

Instructions for Preparing Form F-1065 Florida Partnership Information Return

F-1065N

R. 01/10

Rule 12C-1.051
Florida Administrative Code
Effective 01/10

General Instructions

Who Must File Form F-1065?

Every Florida partnership having any partner subject to the Florida Corporate Income Tax Code must file Form F-1065. A limited liability company with a corporate partner, if classified as a partnership for federal tax purposes, must also file Form F-1065. A Florida partnership is a partnership doing business, earning income, or existing in Florida.

Note: A foreign (out-of-state) corporation which is a partner in a Florida partnership or a member of a Florida joint venture is subject to the Florida Income Tax Code and must file a *Florida Corporate Income/Franchise and Emergency Excise Tax Return (Form F-1120)*.

A corporate taxpayer filing Form F-1120 may use Form F-1065 to report the distributive share of its partnership income and apportionment factors from a partnership or joint venture that is not a Florida partnership.

Where to File

Florida Department of Revenue
5050 W Tennessee St
Tallahassee FL 32399-0135

When to File

You must file Form F-1065 on or before the first day of the fifth month following the close of your taxable year.

If the due date falls on a Saturday, Sunday, or federal or state holiday, the return is considered to be filed on time if postmarked on the next business day.

Extension of Time to File

To apply for an extension of time for filing Florida Form F-1065, you must complete Florida Form F-7004, *Florida Tentative Income/Franchise and Emergency Excise Tax Return and Application for Extension of Time to File Return*.

You must file **Florida Form F-7004** to extend your time to file. A copy of your **federal extension** alone will not extend the time for filing your Florida return. See Rule 12C-1.0222, F.A.C., for information on the requirements that must be met for your request for an extension of time to be valid.

Extensions are valid for five months. You are only allowed one extension.

Attachments and Statements

You may use attachments if the lines on Form F-1065 or on any schedules are not sufficient. They must contain all the required information and follow the format of the schedules of the return. Do not attach a copy of the federal return.

Signature and Verification

An officer or person authorized to sign for the entity must sign all returns. An original signature is required. We will not accept a photocopy, facsimile, or stamp. A receiver, trustee, or assignee must sign any return required to be filed for any organization.

Any person, firm, or corporation who prepares a return for compensation must also sign the return and provide:

- Federal employer identification number (FEIN).
- Preparer tax identification number (PTIN).

Rounding Off to Whole-Dollar Amounts

Whole-dollar amounts may be entered on the return and accompanying schedules. To round off dollar amounts, drop amounts less than 50 cents to the next lowest dollar and increase amounts from 50 cents to 99 cents to the next highest dollar. If you use this method on the federal return, you must use it on the Florida return.

Taxable Year and Accounting Methods

The taxable year and method of accounting must be the same for Florida income tax as it is for federal income tax. If you change your taxable year or your method of accounting for federal income tax, you must also change the taxable year or method of accounting for Florida income tax.

Final Returns

If the partnership ceases to exist, write "FINAL RETURN" at the top of the form.

General Information Questions

Enter the FEIN. If you do not have an FEIN, obtain one from the Internal Revenue Service (IRS). You can:

- Apply online at www.irs.gov
- Apply by telephone at 800-829-4933.
- Apply by mail with IRS Form SS-4. To obtain this form, download or order it from www.irs.gov or call 800-829-3676.

Enter the Principal Business Activity Code that applies to Florida business activities. If the Principal Business Activity Code is unknown, see the IRS "Codes for Principal Business Activity" section of federal Form 1065.

General Information

Both the income and the apportionment factors are considered to “flow through” to the members of a partnership or joint venture.

Use parts I and II of the *Florida Partnership Information Return* to determine each partner’s share of the Florida partnership income adjustment.

Parts III and IV are used to determine the adjustment which must be made to each partner’s apportionment factors. For example, a corporate partner’s share of the partnership’s sales within Florida will be added to the corporation’s sales within Florida. The partner’s share of the partnership’s “everywhere sales” will be added to the corporation’s “everywhere sales.” The corporation’s sales apportionment factor, as reflected on Schedule III of the F-1120, will therefore be equal to:

$$\frac{(\text{corporation's Florida sales} + \text{share of partnership's Florida sales})}{(\text{corporation's everywhere sales} + \text{share of partnership's everywhere sales})}$$

Part I. Florida Adjustment to Partnership Income

Line A. Additions to federal income

1. Federal tax-exempt interest

Enter the amount of interest which is excluded from ordinary income under s. 103(a), Internal Revenue Code (IRC), or any other federal law, less the associated expenses disallowed in computing ordinary income under s. 265, IRC, or any other law.

