

CHAPTER 7

CORPORATION BUSINESS TAX ACT

Authority

N.J.S.A. 52:27H-81 and 54:10A-27.

Source and Effective Date

R.2009 d.384, effective November 24, 2009.
See: 41 N.J.R. 3401(a), 41 N.J.R. 4825(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 7, Corporation Business Tax Act, expires on November 24, 2016. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 7, Corporation Business Tax Act, was filed and became effective prior to September 1, 1969.

Subchapter 9, Assets Allocation Factor, was repealed by R.1979 d.45, effective February 6, 1979. See: 11 N.J.R. 40(d), 11 N.J.R. 150(b).

Pursuant to Executive Order No. 66(1978), Chapter 7, Corporation Business Tax Act, was readopted as R.1984 d.95, effective March 19, 1984. See: 16 N.J.R. 229(a), 16 N.J.R. 746(c).

Subchapter 15, Urban Enterprise Zones Act, was adopted as R.1984 d.496, effective November 5, 1984. See: 16 N.J.R. 1325(a), 16 N.J.R. 3057(a).

Subchapter 16, International Banking Facilities, was adopted as R.1984 d.453, effective October 15, 1984. See: 16 N.J.R. 1327(a), 16 N.J.R. 2827(a).

Pursuant to Executive Order No. 66(1978), Chapter 7, Corporation Business Tax Act, was readopted as R.1989 d.196, effective March 14, 1989. See: 21 N.J.R. 14(a), 21 N.J.R. 1019(b).

Pursuant to Executive Order No. 66(1978), Chapter 7, Corporation Business Tax Act, was readopted as R.1994 d.186, effective March 14, 1994, and Subchapter 6, Valuation, was repealed by R.1994 d.186, effective April 18, 1994. See: 26 N.J.R. 761(a), 26 N.J.R. 1696(b).

Pursuant to Executive Order No. 66(1978), Chapter 7, Corporation Business Tax Act, was readopted as R.1999 d.116, effective March 12, 1999. See: 31 N.J.R. 266(b), 31 N.J.R. 893(a).

Subchapter 17, Partnerships; Subchapter 18, Alternative Minimum Assessment; and Subchapter 19, Filing Fee Payments by Professional Corporations were adopted as special new rules by R.2003 d.135, effective February 27, 2003. Subchapters 17, 18 and 19 were adopted as R.2003 d.370, effective August 22, 2003. See: 35 N.J.R. 1573(a), 35 N.J.R. 4310(a).

Chapter 7, Corporation Business Tax Act, was readopted as R.2004 d.367, effective September 1, 2004. See: 36 N.J.R. 1680(a), 36 N.J.R. 4484(a).

Subchapter 20, Treatment of S Corporations, was adopted as new rules by R.2005 d.230, effective July 18, 2005. See: 37 N.J.R. 739(a), 37 N.J.R. 2688(a).

Subchapter 3B, Film Tax Credits, was adopted as new rules and Subchapter 15, Urban Enterprise Zones Act, was recodified as Subchapter 3A by R.2007 d.203, effective July 2, 2007. See: 39 N.J.R. 848(a), 39 N.J.R. 2540(b).

Subchapter 3B, Film Tax Credits, was renamed Film and Digital Media Tax Credits by R.2009 d.143, effective May 4, 2009. See: 40 N.J.R. 6944(a), 41 N.J.R. 2049(b).

Chapter 7, Corporation Business Tax Act, was readopted as R.2009 d.384, effective November 24, 2009. See: Source and Effective Date. See, also, section annotations.

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New Rule, R.1985 d.453, effective September 3, 1985.
See: 17 N.J.R. 901(a), 17 N.J.R. 2145(a).
Special amendment, R.2003 d.135, effective February 27, 2003 (to
expire August 26, 2003).

See: 35 N.J.R. 1573(a).
Added (c)3.
Adopted concurrent amendment, R.2003 d.370, effective August 22,
2003.

See: 35 N.J.R. 1573(a), 35 N.J.R. 4310(a).

Provisions of R.2003 d.135 adopted without change.

Amended by R.2006 d.204, effective June 5, 2006.

See: 38 N.J.R. 915(a), 38 N.J.R. 2518(a).

In the introductory paragraph of (c), inserted "and all other entities" in the fourth sentence and "or entity subject to common effective control" in the sixth sentence; in (c)1, inserted "or other entity or entities" six times and inserted "or other entity or entities subject to common effective control" and "all other entities subject to common effective control"; inserted the last sentence in (c)2 and (c)3; and added (c)4.

