



**Illinois Department of Revenue**  
**Schedule UB/NLD Unitary Illinois Net Loss Deduction**

Attach to your Form IL-1120, Form IL-1120-X, Form IL-1120X-PY.

For Illinois net losses arising in tax years ending **on or after** December 31, 1986.

Carry year ending \_\_\_\_\_

Month \_\_\_\_\_ Year \_\_\_\_\_

**IL Attachment No. 4**

Write your name as shown on your tax return. \_\_\_\_\_

Write your federal employer identification number (FEIN). \_\_\_\_\_

**Step 1: Identify your members**

- 1 Write the name of each unitary member that is carrying a loss. \_\_\_\_\_
- 2 Write the FEIN of each unitary member. \_\_\_\_\_

A	B	C	D	E Combined Totals
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**Step 2: Figure your earliest loss year amount**

3 Write the year of your loss that expires first. _____				3	
4 Write the combined net income before this Illinois NLD.				4	
5 Write each member's loss for the year.				5	
6 Net income after this Illinois NLD. Subtract Col. E, Line 5 from Line 4.				6	
7 Write the percentage of total loss (see instructions).	▪ _____	▪ _____	▪ _____	▪ _____	7
8 Unused loss (see instructions).					8
9 Write the year of loss that expires next. _____				9	
10 Write the amount from Step 2, Line 6. If negative, write zero.				10	
11 Write the loss amount for the year on Line 9.				11	
12 Net income after the IL NLD. Subtract Col. E, Line 11 from Line 10.				12	
13 Write the percentage of total loss.	▪ _____	▪ _____	▪ _____	▪ _____	13
14 Unused loss (see instructions).					14
15 Write the year of the loss that expires next. _____				15	
16 Write the amount from Line 12. If negative, write zero.				16	
17 Write the loss amount for the year on Line 15.				17	
18 Net income after this IL NLD. Subtract Col. E, Line 17 from Line 16.				18	
19 Write the percentage of total loss.	▪ _____	▪ _____	▪ _____	▪ _____	19
20 Unused loss (see instructions).					20
21 Write the year of the loss that expires next. _____				21	
22 Write the amount from Line 18. If negative, write zero.				22	
23 Write the loss amount for the year on Line 21.				23	
24 Net income after the IL NLD. Subtract Col. E, Line 23 from Line 22.				24	
25 Write the percentage of total loss.	▪ _____	▪ _____	▪ _____	▪ _____	25
26 Unused loss (see instructions).					26
27 Write the year of the loss that expires next. _____				27	
28 Write the amount from Line 24.				28	
29 Write the loss amount for the year on Line 27.				29	
30 Net income after the IL NLD. Subtract Col. E, Line 29 from Line 28.				30	
31 Write the percentage of total loss.	▪ _____	▪ _____	▪ _____	▪ _____	31
32 Unused loss (see instructions).					32

## Step 3: Figure your total deduction and taxable income

◆ Please read the specific instructions before completing . ◆

33	Write the base income allocable to Illinois from Step 2, Line 4, Column E.	33	_____		_____
34	Write the net loss deduction claimed on this Schedule UB/NLD (see instructions).	34	_____		_____
35	Write the Illinois net loss deduction claimed, but not used (see instructions).	35	_____		_____
36	Subtract Line 35 from Line 34. This is your Illinois Net Loss Deduction for this tax year.	36	_____		_____
37	Subtract Line 36 from Line 33. This is your taxable income after NLD.	37	_____		_____

# Schedule UB/NLD Instructions

For Illinois net losses arising in tax years ending on or after December 31, 1986.

## General Information

### When must I use this schedule?

You must use this schedule

- to claim an Illinois net loss carryforward deduction on an original combined Illinois income tax return filed by a unitary business group for tax years ending on or after December 31, 2005; or
- to claim an Illinois net loss carryforward or carryback on an amended combined Illinois tax return filed by a unitary business group after December 31, 2005, that amends any tax year.

### What is the purpose of this schedule?

The purpose of the Schedule UB/NLD is to calculate

- the total amount of unitary Illinois net loss available for deduction on a combined return by a unitary business group in a year;
- the amount deducted on the combined return; and
- the amount of any loss allocable to each member of the unitary business group and available to carry over to any separate member filed by that member for a later tax year or to the combined return of any unitary business group that member might join in a later year.

Because earlier versions of the Schedule UB/NLD did not allocate unused losses among members of a unitary business group, whenever a member leaves a unitary business group that has unused Illinois net losses, that member and the combined unitary business group that member belonged to may need to complete a pro forma 2005 version of this Schedule UB/NLD for earlier years. This determines how much of the unused loss may be carried forward by the departed member and how much remains with the combined group.

### What are the limitations of the Illinois NLD?

Illinois net losses incurred in tax years **ending on or after December 31, 2003**, may be carried forward up to 12 taxable years. No carryback is allowed.