2. State income taxes deducted in computing federal ordinary income

Enter the sum of any tax on or measured by income, which is paid or accrued as a liability to the District of Columbia or any state of the United States and is deductible from gross income in computing federal ordinary income for the taxable year. You should exclude taxes based on gross receipts or revenues.

3. Other additions

Enter any other items you are required to add as an adjustment to calculate adjusted federal income.

For example, Section 220.12(1)(e), Florida Statutes (F.S.), requires partnerships to add back to adjusted federal income the special 50% bonus depreciation for assets placed in service during the 2008 and 2009 calendar year, the deduction under section 179 of the IRC in excess of \$128,000, for tax years beginning in 2008 and 2009 and cancellation of indebtedness income that is deferred under section 108(i) of the IRC.

Line B. Subtractions from federal income

Enter any items required to be subtracted as an adjustment to calculate adjusted federal income.

For example, Section 220.12(1)(e), F. S., provides for a subtraction taken equally over a seven year period corresponding to the add back to adjusted federal income for the special 50% bonus depreciation for assets placed in service during the 2008 and 2009 calendar year and the deduction under section 179 of the IRC in excess of \$128,000, for tax years beginning in 2008 and 2009. A subtraction is also provided corresponding to the add back of cancellation of indebtedness income that is deferred under section 108(i) of the IRC when the deferred income is recognized for federal income tax purposes.

Line C. Sub-total

Subtract Line B from Line A.

Line D. Net adjustment from other partnerships or joint ventures

If, because of Florida changes, the partnership’s share of income from other partnerships or joint ventures is different from the amount included in federal taxable income, you must make an appropriate adjustment on Line D. Attach a schedule explaining any adjustment.

Line E. Partnership income adjustment

Calculate the total partnership income adjustment (sum of Lines C and D). Enter net increases to income on Line 1. Enter net decreases to income on Line 2.

Part II. Distribution of Partnership Income Adjustment

Distributing each partner’s share of the total partnership income adjustment (Part I, Line E) is accomplished in Part II.

Each corporate partner must enter its share of the adjustment in Column (c) on its Florida Corporate Income/Franchise and Emergency Excise Tax Return (F-1120). It should enter increases under “Other Additions” on Schedule I, Form F-1120 and should enter decreases under “Other Subtractions” on Schedule II, Form F-1120.

Part III. Apportionment Information

You must complete this part if either the partnership or any of the partners subject to the Income Tax Code does business outside Florida.

Florida taxpayers doing business outside the state must apportion their business income to Florida based on a three-factor formula. There are exceptions to this three-factor formula for insurance companies, transportation services, and taxpayers who were given prior permission by the Department to apportion income using a different method under section (s.) 220.152, Florida Statutes (F.S.).

The three-factor formula measures Florida's share of adjusted federal income by ratios of the taxpayer's property, payroll, and sales in Florida, to total property, payroll, and sales found or occurring everywhere.

For more information about apportioning income see s. 220.15, F.S., and Rule 12C-1.015, Florida Administrative Code.

III-A, Line 1 (and Part III-C). Average value of property

The property factor is a fraction. The numerator, in this fraction, is the average value of real and tangible personal property owned or rented and used during the taxable year in Florida. The denominator is the average value of such property owned or rented and used everywhere during the taxable year. The property factor for corporations included within the definition of financial organizations must also include intangible personal property, except goodwill.

Property owned is valued at original cost, without regard to accumulated depreciation. Property rented is valued at eight times the net annual rental rate. You must reduce the net annual rental rate by the annual rental rate received from sub-rentals.

In Part III-C, Lines 1 through 4, enter the beginning-of-year and end-of-year balances for property owned and used within Florida, as well as property owned and used everywhere. Place the total value of the columns on Line 5. Calculate the average values as provided on Lines 6 and 7. Enter the Florida average in Part III-A, Line 1, Column (a). Enter the average everywhere in Part III-A, Line 1, Column (b).

