

Instructions for PA-20S/PA-65 Schedule NRK-1 Nonresident Schedule of Shareholder/Partner/Beneficiary Pass Through Income, Loss and Credits

What's New

In Part I, "Receiving NRK-1" was added to Name of Owner.

In Part I, "Issuing NRK-1" was added to Name of Entity.

General Information

Purpose of Form

Individual, trust and estate partners are subject to Pennsylvania personal income tax on their share of the partnership's income, whether or not the income is actually distributed. Partners who reside in Pennsylvania are taxed on their share of the partnership's income, regardless of the source of the income.

The PA-20S/PA-65 Schedule RK-1 and NRK-1 provides each member/partner/shareholder (owner) their share of income, losses and credits from the partnership, PA S corporation, estate, trust, and/or limited liability company filing as a partnership or PA S corporation for federal income tax purposes.

Pennsylvania residents receive PA-20S/PA-65 Schedule RK-1. Nonresidents of Pennsylvania receive PA-20S/PA-65 Schedule NRK-1.

A PA-20S/PA-65 Schedule RK-1 must be completed for every Pennsylvania resident owner in a partnership, S corporation, estate, trust, and/or limited liability company filing as a partnership or PA S corporation for federal income tax purposes.

A copy of the PA-20S/PA-65 Schedules RK-1 and/or NRK-1 for each member/partner/shareholder (owner) must accompany the PA-20S/PA-65 Information Return. Owners must receive a copy or copies to prepare Pennsylvania tax or information returns. The PA S corporation or partnership must also retain a copy of all PA-20S/PA-65 Schedules RK-1 and NRK-1 as part of the entity's records.

Owners that are estates, trusts, other PA S corporations, other partnerships, and other pass through entities receive both PA-20S/PA-65 Schedules RK-1 and NRK-1. The Pennsylvania-taxable income passes through to the final taxpayer. Therefore, the immediate partners and shareholders must know the total Pennsylvania-taxable income in the event the final owner is a Pennsylvania resident. In the event that the final owner is a nonresident of Pennsylvania, the owner

must know Pennsylvania-source taxable income.

The PA-20S/PA-65 Schedule RK-1 submitted with the PA-20S/PA-65 Information Return does not need to be issued to the corporate partners unless a credit from the PA-20S/PA-65 Schedule OC has been allocated. Partnerships, PA S corporations, estates, trusts and/or limited liability companies must submit PA-20S/PA-65 Schedule RK-1 with the applicable Pennsylvania tax returns.

If a PA-20S/PA-65 Schedule RK-1 and/or NRK-1 is received, amounts from this schedule must be reported on the appropriate Pennsylvania tax return.

CD Format for Schedules RK-1/NRK-1

Entities that have a 100 or more owners may submit the PA Schedules RK-1/NRK-1 in CD format; however, they must meet the department's specifications. To receive the department's specifications for CD format, please send a request to bweber@pa.gov

Only PA-20S/PA-65 Schedules RK-1/NRK-1 can be included on the CD. Do not include federal returns, federal schedules K-1 and PA-20S/PA-65 Information Returns. These documents must be sent in paper form when submitting the Schedules RK-1/NRK-1 in CD format.

The PA-20S/PA-65 Information Return will be considered incomplete if the federal information is not included with the paper return.

Pennsylvania offers another option, electronic filing, that does not have a filing limit on the number of PA Schedules RK-1/NRK-1.

To obtain the electronic filing and payment formats or to obtain additional information on electronic filing and payment options visit Revenue's e-Services Center on the department's website.

Amended Schedule NRK-1

Where an amendment to the PA-20S/PA-65 Information Return results in a need to amend the PA-20S/PA-65 Schedules NRK-1, an amended PA-20S/PA-65 Schedule RK-1 must be forwarded to the PA Department of Revenue with the amended tax return and a copy provided to each owner.

An amended PA-20S/PA-65 Information Return and an amended PA-20S/PA-65 Schedule NRK-1 for each owner must also be filed to correct any error on or reflect any change to the original PA-20S/PA-65 Information Return, whether or not an amended federal Form 1120S or federal Form 1065 was filed for that year.

