

2012 Credit for Contributions to Charities That Provide Assistance to the Working Poor

Arizona Form 321

Phone Numbers

For more information or help, call one of the numbers listed below.

Phoenix	(602) 255-3381
From area codes 520 and 928, toll-free	(800) 352-4090
Hearing impaired TDD user	
Phoenix	(602) 542-4021
From area codes 520 and 928, toll-free	(800) 397-0256

For tax rulings, tax procedures, tax forms and instructions, and other tax information, access our home page at www.azdor.gov.

General Instructions

NOTE: To claim a current year credit or a carryover credit, you must claim itemized deductions on the Arizona return filed for the year in which you are claiming the credit. You cannot claim both a tax credit and an itemized deduction for the amount of contributions made to a qualifying charity.

Arizona law provides a credit for cash contributions made to certain charities that provide help to the working poor. The maximum amount of this credit is \$200 for single taxpayers or heads of household. For married taxpayers, the maximum credit is \$400. In most cases, for married taxpayers who file separate returns, each spouse may claim only one-half (1/2) of the credit that would have been allowed on a joint return.

If the allowable tax credit is more than your tax or if you have no tax, you may carry the unused credit forward for up to the next 5 consecutive taxable years' income tax liability.

This credit is available only to individuals. Corporations may not claim this credit. A partnership may not pass the credit through to its partners. An S corporation may not pass the credit through to its shareholders.

You may qualify for this credit if you make cash contributions to a qualifying charity. You may also qualify for this credit if you make cash contributions to a qualified charity through an umbrella type of charitable organization. In this case, you must designate your donation to a member charitable organization or member group fund that would qualify on a stand-alone basis.

NOTE: You may be able to make credit eligible contributions to a qualified charity that provides assistance to the working poor through payroll withholding. Check with your employer to see if your employer has agreed to withhold contributions for this credit from your pay.

For more information on this credit, see the Arizona Department of Revenue brochure, Pub 710, *Credit for Contributions to Charitable Organizations That Provide Assistance to the Working Poor*. To get a copy of this brochure, visit our web site and click on Publications.

What is a Qualifying Charity?

A qualifying charity is a charity that is exempt from federal income tax under Internal Revenue Code (IRC) § 501(c)(3). A qualifying charity is also a charity that is a

designated community action agency that receives Community Services Block Grant Program money under the United States Code, Title 42, Section 9901. The charity must spend at least 50% of its budget on services to Arizona residents who receive Temporary Assistance for Needy Families benefits, who are low income Arizona residents, or who are chronically ill or physically disabled children.

For the purpose of this credit, qualifying services are services that meet the recipient's immediate basic needs. The services must be provided and used in Arizona. Services that meet these needs include cash assistance, medical care, childcare, food, clothing, shelter, job training, and job placement services.

How Can I Tell if a Charity Qualifies?

In order to qualify, a charity must provide the Department with written certification that it meets the criteria necessary to be considered a qualifying charity. To see if a particular charity qualifies, you should ask to see a copy of the charity's determination letter or visit the Department's website www.azdor.gov to see a list of the qualifying charities.

Line-by-Line Instructions

Part I - Current Year's Credit

Line 1 -

You **must** itemize your Arizona deductions in order to claim this credit. If you do not itemize deductions on your Arizona return, you may not claim a current year credit or a carryover credit. If you take the standard deduction on your Arizona return, you are not eligible for this credit.

Lines 2a, 2b, and 2c -

Enter the name(s) and location of each qualifying charity to which you made cash contributions. Enter the amount contributed to each charity in column (c).

If you made cash contributions to more than 3 qualifying charities, complete an additional schedule. The schedule should show the same information required for each of the additional charities to which you made contributions.

Line 2d -

Add the amount of cash contributions made to all qualifying charities listed on lines 2a, 2b, 2c, and any additional schedule. Enter the total on line 2d.

Line 3 -

Single taxpayers or heads of household enter \$200. Married taxpayers enter \$400.

Line 4 - Current Year's Credit

Enter the smaller of line 2d or line 3. If you are married filing a separate return, but you could have filed a joint return, you may take only 1/2 of the total credit that you and your spouse would have been allowed to take on a joint return, up to a maximum of \$200 each. In this case, enter one-half of the smaller of line 2d or 3.

Part II - Available Credit Carryover

Lines 5 through 10 -

Use lines 5 through 10 to figure your total available credit carryover from taxable years 2007 through 2011. Complete lines 5 through 10 if you claimed this credit on a return for one of these years and the credit was more than your tax.

***NOTE:** You may carry over only that portion of the credit that you do not apply to tax. You cannot carry over any amount that you gave that was more than the amount allowed as a credit.*

For example: During 2012, Mary, a single person, gave \$300 to a qualified charity. For 2012, Mary is allowed a credit of \$200. Mary's 2012 tax is \$125. Mary can apply \$125 of the credit to her 2012 tax liability and may carryover \$75 of the unused \$200 credit to 2013. Mary cannot claim any credit for the \$100 gift that was more than the allowable credit (\$300 minus allowable credit of \$200).

- In column (b), enter the credit originally computed for that taxable year listed in column (a).
- In column (c), enter the amount of the credit from that taxable year which you have already used.
- Subtract the amount in column (c) from column (b) and enter the difference in column (d).
- Add the amounts entered on lines 5 through 9 in column (d).

Enter the total on line 10, column (d).

Part III - Total Available Credit

Lines 11 through 13 -

Use lines 11 through 13 to figure your total available credit for the taxable year. Add line 11 and line 12. Enter the total on line 13. This is your total available credit.

If this is the only credit that you are claiming, and the credit shown on line 13 is equal to or less than your Arizona tax, enter the amount from Part III, line 13 on Form 140, page 1, line 23 or Form 140NR, page 1, line 25 or Form 140PY, page 1, line 26.

If you are claiming the family income tax credit or other credits from only Forms 310, 322, and/or 323, complete the following worksheet, **or** one of the credit worksheets in the Form 310, 322, or 323 instructions.

Credit Worksheet	
1. Enter your Arizona tax less the family income tax credit, if applicable.	.00
2. Enter the credit from Form 310, Part III, line 18.	.00
3. Enter the credit from Form 321, Part III, line 13.	.00
4. Enter the credit from Form 322, Part III, line 14.	.00
5. Enter the credit from Form 323, Part III, line 14.	.00
6. Add the amounts on lines 2, 3, 4, and 5. Enter the total.	.00

Compare the amount on line 6 to the amount on line 1.
 If the amount on line 6 is equal to or less than the amount on line 1, do one of the following:

- If filing Form 140, enter the amount from line 6 on Form 140, page 1, line 23.
- If filing Form 140NR, enter the amount from line 6 on Form 140NR, page 1, line 25.
- If filing Form 140PY, enter the amount from line 6 on Form 140PY, page 1, line 26.

If the amount on line 6 is more than the amount on line 1, you must complete Form 301.

If you are claiming nonrefundable credits from forms other than Form 310, 321, 322, and /or 323, you must complete Form 301.

If you have to complete Form 301, enter the amount from Form 321, Part III, line 13 on Form 301, Part I, line 12.