



Instructions for Form IT-230

Separate Tax on Lump-Sum Distributions

General information

If you were a New York State resident or part-year resident individual, resident estate, or resident or part-year resident trust and you used federal Form 4972, *Tax on Lump-Sum Distributions*, to figure your federal tax on lump-sum distributions, you must use New York State Form IT-230 to figure your New York State separate tax on lump-sum distributions. You must make the same elections on Form IT-230 as you made on federal Form 4972. To make those elections, fill in the same parts of Form IT-230 that you filled in on federal Form 4972. Follow the instructions for Part II and Part III.

If you were a New York State nonresident or part-year resident individual, nonresident estate or trust, or part-year resident trust and you received (or accrued) a lump-sum distribution from a qualified retirement plan in your period of nonresidence, the income is **not** taxable to New York State and therefore, not subject to the New York State separate tax on lump-sum distributions. However, if you filed federal Form 4972 and used Part II because you chose the 20% capital gain election, you must complete Part II, line 1 of Form IT-230 and the *Nonresident and part-year resident income percentage schedule* on page 3 of these instructions to figure the income percentage to enter on Worksheet C, line 6 on page 2 of these instructions and on Form IT-203 or IT-205-A. Follow the line instructions for Part II on page 2.

If you were a city of New York resident or a part-year city of New York resident, figure your New York City separate tax on Form IT-230. New York City nonresidents are not subject to the **city** separate tax on lump-sum distributions.

If you were a city of Yonkers resident or part-year resident, figure your city of Yonkers resident income tax surcharge on Form IT-201 or Form IT-203, based on your New York State separate tax on lump-sum distributions. You do not have to figure a separate tax on Form IT-230.

If you and your spouse were New York State residents or part-year residents and are filing a joint return, and you each received a lump-sum distribution, complete and file a separate Form IT-230 for each spouse and combine the tax shown on each form. Transfer the combined tax from Forms IT-230, Part II and/or Part III, to the applicable worksheet and line as indicated on Form IT-230.

If you are filing for a New York State resident or part-year resident trust that shared the distribution only with other trusts, figure the tax on the entire distribution first. The trusts then share the tax in the same proportion that they shared the distribution.

Multiple recipients of lump-sum distribution – If you shared a lump-sum distribution from a qualified retirement plan when not all recipients were trusts, fill in the same parts of Form IT-230 that you filled in on federal Form 4972. If you used Part III of Form IT-230, figure your tax using the worksheet on the back of Form IT-230.

Officer, employee, or beneficiary of an officer or employee of New York State, the United States, or political subdivisions thereof — The following pension income received by a resident or part-year resident is not subject to the separate tax on lump-sum distributions but must be reported on Form IT-230 as described below.

- Any pension income you received from New York State and local governments in the state which includes:
 - State and City University of New York and New York State Education Department employees who belong to the Optional Retirement Program (see *Caution* below);
 - Manhattan and Bronx Surface Transit Operating Authority (MABSTOA); and
 - Long Island Railroad Company
- Any pension income you received from the United States, its territories or possessions, political subdivisions of these territories or possessions, the District of Columbia, or any agency or instrumentality of any of the above (including the military).

Caution – In the case of the Optional Retirement Program, only that portion of the lump-sum pension payment or return of contributions that is attributable to your employment with the State or City University of New York or New York State Education Department is **exempt** from the separate tax on lump-sum distributions.

The portion of the lump-sum pension payment or return of contributions that was attributable to your employment by a non-New York public employer, such as a private university, and any portion attributable to contributions you made to a supplemental annuity plan that was funded through a salary reduction program is subject to the separate tax on lump-sum distributions.

To satisfy the filing requirement, fill in Form IT-230, Part I, and only line 1 of Part II or line 3 of Part III, whichever is applicable. These amounts would be the same as those entered on federal Form 4972. Write in Part I, below the Yes check box, **From New York State or the United States or political subdivision**.

If, in addition to a lump-sum distribution received from New York State, or the United States, or their political subdivisions, you are reporting a lump-sum distribution from another source on federal Form 4972, include on Form IT-230 only the portion received from the other source.

Attach to Form IT-230 a statement showing the source and amount of each lump-sum distribution you reported on federal Form 4972.

