



CT-250

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New York State Department of Taxation and Finance

Credit for Purchase of an Automated External Defibrillator

Tax Law - Articles 9-A, 32, and 33

All filers must enter tax period:

beginning [ ] ending [ ]

Legal name of corporation [ ] Employer identification number [ ]

File this form with Form CT-3, CT-3-A, CT-3-S, CT-32, CT-32-A, CT-32-S, CT-33, CT-33-A, or CT-33-NL.

Part 1 - Computation of credit (attach additional sheets if necessary)

Table with 5 columns: A Defibrillator name/model number, B Date purchased, C Cost, D Maximum credit, E Credit. Includes summary rows 1-3.

Part 2 - Computation of credit used (New York S corporations do not complete this part)

Table with 9 rows for tax computation: 4 Tax before credits, 5 Enter other tax credits used, 6 Net tax, 7 Tax limitation, 8 Credit limitation, 9 Credit used for the current tax year.

## Instructions

### Temporary deferral of certain tax credits

For tax years beginning on or after January 1, 2010, and before January 1, 2013, if the total amount of certain credits that you may use to reduce your tax or have refunded to you is greater than \$2 million, the excess over \$2 million must be deferred to, and used or refunded in, tax years beginning on or after January 1, 2013. For more information about the credit deferral, see Form CT-500, *Corporation Tax Credit Deferral*.

If you are subject to the credit deferral, you must complete all credit forms without regard to the deferral. However, the credit amount that is transferred to your tax return to be applied against your tax due or to be refunded to you may be reduced. Follow the instructions on Form CT-500 to determine the amounts to enter on your tax return.

### General information

A credit for purchase of an automated external defibrillator, as defined under section 3000-b of the Public Health Law, is allowed for tax years beginning on or after January 1, 2001. A taxpayer may claim the credit for each automated external defibrillator purchased (other than for resale) during the tax year.

### Eligibility

The following taxpayers are eligible to claim the credit:

- General business corporations taxable under Article 9-A
- Banking corporations taxable under Article 32
- Insurance corporations taxable under Article 33

### Credit amount

The amount of the credit allowed for each automated external defibrillator purchased (other than for resale) during the tax year is equal to the lesser of

- the cost to the taxpayer of the automated external defibrillator, or
- \$500.

There is no limit on the number of automated external defibrillators purchased during the tax year on which the credit may be claimed. However, the credit cannot exceed \$500 for each unit purchased. The credit cannot reduce the tax to less than the following minimum taxes:

- the larger of the tax on minimum taxable income base or fixed dollar minimum tax as computed under Article 9-A;
- the fixed minimum tax of \$250 computed under Article 32; or
- the fixed minimum tax of \$250 under Article 33.

Any amount of the credit not applied against the current tax year may **not** be carried over to the following tax year or years. The credit is not refundable. Any amount of the credit not applied against the current tax year may **not** be claimed as an overpayment of tax. The credit cannot be applied against the metropolitan transportation business tax (MTA surcharge) under Articles 9-A, 32, or 33.

### Definition

An *automated external defibrillator* is a medical device, approved by the United States Food and Drug Administration, that

- is capable of recognizing the presence or absence, in a patient, of ventricular fibrillation and rapid ventricular tachycardia;
- is capable of determining, without intervention by an operator, whether defibrillation should be performed on the patient;
- upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to the patient's heart; and
- then, upon action by an operator, delivers an appropriate electrical impulse to the patient's heart to perform defibrillation.

### Line instructions

General business corporations taxable under Article 9-A (other than New York S corporations), banking corporations taxable under Article 32, and insurance corporations taxable under Article 33 complete Part 1 and Part 2.

**New York S corporations:** Complete Form CT-250 through line 3 and include the amount from line 3 on Form CT-34-SH, *New York S Corporation Shareholders' Information Schedule*.

#### Part 1 — Computation of credit

**Column A** — Enter the name and model number of each automated external defibrillator (as defined under Public Health Law section 3000-b) that you purchased (other than for resale) during the current tax year.

**Column B** — Enter the date that the automated external defibrillator listed in column A was purchased.

**Column C** — Enter the cost of the automated external defibrillator listed in column A. The term *cost* means the basis of the property as defined in Internal Revenue Code (IRC) section 1012.

**Column E** — Enter for each automated external defibrillator listed in column A, the lesser of

- the cost of the automated external defibrillator as shown in column C, or
- the \$500 maximum shown in column D.

The credit amount cannot exceed \$500 for each unit purchased.

If you purchased more than five automated external defibrillators, list the requested information on a separate sheet and attach the list to this form.

**Line 1** — Use line 1 if you own the automated external defibrillator and you are claiming the credit for the purchase. Do not include on line 1 a credit for purchase of an automated external defibrillator received from a pass-through entity described on line 2.

**Line 2** — If you have a credit for purchase of an automated external defibrillator from a pass-through entity that is a partnership, enter on line 2 your pro rata share of the credit received from the partnership. This information should be provided to you by the partnership. The partnership completes Form IT-250, *Claim for Credit for Purchase of an Automated External Defibrillator*, and provides each partner with their pro rata share of the credit for purchase of an automated external defibrillator.

If you have pass through credits from more than one partnership, add them together and enter the amount on line 2.

If you have no credit for purchase of an automated external defibrillator from a pass-through entity that is a partnership, enter **0** on line 2.

#### Part 2 — Computation of credit used

**New York S corporations:** Do **not** complete Part 2. Transfer the line 3 amount to Form CT-34-SH and provide each shareholder with their pro rata share of the credit. Each shareholder of the New York S corporation will claim their share of the credit on Form IT-250, Schedule C. See Form IT-250-I, *Instructions for Form IT-250*, for further information.

A credit that originates in a New York S year flows through to the individual shareholders of the New York S corporation under Article 22, and the credit cannot be applied against the New York State corporation franchise tax in a New York S year.

**Line 4** — Enter your franchise tax before credits from the following franchise tax returns **plus** any net recaptured tax credits:

- Form CT-3, line 78
- Form CT-3-A, line 77
- Form CT-32, line 5
- Form CT-32-A, line 5
- Form CT-33, line 11
- Form CT-33-A, line 15
- Form CT-33-NL, line 5

**Line 5** — If you are claiming more than one tax credit for this year, enter the amount of credits claimed before applying this tax credit. Refer to the instructions of your franchise tax return to determine the ordering of credits.

**Article 9-A taxpayers:** Refer to Form CT-600-I, *Instructions for Form CT-600, Ordering of Corporation Tax Credits*.

If you are included in a combined return, include any amount of tax credit(s) being claimed by other members of the combined group, including the automated external defibrillator credit, that you wish to apply before your automated external defibrillator credit.

**Life insurance corporations:** Do not enter on this line any amount of empire zone (EZ) wage tax credit, zone equivalent area (ZEA) wage tax credit, or EZ capital tax credit you may be claiming. If you are included in a combined return, do not include any amount of these credits being claimed by other members of the combined group.

**Line 9** — Enter the lesser of line 3 or line 8.

If your total credits from all sources are **\$2 million or less**, enter the amount from line 9 on your franchise tax return.

If your total credits from all sources are **more than \$2 million**, you may be subject to the temporary credit deferral. Complete line 9 but do not enter the amount from line 9 on your franchise tax return. See Form CT-500 to determine the proper amounts to enter on your franchise tax return.

#### Need help? and Privacy notification

See Form CT-1, *Supplement to Corporation Tax Instructions*.