

2022 New Mexico Net Operating Loss Carryforward Schedule for Personal Income Tax

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| Taxpayer's name | SSN |
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Purpose of this form

Use this form to calculate your excludable New Mexico net operating loss (NM NOL) carryforward deduction from the current year New Mexico personal income tax. For each prior-year NM NOL carryforward, also show how you applied the credit in columns 4,5, and 6. In column 7, show the balance of NM NOL carryforward available for the next tax year. If you need to report more than five years of NM NOL, use the Supplemental Carryforward Schedule on the next page. If you are reporting an NM NOL deduction from a carryforward on Schedule PIT-ADJ, line 7, file this RPD-41369 schedule with New Mexico 2022 Form PIT-1, *Personal Income Tax Return*.

| Col. 1 Tax Year | Col. 2 Net Operating Loss Incurred in the year in column 1 | Col. 3 2022 NM Net Income Before NM NOL from Worksheet 2, line 7 | Col. 4 2022 Loss Used <small>The sum of column 4 cannot be greater than column 3 for tax year 2022.</small> | Col. 5 Year Loss Applied <small>If you applied the NM NOL reported in column 2 in previous years, enter the amount in the column corresponding to the year when you applied it.</small> | | | | | Col. 6 NM NOL Expired | Col. 7 NM NOL Carryforward Available for Next Year |
|----------------------------|---|---|---|---|------|------|------|------|--------------------------|---|
| | | | | 2021 | 2020 | 2019 | 2018 | 2017 | | |
| 2022 | | | | | | | | | | |
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| Subtotal page 1. + | | | | Enter the sum of column 4 from page 1 of this schedule. | | | | | | |
| Total Additional. + | | | | Enter the sum of column 4 from all pages of this schedule. | | | | | | |
| Line 1. = | | | | Loss used during 2022 tax year. Enter the sum of column 4, Subtotal page 1 plus Total Additional . Line 1 must equal line 9 from Worksheet 2. This amount is also entered on Schedule PIT-ADJ, line 7. | | | | | | |

Complete the Carryforward Schedule and Supplemental Carryforward Schedule (if applicable) using the instructions and Worksheets 1 and 2 on the following pages. Do not submit Worksheets 1 and 2 to the Department. Use Worksheet 1 to calculate the NM NOL incurred in prior years. Use Worksheet 2 to calculate the 2022 NM net income before the current year NM NOL deduction is applied in column 3, row 1.

Line 1 of the schedule above (the total sum of column 4 from the NM NOL carryforward and supplemental schedules used) is the NM NOL carryforward loss used in the 2022 tax year. Enter the amount from line 1 on 2022 Schedule PIT-ADJ, line 7. For each row showing a prior-year NM NOL incurred, complete the row showing when you incurred the NM NOL, how it has been applied, any expired amount, and the NM NOL carryforward balance available for the next year.

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Supplemental Carryforward Schedule

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| Taxpayer's name | SSN |
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Beginning on or after January 1, 2013, NM NOL may be carried forward for 19 years or until the total amount of the loss carryover has been used, whichever occurs first. If you need to report more than five years of NM NOL, use this Supplemental Carryforward Schedule. The sub-total sum for column 4 reported on this schedule must be included in the total sum of Line 1 the NM NOL carryforward schedule on the previous page.

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| Col. 1 Tax Year | Col. 2 Net Operating Loss Incurred in the year in column 1 | Col. 3 2022 NM Net Income Before NM NOL from Worksheet 2, line 7 | Col. 4 2022 Loss Used <small>The sum of column 4 cannot be greater than column 3 for tax year 2022.</small> | Col. 5 Year Loss Applied <small>If you applied the NM NOL reported in column 2 in previous years, enter the amount in the column corresponding to the year when you applied it.</small> | | | | | Col. 6 NM NOL Expired | Col. 7 NM NOL Carryforward Available for Next Year |
|--------------------|--|---|--|---|--------|--------|--------|--------|-----------------------------|--|
| | | | | 20____ | 20____ | 20____ | 20____ | 20____ | | |
| 2022 | | | | | | | | | | |
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Subtotal.