To amend your original PA-20S/PA-65 Schedule NRK-1, use a blank schedule for the tax year that is to be amended and fill in the "Amended Schedule" oval at the top of the schedule. Do not send a copy of your original schedule. Complete the schedule by entering the corrected information and submit it with the amended PA-20S/PA-65 Information Return. See "Where To File" in the PA-20S/PA-65 instructions.

Part-Year Resident Owners

The requirements are different for PA S corporations and partnerships to issue PA-20S/PA-65 Schedules RK-1 and/or NRK-1 to its owners.

PA S Corporations Only

1. Residency Period - PA-20S/PA-65 Schedule RK-1. The PA S corporation must submit a separate PA-20S/PA-65 Schedule RK-1 for that portion of the tax year during which the shareholder was a Pennsylvania resident.

The PA-20S/PA-65 Schedule RK-1 determines the shareholder's pro rata distributive share of each item reported on the PA-20S/PA-65 Information Return as follows:

Step 1. Determines the daily amount by dividing the income (loss) or credit by the number of days in the PA S corporation's tax year.

Step 2. Determines the shareholder's daily part by multiplying the daily amount from Step 1 by the percentage of stock owned by the shareholder on each day of the residency portion of the PA S corporation's tax year.

Step 3. Totals the shareholder's daily part for the number of days for which the shareholder was a Pennsylvania resident. Multiply the shareholder's daily amount from Step 2 by the number of days the shareholder was a Pennsylvania resident.

2. Nonresidency Period - PA-20S/PA-65 Schedule NRK-1

The PA S corporation must submit a separate PA-20S/PA-65 Schedule NRK-1 for that portion of the tax year during which the shareholder was a nonresident of Pennsylvania.

The PA-20S/PA-65 Schedule NRK-1 determines the shareholder's pro rata distributive share of each item reported on the PA-20S/PA-65 Information Return by subtracting the amount from Step 3 from the total income (loss).

Partnerships Only

1. Residency Period - PA-20S/PA-65 Schedule RK-1. The partnership must submit a separate PA-20S/PA-65 Schedule RK-1 for each individual partner if during the partnership's taxable year, the partner was:

- A Pennsylvania resident at the close of the taxable year;
- Deceased and a Pennsylvania resident at the time of his/her death during the taxable year; and/or
- A Pennsylvania resident at the close of business on the day during the taxable year that he/she sold, exchanged, disposed of, liquidated, redeemed his/her entire interest in the partnership.

2. Nonresidency Period - PA-20S/PA-65 Schedule NRK-1. The partnership must submit a separate PA-20S/PA-65 Schedule NRK-1 for each individual partner if during the partnership's taxable year the partner was:

- A nonresident of Pennsylvania at the close of the taxable year;
- Deceased and a nonresident of Pennsylvania at the time of his/her death during the taxable year; and/or
- A nonresident of Pennsylvania at the close of business on the day during the taxable year that he/she sold, exchanged, disposed of, liquidated, redeemed his/her entire interest in the partnership.

Specific Instructions

Part I

General Information

SSN

Enter the Social Security number (SSN) of the individual receiving the PA-20S/PA-65 Schedule NRK-1.

Last Name, Suffix, First Name, Middle Initial

Enter the last name; suffix such as Jr., Sr., etc; first name and middle initial of the individual receiving the PA-20S/PA-65 Schedule NRK-1.

Spouse's SSN

Enter the spouse's SSN (if jointly held) receiving the PA-20S/PA-65 Schedule NRK-1.

FEIN

Enter the federal employer identification number (FEIN) of the owner (if other than an individual) receiving the PA-20S/PA-65 Schedule NRK-1.

Name of Owner Receiving RK-1

Enter the name of the owner (if other than an individual) receiving the PA-20S/PA-65 Schedule RK-1.

