

# K-36

(Rev. 7/08)

# KANSAS TELECOMMUNICATIONS AND RAILROAD CREDIT

For the taxable year beginning, \_\_\_\_\_, 20\_\_\_\_; ending \_\_\_\_\_, 20\_\_\_\_.

Name of taxpayer (as shown on return)	Social Security Number or Employer ID Number (EIN)
If partner, shareholder or member, enter name of partnership, S corporation, LLC or LLP	Employer ID Number (EIN)

**PART A – SCHEDULE OF PROPERTY TAXES PAID BY A TELECOMMUNICATIONS COMPANY (Form TC-100)**

Property tax year	(a) PVD ID #	(b) Credit available from PVD Form TC-100	(c) Amount of column (b) paid this year* and available for credit	(d) Date paid
2007				
2008				

\*Do not include any filing penalties.

**Total Tax Paid  
Total of column (c)**

**PART B – SCHEDULE OF PROPERTY TAXES PAID BY A RAILROAD (Form RC-100)**

Property tax year	(a) PVD ID #	(b) Credit available from PVD Form RC-100	(c) Amount of column (b) paid this year* and available for credit	(d) Date paid
2007				
2008				

\*Do not include any filing penalties.

**Total Tax Paid  
Total of column (c)**

**PART C – COMPUTATION OF CREDIT (All filers complete lines 1, 2, and 3)**

1. Enter the total from column (c) above. This is the total property tax timely paid this tax year on property available for credit. 1. \_\_\_\_\_
2. If you are a partner, member, or shareholder in a partnership, S corporation, LLC, or LLP, enter the percentage that represents your proportionate share. If you are the sole owner, enter 100%. 2. \_\_\_\_\_ %
3. Total credit available this tax year. Multiply line 1 by line 2. Enter the amount from line 3 of this schedule in Part I of Form K-120. If you are filing Form K-120 DO NOT complete lines 4, 5, and 6 of this schedule. 3. \_\_\_\_\_

**Only Form K-40 or Form K-41 filers will complete lines 4 and 5, and if applicable, PART D.**

4. Enter your total tax liability for this tax year after all credits other than this credit. 4. \_\_\_\_\_
5. Credit this tax year. Enter the lesser of lines 3 or 4. Enter this amount on line 15 of Form K-40, or line 9 of Form K-41. 5. \_\_\_\_\_

**If line 5 is less than line 3, complete PART D.**

**PART D – COMPUTATION OF REFUND**

6. Subtract line 5 from line 3. This is the amount of excess credit to be refunded. Enter this amount on line 24 of Form K-40, or line 14 of Form K-41. 6. \_\_\_\_\_

# INSTRUCTIONS FOR SCHEDULE K-36

## GENERAL INFORMATION

### **Telecommunications Credit**

K.S.A. 79-32,210 created an income tax credit for property taxes paid by telecommunication companies on property initially acquired and first placed in service after January 1, 2001 that has an assessment rate of 33%. The credit will be equal to the amount of property taxes timely paid for the difference between an assessment level of 25% and the actual assessment of 33%.

State assessed telecommunications companies are eligible for this credit.

This is a refundable credit and therefore if the available credit exceeds the tax liability for the telecommunication company for any year all additional credit will be refunded to the telecommunications company or all proper partners, owners or members of the partnership, S corporation, LLP or LLC.

### **Railroad Credit**

K.S.A. 79-32,206 provides a refundable tax credit against the income tax liability of a taxpayer imposed under the Kansas income tax act in an amount equal to 25% of the property tax levied for property tax year 2007, and all subsequent years, actually and timely paid during an income taxable year upon railroad machinery and equipment classified for property tax purposes pursuant to section 1 of article 11 of the Kansas constitution in subclass (3) of class 2.

### **Required Information**

Telecommunication companies will need a copy of Form TC-100, and Railroads will need a copy of Form RC-100 issued by the Division of Property Valuation within KDOR (Kansas Department of Revenue). Both Form TC-100 and Form RC-100 provide the amount of the tax credit available.