18:7-1.18 Definition of S corporation

"S corporation" means a corporation included in the definition of an "S corporation" pursuant to section 1361 of the Federal Internal Revenue Code of 1986, 26 U.S.C. § 1361.

Special New Rule, R.2003 d.135, effective February 27, 2003 (to expire August 26, 2003).

See: 35 N.J.R. 1573(a).

Adopted concurrent new rule, R.2003 d.370, effective August 22, 2003.

See: 35 N.J.R. 1573(a), 35 N.J.R. 4310(a).

Provisions of R.2003 d.135 adopted without change.

18:7-1.19 Definition of New Jersey S corporation

"New Jersey S corporation" means a corporation that is an S corporation which has made a valid election pursuant to section 3 of P.L. 1993, c.173 (N.J.S.A. 54:10A-5.22); and which has been an S corporation continuously since the effective date of the valid election made pursuant to section 3 of P.L. 1993, c.173 (N.J.S.A. 54:10A-5.22).

Special new rule, R.2003 d.135, effective February 27, 2003 (to expire August 26, 2003).

See: 35 N.J.R. 1573(a).

Adopted concurrent new rule, R.2003 d.370, effective August 22, 2003.

See: 35 N.J.R. 1573(a), 35 N.J.R. 4310(a).

Provisions of R.2003 d.135 adopted without change.

18:7-1.20 Definition of public utility

"Public utility" means "public utility" as defined in N.J.S.A. 48:2-13.

Special new rule, R.2003 d.135, effective February 27, 2003 (to expire August 26, 2003).

See: 35 N.J.R. 1573(a).

Adopted concurrent new rule, R.2003 d.370, effective August 22, 2003.

See: 35 N.J.R. 1573(a), 35 N.J.R. 4310(a).

Provisions of R.2003 d.135 adopted without change.

18:7-1.21 Definition of qualified investment partnership

(a) "Qualified investment partnership" means a partnership under this Act that has more than 10 members or partners with no member or partner owning more than a 50 percent interest in the entity and that derives at least 90 percent of its gross income from dividends, interest, payments with respect to securities loans, and gains from the sale or other disposition of stocks or securities or foreign currencies or commodities or other similar income (including, but not limited to, gains from swaps, options, futures or forward contracts) derived with respect to its business of investing or

trading in those stocks, securities, currencies or commodities, but "investment partnership" shall not include a "dealer in securities" within the meaning of Section 1236 of the Federal Internal Revenue Code of 1986, 26 U.S.C. § 1236.

1. If a partnership would otherwise qualify as a "qualified investment partnership," except that it has 10 or fewer partners, such partnership is deemed a "qualified investment partnership," if:

- i. It is managed by an independent third party for a fee;
- ii. There is no direct or indirect relationship between the manager and any of the partners; and
- iii. There is no direct or indirect affiliation between or among the partners.

Special new rule, R.2003 d.135, effective February 27, 2003 (to expire August 26, 2003).

See: 35 N.J.R. 1573(a).

Adopted concurrent new rule, R.2003 d.370, effective August 22, 2003.

See: 35 N.J.R. 1573(a), 35 N.J.R. 4310(a).

Provisions of R.2003 d.135 adopted without change.

Amended by R.2004 d.367, effective October 4, 2004.

See: 36 N.J.R. 1680(a), 36 N.J.R. 4484(a).

Designated paragraph as (a), added 1.

18:7-1.22 Definition of savings institution

"Savings institution" means a State or Federally chartered building and loan association, savings and loan association, or savings bank.

Special new rule, R.2003 d.135, effective February 27, 2003 (to expire August 26, 2003).

See: 35 N.J.R. 1573(a).

Adopted concurrent new rule, R.2003 d.370, effective August 22, 2003.

See: 35 N.J.R. 1573(a), 35 N.J.R. 4310(a).

Provisions of R.2003 d.135 adopted without change.

18:7-1.23 Definition of partnership

"Partnership" means an entity classified as a partnership for Federal income tax purposes.

Special new rule, R.2003 d.135, effective February 27, 2003 (to expire August 26, 2003).

See: 35 N.J.R. 1573(a).

Adopted concurrent new rule, R.2003 d.370, effective August 22, 2003.

