



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE
NEW JOBS AND CAPITAL INVESTMENT
CREDITS FOR PLASTICS AND RUBBER
MANUFACTURERS
Attach to your Income Tax Return

(Continues from 4th Quarter
withholding tax return for the
same tax year, if applicable)

Name As Shown On Tax Return

SSN or FEIN

Name of SC counties where qualifying property is placed in service

SC Withholding File No.

Complete SC Sch. TC-11A and file with your income tax return in order to claim a capital investment tax credit pursuant to Code Section 12-14-80. Carefully read the definitions on the reverse side before completing this schedule, as there are certain requirements that must be met before qualifying for this credit.

I. CALCULATING THE CURRENT YEAR CAPITAL INVESTMENT CREDIT:

Purpose: Part I calculates the current year capital income tax investment credit for a manufacturer that places in service qualified manufacturing and productive equipment and is:

- (1) engaged in this State in an activity or activities listed under NAICS Section 326 (plastics and rubber manufacturers);
(2) commits to employing 1,200 full-time workers in this State by January 1, 2022; and
(3) commits to investing \$400 million in capital investment in this State between September 1, 2011 and January 1, 2022.

(See instructions for what qualifies as investment property.)

Enter investment property on the schedule below for the tax year beginning (MM/DD/YY)

Table with 3 columns: (1) Basis in Qualifying Property Placed in Service in Current Tax Year, (2) Credit Percentage, (3) Current Year Credit Amount (column 1 x column 2). Rows include 3-year, 5-year, 7-year, 10-year, and 15-year or more Property, plus a total credit row.

II. APPLYING NEW JOBS AND CAPITAL INVESTMENT CREDITS AGAINST INCOME TAX:

- 7. Amount of new jobs credit earned in current year (from SC SCH. TC-4)
8. Amount of unused new jobs credits (SC SCH. TC-4) carried forward from prior years
9. Add lines 7 and 8
10. Income tax liability before applying credits
11. Amount of line 9 used against current year income tax

- 12. Line 10 minus line 11 12. \$ _____
(Income tax liability reduced by new jobs credits)
- 13. Line 9 minus line 11 13. \$ _____
(Unused new jobs credits may be carried forward 15 years.)
- 14. Amount of capital investment credits carried forward from prior years 14. \$ _____
(Unused capital investment credits may be carried forward indefinitely.)
- 15. Amount of line 14 used against current year income tax 15. \$ _____
(Capital investment credit carried forward for more than 10 years may not reduce a taxpayer's income tax liability by more than 25%. Capital investment credit carried forward for 10 years or less may not reduce a taxpayer's income tax liability by more than 50%. You may be able to enter a smaller amount under appropriate circumstances. See line 11.)
- 16. Line 12 minus line 15 16. \$ _____
(Income tax liability reduced by capital investment credits carried forward from prior years)
- 17. Amount of capital investment credit earned in current year 17. \$ _____
- 18. Amount of line 17 used against current year income tax 18. \$ _____
- 19. Add lines 14 and 17 19. \$ _____
(Total capital investment credits)
- 20. Add lines 15 and 18 20. \$ _____
(Total capital investment credits used against current year income tax)
- 21. Line 19 minus line 20 21. \$ _____
(Capital investment credits carried forward. Unused capital investment credit may be carried forward indefinitely.)

INCOME TAX RETURN AFFIDAVIT OF COMPLIANCE AND WAIVER OF LIMITATIONS PERIOD

(Must accompany each tax return on which credit is claimed or used)

I hereby attest that the taxpayer: (1) has invested Two Hundred Million (\$200,000,000.00) dollars of the Four Hundred Million (\$400,000,000.00) dollar investment required by SC Code Ann. Section 12-14-80(A)(2)(c); (2) has filed a statement with the department stating that it commits to: (a) invest a total of Four Hundred Million (\$400,000,000.00) dollars in this State between September 1, 2011 and January 1, 2022; and (b) employ a total of One Thousand, Two Hundred (1,200) full-time employees in this state by January 1, 2022; and (3) shall refund any credit received with interest at the rate provided for underpayments of tax if the taxpayer fails to meet the requirement of Section 12-14-80(A)(2)(b) or (c). Also, pursuant to Section 12-14-80(I), I hereby waive the statute of limitations as provided in Section 12-54-85, allowing the department to assess the tax for a period commencing with the date that the return on which the credit is claimed is filed and ending three years after the taxpayer notifies the department that the full Four Hundred Million (\$400,000,000.00) dollar investment has been made.

