

## Instructions for MI-1041 Schedule NR, *Fiduciary Nonresident Schedule*

### Purpose

Use this form to compute the income attributable to Michigan for nonresident estates or trusts.

### General Instructions

Income, deductions, and computations on lines 1 through 23 are comparable to the U.S. Form 1041. In column A, enter the corresponding amounts from the U.S. Form 1041. See “Line-by-Line” instructions for additional information. In column B, enter Michigan’s portion of the income. In column C enter the non-Michigan portion.

The following income is subject to Michigan tax and should be entered in column B on lines 1 through 8:

- Income earned, received, or acquired in Michigan
- Income from personal services performed in Michigan
- Income from real or tangible personal property located in Michigan
- Income, including interest, dividend, and other portfolio income, from a business, trade, profession, or occupation conducted in Michigan. If the business activity is in Michigan and in another state, complete and include *Schedule of Apportionment* (Form MI-1040H) to apportion this income.
- Income of Electing Small Business Trust.

The following income received by a nonresident estate or trust is **not** subject to Michigan tax and should be entered in column C, on lines 1 through 8:

- Income from annuities
- Retirement and pension income
- Nonbusiness interest income
- Nonbusiness dividends
- Income from a business, trade, profession, or occupation not conducted in Michigan.

### LINE-BY-LINE INSTRUCTIONS

**Line 4:** Complete *Adjustments of Capital Gains and Losses* (MI-1041D) before completing this line. Enter in column A, the federal gain or (loss) from MI-1041D, line 15, column A. Enter in column B the Michigan gain or (loss) from MI-1041D, line 15, column A. Enter the difference in column C.

**Line 7:** Complete *Adjustments of Gains and Losses from Sales of Business Property* (MI-4797) before completing this line if the gain/loss on the U.S. Form 4797 is from the sale of business property located in Michigan and the property was acquired prior to October 1, 1967, or if you have gains/losses from property subject to allocation and apportionment provisions. Enter the Michigan portion from MI-4797, line 17 in column B. Enter the difference in column C.

**Line 8:** Enter other income not included on lines 1 through 7. Include federal taxable income of Electing Small Business Trusts from the ESBT Tax Worksheet attached to the U.S. Form 1041. Also submit a copy of the worksheet with the Michigan return. Include the excess business loss from MI-461, line 10 as positive numbers in the appropriate columns.

If you are a direct or indirect member of a flow-through entity that elected to pay the Michigan flow-through entity tax and apportioned the flow-through income using an MI-1040H, take the result of one minus the apportionment percentage from MI-1040H, line 8, and multiply that amount by your share of those taxes paid and reported to you by that flow-through entity and deducted on the flow-through entity’s federal tax return. Enter that result in column B as a negative number and in column C as a positive number. Do not enter an amount in column A for this adjustment.

**Line 15b:** Enter income and related expenses from Michigan oil and gas and nonferrous metallic minerals extraction to the extent subject to Michigan severance tax and included in federal taxable income in column B. Enter any Michigan net operating loss (NOL) deduction in column B. Enter the entire federal NOL deduction, if any, in column C. Include documentation to support each adjustment.

**Line 25:** Enter taxes deducted on U.S. Form 1041, line 11, which were imposed on Michigan income, such as State or city income taxes.

Do not include the allocated share of taxes paid by a flow-through entity under the Michigan flow-through entity tax and deducted on the flow-through entity’s federal tax return on this line.

**Line 26:** Combine line 23 column B, and lines 24 and 25. If line 26 is less than zero, enter as a negative number. Do not enter “0” if the amount is less than zero.