First Line of Address

Enter the street address of the owner receiving the PA-20S/PA-65 Schedule NRK-1. If the address has an apartment number, suite, or RR number, enter after the street address.

The U.S. Postal Service preference is to put the actual delivery address on the line immediately above the city, state and ZIP Code. See [US Postal Service Name and Address Standards](#).



Note. If the street address along with the apartment number, suite, or RR number does not fit on the first line of address, then enter the street address on the second line of address and the apartment number, suite, or RR number on the first line of address.

Second Line of Address

Enter the post office box, if appropriate, of the owner receiving the PA-20S/PA-65 Schedule NRK-1. If there is no post office box, leave the second line of address blank. See [US Postal Service Name and Address Standards](#).



Important. If the address has only a post office box, enter on the first line of address.

City, State, and ZIP Code

Enter the appropriate information in each box of the owner receiving the PA-20S/PA-65 Schedule NRK-1.

Name of Entity Issuing RK-1

Enter the name of the entity issuing the PA-20S/PA-65 Schedule NRK-1.

City, State, and ZIP Code

Enter the appropriate information in each box of the entity issuing the PA-20S/PA-65 Schedule NRK-1.

FEIN

Enter the federal employer identification number (FEIN) of the entity issuing the PA-20S/PA-65 Schedule NRK-1.

PA Account

Enter the PA Account # of the entity issuing the PA-20S/PA-65 Schedule NRK-1.



Note. The PA Account #, formerly known as Box #, is assigned by the Bureau of Corporation Taxes to S corporations and limited liability companies that are subject to capital stock/foreign franchise tax.

Amended Schedule

Fill in the oval if the PA-20S/PA-65 Schedule NRK-1 is an amended schedule.

Final

Fill in the oval if the PA-20S/PA-65 Schedule NRK-1 is a final schedule.

Shareholder's Stock Ownership

Enter the shareholder's percentage of stock ownership in the PA S Corporation.

Beneficiary's Year-End Distribution

Enter the beneficiary's percentage of year-end distributions from an estate or trust.

Partnership Percentage

Enter the partner's percentage of each of the following at the close of the taxable year:

- Profit sharing
- Loss sharing
- Ownership of capital

Owner

Fill in the oval that designates what type of owner received the PA-20S/PA-65 NRK-1. Fill in one oval only.

Partner

Fill in the oval that designates what type of partner received the PA-20S/PA-65 Schedule NRK-1. Fill in one oval only.

Entity

Fill in the oval that designates what type of entity issued the PA-20S/PA-65 Schedule NRK-1. Fill in one oval only.

Fiscal Year

If the PA S corporation, partnership or limited liability company filing as a partnership or PA S corporation for federal income tax purposes does not file on a calendar year basis, fill in the oval. Enter the month, day and year (MMDDYY) when the fiscal year begins and ends.

US Postal Service Name and Address Standards

Name Standards

- Eliminate apostrophes, commas, periods and hyphens.
- Do not use “The” as the first word in a title except for a two-word title (e.g. “The Boutique”).

Address Standards

- Eliminate apostrophes, commas, periods and hyphens, except the hyphen in a ZIP + 4.
- Use only RR (Rural Route) and HC (Highway Contract) abbreviations. All others (Star Route, Mountain Route, Rural Delivery, etc) have been converted to RR or HC.
- Corner Addresses, i.e. “Corner Smith and Duke” will be replaced by numerical street addresses. Examples of the new format would be “1700 DUKE ST” or “1 N SMITH ST”.
- Combining two types of addresses is acceptable, like “24 N GREEN ST PO BOX 10”, however, the USPS preference is to put the actual delivery address on the line immediately above the city, state and ZIP Code.

Preferred Address Standards

1. **Non-Address Line.** Logos, Account numbers, subscription codes, etc.
2. **Information/Attention Line.** Used to direct mail to the attention of a specific person or unit when a business name is placed on the “Name of Recipient Line”.
3. **Name of Recipient Line.** The name of the business or individual of the intended recipients.
4. **Delivery Address Line.** Street address, post office box number or rural number, or a combination of post office box number and rural route or highway contract number.