See: 35 N.J.R. 1573(a), 35 N.J.R. 4310(a).

Provisions of R.2003 d.135 adopted without change.

SUBCHAPTER 2. NATURE OF TAX

18:7-2.1 Nature of tax; in general

(a) The Act imposes a franchise tax on every domestic corporation not otherwise exempt, and upon every foreign corporation not otherwise exempt, falling within any of the taxable categories enumerated in N.J.A.C. 18:7-1.6.

(b) All corporations incorporated in New Jersey and all foreign corporations acquiring a taxable status in New Jersey immediately become subject to the tax.

Amended by R.1994 d.186, effective April 18, 1994.
See: 26 N.J.R. 761(a), 26 N.J.R. 1696(b).

Statutory References

See N.J.S.A. 54:10A-2 as to those domestic and foreign corporations deemed to have acquired a taxable status.

18:7-2.2 Calendar and fiscal years; definitions

(a) The term "calendar year" means an accounting period ending on December 31.

(b) The term "fiscal year" means an accounting period ending on the last day of any month other than December.

Statutory References

See N.J.S.A. 54:10A-4(i) as to definition of "fiscal year."

18:7-2.3 Federal calendar or fiscal year for reporting

(a) In general, the calendar or fiscal year on the basis of which the taxpayer is required to report for Federal income tax purposes is the calendar or fiscal year on the basis of which it is required to report for purposes of the Act.

(b) Reports based on a 52-53 weeks account year will be accepted where that method of reporting is permissible and used for Federal tax purposes. If that method is used, a fiscal year which begins within seven days from the beginning of any calendar month shall be deemed to have begun on the first day of that calendar month, and any fiscal year which ends within seven days from the end of any calendar month shall be deemed to have ended on the last day of that calendar month.

(c) Subsection (b) above shall be used to determine the applicability of the Business Tax Reform Act, P.L. 2002, c.40 to a taxpayer having a 52-53 week year beginning on or about January 1, 2002.

Special amendment, R.2003 d.135, effective February 27, 2003 (to expire August 26, 2003).

See: 35 N.J.R. 1573(a).

Added (c).

Adopted concurrent amendment, R.2003 d.370, effective August 22, 2003.

See: 35 N.J.R. 1573(a), 35 N.J.R. 4310(a).

Provisions of R.2003 d.135 adopted without change.

18:7-2.4 Proof of Federal accounting period

Every domestic and every foreign corporation which acquires a taxable status in New Jersey shall submit proof to the Division of Taxation, within 90 days of the date of incorporation or the date of acquisition of such taxable status, of the accounting period established by it for Federal income tax purposes.

Amended by R.1979 d.45, effective February 6, 1979.
See: 11 N.J.R. 40(d), 11 N.J.R. 150(b).

18:7-2.5 Proof of accounting period other than Federal basis

A subject corporation which is not required to file a Federal income tax return shall also submit proof to the Division of Taxation, within 90 days of the date of incorporation or the date of acquisition of a taxable status, of the accounting period on the basis of which to report for purposes of the Act.

Amended by R.1979 d.45, effective February 6, 1979.
See: 11 N.J.R. 40(d), 11 N.J.R. 150(b).

18:7-2.6 Subject corporations must file on basis of calendar year period unless otherwise permitted

A subject corporation which is not required to file a Federal income tax return must file its Corporation Business Tax Return on the basis of a calendar year accounting period unless permission to employ a fiscal year basis has been granted in writing by the Division of Taxation upon application having been made.

Amended by R.1979 d.45, effective February 6, 1979.
See: 11 N.J.R. 40(d), 11 N.J.R. 150(b).

18:7-2.7 Effect of failure by a corporation to establish accounting period

A corporation which has not established an accounting period for Federal income tax purposes shall be deemed to be operating on the basis of a calendar year accounting period until proof has been submitted to the Division of Taxation of the establishment of a fiscal year accounting period for Federal income tax purposes.

Amended by R.1979 d.45, effective February 6, 1979.
See: 11 N.J.R. 40(d), 11 N.J.R. 150(b).

18:7-2.8 Effect of failure by a corporation to submit proof of an established fiscal year accounting period

Every corporation which has not submitted satisfactory proof to the Division of Taxation that it is operating on a basis other than a calendar year accounting period for Federal income tax purposes, shall be deemed to be operating on the basis of a calendar year accounting period.