Forms TC-100 or RC-100, as applicable, may be needed for two separate years as the credit is only available for property taxes paid timely during the income tax year for which you are filing this credit schedule. Property taxes may be timely paid in one income tax year for property assessed in two different years.

You will need a copy of the county tax receipt(s) showing timely payment of the personal property tax. Do not enclose either the tax receipts or Form TC-100 or RC-100. They may be requested by KDOR at a later date.

## SPECIFIC LINE INSTRUCTIONS

### PARTS A & B — SCHEDULE OF PROPERTY TAXES PAID

**PART A—SCHEDULE OF PROPERTY TAXES PAID BY A TELECOMMUNICATIONS COMPANY:** Use the information provided on Form TC-100. Enter the PVD ID Number in column (a), and the amount of credit available in column (b) for the appropriate years. Column (c) is the portion of column (b) for each year that was actually and timely paid in the tax year being reported. Column (d) is the date the eligible property taxes were paid and should match the receipts used to determine the amounts in Column (c).

**PART B—SCHEDULE OF PROPERTY TAXES PAID BY A RAILROAD:** Use the information provided on Form RC-100. Enter the PVD ID Number in column (a), and the amount of credit available in column (b) for the appropriate years. Column (c) is the portion of column (b) for each year that was actually and timely paid in the tax year being reported. Column (d) is the date

the eligible property taxes were paid and should match the receipts used to determine the amounts in Column (c).

**Partners, Members or Shareholders:** If you are a partner, member or shareholder in more than one enterprise qualifying for this credit, complete a separate Schedule K-36 for each enterprise.

### PART C — COMPUTATION OF CREDIT

**LINE 1—TELECOMMUNICATIONS COMPANIES:** Enter the "Total Tax Paid" from column (c) of PART A. **RAILROADS:** Enter the "Total Tax Paid" from column (c) of PART B.

**LINE 2—TELECOMMUNICATIONS AND RAILROADS:** If you are a partner, member, or shareholder in a partnership, LLP, LLC, or S corporation, enter the percentage that represents your proportionate share in the taxes shown in PART A or Part B. If you are the sole owner of the property, enter 100%.

**LINE 3—TELECOMMUNICATIONS AND RAILROADS:** Multiply line 1 by line 2. This is the total credit available this tax year. If you are filing Form K-120, enter this amount in Part I of the return. If you are filing Form K-120 do not complete lines 4 through 6 of this schedule.

NOTE: All filers will complete lines 1, 2, and 3. Only Form K-40 and Form K-41 filers will complete lines 4, 5, and, if applicable, line 6.

**LINE 4—TELECOMMUNICATIONS AND RAILROADS:** Enter your Kansas tax liability after all credits other than this credit.

**LINE 5—TELECOMMUNICATIONS AND RAILROADS:** Enter the lesser of lines 3 or 4. Enter this amount on the appropriate line of Form K-40 or Form K-41.

**If line 5 is less than line 3, complete PART D**

### PART D — COMPUTATION OF REFUND

**LINE 6—**Subtract line 5 from line 3. This is the excess credit to be refunded to you. Enter this amount on the refundable tax credit line of Form K-40 or Form K-41.

## TAXPAYER ASSISTANCE

All inquiries regarding the content of either Form TC-100 or Form RC-100 will need to be made to:

State Assessed Bureau  
Property Valuation Division  
Docking State Office Building, 4<sup>th</sup> Floor  
915 SW Harrison St.  
Topeka, KS 66625-0001  
Phone: 785-296-2365

For assistance in completing this schedule contact:

Taxpayer Assistance Center  
Kansas Department of Revenue  
Docking State Office Building, 1<sup>st</sup> Floor  
915 SW Harrison St.  
Topeka, KS 66625-2007  
Phone: (785) 368-8222  
Hearing Impaired TTY: (785) 296-6461  
Fax: (785) 291-3614

Additional copies of this income tax credit schedule and other tax forms are available from our web site at [www.ksrevenue.org](http://www.ksrevenue.org)