Exception. Combining a street address with a post office box. The preferred delivery address must appear on this line with the other address on the line above.



Example:
ATTN CUSTOMER SERVICE
HILLS DEPT STORE
123 MAIN HWY
PO BOX 4567
ANYTOWN PA 17111-1234

5. **Post Office, State and ZIP Code Line.** For domestic mail, the Post Office (City), State and ZIP Code should appear in the order on the bottom line of the address. If all three elements will not fit on the line, the ZIP (+4) may be placed immediately below, aligned with the left edge of the address block.



Example:
21-674980 - Non-Address Line
ATTN JOHN DOE - Attention Line
ABC CO - Recipient Line
1234 S WEST ST - Delivery Address Line
ANYTOWN PA 17000 - City, State and ZIP

Domestic Address Format Examples

The following examples illustrate various formats that include ZIP + 4 Codes. Use them as a guide.

1. **PO BOX**
AZINGA COMPANY
PO BOX 34
DULUTH MN 55806-0034
2. **RURAL ROUTE OR HIGHWAY CONTRACT ROUTE**
EAST COAST CORP
RR 3 BOX 194 C
CANTON OH 44730-9615
3. **BUILDING/BUSINESS**
SOUTHERN CORP
LOUISIANA INDUSTRIAL PK
1725 E BEAUREGARD AVE
NEW ORLEANS LA 70124-1299
4. **STANDARD STREET ADDRESS - NUMERIC**
MID WEST LTD
5765 E 53RD ST SUITE 221
CHICAGO IL 60615-1234
5. **STANDARD STREET ADDRESS - ALPHABETIC**
WEST COAST INC
603 MAIN ST NE
DETROIT MI 48223-3107

Canadian and International Addresses

General Requirements

The bottom line of the address should show only the country name, written in full (no abbreviations) and preferably in capital letters. Do not place the post codes (ZIP Codes) of foreign country destinations on the last line of the address. An example of a correct foreign address follows:

Foreign Address Example

DIETRICH ENTERPRISES
HARTMANNSTRASSE 7
5300 BONN 1
FEDERAL REPUBLIC OF GERMANY
OR
117 RUSSELL DR
LONDON W1PGHQ
ENGLAND

Canada (Only) Address Example

The following address format may be used when the postal address delivery zone number is included in the address:

NORTH BY NORTHWEST CO
1010 CLEAR ST
OTTAWA ONT K1A 0B1
CANADA

Part II Owner’s Distributive Share of Pennsylvania- Source Income (Loss)

Line 1. Pennsylvania Taxable Business Income (Loss) from Operations

Enter the owner’s pro rata distributive share from the PA-20S/PA-65 Information Return, Line 2h. The entity must report the owner’s share of income (loss) whether distributed or not. If reporting a loss fill in the oval.



Note. Guaranteed payments should not be included on Line 1 of the PA-20S/PA-65 Schedule NRK-1.

Line 2. Net Gain (Loss) from the Sale, Exchange or Disposition of Property

This figure will flow from PA-20S/PA-65 Schedule D, Part I, Line 18. If reporting a loss fill in the oval.

Lines 3 through 5

Enter the owner’s pro rata distributive share of the separately stated items of other Pennsylvania-taxable income (loss) from the PA-20S/PA-65 Information Return. If reporting a loss on Line 3 and/or Line 5, fill in the oval.

PART III

Owner’s Share of Pennsylvania Credits

Enter the owner’s pro rata distributive share of the separately stated credits that the PA S corporation or partnership passes through to the owners from the PA-20S/PA-65 Information Return.

Line 6. Pennsylvania Nonresident Tax Withheld

Enter the Pennsylvania nonresident tax withheld from nonresident-owners of Pennsylvania that was submitted to the Pennsylvania Department of Revenue.

Include the excess withholding paid on behalf of nonresidents of Pennsylvania if the owner will receive a refund or credit of the excess.