Name (PLEASE PRINT)

Signature

This Affidavit and Waiver must be signed either by the taxpayer or someone authorized to sign on behalf of the taxpayer.

Date

Relation to Taxpayer

III. NEW JOBS AND CAPITAL INVESTMENT CREDITS APPLIE AGAINST WITHHOLDING TAX (begins next page)



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE
NEW JOBS AND CAPITAL INVESTMENT
CREDITS FOR PLASTICS AND RUBBER
MANUFACTURERS

(Continues from the income tax return for the previous tax year.)

Attach to your First Quarter Withholding Tax Return

Name As Shown On Tax Return

SSN or FEIN

Name of SC counties where qualifying property is placed in service

SC Withholding File No.

Complete SC TC-11A-WH1 and file with the 1st Quarter withholding tax return in order to apply capital investment credits pursuant to Code Section 12-14-80 and job tax credits against 1st Quarter withholding tax.

NOTE: Line numbers continue from TC-11A.

A. First Quarter Withholding

- 22. Amount of unused new jobs credits available for carryforward
23. Amount of unused capital investment credits carried forward from prior years
24. Add lines 22 and 23
25. 1st Quarter withholding tax liability before applying other credits
26. Multiply line 25 by 50% (.50)
27. 1st Quarter Credit: Lesser of lines 24 and 26
28. Line 24 minus line 27

AFFIDAVIT OF COMPLIANCE AND WAIVER OF LIMITATIONS PERIOD
(Must accompany each tax return on which credit is claimed or used)

I hereby attest that the taxpayer: (1) has invested Two Hundred Million (\$200,000,000.00) dollars of the Four Hundred Million (\$400,000,000.00) dollar investment required by SC Code Ann. Section 12-14-80(A)(2)(c); (2) has filed a statement with the department stating that it commits to: (a) invest a total of Four Hundred Million (\$400,000,000.00) dollars in this State between September 1, 2011 and January 1, 2022; and (b) employ a total of One Thousand, Two Hundred (1,200) full-time employees in this state by January 1, 2022; and (3) shall refund any credit received with interest at the rate provided for underpayments of tax if the taxpayer fails to meet the requirement of Section 12-14-80(A)(2)(b) or (c). Also, pursuant to Section 12-14-80(l), I hereby waive the statute of limitations as provided in Section 12-54-85, allowing the department to assess the tax for a period commencing with the date that the return on which the credit is claimed is filed and ending three years after the taxpayer notifies the department that the full Four Hundred Million (\$400,000,000.00) dollar investment has been made.

Name (PLEASE PRINT)

Signature

This Affidavit and Waiver must be signed either by the taxpayer or someone authorized to sign on behalf of the taxpayer.

Date

Relation to Taxpayer



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE
NEW JOBS AND CAPITAL INVESTMENT
CREDITS FOR PLASTICS AND RUBBER
MANUFACTURERS

Attach to your Second Quarter Withholding Tax Return

(Continues from 1st Quarter
withholding tax return for the
same tax year)

Name As Shown On Tax Return

SSN or FEIN

Name of SC counties where qualifying property is placed in service

SC Withholding File No.

Complete SC TC-11A-WH2 and file with the 2nd Quarter withholding tax return in order to apply capital investment credits pursuant to Code Section 12-14-80 and job tax credits against 2nd Quarter withholding tax.

NOTE: Line numbers continue from TC-11A-WH1.