Filling in lines 2 and 24

Rectangular boxes have been printed on lines 2 and 24 to guide you in making handwritten entries, so we can use the latest scanning and image processing equipment.

- Print (using a blue or black ballpoint pen; no pencils, please) or type money amounts in the boxes provided.

— Carefully enter your money amounts in the boxes, allowing one numeral for each box. Whole dollar amounts end immediately to the left of the decimal point and cents begin to the right.

Example: If your tax on lump-sum distribution using the 10-year tax option for line 24 is \$2,406.18, your money field entry on line 24 should look like this:

.....▶

24.	,	2	4	0	6	.	1	8
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Line instructions

Part I – All filers must answer the question in Part I.

If you answered *No*, do not complete the rest of Form IT-230. If you answered *Yes*, complete Form IT-230, using federal Form 4972 and the Part II and Part III instructions. Attach a copy of this form, and a copy of federal Form 4972 with the applicable federal Form(s) 1099-R, to Form IT-201, IT-203, or IT-205.

Part II

Full-year resident – If you used federal Form 4972, Part II, enter on Form IT-230, Part II, line 1, the total capital gain part from federal Form 4972, Part II, line 6. Compute, and enter on line 2, the tax on the line 1 amount. Complete Worksheets A and B below as applicable. (For filing status **2**, *married filing joint return*, compute one worksheet jointly.)

Worksheet A
Full-year New York State residents

1. New York State tax on capital gain portion of lump-sum distribution (from Form IT-230, Part II, line 2, New York State column)	1		
2. Enter amount from Form IT-201, line 39	2		
3. Enter amount from Form IT-201, line 38	3		
4. Subtract line 3 from line 2 (if line 3 is more than line 2, enter "0")	4		
5. Subtract line 4 from line 1. Enter here and on Form IT-201-ATT, line 17	5		

Worksheet B
Full-year city of New York residents

1. City of New York tax on capital gain portion of lump-sum distribution (from Form IT-230, Part II, line 2, City of New York column) ..	1		
2. Enter amount from Form IT-201, line 46	2		
3. Enter amount from Form IT-201, line 45	3		
4. Subtract line 3 from line 2 (if line 3 is more than line 2, enter "0")	4		
5. Subtract line 4 from line 1. Enter here and on Form IT-201-ATT, line 39	5		

Part-year resident - Complete the *Nonresident and part-year resident income percentage schedule* on page 3 of these instructions. If you received (or accrued) a lump-sum distribution in your **period of residence** and you used federal Form 4972, Part II, enter on Form IT-230, Part II, line 1, the total capital gain part from federal Form 4972, Part II, line 6. Compute, and enter on line 2, the tax on the line 1 amount. Complete Worksheets C and D below as applicable. (For filing status **2**, *Married filing joint return*, compute one worksheet jointly. If separate Forms IT-360.1 are being filed and you and your spouse each received a lump-sum distribution, complete and file a separate Form IT-230 and a separate Worksheet D for each spouse.)

If you received (or accrued) a lump-sum distribution in your **period of nonresidence** and you used federal Form 4972, Part II, because you chose the 20% capital gain election, you must complete Form IT-230, Part II, line 1 only (do not compute a tax at line 2), and the *Nonresident and part-year resident income percentage schedule* on page 3 of these instructions.

Worksheet C
Part-year New York State residents

1. New York State Tax on capital gain portion of lump-sum distribution (from Form IT-230, Part II, line 2, New York State column)	1		
2. Enter amount from Form IT-203, line 37	2		
3. Enter amount from Form IT-203, line 36	3		
4. Subtract line 3 from line 2 (if line 3 is more than line 2, enter "0")	4		
5. Subtract line 4 from line 1	5		
6. Enter income percentage decimal (from line 5 of the income percentage schedule on page 3 of these instructions)	6		
7. Multiply the amount on line 5 by the decimal on line 6. Enter here and on Form IT-203-B, line 1	7		

