim form to the return.