Amended by R.1979 d.45, effective February 6, 1979.
See: 11 N.J.R. 40(d), 11 N.J.R. 150(b).

18:7-2.9 Effect of proof of established fiscal year accounting period submitted late

Upon due proof of the establishment of a fiscal accounting period and the filing of a proper return covering such period accompanied by payment of the tax liability, a corporation shall be credited with any payment made in connection with a

return previously filed on the basis of a calendar year period by reason of this regulation.

18:7-2.10 Period of application of tax

The tax is imposed for each calendar or fiscal period of the taxpayer, or any part thereof, during which the taxpayer had a taxable status as described in N.J.A.C. 18:7-1.6. See N.J.A.C. 18:7-1.6, (Taxable status; how created.)

Statutory References

See N.J.S.A. 54:10A-15 as to annual payment of franchise tax for all or part of a taxpayer's annual or fiscal year accounting period.

Case Notes

Rule provides that corporation business tax be imposed upon each calendar year or fiscal period of the taxpayer; business held subject to tax despite its winding down because it remained an enterprise employing money capital coming into competition with the business of national banks and still generating interest income. *I.H.E. Financial Corp. v. Taxation Div. Director*, 3 N.J. Tax 375 (Tax Ct.1981).

18:7-2.11 Component factors of tax base

The tax for the period or partial period prescribed in N.J.A.C. 18:7-2.10 is measured by taxpayer's allocable entire net income. The tax liability may also be the Alternative Minimum Assessment amount calculated pursuant to N.J.S.A. 54:10A-5a and N.J.A.C. 18:7-18.

As amended, R.1970 d.121, effective October 5, 1970.

See: 2 N.J.R. 78(a), 2 N.J.R. 95(a).

Amended by R.1994 d.186, effective April 18, 1994.

See: 26 N.J.R. 761(a), 26 N.J.R. 1696(b).

Special amendment, R.2003 d.135, effective February 27, 2003 (to expire August 26, 2003).

See: 35 N.J.R. 1573(a).

Added the second sentence.

Adopted concurrent amendment, R.2003 d.370, effective August 22, 2003.

See: 35 N.J.R. 1573(a), 35 N.J.R. 4310(a).

Provisions of R.2003 d.135 adopted without change.

Statutory References

N.J.S.A. 54:10A-5, 15.

18:7-2.12 Application of State franchise tax to corporations

The franchise tax is imposed for all or any part of each calendar or fiscal year during which the taxpayer possessed a New Jersey franchise or otherwise has a taxable status as set forth in N.J.A.C. 18:7-1.6 or other provision of these rules.

Amended by R.1994 d.186, effective April 18, 1994.

See: 26 N.J.R. 761(a), 26 N.J.R. 1696(b).

Special amendment, R.2003 d.135, effective February 27, 2003 (to expire August 26, 2003).

See: 35 N.J.R. 1573(a).

Substituted "N.J.A.C. 18:7-1.6 or other provision of these rules" for "N.J.A.C. 18:7-1.16".

Adopted concurrent amendment, R.2003 d.370, effective August 22, 2003.

See: 35 N.J.R. 1573(a), 35 N.J.R. 4310(a).

Provisions of R.2003 d.135 adopted without change.

Cross References

As to taxable status, see N.J.A.C. 18:7-1.6.

Statutory References

See N.J.S.A. 54:10A-15 as to payment of franchise tax for all or part of each of a taxpayer's fiscal or calendar year accounting period (beginning January 1).

18:7-2.13 Conditions destroying franchise and franchise tax

A domestic corporation may cease to possess a franchise as a result of:

1. Its dissolution;
2. Its consolidation or merger into another corporation;
3. The surrender, revocation or annulment of its charter; or
4. The expiration of the term of duration prescribed in its charter.

Amended by R.1979 d.45, effective February 6, 1979.

See: 11 N.J.R. 40(d), 11 N.J.R. 150(b).

18:7-2.14 Allocation of payments received with CAR-100

(a) The CAR-100 serves both as a corporation's annual report and also as a voucher with which to remit the total corporation business tax balance due and the annual report fee payments. Payments received in connection with the joint Corporation Business Tax/Corporate Annual Return filing and payment program shall first be used to satisfy the Corporate Annual Report Fee and/or the Registered Agent Change filing fee pursuant to N.J.S.A. 14A:15-2(5) or (6). Any remaining credit shall then be used to satisfy taxpayer's Corporation Business Tax liability pursuant to N.J.S.A. 54:10A-1 et seq.