For tax years **ending on or after December 31, 1999, and before December 31, 2003**, all Illinois net losses were required to be carried back two years, then forward 20, unless an election was made to **only** carry the loss forward. The election to carry a loss forward only was made by checking the appropriate box on the original or amended loss-year return, whichever showed the loss first. Once the election was made to carry back an Illinois loss or to carry it forward only, the election was irrevocable.

Losses incurred in tax years **ending before December 31, 1999**, could be carried back and carried forward for the periods allowed under IRC Section 172, for the tax year in which the loss was incurred. In general, losses incurred in tax years ending

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- after August 5, 1997, and ending before December 31, 1999, must be carried back 2 years, then forward 20 years.
- on or before August 5, 1997, must be carried back 3 years, then forward 15 years.

In addition, the special carryover periods in IRC Section 172, as in effect for a particular tax year, would apply to losses incurred in that year. For example, a "specified liability loss" incurred in 1998 may be carried back 10 years under IRC Section 172(b)(1)(c).

Also, no limitations under IRC Section 382, or the separate return limitation year provisions of the federal consolidated return regulations apply to any NLD carryover.

### What if the membership of my unitary business group has changed since an Illinois net loss was incurred?

If a member has joined the group, any unused Illinois net loss incurred by that member before joining the group may be used by the group in the year the member joined and in subsequent years, up to the maximum number of years (counting both years prior to joining and years subsequent to joining) to which the loss could be carried. Illinois does not follow IRC Section 382, or have any "separate return limitation year" rules.

If a member has left your group since the group incurred an Illinois net loss, any loss allocable to that member that was not used before the member left may be used only by that member or by any unitary business group that it joined after leaving your group. You may need to complete a pro forma Schedule UB, Step 4, for the loss year (using the 2005 version of this Schedule UB/NLD for each carryover year) to determine how much of the loss was used before the member left the group.

If a member has acquired an Illinois net loss of another taxpayer under IRC Section 381 (whether or not the other taxpayer was ever a member of your group), that member is entitled to carry forward any unused loss it acquired to the year of the acquisition and to subsequent years, up to the maximum number of years to which the loss could be carried. Attach a separate schedule to your return showing the name and taxpayer identification number of your member that acquired a loss being claimed on this Schedule UB/NLD, the name and taxpayer identification number from whom the loss was acquired, the year of the acquisition, the tax year in which the loss was incurred, and the amount of unused loss acquired.

### What must I attach?

You **must** attach copies of any Schedule UB pro formas, as required in the Specific Instructions, or audit reports reflecting the loss amounts that you are claiming on this schedule. If one of your

members has acquired an Illinois net loss incurred by another taxpayer, you must also attach a schedule showing the name and taxpayer identification number of your member that acquired a loss being claimed on this Schedule UB/NLD, the name and taxpayer identification number of the taxpayer from whom the loss was acquired, the year of the acquisition, and the tax year in which the loss was incurred. Failure to do so will result in processing delays.

## What if I need additional assistance?

*If you need additional assistance,*

- visit our web site at [www.tax.illinois.gov](http://www.tax.illinois.gov);
- call our Taxpayer Assistance Division at **1 800 732-8866** or **217 782-3336**;
- call our TDD (telecommunications device for the deaf) at **1 800 544-5304**; or
- write to us at P.O. Box 19044, Springfield, Illinois 62794-9044.

Our office hours are Monday through Friday 8:00 a.m. to 5:00 p.m.

## Specific Instructions

### Step 1: Identify your members

**Note** → Do not include any taxpayer that was not a member of your unitary business group at any time during the current tax year, even if it was a member of your unitary group during a loss year.

**Line 1** — Columns A, B, C, and D - Write the name of each member of your unitary business group that is carrying a loss into the current tax year.

**Line 2** — Columns A, B, C, and D - Write the FEIN of each member you entered on Line 1 in the appropriate column.

Attach additional copies of this schedule if there are more than four members.

If any of these losses were incurred by another entity and later was acquired by a member of your group, write the group member's name and FEIN here and attach the schedule described in the General Instructions for "What must I attach?"

**Note** → Do not include corporations taxed in the current year as Subchapter S corporations. Each Subchapter S corporation must claim its losses on a Schedule NLD attached to its separate return of Form IL-1120-ST. However, if your combined group includes a member that was a Subchapter S corporation in prior years, but is no longer an S corporation, you may carry unused losses from its Subchapter S corporation years into this tax year in the same manner as any other corporation's loss.

### Step 2: Figure your loss amount.

**Line 3** — Write the tax year that you incurred an Illinois net loss that is available for carryforward to this year, and that is the first loss that will expire.

**Line 4** — In Column E, Combined Totals, write the total amount of base income of your unitary business group from Step 4, Line 10, of the **current tax year's** Schedule UB.

**Line 5** — In Columns A through D, write the amount of any loss that was incurred by the member in the tax year on Line 3, and that has not been used in a prior year, and write the total amount in Column E.

