# G.S. 150B-21.3A Report for 17 NCAC 05, CORPORATE FRANCHISE, INCOME, AND INSURANCE TAXES Agency - Department of Revenue Comment Period -

Comment Period												
Date Submitted t	to APO - Filled in by R	RC staff										
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B- 21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B- 21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B- 21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)	RRC Final Determination of Status of Rule for Report to APO [150B- 21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 5B - FRANCHISE TAX	SECTION .0100 - GENERAL INFORMATION	17 NCAC 05B .0104	INACTIVE CORPORATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Select One	Select One
		17 NCAC 05B .0105	DISSOLUTION OR WITHDRAWAL OF CORPORATE RIGHTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05B .0107	EXTENSION OF FILING DATE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .1100 - CAPITAL STOCK: SURPLUS AND UNDIVIDED PROFITS BASE	17 NCAC 05B .1104	EXCLUSION OF RETAINED EARNINGS BY PARENT CORPORATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05B .1105	INVESTMENT IN SUBSIDIARY	Readopted Eff. May 1, 2018	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05B .1108	EXCLUSION PROVISION LIMITED TO INDEBTEDNESS OWED	Readopted Eff. May 1, 2018	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05B .1109	EQUITY CAPITAL NOT DEDUCTIBLE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05B .1110	RECIPROCAL INDEBTEDNESS BETWEEN AFFILIATES	Readopted Eff. May 1, 2018	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .1300 - INVESTMENT IN TANGIBLE PROPERTIES IN NORTH CAROLINA BASE	17 NCAC 05B .1302	WHAT IS INCLUDABLE IN THE INVESTMENT BASE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following the consultation	Select One
	57.02	17 NCAC 05B .1303	TREATMENT OF CONSTRUCTION IN PROGRESS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following the consultation	Select One
		17 NCAC 05B .1309	DETERMINATION OF INCLUSION BY DEPRECIATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following the consultation	Select One
	SECTION .1400 - APPRAISED VALUATION OF TANGIBLE AND INTANGIBLE PROPERTY BASE	17 NCAC 05B .1406	INVESTMENT BASE PROPERTY INCLUDED	Readopted Eff. May 1, 2018	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following the consultation	Select One
	SECTION .1500 - CHANGE OF INCOMI YEAR	17 NCAC 05B .1501	COMPUTATION OF TAX	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05B .1502	COMPUTATION OF TAX WHEN MERGER IS INVOLVED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 05C - CORPORATE INCOME TAX	SECTION .0100 - CORPORATIONS SUBJECT TO THE TAX: TAX RATE AND ALLOCATION	17 NCAC 05C .0101	DOMESTIC AND FOREIGN CORPORATIONS REQUIRED TO FILE	Readopted Eff. May 1, 2018	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05C .0102	DOING BUSINESS DEFINED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05C .0103		Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0300 - COMPUTATION OF NET INCOME	17 NCAC 05C .0304	ATTRIBUTION OF EXPENSES TO NONTAXABLE INCOME	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One

# G.S. 150B-21.3A Report for 17 NCAC 05, CORPORATE FRANCHISE, INCOME, AND INSURANCE TAXES Agency - Department of Revenue Comment Period -

Comment Period		· · · · ·										
Subchapter	O APO - Filled in by R Rule Section	RC staff Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B- 21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [1508-	Federal Regulation Citation	Public Comment Received [150B- 21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)	RRC Final Determination of Status of Rule for Report to APO [150B-	OAH Next Steps
					21.3A(c)(1/a)	21.3A(d1)]		21.5A(c)(1)]	1 done comment [1508-21.5A(c)(1)]	Comments [130b-21:3A(c)(2)	21.3A(c)(2)]	
	SECTION .0400 - INTEREST INCOME ON GOVERNMENT OBLIGATIONS	17 NCAC 05C .0401	NORTH CAROLINA OBLIGATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05C .0402	OBLIGATIONS OF OTHER STATES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05C .0403	U.S. OBLIGATIONS	Readopted Eff. May 1, 2018	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05C .0404	SALES OR EXCHANGES	Pursuant to G.S. 150B-21.3A, rule								