Line 7. Total Other Credits

Enter the owner’s pro rata share from PA-20S/PA-65 Information Return, Line 13a. The entity must provide the owner with a statement listing which credit(s) have been passed through to them.



Important. See PA-20S/PA-65 Schedule OC instructions for which credits must be applied to corporate tax

liability prior to being passed through to the entity's owners.

PART IV Distributions from Partnerships

Noncorporate shareholders and partners should use the amounts from PA-20S/PA-65 Schedule NRK-1, Part IV through Part VII, (other than Line 10) to determine or calculate their Pennsylvania economic investment in the entity. Partners include Line 10 in net classified income on their Pennsylvania tax returns

Line 8. Distribution of Cash, Marketable Securities, and Property Not Including Guaranteed Payments

Enter the partner's share of such distributions of cash, marketable securities and property other than guaranteed payments. Nontaxable distributions reduce the nonresident's economic investment.

Line 9. Guaranteed Payments for Capital or Other Services

Enter the partner's share of guaranteed payments for capital or other services. Guaranteed payments are apportioned the same as business income. For example if the guaranteed payment is \$100 and the Pennsylvania apportionment is 50 percent, then only \$50 is included in the business income.

Pennsylvania personal income tax rules classify distributions of guaranteed payments for capital or other services as follows:

- A withdrawal proportionately from the capital of all partners;
- A gain from the disposition of the recipient's partnership interest and a loss from the disposition of the other partners' partnership interests, to the extent derived from the capital of the other partners; and
- A return of capital by the recipients to the extent derived from their own capital. The distributions that the partnership makes that represent repayments of the partner's own capital are not considered income for Pennsylvania personal income tax purposes.

Line 10. All Other Guaranteed Payments for Services Rendered (Pennsylvania- Apportioned Amount Only)

Enter the partner's share of such payments taxable in Pennsylvania. Pennsylvania taxes nonresident of Pennsylvania guaranteed payments based on Pennsylvania -apportioned calculations for ordinary income.



Note. The partner must know the class of income from which the partnership made the guaranteed payments. The partner must then properly classify the payments on his/her PA-40 Individual Income Tax Return.



Important. If the total distribution includes more than one of the income classes described below, the partnership must provide a-statement to the partners showing the amounts for each line.

For Pennsylvania personal income tax purposes guaranteed payments are classified as follows:

- If services are rendered directly in the production of income from a business, profession, or farm, the guaranteed payments are gross income from that income class.
- If services are rendered directly in the production of rental or royalty income, the guaranteed payments are gross income from that income class.

A guaranteed payment is allocable to Pennsylvania to the extent it is deductible from net profits or rental and royalty income that is allocable to Pennsylvania. Income allocable to Pennsylvania is income derived from Pennsylvania sources.

Health Savings Accounts (HSA)

Contributions by a partnership to a bona fide partner's HSA are not contributions by an employer. The contributions are treated as a distribution of money and are not included in the partner's income. Contributions by a partnership to a partner's HSA for services rendered, however, are treated as guaranteed payments that are deducted by the partnership and included in the partner's income. In both situations, the partner can deduct the contribution made to the partner's HSA.

Contributions to a nonresident partner's HSA for services must be apportioned.

Contributions by an S corporation to a two percent shareholder-employee's HSA for services rendered are treated the same as guaranteed payments to partners for services rendered and are deducted by the S corporation as wage or salary expense and included in the shareholder-employee's gross compensation. The shareholder-employee can deduct the contribution made to the shareholder-employee's HSA.

Line 11. Guaranteed Payments to the Retired Partner

Guaranteed payments to the retired partner must meet the exception as described in IRC § 1402(a)(10).

Generally, retirement payments received by a retired partner from a partnership (of which he or she is a member or former member) are counted as net earnings from self-employment.

Certain periodic payments by a partnership to a retired partner made on account of retirement under a written plan of partnership are excluded from the tax. To be effective, the plan must meet such requirements as are prescribed by Reg §1.1402(a)-17. It must apply to partners generally or to a class or classes of partners, and provide such payments at least until the retired partner's death.