B. Second Quarter Withholding

- 29. Amount of unused new jobs credits available for carryforward
(Unused new jobs credits may be carried forward 15 years.)
30. Amount of unused capital investment credits carried forward from prior years
(Unused capital investment credits can be carried forward indefinitely.)
31. Add lines 29 and 30
(Total new jobs and capital investment credits carried forward)
32. 2nd Quarter withholding tax liability before applying other credits
33. Multiply line 32 by 50% (.50)
(The combination of new jobs and capital investment credits may not reduce a taxpayer's withholding tax liability by more than 50% before applying other credits.)
34. 2nd Quarter Credit: Lesser of Lines 31 and 33
35. Line 31 minus line 34
(Balance of unused new jobs and capital investment credits)

AFFIDAVIT OF COMPLIANCE AND WAIVER OF LIMITATIONS PERIOD
(Must accompany each tax return on which credit is claimed or used)

I hereby attest that the taxpayer: (1) has invested Two Hundred Million (\$200,000,000.00) dollars of the Four Hundred Million (\$400,000,000.00) dollar investment required by SC Code Ann. Section 12-14-80(A)(2)(c); (2) has filed a statement with the department stating that it commits to: (a) invest a total of Four Hundred Million (\$400,000,000.00) dollars in this State between September 1, 2011 and January 1, 2022; and (b) employ a total of One Thousand, Two Hundred (1,200) full-time employees in this state by January 1, 2022; and (3) shall refund any credit received with interest at the rate provided for underpayments of tax if the taxpayer fails to meet the requirement of Section 12-14-80(A)(2)(b) or (c). Also, pursuant to Section 12-14-80(l), I hereby waive the statute of limitations as provided in Section 12-54-85, allowing the department to assess the tax for a period commencing with the date that the return on which the credit is claimed is filed and ending three years after the taxpayer notifies the department that the full Four Hundred Million (\$400,000,000.00) dollar investment has been made.

Name (PLEASE PRINT)

Signature

This Affidavit and Waiver must be signed either by the taxpayer or someone authorized to sign on behalf of the taxpayer.

Date

Relation to Taxpayer



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE
NEW JOBS AND CAPITAL INVESTMENT
CREDITS FOR PLASTICS AND RUBBER
MANUFACTURERS

(Continues from 2nd Quarter
withholding tax return for the
same tax year)

Attach to your Third Quarter Withholding Tax Return

Name As Shown On Tax Return

SSN or FEIN

Name of SC counties where qualifying property is placed in service

SC Withholding File No.

Complete SC TC-11A-WH3 and file with the 3rd Quarter withholding tax return in order to apply capital investment credits pursuant to Code Section 12-14-80 and job tax credits against 3rd Quarter withholding tax.

NOTE: Line numbers continue from TC-11A-WH2.

C. Third Quarter Withholding

36. Amount of unused new jobs credits available for carryforward 36. \$
(Unused new jobs credits may be carried forward 15 years.)

37. Amount of unused capital investment credits carried forward from prior years 37. \$
(Unused capital investment credits can be carried forward indefinitely.)

38. Add lines 36 and 37 38. \$
(Total new jobs and capital investment credits carried forward)

39. 3rd Quarter withholding tax liability before applying other credits 39. \$

40. Multiply line 39 by 50% (.50) 40. \$
(The combination of new jobs and capital investment credits may not reduce a
taxpayer's withholding tax liability by more than 50% before applying other credits.)

41. 3rd Quarter Credit: Lesser of lines 38 and 40 41. \$

42. Line 38 minus line 41 42. \$
(Balance of unused new jobs and capital investment credits)

AFFIDAVIT OF COMPLIANCE AND WAIVER OF LIMITATIONS PERIOD
(Must accompany each tax return on which credit is claimed or used)

I hereby attest that the taxpayer: (1) has invested Two Hundred Million (\$200,000,000.00) dollars of the Four Hundred Million (\$400,000,000.00) dollar investment required by SC Code Ann. Section 12-14-80(A)(2)(c); (2) has filed a statement with the department stating that it commits to: (a) invest a total of Four Hundred Million (\$400,000,000.00) dollars in this State between September 1, 2011 and January 1, 2022; and (b) employ a total of One Thousand, Two Hundred (1,200) full-time employees in this state by January 1, 2022; and (3) shall refund any credit received with interest at the rate provided for underpayments of tax if the taxpayer fails to meet the requirement of Section 12-14-80(A)(2)(b) or (c). Also, pursuant to Section 12-14-80(l), I hereby waive the statute of limitations as provided in Section 12-54-85, allowing the department to assess the tax for a period commencing with the date that the return on which the credit is claimed is filed and ending three years after the taxpayer notifies the department that the full Four Hundred Million (\$400,000,000.00) dollar investment has been made.