III-A, Line 2. Salaries, wages, commissions, and other compensation

The payroll factor is a fraction. The numerator, in this fraction, is the total amount paid to employees in Florida during the taxable year for compensation. The denominator is the total compensation paid to employees everywhere during the taxable year. Enter the numerator in Part III-A, Line 2, Column (a) and enter the denominator in Part III-A, Line 2, Column (b).

For purposes of this factor, compensation is paid within Florida if:

- (a) The employee's service is performed entirely within Florida, or
- (b) The employee's service is performed both within and without Florida, but the service performed outside Florida is incidental to the employee's service, or
- (c) Some of the employee's service is performed in Florida and either the base of operations or the place from which the service is directed or controlled is in Florida, or the base of operations or place from which the service is controlled is not in any state in which some part of the service is performed and the employee's residence is in Florida.

The partnership must attach a statement listing all compensation paid or accrued for the taxable year other than that as shown on Schedule A or page 1 of the federal Form 1065.

III-A, Line 3. Sales

The sales factor is a fraction. The numerator, in this fraction, is the total sales of the taxpayer in Florida during the taxable year. The denominator is the total sales of the taxpayer everywhere during the taxable year. Enter the numerator in Part III-A, Line 3, Column (a) and the denominator in Part III-A, Line 3, Column (b).

Florida defines the term "total sales" as gross receipts without regard to returns or allowances. The term "sales" is not limited to tangible personal property, and may include:

- (a) Rental or royalty income if such income is significant in the taxpayer's business.
- (b) Interest received on deferred payments of sales of real or tangible personal property.
- (c) Sales of services.
- (d) Income from the sale, licensing, or other use of intangible personal property such as patents and copyrights.
- (e) For financial organizations, income from intangible personal property.

Sales will be attributable to Florida using these criteria:

- (a) Sales of tangible personal property will be "Florida sales" if the property is delivered or shipped to a purchaser within this state.
- (b) Rentals will be "Florida sales" if the real or tangible personal property is in this state.

- (c) Interest received on deferred payments of sales of real or tangible personal property will be included in "Florida sales" if the sale of the property is in Florida.
- (d) Sales of service organizations are within Florida if the services are performed in Florida.

For a financial organization, "Florida sales" will also include:

- (a) Fees, commissions, or other compensation for financial services made within this state.
- (b) Gross profits from trading in stocks, bonds, or other securities managed within this state.
- (c) Interest, other than interest from loans secured by mortgages, deeds of trust, or other liens on real or tangible personal property found outside this state.
- (d) Dividends received within this state.
- (e) Interest charged to customers at places of business maintained within this state for carrying debit balances of margin accounts, without deduction of any costs incurred in carrying such accounts.
- (f) Interest, fees, commissions, and other charges or gains from loans secured by mortgages, deeds of trust, or other liens on real or tangible personal property found in this state or from installment sale agreements originally completed by a taxpayer or his agent to sell real or tangible personal property located in this state.

- (g) Any other gross income, including other interest resulting from the operation as a financial organization within this state.

III-B. Special Industry Apportionment Fraction

Special methods of apportioning income by taxpayers providing insurance or transportation services are provided. For example, the income attributable to transportation services is apportioned to Florida by multiplying the adjusted federal income by a fraction. The numerator is the "revenue miles" within Florida and the denominator is the "revenue miles" everywhere. For transportation other than by pipeline, a revenue mile is the transportation of one passenger or one net ton of freight the distance of one mile for a consideration.

Part IV. Apportionment of Partners' Share

Each partner's share of the apportionment factors is determined by multiplying the amount in Part III-A, on Lines 1, 2, and 3 by the percentage interest of each partner. Amounts determined should be added to each partner's apportionment factors included on its Form F-1120.

Partnerships subject to a special industry apportionment fraction (for example, those engaged mainly in transportation services) should adjust this schedule to report each partner's share of the special apportionment fraction (for example, revenue miles for transportation companies).

For Information and Forms



Information and forms are available on our Internet site at:

www.myflorida.com/dor



To speak with a Department of Revenue representative, call Taxpayer Services, Monday through Friday, 8 a.m. to 7 p.m., ET, at 800-352-3671.



Persons with hearing or speech impairments may call our TDD at 800-367-8331 or 850-922-1115.



For a written reply to tax questions, write:
Taxpayer Services
Florida Department of Revenue
5050 W Tennessee St Bldg L
Tallahassee FL 32399-0112

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