

NEW JERSEY CORPORATION BUSINESS TAX  
ANGEL INVESTOR TAX CREDIT

Name as Shown on Return	Federal ID Number	NJ Corporation Number
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**READ THE INSTRUCTIONS BEFORE COMPLETING THIS FORM**

**PART I QUALIFICATIONS**

1. Does the Taxpayer have an approval letter issued by the New Jersey Economic Development Authority? . . . .  YES  NO
2. Has the taxpayer received the original tax credit certificate issued by the New Jersey Division of Taxation? . . .  YES  NO
3. The taxpayer acknowledges that the original Tax Credit Certificate issued by the New Jersey Division of Taxation must be submitted prior to credit application. . . . .

If the answer to question 1 or 2 is "NO", do not complete the rest of this form. The taxpayer is not eligible for this tax credit. Otherwise, go to Part II.

**PART II CALCULATION OF THE AVAILABLE ANGEL INVESTOR TAX CREDIT**

4. Enter the approved credit amount as reported on the attached certificate . . . . .	4.	
5. Enter the amount of credit carry forward from the prior tax period - from line 12 of the prior tax period Form 321 . . . . .	5.	
6. Total tax credit available - add lines 4 and 5 . . . . .	6.	

**PART III CALCULATION OF THE ALLOWABLE CREDIT AMOUNT**

7. Enter tax liability from page 1, line 9 of CBT-100 or BFC-1, or line 4 of the CBT-100S . . . . .	7.	
8. Total tax credits taken on current years' return		
a) _____		
b) _____		
c) _____		
d) _____ . . . . . Total	8.	
9. Remaining tax liability after other credits - subtract line 8 from line 7 . . . . .	9.	
10. Enter lesser of line 6 or line 9 here - carry to Angel Investor Tax Credit line on Schedule A-3 . . . . .	10.	
11. If line 6 is greater than line 9 - enter the difference here . . . . .	11.	
12. From line 11, enter the amount to be refunded and carry to Refundable Tax Credit line, page 1, CBT-100, CBT-100S or BFC-1 . . . . .	12.	
13. From line 11, enter the amount to be carried forward - subtract line 12 from line 11 . . . . .	13.	

**INSTRUCTIONS FOR FORM 321  
ANGEL INVESTOR TAX CREDIT**

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**PURPOSE OF THIS FORM** - This schedule must be completed by any taxpayer that claims a tax credit as provided for in the Angel Investor Tax Credit Act, N.J.S.A. 54:10A-5.28. If the taxpayer claims this credit on Form CBT-100, Form CBT100S, or Form BFC-1, a completed Form 321 must be attached to the return to validate the claim.

A taxpayer shall be allowed a credit against the tax imposed pursuant to Section 5 of P.L. 1945, C. 162 (C. 54:10A-5) in an amount equal to 10% of the qualified investment made by the taxpayer during each of the three years beginning on or after January 1, 2012, in a New Jersey-based emerging technology business, up to a maximum allowed credit of \$500,000 for the tax year for each qualified investment made by the taxpayer. An emerging technology business means a company with fewer than 225 employees, of whom at least 75 percent are filling a position in New Jersey, that is doing business, employing or owning capital or property, or maintaining an office in this State and: (1) has qualified research expenses paid or incurred for research conducted in this State; (2) conducts pilot scale manufacturing in this State; or (3) conducts technology commercialization in this State in the fields of advanced computing, advanced materials, biotechnology, electronic device technology, information technology, life sciences, medical device technology, mobile communications technology, or renewable energy technology.

A research and development tax credit shall not be allowed for expenses paid from funds for which an Angel Investor Tax Credit is allowed, or which are includable in the calculation of the allowed amount of this tax credit. The taxpayer may not carry over any amount of unused credit to a tax year during which a corporate acquisition, with respect to which a taxpayer was a target corporation, occurred or during which the taxpayer was a party to a merger or a consolidation.

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**PART I - QUALIFICATIONS**

In order to be eligible for the tax credit, the answer to questions 1 and 2 must be "YES". If either answer is "NO", the taxpayer is not entitled to the Angel Investor Tax Credit.

The original New Jersey Division of Taxation tax credit certificate, along with copies of the completed Form 321, and CBT-100, CBT-100S or BFC-1 must be submitted by mail to the New Jersey Division of Taxation, Office of Legislative Analysis and Disclosure at P.O. Box 269, Trenton, NJ 08646-0269. Failure to submit this documentation by mail will result in the delay and/or denial of the tax credit claimed.

**PART II - CALCULATION OF THE AVAILABLE ANGEL INVESTOR TAX CREDIT**

- (a) Line 4 - The amount of the tax credit is equal to the amount reported on the tax credit certificate that was issued by the New Jersey Division of Taxation.
- (b) Line 6 - Enter the total of the amount of the tax credit from the current year from Part II, Line 4 and the amount of the tax credit that was carried forward from a previous year on Form 321 Part III, Line 12 which was reported on in Line 5 of Form 321 for the current year. This amount is the Angel Investor Tax Credit available for use in the current year.

**PART III - CALCULATION OF THE ALLOWABLE CREDIT AMOUNT**

- (a) The allowable Angel Investor Tax Credit is calculated in Part III. The amount of this credit in addition to the amount of any other tax credits can either be carried forward or is refundable. Note that each credit has its own statutory limitations.
- (b) Line 8 - List the name and the related amount of any other tax credits claimed for the period covered by the return.
- (c) Unused tax credits may be carried forward for fifteen years following a credit's tax year. However, a taxpayer may not carry over any amount of unused credit to a tax year during which a corporate acquisition, with respect to which a taxpayer was a target corporation, occurred or during which the taxpayer was a party to a merger or a consolidation. The amount of the carryover is calculated in Part III, Line 13.
- (d) The taxpayer can choose to either carry forward the Angel Investor Tax Credit for fifteen years or have the amount of the credit in excess of their tax liability refunded. If the taxpayer chooses to have the credit refunded instead of carried forward the amount of the Angel Investor Tax Credit that is refundable is calculated on Part III, Line 12.