You may need to fill out a pro forma 2005 version of Schedule UB for the tax year to determine the loss incurred by each member of a group in that year, and a pro forma 2005 version of Schedule UB/NLD for each subsequent year, to determine how much of the loss each member has used in those years.

**Line 6** — In Column E, subtract Line 5 from Line 4. If negative, write the amount in parenthesis.

**Line 7** — If the amount in Column E, Line 6 is zero or positive, write zero here in Columns A through E.

If the amount in Column E, Line 6 is negative, in each Column A through D, write the amount from that column on Line 5, divided by the amount in Column E, Line 5. Carry to six decimal places. In Column E, write "1."

**Line 8** — If the amount in Column E, Line 6 is

- **positive**, leave this line blank. If you have more losses to deduct, go to Line 9.
- **negative**, write in Columns A through D, the amount in Column E of Line 6, multiplied by the percentage in Line 7 of the same column, and write zero in Column E, Line 10.

The amount shown in each column is the Illinois net loss of the member that is available to carry to that member's Illinois income tax return for the next tax year.

- **zero**, write zero in Column E, Line 10.

If you have no more losses go to Step 3.

**Lines 9 through 14, 15 through 20, 21 through 26, and 27 through 32** — Complete an entire set (Lines 9 through 14, etc.) for each taxable year in which a loss was incurred that has not previously been used. If losses for more than five years are carried into this tax year, attach an additional Schedule UB/NLD and write in Column E, Step 2, Line 4 the amount from Column E, Step 2, Line 30 of this Schedule UB/NLD. Repeat this process until all losses are used or until taxable income in Column E is reduced to zero or a negative amount.

**Line(s) 9 (15, 21, and 27)** — Write the tax year in which a member incurred an Illinois net loss that is available for carryforward and that is the loss that will expire next.

**Line(s) 10 (16, 22, and 28)** — In Column E, write the total amount of base income of your unitary business group from Column E, Line 6 (12, 18, and 24). If the amount is negative, write zero.

**Line(s) 11 (17, 23, and 29)** — Write the amounts in Columns A through D of any loss that was incurred by the member of your group in the tax year on Line 9 (15, 21, and 27) that has not been used, and write the total amount in Column E.

**Line(s) 12 (18, 24, and 30)** — Subtract Column E, Line 11 (17, 23, and 29) from Line 10 (16, 22, and 28). If the result is negative, write the amount in parenthesis.

**Line(s) 13 (19, 25, and 31)** — If the amount in Column E, Line 12 (18, 24, and 30) is zero or positive, write zero. If that amount is negative, divide the amount in Columns A through D, Line 11 (17, 23, and 29) by the amount in Column E, Line 11 (17, 23, and 29), and write the results in Column A through D. Carry the result to six decimal places.

**Line(s) 14 (20, 26, and 32)** — If the amount in Column E of Line 12 (18, 24, and 30) is

- **positive**, leave this line blank and go to Line 15 (21, 27, or to a new Schedule UB/NLD).

**Note** → If you are completing the last set (Lines 27 through 32), and the amount in Column E, Line 30 is positive, and you have losses that have not been used, write this amount in Column E, Line 4 of an additional Schedule UB/NLD, write the year of the next loss that will expire on Line 3, and continue on that Schedule UB/NLD.

- **negative**, write in Columns A through D, the amount in Column E of Line 12 (18, 24, and 30) multiplied by the percentage in Line 13 (19, 25, or 31) of the same column, and write zero on Line 16 (22, 28, or Line 4 of a new Schedule UB/NLD).



The amount shown in each column is the Illinois net loss of the member that is available to carry to that member's Illinois income tax return for the next tax year.

- **zero**, write zero on Line 16 (22, 28, or Line 4 of a new Schedule UB/NLD).

If you have no more losses, go to Step 3.

### **Step 3: Figure your total deduction and taxable income**

**Line 33** — Write the amount from Step 2, Column E, Line 4 here and on your form IL-1120, Step 5, Line 37. If you used more than one Schedule UB/NLD, write the amount from the first page, only. **Do not** add Line 4 of the multiple pages.

**Line 34** — Add the amounts from Step 2, Column E, Lines 5, 11, 17, 23, and 29 and write the total here. If you used more than one Schedule UB/NLD, add the amounts from each page, enter the total on Line 34 of the first Schedule UB/NLD, and complete Lines 35, 36, and 37 on the **first** Schedule UB/NLD **only**.

**Line 35** — If there is a negative amount in Column E, Lines 6, 12, 18, 24, or 30 of any Schedule UB/NLD you completed for this return, write the total of those amounts as a positive number here. Otherwise, write zero.

**Line 36** — Subtract Line 35 from Line 34, and write the result here, and on your Form IL-1120, Step 5, Line 38.

**Line 37** — Subtract Line 36 from Line 33, and write the result here, and on your Form IL-1120, Step 5, Line 39. The amount on this line cannot be negative.