The exclusion applies to retirement payments received by a retired partner only if he or she renders no services in any business conducted by the partnership during the taxable year of such partnership, ending within or with his or her taxable year in which amounts were received. At the end of such partnership's taxable year, (1) there must be no obligation from other partners to the retired partner, other than to make retirement payments under the plan, and (2) the retired partner's share in the capital of the partnership had been paid to him or her in full. Code Sec. 1402(a)(10) Reg §1.1402(a)-17

PART V Distributions from PA S Corporations

Line 12. Distribution from the Pennsylvania Accumulated Adjustments Account

Enter the shareholder's share of such distributions. Nontaxable distributions reduce the nonresident's economic investment. If liquidating distribution fill in the oval.

Line 13. Distribution of Cash, Marketable Securities, and Property

Enter the shareholder's share of such distributions. Nontaxable distributions reduce the nonresident's economic investment.



Note. The PA S corporation should not include distributions to Pennsylvania nonresident shareholders from its PA C corporation earnings and profits as taxable dividend income.

PART VI

Nontaxable Income (Loss) Owner's Economic Investment

Line 14. Nontaxable Income or Nondeductible Expenses Required to Calculate Owner's Economic Investment. Submit a Statement.

The difference between federal and Pennsylvania depreciation should not be included on this line. Line 14 is based on permanent non taxable income or non deductible expenses in calculating Pennsylvania-taxable income. This amount is generally not the same amount reported on the PA-20S/PA-65 Information Return, Part IV, Line 12 because Line 12 should not include non-permanent items.

The owners need this information to determine their personal Pennsylvania economic investment in the entity, taking into consideration the losses and distributions that may exceed their economic investment. Submit a statement and provide a breakdown of all nontaxable income earned and all non-deductible expenses not taken. This amount should only include permanent differences needed to calculate the owner's economic investment in the entity. If reporting a loss fill in the oval.

The entity provides the owners with this information so the owners can calculate their economic investment. Examples of nontaxable income are tax-exempt interest, gifts, inheritance, loan proceeds, insurance proceeds and federal tax refunds. Examples of nondeductible expenses are partner's retirement contributions, partner's life and health insurance premiums.

These items are listed on federal Form 1120S Schedule K as "Items Affecting Shareholder Basis" and on federal Form 1065 Schedule K as "Other Information".

The entity will use the figure(s) from federal Schedule K and multiply by the owner's ownership percentage and enter the result on PA-20S/PA-65 Schedule NRK-1, Line 14.

PART VII

Supplemental Information

The owners need this information to determine their personal Pennsylvania economic investment in the entity. Lines 15 through 18 are for information purposes only.

Line 15. Owner's Share of IRC § 179 Allowed According to Pennsylvania Rules (Pennsylvania-Appportioned Amount Only)

Enter the owner's share of IRC § 179 depreciation expense. Each entity and individual taxpayer is limited to \$25,000 of IRC § 179 depreciation expense. Do not deduct this amount from any income class. The amount is used to verify that the owner has not exceeded the Pennsylvania limit.

Line 16. Owner's Share of Straight-Line Depreciation (Pennsylvania-Appportioned Amount Only)

Enter the owner's share of the entity's total expense. In years in which the entity incurs a loss and the owner is not able to use the entire loss, the owner is required to reduce their economic investment in the entity by their share of straight-line depreciation. Therefore, assets for which accelerated depreciation has been calculated must be recalculated using straight-line depreciation in order to calculate Pennsylvania economic investment.

Line 17. Partner's Share of Nonrecourse Liabilities at Year-End

Enter the partner's share of nonrecourse liabilities at year-end. A nonrecourse liability is a secured liability, identified by the partnership, for which the partners are not personally liable. Nonrecourse liabilities apportion such debts to each partner's outside basis and validate deductions based on such liabilities.

Line 18. Partner's Share of Recourse Liabilities at Year- End

Enter the partner's share of recourse liabilities at year-end. A recourse liability is one for which a partner is personally liable.