Name (PLEASE PRINT)

Signature

This Affidavit and Waiver must be signed either by the taxpayer or someone authorized to sign on behalf of the taxpayer.

Date

Relation to Taxpayer



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE
NEW JOBS AND CAPITAL INVESTMENT
CREDITS FOR PLASTICS AND RUBBER
MANUFACTURERS

Attach to your Fourth Quarter Withholding Tax Return

(Continues from 3rd Quarter
withholding tax return for the
same tax year)

Name As Shown On Tax Return

SSN or FEIN

Name of SC counties where qualifying property is placed in service

SC Withholding File No.

Complete SC TC-11A-WH4 and file with the 4th Quarter withholding tax return in order to apply capital investment credits pursuant to Code Section 12-14-80 and job tax credits against 4th Quarter withholding tax.

NOTE: Line numbers continue from TC-11A-WH3.

D. Fourth Quarter Withholding

43. Amount of unused new jobs credits available for carryforward 43. \$
(Unused new jobs credits may be carried forward 15 years.)

44. Amount of unused capital investment credits carried forward from prior years 44. \$
(Unused capital investment credits can be carried forward indefinitely.)

45. Add lines 43 and 44 45. \$
(Total new jobs and capital investment credits carried forward)

46. 4th Quarter withholding tax liability before applying other credits 46. \$

47. Multiply line 46 by 50% (.50) 47. \$
(The combination of new jobs and capital investment credits may not reduce a taxpayer's withholding tax liability by more than 50% before applying other credits.)

48. 4th Quarter Credit: Lesser of lines 45 and 47 48. \$

49. Line 45 minus line 48 49. \$
(Balance of unused new jobs and capital investment credits)

AFFIDAVIT OF COMPLIANCE AND WAIVER OF LIMITATIONS PERIOD
(Must accompany each tax return on which credit is claimed or used)

I hereby attest that the taxpayer: (1) has invested Two Hundred Million (\$200,000,000.00) dollars of the Four Hundred Million (\$400,000,000.00) dollar investment required by SC Code Ann. Section 12-14-80(A)(2)(c); (2) has filed a statement with the department stating that it commits to: (a) invest a total of Four Hundred Million (\$400,000,000.00) dollars in this State between September 1, 2011 and January 1, 2022; and (b) employ a total of One Thousand, Two Hundred (1,200) full-time employees in this state by January 1, 2022; and (3) shall refund any credit received with interest at the rate provided for underpayments of tax if the taxpayer fails to meet the requirement of Section 12-14-80(A)(2)(b) or (c). Also, pursuant to Section 12-14-80(l), I hereby waive the statute of limitations as provided in Section 12-54-85, allowing the department to assess the tax for a period commencing with the date that the return on which the credit is claimed is filed and ending three years after the taxpayer notifies the department that the full Four Hundred Million (\$400,000,000.00) dollar investment has been made.

Name (PLEASE PRINT)

Signature

This Affidavit and Waiver must be signed either by the taxpayer or someone authorized to sign on behalf of the taxpayer.

Date

Relation to Taxpayer

GENERAL INSTRUCTIONS

Qualifying plastics and rubber manufacturers may use the forms in this packet to claim capital investment credits provided in S.C. Code Ann Section 12-14-80 and to apply new jobs credits (TC-4) and capital investment credits against both income tax and withholding tax.