				is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
***************************************		17 NCAC 05C .0405	OBLIGATIONS OF FEDERAL	Pursuant to G.S. 150B-21.3A, rule								
			NATIONAL MORTGAGE	is necessary without substantive	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
			ASSOCIATION	public interest Eff. August 19, 2017	ivecessai y	NO		Select Offe	ivecessary	Select Offe	Necessary and must be readopted	Select Offe
		17 NCAC 05C .0406	MORTGAGE BACKED	Pursuant to G.S. 150B-21.3A, rule								
			CERTIFICATE GUARANTEED BY GNMA	is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05C .0407	DEDITION ASE ACCREMENTS	Pursuant to G.S. 150B-21.3A, rule								
		17 NCAC 03C .0407	REPORCHASE AGREEMENTS	is necessary without substantive								
				public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0600 -	17 NCAC 05C .0601	PRELIMINARY STATEMENT	Pursuant to G.S. 150B-21.3A, rule								
	TAXABLE IN			is necessary without substantive	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	ANOTHER STATE			public interest Eff. August 19, 2017	recessary	, no		Sciect Offic	recessury	Scient one	recessary and must be readopted	Scient one
		17 NCAC 05C .0602	DEFINITION OF TAXPAYER	Pursuant to G.S. 150B-21.3A, rule								
				is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05C .0604	WHEN A TAXPAYER IS	Pursuant to G.S. 150B-21.3A, rule								
			SUBJECT TO TAX	is necessary without substantive	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
				public interest Eff. August 19, 2017								
		17 NCAC 05C .0605	WHEN A STATE HAS	Pursuant to G.S. 150B-21.3A, rule								
			JURISDICTION	is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
				public interest Ell. August 19, 2017								
	SECTION .0700 -	17 NCAC 05C .0701	DIVISION OF INCOME: IN	Pursuant to G.S. 150B-21.3A, rule								
	APPORTIONABLE		GENERAL	is necessary without substantive								
	AND NONAPPORTIONABI			public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	E INCOME											
		17 NCAC 05C .0704	PRORATION OF DEDUCTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive								
				public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0800 -	17 NCAC 05C .0801	IN GENERAL	Readopted Eff. May 1, 2018							Unnecessary and should expire on	
	PROPERTY FACTOR				Unnecessary	No		Select One	Unnecessary	Select One	the first day of the month following	Select One
		17 NCAC 05C .0802	PROPERTY USED FOR THE	Pursuant to G.S. 150B-21.3A, rule							the consultation	
		17 NEAC 050 .0002	PRODUCTION OF	is necessary without substantive						Calant One	Unnecessary and should expire on	Colon Co
			APPORTIONABLE INCOME	public interest Eff. August 19, 2017	Unnecessary	No		Select One	Unnecessary	Select One	the first day of the month following the consultation	Select One
		17 NCAC 05C .0803	CONSISTENCY IN REPORTING	G Pursuant to G.S. 150B-21.3A, rule							Unnecessary and should expire on	
				is necessary without substantive	Unnecessary	No		Select One	Unnecessary	Select One	the first day of the month following	Select One
				public interest Eff. August 19, 2017				7.5.5.5	,		the consultation	<del> </del>
		17 NCAC 05C .0804	NUMERATOR	Pursuant to G.S. 150B-21.3A, rule							Unnecessary and should overing an	
				is necessary without substantive	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following	Select One
				public interest Eff. August 19, 2017	Officeessary	INO		Select Offe	Officeessary	Sciect Offe	the consultation	Sciect Offe
	1	17 NCAC 05C .0805	VALUATION OF OWNED	Pursuant to G.S. 150B-21.3A, rule							Unnecessary and should expire on	
			PROPERTY	is necessary without substantive	Unnecessary	No		Select One	Unnecessary	Select One	the first day of the month following	Select One
				public interest Eff. August 19, 2017	,			7.5.5.5		- 3.555 5.1 <b>5</b>	the consultation	<del> </del>
	SECTION .0900 -	17 NCAC 05C .0902	PAYROLL ACCOUNTING	Pursuant to G.S. 150B-21.3A, rule							Unnecessary and should expire on	