(b) Underpayments relating to unpaid Corporate Annual Report fees are not subject to imposition of penalty and interest pursuant to the Corporation Business Tax Act, N.J.S.A. 54:10A-1 et seq., or the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1 et seq.

(c) Corporations filing Corporation Business Tax Returns that are foreign corporations not authorized to do business in New Jersey (cf. N.J.S.A. 14A-13.3) or corporations that have had their corporate charters voided or revoked or that have withdrawn their corporate authorization shall have the Corporate Annual Report Fee and/or Registered Agent Change fee satisfied only if the tax return as filed reflects the fee on the appropriate line.

(d) Corporations filing Corporation Business Tax Returns for an initial short period return covering a period of less than six months shall not have payments applied to the Corporate Annual Report Fee. Other short period returns of less than six months shall have the Corporate Annual Report Fee and/or Registered Agent Change fee satisfied only if the tax return as filed reflects the fee on the appropriate line. For purposes of this section only, returns filed for periods in excess of six months shall be deemed full year filings.

(e) Subsequent payments made to satisfy Corporation Business Tax deficiencies will first be applied to the oldest year where a deficiency exists satisfying the required Corporate Annual Report Fee and/or Registered Agent Change fee and then any remainder shall be used to satisfy Corporation Business Tax, penalties, or interest due.

New Rule, R.2001 d.260, effective August 6, 2001.

See: 33 N.J.R. 1344(a), 33 N.J.R. 2678(a).

SUBCHAPTER 3. COMPUTATION OF TAX**18:7-3.1 General bases for computation of tax**

On a return for any accounting period which begins after June 30, 1986, no portion of the tax is measured by net worth.

Amended by R.1983 d.62, effective March 7, 1983.

See: 14 N.J.R. 1206(a), 15 N.J.R. 343(d).

Added "accounting period before July 1, 1986" to (a). Also added (b)-(e).

Amended by R.1994 d.186, effective April 18, 1994.

See: 26 N.J.R. 761(a), 26 N.J.R. 1696(b).

Statutory References

See N.J.S.A. 54:10A-5 as to how taxpayer should compute the total amount of franchise tax payable.

18:7-3.2 (Reserved)

Amended by R.1970 d.121, effective October 5, 1970.

See: 2 N.J.R. 78(a), 2 N.J.R. 95(a).

Repealed by R.1994 d.186, effective April 18, 1994.

See: 26 N.J.R. 761(a), 26 N.J.R. 1696(b).

Section was "Computation of tax on entire net worth".

18:7-3.3 (Reserved)

Amended by R.1979 d.45, effective February 6, 1979.

See: 11 N.J.R. 40(d), 11 N.J.R. 150(b).

As amended, R.1983 d.62, effective March 7, 1983.

See: 14 N.J.R. 1206(a), 15 N.J.R. 343(d).

Added "accounting period before April 1, 1983".

Repealed by R.1994 d.186, effective April 18, 1994.

See: 26 N.J.R. 761(a), 26 N.J.R. 1696(b).

Section was "Computation of tax on average value of real and tangible personal property".

18:7-3.4 Minimum tax

(a) The tax paid in the case of an investment company, a regulated investment company or real estate investment trust shall not be less than \$250.00, provided, however, for calendar year 2002 and thereafter the minimum tax shall be \$500.00, unless the taxpayer is a member of an affiliated group or a controlled group pursuant to Sections 1504 or 1563 of the Federal Internal Revenue Code of 1986, and whose group has total payroll of \$5,000,000 or more for the privilege period, the minimum tax shall be \$2,000. The minimum tax for other corporations is set forth in (b) through (i) below.

(b) For accounting or privilege periods beginning prior to calendar year 1994, the tax paid pursuant to the corporation business tax in the case of a domestic corporation shall not be less than \$25.00 and in the case of a foreign corporation shall not be less than \$50.00.

(c) For accounting or privilege periods beginning in calendar year 1994, the tax paid pursuant to the corporation business tax in the case of a domestic corporation shall not be less than \$50.00 and in the case of a foreign corporation shall not be less than \$100.00.

(d) For accounting or privilege periods beginning in calendar year 1995, the tax paid pursuant to the corporation business tax in the case of a domestic corporation shall not be less than \$100.00 and in the case of a foreign corporation shall not be less than \$200.00.