I. Capital investment credit

A. Qualifying for the credit

Under Section 12-14-80(A)(2), a capital investment credit is available to a taxpayer that places in service qualified manufacturing and productive equipment and:

- (1) is engaged in this State in an activity or activities listed under NAICS Section 326 (plastics and rubber manufacturers);
- (2) commits to employing One Thousand, Two Hundred (1,200) full-time workers in this State by January 1, 2022; and
- (3) commits to investing Four Hundred Million (\$400,000,000) dollars in capital investment in this State between . September 1, 2011 and January 1, 2022.

B. Taxpayer

Under Section 12-14-80(B)(2), "taxpayer" includes the taxpayer and any person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with the taxpayer. A person controls another person if that person holds 50% ownership interest in the other person.

C. Capital investment in this State

Under Section 12-14-80(B)(3) "Capital investment in this State" includes property that is:

- (a) capitalized by the taxpayer;
- (b) subject to a capital lease with the taxpayer; or
- (c) subject to an operating lease with the taxpayer.

D. Qualified manufacturing and productive equipment property

Qualified manufacturing and productive equipment property that is leased to the taxpayer shall be treated as placed in service by the taxpayer on the date the lease begins.

Under Sections 12-14-80(B)(1) and 12-14-60(B)(1)(a), (b), and (c), "qualified manufacturing and productive equipment property" is any property that is:

- (a) used as an integral part of manufacturing or production, or used as an integral part of extraction of or furnishing transportation, communications, electrical energy, gas, water, or sewage disposal services;
- (b) tangible property to which Internal Revenue Code Section 168 applies; and
- (c) Internal Revenue Code Section 1245 property.

E. Calculating the capital investment credit

Under Section 12-14-60(A)(2), the amount of the credit is equal to the aggregate of:

- **3-year Property** – 0.5% of total aggregate bases for all 3-year property that qualifies;
- **5-year Property** – 1% of total aggregate bases for all 5-year property that qualifies;
- **7-year Property** – 1.5% of total aggregate bases for all 7-year property that qualifies;
- **10-year Property** – 2% of total aggregate bases for all 10-year property that qualifies;
- **15-year or more Property** – 2.5% of total aggregate bases for all 15-year or more property that qualifies (See definitions.).

Whether property is 3-year property, 5-year property, 7-year property, 10-year property or 15-year property is determined based on the applicable recovery period for such property under Internal Revenue Code Section 168(e).

F. Required basis adjustments

Under Section 12-14-80(H)(1), the basis of the qualifying property must be reduced by the amount of the credit claimed with respect to the property. The corresponding decrease in the depreciation deduction will result in an addition to federal taxable income for South Carolina income tax purposes.

G. Leased property

Section 12-14-80(H)(2) provides, notwithstanding Section 12-14-80(H)(1), that if the taxpayer is the lessee of the qualified manufacturing and productive equipment property for which credit has been taken by the taxpayer, in lieu of any adjustment to the basis of such property, the taxpayer shall include in its taxable income for South Carolina income tax purposes, an amount equal to the amount of the credit that is earned during such tax year.

II. Applying credits against income and withholding tax returns

After claiming the new jobs credit (TC-4) and the capital investment credit against income tax, Section 12-14-80(D) provides that a qualifying taxpayer may apply unused amounts of these credits against withholding tax.

A. Income tax return

Capital investment credits and new jobs credits must first be used against income tax. Excess amounts may be carried forward for use against withholding tax for the following tax year. Pursuant to Code Section 12-6-3360(A), new jobs credits are limited to 50% of your income tax liability before the application of other credits.

Section 12-14-80(E) provides that capital investment tax credits carried forward for less than 10 years may not reduce a taxpayer's income tax liability by more than 50%. Credits carried forward beyond 10 years may not reduce a taxpayer's income tax liability by more than 25%.

B. Withholding tax returns

After claiming the capital investment credit and the new jobs credit against income tax, excess amounts may be claimed against withholding tax for the following tax year. Code Section 12-14-80(D) provides that credits claimed against withholding tax may not exceed 50% of the withholding tax shown as due on the return. Use the Schedule at the end of this form before the application of other credits. Capital investment credit carryforwards that existed on June 18, 2012 (the effective date of 2012 Act No. 187) may not be used to reduce withholding tax liabilities. After claiming the capital investment credit and the new jobs credit against withholding tax, excess amounts may be claimed against income tax for the same tax year.

