





## Instructions for Pass-Through Entity Tax Election

### Required Documentation

1. Shareholders, members, or partners holding more than one-half of the ownership interest in the entity based upon capital account balances on the day the election is made shall approve the election. To document shareholder approval, provide LDR either of the following:
  - a. Resolution signed by secretary of the corporation or equivalent officer or manager verifying that more than one-half of the ownership interest in the entity based upon capital account balances approved the election
  - b. Other written proof that more than one-half the ownership interest in the entity approved the election
2. A list of all owners, their addresses, and their tax identification numbers as of the last day of the taxable year to which the election is effective must be provided.
3. Federal returns for the entity for the preceding three taxable years, if applicable, including form K-1s and pass-through or disregarded entity forms such as Schedules C, E, and F, must be provided.
4. Formation documents of the entity, such as the Articles of Incorporation, Partnership Agreement, or Operating Agreement which specifically set forth how profits, losses, and other tax items are distributed to the owners, must be provided.
5. A list of all unused Louisiana net operating losses, tax credit balances, and other tax items earned at the entity level prior to the election, must be provided.

### General Information

Any entity who files a composite partnership return pursuant to La. R.S. 47:201.1 is prohibited from making the election. An election, once made, is effective for the entire taxable year for which it was made, as well as all subsequent taxable years, until the election is terminated. Form R-6980, *Pass-Through Entity Tax Election*, must be submitted at any of the following:

1. Any time during the preceding taxable year of the year in which the election is first effective
2. Any time during the taxable year in which the election is first effective
3. On or before the 15th day of the fourth month after the close of the taxable year in which the election is first effective

The Secretary has the discretion to treat an election made after the fifteenth day of the fourth month after the close of the taxable year in which the election is first effective as timely if reasonable circumstances exist for the entity's failure to make a timely election.

### Instructions

Enter the legal name and mailing address for the entity in the space provided.

- Line 1 - Enter the effective date for the election. This is the first day of the income tax period for which the election is applicable.
- Line 2 - Enter the Federal Employer Identification Number for the entity.
- Line 3 - Enter the LDR Account Number for the entity.
- Line 4 - Enter the entity type. Examples are Single Member Limited Liability Company, Limited Liability Company with more than one member, Limited Liability Partnership, Publicly Traded Limited Partnership, Non-Publicly Traded Limited Partnership, General Partnership, etc.
- Line 5 - Enter December if the entity files on a calendar year basis. If the entity files on a fiscal year basis, enter the month, the period ends.
- Line 6 - List the type of federal form filed for the last tax year filed.
- Line 7 - Enter the primary Louisiana office location. Provide a physical address of the primary location: street address, city, state, and zip code.
- Line 8 - Enter the telephone number of the entity.
- Line 9 - Describe the nature of the business operations in Louisiana.
- Line 10 - Enter the North American Industry Classification System (NAICS) code for the entity.
- Line 11 - Enter the date (month, day, year) the Louisiana charter was issued.
- Line 12 - Enter the charter number assigned to this entity by the Louisiana Secretary of State.

**Paid Preparer** - If your return was prepared by a paid preparer, that person must also sign in the appropriate space, complete the information in the "Paid Preparer Use Only" box, and enter his or her identification number in the space provided under the box. If the paid preparer has a Preparer Tax Identification Number (PTIN), the PTIN must be entered in the space provided under the box; otherwise, enter the Federal Employer Identification Number (FEIN) or LDR account number. If the paid preparer represents a firm, the firm's FEIN must be entered in the "Paid Preparer Use Only" box. The failure of a paid preparer to sign or provide an identification number will result in the assessment of the unidentified preparer penalty on the preparer. The penalty of \$50 is for each occurrence of failing to sign or failing to provide an identification number.