North Dakota Office of State Tax Commissioner

North Dakota Schedule K-1 (Form 58)

2011

Partner's Share of North Dakota Income (Loss), Deductions, Adjustments, Credits, and Other Items

▶ **See separate instructions**

◯ Final ◯ Amended

Partnership's tax year:

◯ **Calendar year 2011** (Jan. 1 - Dec. 31, 2011)

◯ **Fiscal year:** Beginning _____, 2011, Ending _____, 20____

Part 1 Partnership information

A Partnership's federal EIN

B Partnership's name, address, city, state, and ZIP code

Part 2 Partner information

C Partner's SSN or FEIN (from Federal Schedule K-1)

D Partner's name, address, city, state, and ZIP code (from Federal Schedule K-1)

E What type of entity is this partner? _____

F If partner is an individual, estate, or trust, partner is a:

◯ **Full-year resident** of North Dakota ◯ **Part-year resident** of North Dakota

◯ **Full-year nonresident** of North Dakota

G Is partner included in a composite return? ◯ Yes ◯ No

H Partner's share of profit and loss:

	Beginning	Ending
Profit	%	%
Loss	%	%

I Partner's ownership percentage: _____%

Part 3 All partners - ND adjustments and tax credits

1 Federally-exempt income from non-ND state and local bonds and foreign securities _____

2 State and local income taxes deducted in calculating ordinary income (loss) _____

3 Interest from U.S. obligations _____

4 Renaissance zone income exemption _____

5 New or expanding business exemption _____

6 Gain from eminent domain sale _____

7 a Renaissance zone: Historic property preservation/renovation tax credit _____

b Renaissance zone: Renaissance fund organization investment tax credit _____

c Renaissance zone: Nonparticipating property owner credit _____

8 Seed capital investment tax credit _____

9 Agricultural commodity processing facility investment tax credit _____

10 Supplier biodiesel or green diesel fuel tax credit _____

11 Seller biodiesel or green diesel fuel tax credit _____

12 a Geothermal credit - after 12/31/08 _____

b Geothermal credit - before 1/1/09 _____

c Biomass, solar, or wind device credit _____

13 Certified North Dakota nonprofit development corporation investment tax credit _____

14 Employer internship program tax credit _____

15 Microbusiness tax credit _____

16 Research expense tax credit _____

17 a Endowment fund tax credit _____

b Endowment fund contribution adjustment _____

18 Workforce recruitment credit _____

19 Credit for wages paid to mobilized employee _____

20 a Angel fund investment credit _____

b Angel fund investment credit purchased _____

21 Housing incentive fund credit _____

Part 4 Nonresident individual, estate or trust partner only - North Dakota income (loss)

22 Partnership's apportionment factor _____

23 Ordinary income (loss) _____

24 Net rental real estate income (loss) _____

25 Other net rental income (loss) _____

26 Guaranteed payments _____

27 Interest income _____

28 Ordinary dividends _____

29 Royalties _____

30 Net short-term capital gain (loss) _____

31 Net long-term capital gain (loss) _____

32 Net section 1231 gain (loss) _____

33 Other income (loss) _____

34 Section 179 deduction _____

35 Other deductions _____

36 I.R.C. Section 179 property disposition gain (loss) _____

Part 5 Nonresident individual partner only

37 ND distributive share of income (loss) _____

38 North Dakota income tax withheld _____

39 North Dakota composite income tax _____

Part 6 Partnership or corporation partner only

	Property	Payroll	Sales
40 ND			
41 Total			

2011
Partner's Instructions for North Dakota Schedule K-1 (Form 58)

Purpose of schedule

North Dakota Schedule K-1 (Form 58) is provided to you by the partnership to show your share of the income, gains, losses, deductions, and other items from the partnership that you need to complete your North Dakota income tax return. These instructions will assist you in transferring the amounts from the schedule to your North Dakota income tax return.

Partnership or corporation partner. If you are a partnership, corporation, or other entity treated like a partnership or corporation, you have received North Dakota Schedule K-1 to show your share of the partnership's North Dakota statutory adjustments or tax credits. You have also received the North Dakota Schedule K-1 to show your share of the partnership's apportionment factor that may affect the preparation of your North Dakota income tax return. See Instructions to Part 3 and Part 6.

Resident individual, estate, or trust partner. If you are a North Dakota resident individual, estate, or trust, you must report to North Dakota your entire share of the partnership's income, gains, losses, and deductions that are included in your federal taxable income. You have received North Dakota Schedule K-1 only to show your share of the partnership's North Dakota statutory adjustments or tax credits that may affect the preparation of your North Dakota income tax return. See the instructions to Part 3.

Nonresident individual, estate, or trust partner. If you are a nonresident individual, estate, or trust, you must report to North Dakota your share of the partnership's income, gains, losses, and deductions that are apportioned and allocated to North Dakota based on the partnership's activity in North Dakota. These items are shown in Part 4 of North Dakota Schedule K-1. Unless you are a nonresident individual who elected to include your share of these items in a composite return filed on your behalf by the partnership, you must file a North Dakota income tax return to report and pay the required income tax on them.