	PAYROLL FACTOR		METHOD	is necessary without substantive	Unnecessary	No		Select One	Unnecessary	Select One	the first day of the month following	Select One
				public interest Eff. August 19, 2017	,				,		the consultation	
	1	1										

er Rule Section	RRC staff  Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B- 21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B- 21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B- 21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)	RRC Final Determination of Status of Rule for Report to APO [150B- 21.3A(c)(2)]	OAH Next Steps
	17 NCAC 05C .0903	COMPENSATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following the consultation	Select One
	17 NCAC 05C .0906	DENOMINATOR OF PAYROLI FACTOR	L Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following the consultation	Select One
	17 NCAC 05C .0907	NUMERATOR OF PAYROLL FACTOR	Readopted Eff. May 1, 2018	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following the consultation	Select One
	17 NCAC 05C .0908	CORPORATIONS UTILIZING COMMON PAYMASTER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following the consultation	Select One
SECTION .1000 - SALES FACTOR	17 NCAC 05C .1001	SALES MADE IN GENERAL BUSINESS OPERATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	17 NCAC 05C .1002	SALES INCIDENTAL TO GENERAL BUSINESS OPERATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	17 NCAC 05C .1003	SALES MADE IN OTHER TYPE OF BUSINESS ACTIVITY	E Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	17 NCAC 05C .1004	NUMERATOR	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	17 NCAC 05C .1005		Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	17 NCAC 05C .1006	SALES FACTOR: SALES TO UNITED STATES GOVERNMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SECTION .1400 - AMORTIZATION BOND PREMIUM		PRELIMINARY STATEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	17 NCAC 05C .1402	TAX-EXEMPT BONDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	17 NCAC 05C .1403	TAXABLE BONDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	17 NCAC 05C .1404	DEFINITION OF BOND	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SECTION .1500 - ECONOMIC LOSS CARRY-OVER	NET 17 NCAC 05C .1506	CORPORATIONS APPORTIONING THEIR NET INCOME	Readopted Eff. May 1, 2018	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SECTION .1700 - PARTNERSHIPS A THE CORPORATE PARTNER		REPORTING PARTNERSHIP NET INCOME	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	17 NCAC 05C .1702	APPORTIONABLE INCOME OR NONAPPORTIONABLE INCOME	Readopted Eff. May 1, 2018	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SECTION .1900 - FILING OF RETUR AND PAYMENT C TAXES	NS	OVERPAYMENTS APPLIED TO NEXT YEAR	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	17 NCAC 05C .1905	ELECTRONIC FILING OF CORPORATION INCOME TAX	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One

# G.S. 150B-21.3A Report for 17 NCAC 05, CORPORATE FRANCHISE, INCOME, AND INSURANCE TAXES Agency - Department of Revenue Comment Period -

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Subchapter	o APO - Filled in by RR  Rule Section	C staff Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B- 21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B- 21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)	RRC Final Determination of Status of Rule for Report to APO [150B- 21.3A(c)(2)]	OAH Next Steps