(e) For accounting or privilege periods beginning in calendar year 1996, the tax paid pursuant to the corporation business tax in the case of a domestic corporation shall not be less than \$150.00 and in the case of a foreign corporation shall not be less than \$200.00.

(f) For accounting or privilege periods beginning in calendar years 1997, 1998, 1999 and 2000, the tax paid pursuant to the corporation business tax in the case of a domestic corporation shall not be less than \$200.00 and in the case of a foreign corporation shall not be less than \$200.00.

(g) For accounting or privilege periods beginning in calendar year 2002 through 2005, the tax paid pursuant to the corporation business tax in the case of a domestic corporation shall not be less than \$500.00 and in the case of a foreign corporation shall not be less than \$500.00; provided, however, for accounting or privilege periods beginning in

calendar year 2002 through 2005, for a taxpayer that is a member of an affiliated group or a controlled group pursuant to sections 1504 or 1563 or the Federal Internal Revenue Code of 1986, and whose group has total payroll of \$5,000,000 or more for the privilege period, the tax paid pursuant to the corporation business tax in the case of a domestic corporation shall not be less than \$2,000 and in the case of a foreign corporation shall not be less than \$2,000. If the related corporations do not have the same fiscal years, the overlapping portion shall be placed upon the equivalent fiscal basis to arrive at the threshold amount.

(h) For accounting or privilege periods beginning in calendar year 2006 and thereafter the minimum tax shall be based on the New Jersey gross receipts, as defined for the purposes of this subsection pursuant to N.J.S.A. 54:10A-5a and N.J.A.C. 18:7-18.1, of the taxpayer pursuant to the following schedule:

<u>New Jersey Gross Receipts:</u>	<u>Minimum Tax:</u>
Less than \$100,000	\$500.00
\$100,000 or more but less than \$250,000	\$750.00
\$250,000 or more but less than \$500,000	\$1,000
\$500,000 or more but less than \$1,000,000	\$1,500
\$1,000,000 or more	\$2,000

1. For accounting or privilege periods beginning in calendar year 2002 and thereafter, a taxpayer that is a member of an affiliated group or a controlled group pursuant to sections 1504 or 1563 of the Federal Internal Revenue Code of 1986, and whose group has total payroll of \$5,000,000 or more for the privilege period, the minimum tax shall be \$2,000 for the accounting or privilege period. If the related corporations do not have the same fiscal years, the overlapping portion shall be placed upon the equivalent fiscal basis to arrive at the threshold amount.

(i) If a taxpayer is part of a group of taxpayers in which the tax liability of the group is reflected on a single return of a member of the group, the other members of the group are required also to file returns with New Jersey. Such returns shall reflect the minimum tax. Entities required to file minimum returns under this subsection include, without limitation thereto, qualified New Jersey Subchapter S subsidiaries, members of a casino consolidated group, and members of a combined group required to file a consolidated return by the director pursuant to N.J.S.A. 54:10A-10c.

Amended by R.1970 d.121, effective Oct. 5, 1970.

See: 2 N.J.R. 78(a), 2 N.J.R. 95(a).

Amended by R.1983 d.62, effective March 7, 1983.

See: 14 N.J.R. 1206(a), 15 N.J.R. 343(d).

Changed "New Jersey" to "domestic" corporation. Added "accounting period before April 1, 1983". Added \$250.00 tax for investment, regulated investment and real estate investment companies.

Repeal and New Rule, R.1994 d.186, effective April 18, 1994.

See: 26 N.J.R. 761(a), 26 N.J.R. 1696(b).

Section was "Computation of tax by domestic corporations".

Special amendment, R.2003 d.135, effective February 27, 2003 (to expire August 26, 2003).

See: 35 N.J.R. 1573(a).

Rewrote (a); in (f), inserted "1998, 1999 and 2000" following "1997"; added new (g) and recodified former (g) as (h); in new (h), substituted "2002" for "1997" throughout and "2001" for "1996"; added (i).

Adopted concurrent amendment, R.2003 d.370, effective August 22, 2003.

See: 35 N.J.R. 1573(a), 35 N.J.R. 4310(a).

Provisions of R.2003 d.135 adopted without change.

Amended by R.2007 d.284, effective September 4, 2007.

See: 39 N.J.R. 844(a), 39 N.J.R. 3780(b).

In (g), inserted "through 2005"; and rewrote (h).