

## LIFE SCIENCES RESEARCH AND DEVELOPMENT TAX CREDIT PROGRAM APPLICATION

### BUSINESS INFORMATION

Name of Applicant:		FEIN: -	
Tax Structure:	First NYS Taxable Year:	Type of Life Sciences Industry:	
Current address:			
City:	State:	ZIP Code:	Phone: - -
Current Excelsior Jobs Program Participant: Yes      No		Current START-UP Participant: Yes      No	

### CONTACT INFORMATION

Contact Name:			
Contact Address:			
City:	State:	ZIP Code:	
Phone: - -	Email:	Fax: - -	

### NEW BUSINESS TEST

A new business means any business that qualifies as a new business under §210-b(1)(f) of the NYS Tax Law, or an individual that qualifies as an owner of a new business under §606 (1) (10) of the NYS Tax Law. After reviewing the tax law sections above, please check below each criteria of the test that applies to the applicant:

- Less than 50% is owned or controlled, either directly or indirectly, by another company that is a taxpayer in NYS
- Is not substantially similar in ownership and operation to another company that is, or was previously, a taxpayer in NYS
- Has not been a taxpayer or, if an individual, has not operated the new business entity, in NYS for more than five years

**Ownership:** Please attach a description of the company's ownership structure, including the percentage of ownership for each individual and entity owning 5% or more of the company. Indicate if the company is a parent, subsidiary and/or affiliate of another company.

ATTACHED

### EMPLOYMENT INFORMATION

Applicant business employed <b>ten (10) or more</b> persons during the taxable year?	Yes	No
Applicant business employed <b>less than ten (10)</b> persons during the taxable year?	Yes	No
Has the applicant entity retained a Professional Employment Organization (PEO) for any of its workforce?	Yes	No

A related entity means a related person as defined in subparagraph (c) of paragraph three of subsection (b) of section 465 of the internal revenue code.

***Please complete Employment and Related Persons reports in attached Excel file.***

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## R&D QUALIFIED EXPENDITURES

Qualified research expenses mean the sum of the following amounts which are paid or incurred by the taxpayer during the taxable year in carrying on any trade or business of the taxpayer:

- 1) Wages paid or incurred to an employee for qualified services performed by such employee.
- 2) Amount paid or incurred for supplies (any tangible property other than land and property subject to the allowance of depreciation) used in the conduct of qualified research. Expenses for property used in general and administrative activities are not Qualified Research Expenses; and
- 3) Amount paid or incurred to another person for the right to use computers in the conduct of qualified research

*NOTE: Contract Research Expenses are excluded*

**Please complete Qualified Expense Report in the attached Excel file.**

Are any of the R&D expenditures you list on this application attributable to any New York State assistance (e.g. grants, loans)? If yes, please disclose in the application submission email. Yes      No

Does the applicant entity devote the majority of its efforts in the various stages of research, development, technology transfer and commercialization related to any life sciences field? Yes      No

## ATTESTATION

By submitting this application, as the authorized representative of the applicant business, I agree:

1. to allow the department of taxation and finance to share its tax information with the department of economic development. However, any information shared as a result of this agreement shall not be available for disclosure or inspection under the state freedom of information law;
2. to allow the department of labor to share its tax and employer information with the department of economic development. However, any information shared as a result of this agreement shall not be available for disclosure or inspection under the state freedom of information law;
3. to allow the department of economic development and its agents access to any and all books and records the department may require to monitor compliance;
4. to provide the following information to the department of economic development upon request: (i) the prior three years of federal and state income or franchise tax returns, unemployment insurance quarterly returns, real property tax bills and audited financial statements; (ii) the employer identification or social security numbers for all related persons to the business, including those of any members of a limited liability company or partners in a partnership;
5. under penalty of perjury, that the applicant business is in substantial compliance with all environmental, worker protection, and local, state, and federal tax laws, and that it satisfies all the eligibility requirements to participate in the Life Sciences Research & Development Tax Credit Program.

\_\_\_\_\_  
Authorized Business Representative Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name and Title