Worksheet D
Part-year city of New York residents

1. City of New York tax on capital gain portion of lump-sum distribution (from Form IT-230, Part II, line 2, City of New York column) ..	1		
2. Enter amount from Form IT-360.1, line 49	2		
3. Enter amount from Form IT-360.1, line 48	3		
4. Subtract line 3 from line 2 (if line 3 is more than line 2, enter "0")	4		
5. Subtract line 4 from line 1. Enter here and on Form IT-360.1, line 52	5		

Nonresident – If you filed federal Form 4972 and used Part II because you chose the 20% capital gain election, you must complete Form IT-230, Part II, line 1 only (do not compute a tax at line 2) and the *Nonresident and part-year resident income percentage schedule* on page 3 to figure the income percentage to enter on Form IT-203, line 43, or IT-205-A, Schedule 1, line 12.

Nonresident and part-year resident income percentage schedule

All New York State nonresidents and part-year residents, or New York State nonresident estates or trusts and part-year resident trusts who used Form IT-230, Part II, must complete lines 1 through 5 of the schedule below to figure the income percentage to enter on Worksheet C, line 6 (on page 2 of these instructions) and on Form IT-203, line 43, or on Form IT-205-A, Schedule 1, line 12.

To figure your income percentage, divide the amount on line 4 in the *New York State amount* column by the amount on line 4 in the *Federal amount* column. Carry the result to four decimal places. If the amount on line 4 in the *New York State amount* column is more than the amount on line 4 in the *Federal amount* column, the income percentage will be more than 100%.

	Federal amount	New York State amount
1 Enter in the <i>Federal amount</i> column the amount from Form IT-203, line 30, <i>Federal amount</i> column, or from Form IT-205-A-I, Page 1, <i>NYAGI Worksheet</i> , line 5. Enter in the <i>New York State amount</i> column the amount from Form IT-203, line 30, <i>New York State amount</i> column, or the amount from Form IT-205-A-I, page 1, <i>New York State income percentage worksheet</i> , line g	1	
2 <i>Federal amount</i> column - Enter the amount from Form IT-230, Part II, line 1. (This should be the same amount as shown on federal Form 4972, Part II, line 6.)	2	
3 <i>New York State amount</i> column - see footnote below		3
4 Add lines 1, 2, and 3 and enter result here	4	
5 Income percentage - Divide line 4, <i>NYS amount</i> column by line 4, <i>Federal amount</i> column. Carry result to four decimal places (see instructions above). (NYS amount, line 4) (Fed. amount, line 4)	5	

New York State nonresidents and part-year residents transfer the line 5 amount to Form IT-203, line 43. Part-year residents must also transfer the line 5 amount to Worksheet C, line 6 (on page 2 of these instructions). New York State nonresident estates or trusts and part-year resident trusts transfer the line 5 amount to Form IT-205-A, Schedule 1, line 12. Write **Income percentage schedule, IT-230-I**, in the margin to the right of line 43 on Form IT-203; or line 12 on Form IT-205-A, Schedule 1.

Part III

Nonresident – line 3 – Do not enter any amount on line 3. This income is not taxable to a nonresident.

Section 114 of Title 4 of the U.S. Code creates a limitation on state income taxation of certain pension income. The law is effective for pension income received in 1996 or thereafter and prohibits states from taxing certain retirement income of a nonresident including lump-sum distributions from a qualified retirement plan.

Part-year residents – lines 3 through 14 – If you used federal Form 4972, Part III, and you moved into or out of New York State, you are subject to the New York State separate tax on the ordinary income portion of a lump-sum distribution you received (or accrued) in your period of residence (from federal Form 4972, Part III, line 8). If you were a part-year resident who received or accrued a lump-sum distribution from a qualified retirement plan in your nonresident period, the income is not taxable. See *Nonresident - line 3* above.

Line 4 – The death benefit exclusion allowed on federal Form 4972 for a beneficiary of a plan participant who died before August 21, 1996, will also be allowed on Form IT-230. However, if the sum of the capital gain and/or ordinary income part of the lump-sum distribution reported for federal purposes includes a lump-sum distribution from a pension plan of a deceased employee of New York State, or the United States, or their political subdivisions, the exclusion allowable for New York State purposes is determined by multiplying the federal exclusion by a fraction whose numerator is the sum of the capital gain and/or ordinary income part subject to New York State separate tax, and whose denominator is the sum of the capital gain and/or ordinary income part reported for federal purposes.