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| | <p>Subtotal. Amount from this schedule. Enter the sum of column 4 from this page of this schedule. This amount will need to be added to any additional schedules Column 4 total and carried to page 1, Total Additional. (This amount must be included in the total sum reported in Line 1 of the carryforward schedule).</p> |
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2022 New Mexico Net Operating Loss Carryforward Schedule for Personal Income Tax Instructions

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About the New Mexico Net Operating Loss (NM NOL)

All NM NOLs must flow from a federal net operating loss. You cannot have NM NOL without first having a federal net operating loss.

Unlike a federal net operating loss carryforward, a New Mexico net operating loss incurred cannot be carried back and if incurred on or after January 1, 2013, may be carried forward for 19 years or until the total amount of the loss carryover has been used, whichever occurs first. For a net operating loss that was incurred in tax years beginning before January 1, 2013, a New Mexico net operating loss could be carried forward for only five years. Refer to regulation 3.3.1.13(E) NMAC 1978, if the net operating loss was incurred in a tax year beginning prior to January 1, 1991.

The first year you can apply a NM NOL is:

- If you filed your return on time, you can apply it the following tax year,
or
- You can apply it the first tax year that begins after the date you file a return establishing the loss.

Instructions for Completing the NM NOL Carryforward Schedule and Supplemental Carryforward Schedules

Enter the taxpayer's name and social security number in the fields at the top of the page. If you are using more than one schedule, enter the page number in the fields provided on the top right of the schedule.

Column 1. Tax Year. Enter the tax year when you incurred a NM NOL to which a NM NOL carryforward is available to use in the current year. Row 1 includes only information for the 2022 tax year. Use subsequent rows and supplemental carryforward schedules, if applicable, for prior-year NM NOLs.

Column 2. Net Operating Loss Incurred. Enter the amount of NM NOL you incurred during the year in column 1. Use Worksheet 1 to determine the amount of NM NOL incurred in the tax year of the loss. Complete a separate Worksheet 1 for each year you incurred NM NOL on or after January 1, 2013. Use the information from the PIT-1 tax return you filed for the year you incurred the NM NOL.

Column 3. 2022 NM Net Income Before NM NOL. Enter the 2022 NM net income before applying any NM NOL deduction. Complete Worksheet 2 using the information from your 2022 PIT-1 return. Transfer the amount from Worksheet 2, line 6 to the NM NOL Carryforward Schedule, column 3, row 1. For any other year, leave this column blank.

Column 4. Loss Used. Enter that portion of the NM NOL incurred (column 2) that you used during tax year 2022. The total of column 4, line 1, must be equal to Worksheet 2, line 9, and may not exceed the current year NM net income before NM NOL carryforward shown in column 3, row 1. This is your excludable NM NOL used in the current tax year. The sum of column 4 must match the amount you entered on Schedule PIT-ADJ, line 7, NM net operating loss.

If you are using a Supplemental Carryforward Schedule, add the sub-totals on all supplemental schedules and enter the amount on to the **Total Additional** line of column 4 on page 1 of the main NM NOL carryforward schedule. The sum of **Subtotal page1** and **Total Additional** lines will be the amount entered on **Line 1** which is the total of all carryforward schedules used.

Column 5. Year Loss Applied. Use the year columns to record how you applied a prior-year NM NOL. Under the column year for each prior-year NM NOL you incurred, show the amount of NM NOL you applied. On the Supplemental Carryforward Schedule, specify the column year in the space provided.

Column 6. NM NOL Expired. Enter the amount of NM NOL that expires in the current year because the balance of the remaining NM NOL cannot be carried forward for more than 19 years for NM NOLs incurred after December 31, 2012. See **About the New Mexico Net Operating Loss (NM NOL)** in the previous column for more details.

Column 7. NOL Carryforward Available for Next Year. Enter the amount of NM NOL that will be available for carryforward the next year. From the NM NOL you incurred and reported in column 2, subtract the amounts included in columns 4, 5, and 6.