Composite return election. If you are a nonresident individual who elected to include your share of the partnership's North Dakota income, gains, losses, and deductions in a composite return filed by the partnership, you are not required to file a North Dakota individual income tax return. If this applies to you, you received North Dakota Schedule K-1 to show your share of these items and the composite income tax paid on them. If you later choose to file your own North Dakota individual income tax return, follow the instructions below to transfer the amounts from North Dakota Schedule K-1 to your return.

Amended Schedule K-1 (Form 58). If you received an amended North Dakota Schedule K-1 (Form 58) from the partnership, and you previously filed a North Dakota income tax return, you must file an amended North Dakota income tax return to report the changes in income, gains, losses, and deductions. You also must attach a copy of the amended North Dakota Schedule K-1 (Form 58) to your amended North Dakota income tax return.

Note: Any reference to another North Dakota form and line number contained in these instructions is a reference to the form to be used for the 2011 tax year. Therefore, report the amounts from the 2011 North Dakota Schedule K-1 on your 2011 North Dakota return. However, if you and the partnership do not have the same tax year, enter the amounts on the North Dakota return that you file for the tax year in which the partnership's tax year ends. For example, if you file on a calendar year basis, and the partnership's tax year ends in February 2012, report the amounts on your 2012 return.

Part 3
All partners–North Dakota adjustments and tax credits

Note: Wherever you see "Not applicable" in the right-hand column of the following lists, it means that the item does not apply to the return being completed; do not enter the item on the return.

Lines 1-21

Form ND-1 filer:

Include the amount from this schedule:	On:
Lines 1-2	Not applicable
Line 3	Form ND-1, line 7
Line 4	Sch. RZ, Part 1, line 14
Line 5	Form ND-1SA, line 2
Line 6	Not applicable
Line 7a	Sch. RZ, Part 4, line 7
Line 7b	Sch. RZ, Part 5, line 4
Line 7c	Sch. RZ, Part 6, line 6
Line 8	Sch. ND-1TC, line 4
Line 9	Sch. ND-1TC, line 3
Line 10	Sch. ND-1TC, line 6
Line 11	Sch. ND-1TC, line 7
Line 12a	Sch. ND-1TC, line 14b
Lines 12b-13	Not applicable
Line 14	Sch. ND-1TC, line 8a
Line 15	Sch. ND-1TC, line 9a
Line 16	Sch. ND-1TC, line 10a
Line 17a	Sch. ND-1TC, line 12
Line 17b	See instructions to ND-1, line 4a
Line 18	Sch. ND-1TC, line 13a
Line 19	Sch. ND-1TC, line 15
Line 20a	Sch. ND-1TC, line 11a
Line 20b	Sch. ND-1TC, line 11b
Line 21	Sch. ND-1TC, line 19

Form 38 filer:

Include the amount from this schedule:	On:
Lines 1-2	Not applicable
Line 3	Form 38, page 2, Part 1, line 4a
Line 4	Sch. RZ, Part 1, line 14
Line 5	Form 38, page 2, Part 1, line 4d
Line 6	Not applicable
Line 7a	Sch. RZ, Part 4, line 7
Line 7b	Sch. RZ, Part 5, line 4
Line 7c	Sch. RZ, Part 6, line 6
Lines 8-11	Form 38, page 1, line 3
Lines 12a-13	Not applicable
Lines 14-16	Form 38, page 1, line 3
Line 17a	Form 38, page 1, line 3
Line 17b	See instructions to Form 38, Part 1, line 2
Lines 18-21	Form 38, page 1, line 3

Form 40 filer:

Include the amount from this schedule:	On:
Line 1	Sch. SA, line 4
Line 2	Sch. SA, line 3
Line 3	Sch. SA, line 11
Line 4	Sch. RZ, Part 1, line 14
Line 5	Page 1, line 9
Line 6	Sch. SA, line 16
Line 7a	Sch. RZ, Part 4, line 7
Line 7b	Sch. RZ, Part 5, line 4
Line 7c	Sch. RZ, Part 6, line 6
Line 8	Sch. TC, line 12
Line 9	Sch. TC, line 15
Line 10	Sch. TC, line 13
Line 11	Sch. TC, line 14
Line 12a-12c	Sch. TC, line 3
Line 13	Sch. TC, line 8
Line 14	Sch. TC, line 18
Line 15	Sch. TC, line 17
Line 16	Sch. TC, line 5
Line 17a	Sch. TC, line 16
Line 17b	Sch. SA, line 5
Line 18	Sch. TC, line 21
Line 19	Sch. TC, line 22
Line 20a	Sch. TC, line 19
Line 20b	Sch. TC, line 20
Line 21	Sch. TC, line 23

Form 35 filer:

Include the amount from this schedule:	On:
Line 1	Sch. SA, line 4
Line 2	Sch. SA, line 3
Line 3	Not applicable
Line 4	Sch. RZ, Part 1, line 14
Lines 5-6	Not applicable
Line 7a	Sch. RZ, Part 4, line 7
Line 7b	Sch. RZ, Part 5, line 4
Line 7c	Sch. RZ, Part 6, line 6
Line 8-16	Not applicable
Line 17a	Form 35, page 1, line 24
Line 17b	Sch, SA, line 5
Line 18-20b	Not applicable
Line 21	Form 35, page 1, line 25

Form 60 filer:

Include the amount from this schedule:	
Lines 1-2	Not applicable
Line 3	Sch. K, line 1
Line 4	Sch. K, line 2
Line 5	Sch. K, line 3
Line 6	Not applicable
Line 7a	Sch. K, line 4a
Line 7b	Sch. K, line 4b
Line 7c	Sch. K, line 4c
Line 8	Sch. K, line 5
Line 9	Sch. K, line 6
Line 10	Sch. K, line 7
Line 11	Sch. K, line 8
Line 12a	Sch. K, line 9
Lines 12b-13	Not applicable
Line 14	Sch. K, line 10a
Line 15	Sch. K, line 11a
Line 16	Sch. K, line 12a
Line 17a	Sch. K, line 13a
Line 17b	Sch. K, line 13b
Line 18	Sch. K, line 14a
Line 19	Sch. K, line 15
Line 20a	Sch. K, line 16a
Line 20b	Sch. K, line 16b
Line 21	Sch. K, line 17

Form 58 filer: Include the amounts from lines 1-21 of this schedule on the applicable lines of Schedule K of Form 58.

Part 4
Nonresident individual, estate, or trust partners only– North Dakota income (loss)

Line 22

Enter the partnership's apportionment factor from Schedule FACT, line 14.

Lines 23-36

If you are a nonresident individual, estate, or trust, lines 23 through 36 of Part 4 show your share of the partnership's North Dakota income, gains, losses, and deductions that you must report on your North Dakota income tax return. Transfer these amounts to your North Dakota income tax return as instructed below based on the type of return you are filing.

If the full amount of any item is not included in your adjusted gross income on your federal income tax return because of limitations on the deductibility of a passive activity loss, capital loss, section 179 deduction, or for any other reason, enter on your North Dakota return only that portion of the item included in your federal adjusted gross income.

Attach a statement to your North Dakota income tax return explaining any difference between an amount shown on North Dakota Schedule K-1 (Form 58) and the amount reported on your North Dakota income tax return.

Form ND-1 filer (nonresident only):

Include the amount from this schedule:	On Schedule ND-1NR, Column B:
Lines 23-26	Line 6
Lines 27-28	Line 2
Line 29	Line 6
Lines 30-32	Line 4
Line 33	Line 8
Lines 34-35	Line 6
Line 36	Line 4

Form 38 filer (nonresident only):

Include the amount from this schedule:	On Tax Computation Schedule, Part 2, Column B:
Lines 23-26	Line 5
Line 27	Line 1
Line 28	Line 2
Line 29	Line 5
Lines 30-31	Line 4
Line 32	Line 4 or 7
Line 33	Line 8
Lines 34-35	Line 5
Line 36	Line 4 or 7

Part 5
Nonresident individual partner only

Lines 37 through 39 apply only to a nonresident individual partner.

Line 37

This is the net amount of your North Dakota distributive share of income (loss) from the partnership. Do not enter the amount from this line anywhere on your return. ***It is for your information only.***

If you have a North Dakota distributive share of income of $1,000 or more, the partnership was required to withhold North Dakota income tax from it at the rate of 3.99% unless you elected to include it in a composite return filed by the partnership.

Line 38

If applicable, the amount shown on this line is the amount of North Dakota income tax withheld by the partnership from your North Dakota distributive share of income. Include this amount on Form ND-1, line 28. **Attach a copy of North Dakota Schedule K-1 (Form 58) to your return.**

Line 39

If you elected to include your North Dakota distributive share of income (loss) in a composite return, the amount shown on this line is the amount of North Dakota composite income tax paid on your behalf by the partnership. If you made this election, you are not required to file your own North Dakota individual income tax return. ***This is for your information only.***

Note: *If you later choose to file your own North Dakota individual income tax return, you may claim this amount as a tax payment on Form ND-1, line 28. Attach a copy of the North Dakota Schedule K-1 (Form 58) to your return to support the amount claimed.*

Part 6
Partnership and corporation partner only

Lines 40 and 41 apply only to a partner that is a partnership, corporation, or other entity treated like a partnership or corporation.

Form 40 filer:

Include the amount from this schedule:	On:
Line 40-41	Sch. FACT, or Sch. CR, Part II

Form 35 filer:

Include the amount from this schedule:	On:
Line 40-41	Sch. FACT

Form 60 filer:

Include the amount from this schedule:	On:
Line 40-41	See instructions to Form 60, Sch. FACT

Form 58 filer:

Include the amount from this schedule:	On:
Line 40-41	See instructions to Form 58, Sch. FACT