

Instructions for Form 4593

Michigan Business Tax (MBT) Book-Tax Difference

Purpose

To report "Book-Tax Difference," or the difference, if any, between the qualifying asset's net book value shown on books and records for the first fiscal period ending after July 12, 2007, and the qualifying asset's tax basis on that same date.

This form must only be filed in conjunction with the taxpayer's 2008 MBT annual return (initial return).

General Information

Public Act 90 of 2007 amended the MBT Act to create a deferred tax liability due to the enactment of MBT on July 12, 2007. The deduction will equal the lesser of the business' book-tax difference or the business' deferred tax liability during the first tax period ending on or after July 12, 2007, and may be claimed by deducting a percentage of this figure beginning with the 2015 tax year, as follows:

- 4 percent of this difference during each of the successive five years beginning with the 2015 tax year,
- 6 percent of this difference during each of the successive five years beginning with the 2020 tax year, and
- 10 percent of this difference during each of the successive five years beginning with the 2025 tax year.

The deduction is the lesser of the business' book-tax difference or amount necessary to offset the net deferred tax liability of the taxpayer as computed in accordance with generally accepted accounting principles which would otherwise result from the imposition of the Business Income Tax and the Modified Gross Receipts Tax if the deduction were not allowed. The adjustment must be calculated without regard to the federal tax consequences of the deduction.

To preserve the ability to claim this deduction, a taxpayer must report its book-tax difference to the Michigan Department of Treasury with the initial MBT return required under the MBT Act.

Maintain records and work papers necessary to support the calculation and journal entry identified for the same length of time that the deduction is available, and to support a potential audit of the taxpayer's business by the Department.

Form 4593 must be filed together with the taxpayer's first MBT annual return. For a taxpayer that obtains a valid extension for filing its annual return, the Department will treat that extension as applicable to the filing of Form 4593 as well. With respect to possible amendments of Form 4593, amendments to a taxpayer's first MBT annual return could necessitate corresponding changes to Form 4593. Accordingly, Form 4593 will be open to amendment during the same limitations period

that is applicable to the first annual return, except that an amendment to Form 4593 will be permitted during the relevant period only if the taxpayer has also amended its annual return, and the changes made to the annual return have necessitated the amendment to Form 4593. A taxpayer may not amend Form 4593 on a stand-alone basis.

Line-by-Line Instructions

Name and Account Number: Enter name and account number as reported on page 1 of the *MBT Annual Return* (Form 4567).

If NOT filing as a Unitary Business Group (UBG), enter in column C the company's "Book-Tax Difference," or the difference, if any, between the qualifying asset's net book value shown on books and records for the first fiscal period ending after July 12, 2007, and the qualifying asset's tax basis on that same date.

UBGs: Enter appropriate information for each member of the group (including members disclosed on Form 4580, Part 1 and Part 4, under reason code 5). Enter the Designated Member (DM) first.

IMPORTANT: Although a member may otherwise not be included in the UBG's first combined return, all book-tax differences available to members of the group must be reported on the 2008 Form 4593. The book-tax difference of the excluded member must be reported on the UBG's Form 4593 filed for the 2008 tax year regardless of the fact that otherwise the member is not included in that return.

Attach this schedule to the return.