C. Credits carried forward

Under Section 12-6-3360(H), new jobs credits can be carried forward for 15 years from the tax year in which the credit is earned. Under Code Section 12-14-80(D), capital investment credits may be carried forward indefinitely. Complete and attach the Table at the end of the instructions to each return involving credit carryovers.

D. Recapture

If the taxpayer disposes of or removes qualified manufacturing and productive equipment property from the State during any tax year and before the end of the applicable recovery period for such property as determined under Internal Revenue Code Section 168(e), then Section 12-14-80(G) provides that the income tax due for the current tax year must be increased by an amount of any credit claimed in prior years with respect to that property, determined by assuming the credit is earned ratably over the useful life of the property and recapturing pro rata the unearned portion of the credit. This recapture applies to credit previously claimed against income tax or withholding tax. For purposes of determining whether a taxpayer that is a lessee of qualified manufacturing and productive equipment property has disposed of the property:

- (1) a transfer of the property by the lessee to the lessor in a sale-leaseback transaction shall be ignored;
- (2) a disposition by the lessor of the property shall not be treated as a disposition provided that the lease is not terminated and the taxpayer remains lessee thereunder;
- (3) if the taxpayer lessee actually purchases the property in any taxable year, the purchase shall not be treated as a disposition; and
- (4) if the lease is terminated and the property is transferred by the lessee to the lessor or to any other person, other than the taxpayer, the transfer is considered to be a disposition by the taxpayer lessee.

E. The method for claiming the credit

Under Section 12-14-80(I), no credit may be taken until the taxpayer: (1) has invested Two Hundred Million (\$200,000,000) dollars of the Four Hundred Million (\$400,000,000) dollar investment requirement; and (2) files a statement with the department stating that it: (a) commits to invest a total of Four Hundred Million (\$400,000,000) dollars in this State between September 1, 2011 and January 1, 2022; and (b) shall refund any credit received with interest at the rate provided for underpayments of tax if it fails to meet the investment requirement of \$400,000,000. The statement and proof of qualification must be filed with the notice of intent to claim the credit. Credit is not allowed for property placed in service before September 1, 2011. For credit claimed before the investment of the full \$400,000,000 dollars, the company claiming the credit must execute a waiver of the statute of limitations pursuant to Section 12-54-85, allowing the department to assess the tax for a period beginning with the date that the return on which the credit is claimed is filed and ending three years after the company notifies the department that the full \$400,000,000 dollar investment has been made. A waiver of the statute of limitations must accompany the return on which the credit is claimed.

Under Section 12-14-80(J), the taxpayer must notify the department before taking any credits, and each tax return must include: (1) a statement that the taxpayer has continued to meet the jobs and investment requirements; (2) a reconciliation of credits claimed against income tax and withholding tax; and (3) a statement that the taxpayer: (a) commits to invest a total of Four Hundred Million (\$400,000,000) dollars in this State between September 1, 2011 and January 1, 2022; and (b) shall refund any credit received with interest at the rate provided for underpayments of tax if it fails to meet the investment requirement of Four Hundred Million (\$400,000,000) dollars.

Social Security Privacy Act Disclosure

It is mandatory that you provide your social security number on this tax form if you are an individual taking this credit. 42 U.S.C. 405(c)(2)(C)(i) permits a state to use an individual's social security number as means of identification in administration of any tax. SC Regulation 117-201 mandates that any person required to make a return to the SC Department of Revenue shall provide identifying numbers, as prescribed, for securing proper identification. Your social security number is used for identification purposes.

The Family Privacy Protection Act

Under the Family Privacy Protection Act, the collection of personal information from citizens by the Department of Revenue is limited to the information necessary for the Department to fulfill its statutory duties. In most instances, once this information is collected by the Department, it is protected by law from public disclosure. In those situations where public disclosure is not prohibited, the Family Privacy Protection Act prevents such information from being used by third parties for commercial solicitation purposes.