



FINANCE
NEW YORK

NYC
8B

NEW YORK CITY DEPARTMENT OF FINANCE
BANKING CORPORATION TAX AMENDED
RETURN AND/OR CLAIM FOR REFUND

DO NOT WRITE IN THIS SPACE - FOR OFFICIAL USE ONLY

For CALENDAR YEAR _____ or FISCAL YEAR beginning _____ and ending _____

Print or Type

Name
Address (number and street)
City and State Zip Code
Business Telephone Number

EMPLOYER IDENTIFICATION NUMBER

Employer ID number grid

NYC RETURN WAS FILED ON: (✓)

NYC-1 NYC-1A

Table with 4 columns: Line Number, Description, COLUMN 1 (As Originally Reported), COLUMN 2 (Net Change), COLUMN 3 (Correct Amount). Rows 1-27 include tax calculations and adjustments.

CERTIFICATION OF AN ELECTED OFFICER OF THE CORPORATION

I hereby certify that this return including any accompanying rider, is, to the best of my knowledge and belief, true, correct and complete.

Signature and certification fields for officer and preparer, including title, date, and social security numbers.

Make remittance payable to the order of:

NYC DEPARTMENT OF FINANCE

Payment must be made in U.S.dollars, drawn on a U.S. bank.

To receive proper credit, you must enter your correct Employer Identification Number on your tax return and remittance.

MAIL
TO: ➔

NYC DEPARTMENT OF FINANCE
BOX 3921 CHURCH STREET STATION
NEW YORK, NY 10008

GENERAL INFORMATION

PURPOSE OF FORM

Use Form NYC-8B to amend Form NYC-1 or NYC-1A, as originally filed or as it was later adjusted by an amended return, or to claim a refund of Banking Corporation Tax.

An amended New York City return must be filed within 90 days after filing an amended federal or New York State return.

If a change or correction of federal or New York State taxable income or other tax base is made by the Internal Revenue Service and/or the New York State Department of Taxation and Finance, report the change on Form NYC-3360B or 3360F (Report of Federal/State Change). **Do not use Form NYC-8B.**

FILING REQUIREMENTS FOR REFUND OR CREDIT

1. A separate Form NYC-8B must be filed for each tax period for which a credit or refund is claimed.
2. This claim must be filed within *three* years from the time the return was filed or *two* years from the time the tax was paid, whichever expires the later, or, if no return was filed, within *two* years from the time the tax was paid. If the claim is filed within the three-year period, the amount of the credit or refund cannot exceed the portion of the tax paid within the three years immediately preceding the filing of the claim plus the period of any extension of time for filing the return. If the claim is not filed within the three-year period, but is filed within the two-year period, the amount of credit or refund cannot exceed the portion of the tax paid during the two years immediately preceding the filing of the claim.
3. If the period for assessing the tax has been extended by agreement between the taxpayer and the Department of Finance, the claim for refund or credit must be made within six months after the expiration of the period.
4. If a timely petition for the redetermination of a deficiency has been filed, no separate claim for credit or refund need be filed for that year.
5. A corporation disclaiming liability for tax must attach a completed Form NYC-245, Activities Report of Corporations, or a copy of the letter of exemption issued by the Department of Finance.

CLAIMS BASED ON CREDIT(S)

If this claim is based upon the energy cost savings credit, relocation and employment assistance program (REAP) credit or UBT Paid Credit it must be accompanied by Form NYC-9.5, Form NYC-ECS or Form NYC-9.7B together with appropriate documentation.

SPECIFIC INSTRUCTIONS

COLUMN 1 - AMOUNT ORIGINALLY REPORTED

Enter the amounts from your New York City return as originally filed or as you later amended it.

COLUMN 2 - NET CHANGE

Enter the net increase or net decrease for each line you are changing. Use parentheses around all amounts that are decreases. (*Attach a separate schedule explaining the increases or decreases.*) Submit a schedule of allocation percentages (if any) utilized in making entries in column 2.

COLUMN 3 - CORRECT AMOUNT

Add the increase in column 2 to the amount in column 1 or subtract the column 2 decrease from column 1. Enter the result in column 3. For any item not changed, enter the amount from column 1 in column 3.

LINE 13 - 25% FIRST INSTALLMENT

Enter in column 1 and column 3 the amount of the 25% first installment as reported on the original return.

LINE 17 - PRIOR PAYMENTS

Enter at line 17, columns 1 and 3 the sum of: a) all estimated tax payments made for the period covered by this return, including the 25% first installment; b) all amounts paid with any application for extension to file the original return; c) all overpayments from prior tax periods credited towards the tax for the period covered by this return; and d) all amounts paid with the original return or previously filed amended return.

LINES 18 AND 19 - PRIOR APPLICATION OF OVERPAYMENT

Enter at line 18 columns 1 and 3 the amount of any overpayment shown on the original return or previous refund claim (for the same period) previously refunded to you.

Enter at line 19, columns 1 and 3 the amount of any overpayment shown on the original return or previous refund claim (for the same period) that you requested to be credited towards tax for a subsequent period.

LINE 23 - INTEREST

Enter at line 23, column 3 interest owed on the additional tax due computed at the rate prescribed in the interest rate table from the due date of the Banking Corporation Tax Return (without regard to any extension of time for payment) to the date of payment. (Section 11-675 of the Administrative Code)

For the rate of interest on overpayments, for a rate of interest not shown in the table below and for interest calculations, contact Taxpayer Assistance at (718) 935-6000.

INTEREST RATE TABLE - ADDITIONAL TAX DUE

Beginning		Ending	Rate of Interest
March 1, 1987	through	February 29, 1988	7.5%
March 1, 1988	through	February 28, 1989	8.9%
March 1, 1989	through	August 31, 1989	10.2%
September 1, 1989	through	September 30, 1989	12%
October 1, 1989	through	June 30, 1991	11%
July 1, 1991	through	December 31, 1991	10%
January 1, 1992	through	March 31, 1992	9%
April 1, 1992	through	September 30, 1992	8%
October 1, 1992	through	June 30, 1994	7%
July 1, 1994	through	September 30, 1994	8%
October 1, 1994	through	March 31, 1995	9%
April 1, 1995	through	June 30, 1995	10%
July 1, 1995	through	March 31, 1996	9%
April 1, 1996	through	June 30, 1996	8%
July 1, 1996	through	March 31, 1998	9%
April 1, 1998	through	December 31, 1998	8%

LINE 24 - ADDITIONAL CHARGES

- a) A **late filing penalty** is assessed if you failed to file the original return when due, unless the failure was due to reasonable cause. For every month or partial month that the return was late, add to the corrected amount of tax (less any payments made on or before the due date and credits that may be claimed against the tax) 5%, up to a total of 25%.
- b) If the original return was filed more than 60 days late, you will be subject to the **minimum late filing penalty**. This penalty is the lesser of (1) \$100 or (2) 100% of the amount required to be shown on the form (less any payments made by the due date or credits claimed on the return).
- c) A **late payment penalty** is assessed if you failed to pay the tax shown on the original return by the prescribed filing date, unless the failure was due to reasonable cause. For every month or partial month that your payment is late, add to the tax (less any payments made or credits claimed against the tax) 1/2% of the lesser of the amount shown on the original return or the amount shown on this form, up to a total of 25%.
- d) The total of the additional charges in *a* and *c* may not exceed 5% for any one month except as provided for in *b*.

If you claim not to be liable for these additional charges, attach a statement to this form explaining the delay in filing, payment or both.