Line 15 – Your decimals should be carried to five places and rounded to four places. Drop amounts of 4 and under (.44454 becomes .4445). Round amounts of 5 and over to the next higher number (.44456 becomes .4446).

(continued)

New York State amount column - Part-year resident – Enter the amount of line 2 (federal capital gain part of the lump-sum distribution) you received (or accrued) in your period of residence. See the instructions for Form IT-203, *Nonresident and Part-Year Resident Income Tax Return*, for the definition of **Special accruals**.

10-year tax option – lines 19 and 22 – Use the tax rate schedule below to complete Part III, lines 19 and 22 (*New York City residents and part-year New York City residents: use both schedules*).

Tax rate schedules for 10-year tax option

New York State tax rate schedule

If Part III, line 18 or 21 is:

over	but not over	enter on Part III, line 19 or 22 in <i>New York State</i> column			
\$ 0	\$ 1,000	2% of taxable amount			
1,000	3,000	\$20 plus	3%	of excess over \$	1,000
3,000	5,000	80 plus	4%	" "	3,000
5,000	7,000	160 plus	5%	" "	5,000
7,000	9,000	260 plus	6%	" "	7,000
9,000	11,000	380 plus	7%	" "	9,000
11,000	13,500	520 plus	8%	" "	11,000
13,500	16,000	720 plus	9%	" "	13,500
16,000	18,500	945 plus	10%	" "	16,000
18,500	21,000	1,195 plus	11%	" "	18,500
21,000	23,500	1,470 plus	12%	" "	21,000
23,500	26,000	1,770 plus	13%	" "	23,500
26,000		2,095 plus	13.5%	" "	26,000

City of New York tax rate schedule

If Part III, line 18 or 21 is:

over	but not over	enter on Part III, line 19 or 22 in <i>City of New York</i> column			
\$ 0	\$ 1,000	0.9% of taxable amount			
1,000	3,000	\$ 9 plus	1.4%	of excess over \$	1,000
3,000	5,000	37 plus	1.8%	" "	3,000
5,000	7,000	73 plus	2.0%	" "	5,000
7,000	9,000	113 plus	2.3%	" "	7,000
9,000	11,000	159 plus	2.5%	" "	9,000
11,000	13,000	209 plus	2.7%	" "	11,000
13,000	15,000	263 plus	2.9%	" "	13,000
15,000	17,000	321 plus	3.1%	" "	15,000
17,000	19,000	383 plus	3.3%	" "	17,000
19,000	21,000	449 plus	3.5%	" "	19,000
21,000	23,000	519 plus	3.8%	" "	21,000
23,000	25,000	595 plus	4.0%	" "	23,000
25,000		675 plus	4.3%	" "	25,000

Privacy notification

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of the Registration and Data Services Bureau, NYS Tax Department, Building 8, Room 338, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the United States and Canada, call (518) 485-6800.

Need help?



Telephone assistance is available from 8:30 a.m. to 4:25 p.m. (eastern time), Monday through Friday.

For tax information: 1 800 225-5829

To order forms and publications: 1 800 462-8100

Refund status: (electronically filed) 1 800 353-0708
(direct deposit) 1 800 321-3213
(all others) 1 800 443-3200

(Automated service for refund status is available 24 hours a day, seven days a week.)

From areas outside the U.S. and outside Canada: (518) 485-6800



Fax-on-demand forms: Forms are available 24 hours a day, 7 days a week.

1 800 748-3676



Internet access: www.tax.state.ny.us (for forms, publications, your refund status, to check your estimated tax account, and other information)



Hotline for the hearing and speech impaired: 1 800 634-2110 from 8:30 a.m. to 4:25 p.m. (eastern time), Monday through Friday. If you do not own a telecommunications device for the deaf (TDD), check with independent living centers or community action programs to find out where machines are available for public use.



Persons with disabilities: In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms, and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call 1 800 225-5829.



If you need to write, address your letter to:
NYS TAX DEPARTMENT
TAXPAYER ASSISTANCE BUREAU
W A HARRIMAN CAMPUS
ALBANY NY 12227