2022 New Mexico Net Operating Loss Carryforward Schedule for Personal Income Tax Instructions

| Worksheet 1. For Column 2 of the Carryforward Schedule Computing NM NOL incurred in prior years | |
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| Line 1. Federal NOL as defined by Section 172(c) of the Internal Revenue Service for the tax year of the loss. Enter the loss amount as a positive number. | |
| Line 2. Interest received on U.S. Government obligations less related expenses and reported on the New Mexico tax return for the tax year. This amount is reported on Schedule PIT-ADJ in the tax year of the loss. | |
| Line 3. Enter the sum of lines 1 and 2. This is the NM NOL loss incurred in the year of the loss that you report in Column 2 of the Carryforward Schedule. | |

| Worksheet 2. For Columns 3 and 4 of the Carryforward Schedule Computing net income before the current year NM NOL deduction is applied; use the information on your 2022 PIT-1 and 2022 PIT-ADJ for the entries below. | | |
|---|---|------------|
| 1. | Enter the federal adjusted gross income reported on Form 2022 PIT-1, line 9. | |
| 2. | + Enter the amount of state and local income tax deduction reported on Form 2022 PIT-1, Line 10. | + |
| 3. | + Enter the additions to federal adjusted gross income from Form 2022 PIT-1, line 11. | + |
| 4. | - Enter the standard or itemized deduction amount reported on Form 2022 PIT-1, line 12. | - |
| 5. | - Federal exemption amounts are suspended for tax years 2018 through 2025 by the Federal Tax Cuts and Jobs Act. The amount on this line is zero (0) until the expiration date. | - 0 |
| 6. | - Enter the taxable refunds, credits, or offsets of state and local income taxes, reported on Schedule 2022 PIT-ADJ, line 20. | - |
| 7. | = Enter the sum of lines 1, 2, and 3, less the sum of lines 4 through 6, but not below zero. This is the net income before applying the NM NOL. Enter in column 3 of the Carryforward Schedule. | = |
| 8. | Enter the sum of prior-year NM NOL carryforward available. | + |
| 9. | Enter the lesser of lines 7 and 8. This is the excludable NM NOL carryforward amount. Also enter this amount in line 1 at the bottom of column 4. | = |

2022 New Mexico Net Operating Loss Carryforward Schedule for Personal Income Tax Instructions

Example

In tax year 2022, taxpayer X has tax due and wants to carryforward prior-year losses to offset the income on X's 2022 personal income tax return. X incurred an NM NOL of \$48,000 in 2013. In tax years 2018, 2019, 2020, and 2021, X calculated the current year net income before applying NM NOL at \$7,000, \$1,500, \$2,500, and \$8,000, respectively. X applied the NM NOL incurred in tax year 2013 towards the net income for tax years 2018, 2019, 2020 and 2021. For current tax year 2022, the net taxable income that X calculates before NM NOL is \$9,000. X may use the loss incurred in 2013 towards X's 2022 net income. Because X can carry forward the balance from the 2013 NM NOL for more than five years beginning on or after January 1, 2013, X reports \$0 in Column 6 and \$20,000 available of NM NOL that can be carried forward for next year. X completes Form RPD-41369 as shown here.

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|--------------------|---|---|---|---|-------|-------|-------|------|--------------------------|---|
| | | | | 2021 | 2020 | 2019 | 2018 | 2017 | | |
| 2022 | | 9,000 | | | | | | | | |
| 2013 | 48,000 | | 9,000 | 8,000 | 2,500 | 1,500 | 7,000 | | 0 | 20,000 |
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EXAMPLE

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|--------------------------|----------|-------|--|
| Subtotal page 1. | + | 9,000 | Enter the sum of column 4 from page 1 of this schedule. |
| Total Additional. | + | | Enter the sum of column 4 from all pages of this schedule. |
| Line 1. | = | 9,000 | Loss used during 2022 tax year. Enter the sum of column 4, Subtotal page 1 plus Total Additional. Line 1 must equal line 9 from Worksheet 2. This amount is also entered on Schedule PIT-ADJ, line 7. |