	SECTION .2000 - EXTENSION OF TIME FOR FILING RETURN	17 NCAC 05C .2004	EXTENSION OF FILING DATE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .2100 - DISSOLUTIONS AND WITHDRAWALS	17 NCAC 05C .2101	REQUIREMENTS WHEN CORPORATION ENDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .2400 - DOMESTIC INTERNATIONAL SALES CORPORATION	17 NCAC 05C .2401	DOING BUSINESS ACTIVITIES OF DISC	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05C .2403	APPORTIONMENT OF DISC NET INCOME	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05C .2404	DIVIDENDS RECEIVED FROM DISC	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 05D - ALTERNATIVE APPORTIONMENT METHOD		17 NCAC 05D .0107	PURPOSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05D .0108	WHO MAY SUBMIT REQUEST	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05D .0109	REQUEST FOR ALTERNATIVE APPORTIONMENT FORMULA		Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05D .0110	TIME FOR FILING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05D .0111	NOTICE OF CONFERENCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05D .0112	WHO SHALL ATTEND THE CONFERENCE	Readopted Eff. May 1, 2018	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05D .0113	CONDUCT OF THE CONFERENCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05D .0114	REMEDY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05D .0115	FINAL DECISION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 5E - INSURANCE PREMIUMS TAX AN REGULATORY SURCHARGE	GENERAL	17 NCAC 05E .0101	REDUCED INSTALLMENT PAYMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05E .0103	PREMIUM FINANCE CHARGES AND OTHER CHARGES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05E .0104	DIVIDENDS APPLIED TO PURCHASE ADDITIONAL PAID-UP LIFE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05E .0106	EMPLOYEE BENEFIT PLAN CONTRIBUTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One

Comment Period -												
Date Submitted to	APO - Filled in by R	RC staff										
				Date and Last Agency Action	Agency Determination [150B-	Required to Implement or Conform		Public Comment Received [150B-	Agency Determination Following	RRC Determination of Public	RRC Final Determination of Status	
Subchapter	Rule Section	Rule Citation	Rule Name	on the Rule	21.3A(c)(1)a]	to Federal Regulation [150B-	Federal Regulation Citation	21.3A(c)(1)]	Public Comment [150B-21.3A(c)(1)]	Comments [150B-21.3A(c)(2)	of Rule for Report to APO [150B-	OAH Next Steps
						21.3A(d1)]					21.3A(c)(2)]	
SUBCHAPTER 05F – SECRETARY'S	SECTION .0100 - GENERAL	17 NCAC 05F .0101	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive								
AUTHORITY TO	GENERAL			public interest Eff. August 19, 2017								
ADJUST NET INCOM	E			public interest En. August 13, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
OR TO REQUIRE A					,			35.555 5.115	, ,	33.331 3.13	The second of th	55.555 5.115
COMBINED RETURN												
		17 NCAC 05F .0102	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule								
				is necessary without substantive	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
				public interest Eff. August 19, 2017	,				,		,	
	SECTION .0200 -	17 NCAC 05F .0201	ECONOMIC SUBSTANCE TES	T Pursuant to G.S. 150B-21.3A, rule								
	ECONOMIC	17 NCAC 05F .0201	BURDEN OF PROOF	is necessary without substantive								
	SUBSTANCE		BONDEN OF TROOP	public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
				,								
		17 NCAC 05F .0202	REASONABLE BUSINESS	Pursuant to G.S. 150B-21.3A, rule								
			PURPOSES	is necessary without substantive	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
				public interest Eff. August 19, 2017	recessury			Science one	i vecessury	Scient Offic		Science Office
		17 NCAC 05F .0203	ECONOMIC EFFECTS	Pursuant to G.S. 150B-21.3A, rule								
		17 INCAC USF .U2U3	ECONOIVIIC EFFECTS	is necessary without substantive								
				public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05F .0204	ECONOMIC SUBSTANCE	Pursuant to G.S. 150B-21.3A, rule								
			DOCTRINE	is necessary without substantive	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
				public interest Eff. August 19, 2017	rvecessary	140		Select Offe	ivecessary	Select Offe	Necessary and must be readopted	Select Offe
***************************************		47.110.10.00.5										
		17 NCAC 05F .0205	ECONOMIC SUBSTANCE FACTORS	Pursuant to G.S. 150B-21.3A, rule								
			FACTORS	is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
				public interest En. August 19, 2017								
		17 NCAC 05F .0206	WHEN STATE INCOME TAX	Pursuant to G.S. 150B-21.3A, rule								
			BENEFITS ARE CONSIDERED	is necessary without substantive	Negagaan	No		Salast One	Necessary	Salast One	Necessary and must be readented	Salast One
				public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
***************************************			MAMAMAMAMA									
		17 NCAC 05F .0207	CENTRALIZED CASH	Pursuant to G.S. 150B-21.3A, rule								
			MANAGEMENT	is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
				public interest En. August 19, 2017								
	SECTION .0300 -	17 NCAC 05F .0301	DETERMINATION OF FAIR	Pursuant to G.S. 150B-21.3A, rule								
	FAIR MARKET VALUE	E	MARKET VALUE	is necessary without substantive	Negagaan	No		Salast One	Necessary	Calant One	Necessary and must be readented	Salast One
				public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
***************************************			***************************************									
	SECTION .0400 -	17 NCAC 05F .0401	ADJUSTMENTS TO STATE	Pursuant to G.S. 150B-21.3A, rule								
	ADJUSTMENTS		NET INCOME	is necessary without substantive public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
				public iliterest Ell. August 19, 2017								
	SECTION .0500 -	17 NCAC 05F .0501	METHODOLOGY WHEN	Pursuant to G.S. 150B-21.3A, rule								
	COMBINED RETURN	1	COMBINED RETURN	is necessary without substantive	Nagara	N		Calact On a	Nacasasas	Calast One	Non	Calant One
			REQUIRED OR PERMITTED	public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05F .0502	PROCEDURES FOR FILING A									
			COMBINED INCOME TAX	is necessary without substantive	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
			RETURN	public interest Eff. August 19, 2017	•						·	
***************************************		17 NCAC 05F .0503	COMBINED RETURN TAX	Pursuant to G.S. 150B-21.3A, rule								
			CREDITS	is necessary without substantive	Na	<b></b>		Calla et O	Naccons	Calast O	Name and the second sec	Calland On the
				public interest Eff. August 19, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0600 -	17 NCAC 05F .0601	PROCEDURES FOR FILING A									
	FRANCHISE TAX		FRANCHISE TAX RETURN	is necessary without substantive	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	RETURN			public interest Eff. August 19, 2017	•						·	
SUBCHAPTER 05G -	SECTION .0100 -	17 NCAC 05G .0101	SCOPE	Eff. January 1, 2020								
MARKET-BASED	GENERAL RULES	1										
SOURCING FOR					Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
APPORTIONMENT					•						· ·	
OF INCOME												
		17 NCAC 05G .0102	DEFINITIONS	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0200 –	17 NCAC 05G .0201	ASSIGNMENT OF RECEIPTS	Eff. January 1, 2020								
	GENERAL PRINCIPLE	5	FROM SALES OF OTHER THAN TANGIBLE PERSONAL		Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	OF APPLICATION		PROPERTY									
	1	1	I NOI ENTI					ı	i			

Comment Period - Date Submitted to	APO - Filled in by R	RC staff										
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B- 21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B- 21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B- 21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)	RRC Final Determination of Status of Rule for Report to APO [150B- 21.3A(c)(2)]	OAH Next Steps
	SECTION .0300 -	17 NCAC 05G .0301	IN GENERAL	Eff. January 1, 2020		21.37(01)]					21.37(0)(2)]	
	RULES OF REASONABLE APPROXIMATION				Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0302	APPROXIMATION BASED UPON KNOWN SALES	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0303	RELATED ENTITY TRANSACTIONS	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0400 – EXCLUSION OF RECEIPTS FROM THE SALES FACTOR	17 NCAC 05G .0401	ALLOCATED GROSS RECEIPT	FS Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0402	UNASSIGNABLE GROSS RECEIPTS	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0500 - CHANGES IN METHODOLOGY	17 NCAC 05G .0501	ALTERNATIVE APPORTIONMENT	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0502	ORIGINAL RETURNS	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0503	SECRETARY'S AUTHORITY TO ADJUST A TAXPAYER'S RETURN	O Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0504	TAXPAYER AUTHORITY TO CHANGE A METHOD OF ASSIGNMENT ON A PROSPECTIVE BASIS	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0505	SECRETARY AUTHORITY TO CHANGE A METHOD OF ASSIGNMENT ON A PROSPECTIVE BASIS	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0600 - FURTHER GUIDANCE	17 NCAC 05G .0601	EXAMPLES	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0700 – SALE OF A SERVICE	17 NCAC 05G .0701	IN GENERAL	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0800 – SALE OF IN-PERSON SERVICES	17 NCAC 05G .0801	IN GENERAL	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0802	ASSIGNMENT OF RECEIPTS FROM SALE OF IN-PERSON SERVICES	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0803	REASONABLE APPROXIMATION	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0900 - SERVICES DELIVERED TO A CUSTOMER OR ON BEHALF OF THE CUSTOMER, OR DELIVERED ELECTRONICALLY THROUGH THE CUSTOMER	1	IN GENERAL	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0902	ASSIGNMENT OF RECEIPTS FROM SALES OF SERVICES DELIVERED TO THE CUSTOMER OR ON BEHALF OF THE CUSTOMER, OR DELIVERED ELECTRONICALL THROUGH THE CUSTOMER	Y	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0903	DELIVERY TO OR ON BEHAL OF A CUSTOMER BY PHYSICAL MEANS, WHETHE TO AN INDIVIDUAL OR BUSINESS CUSTOMER		Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0904	DELIVERY TO CUSTOMER BY ELECTRONIC TRANSMISSION		Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		17 NCAC 05G .0905	SERVICES DELIVERED ELECTRONICALLY THROUGH OR ON BEHALF OF AN INDIVIDUAL OR BUSINESS CUSTOMER	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One

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ed to APO - Fil	iled in by KKC stai	Ш				Barriand to June Jament or Conform					BBC Final Batamain ation of Status	
er Rule		Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B- 21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B- 21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B- 21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)	RRC Final Determination of Status of Rule for Report to APO [150B- 21.3A(c)(2)]	OAH Next Step
SECTION		CAC 05G .1001	IN GENERAL	Eff. January 1, 2020								
PROFESS SERVICES	1				Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		CAC 05G .1002	OVERLAP WITH OTHER CATEGORIES OF SERVICES	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select On
	17 NC	CAC 05G .1003	ASSIGNMENT OF RECEIPTS	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select Or
	17 NC	CAC 05G .1004	PROFESSIONAL SERVICES OTHER THAN ARCHITECTURAL OR ENGINEERING SERVICES	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select Or
	17 NC	CAC 05G .1005	ARCHITECTURAL OR ENGINEERING SERVICES WITH RESPECT TO REAL OR TANGIBLE PERSONAL PROPERTY	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select Or
	17 NC	CAC 05G .1006	RELATED ENTITY TRANSACTIONS	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select O
INTANGI	OR LEASE OF	CAC 05G .1101	IN GENERAL	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select O
PROPER		CAC 05G .1102	LICENSE OF A MARKETING	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select O
	17 NC	CAC 05G .1103	LICENSE OF A PRODUCTION	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select O
	17 NC	CAC 05G .1104	LICENSE OF A MIXED	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select O
	17 NC	CAC 05G .1105	LICENSE OF INTANGIBLE PROPERTY WHEN SUBSTANCE OF THE TRANSACTION RESEMBLES SALE OF GOODS OR SERVICES	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select Or
SECTION SALE OF PROPER	INTANGIBLE	CAC 05G .1201	ASSIGNMENT OF RECEIPTS	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select O
SECTION SPECIAL		CAC 05G .1301	SOFTWARE TRANSACTIONS	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select O
		CAC 05G .1302	SALES OR LICENSES OF DIGITAL GOODS AND SERVICES	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select C
	17 NC	CAC 05G .1303	TELECOMMUNICATIONS COMPANIES	Eff. January 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select O