

SENATE TAXATION 9  
 EXHIBIT NO. \_\_\_\_\_  
 DATE 2-10-11  
 BILL NO. S13273

**State Tax Chart Results**

Tax Type: Corporate Income

**Legend:**

Caution - See additional details within chart  
 N/A - Not Applicable

**Statute of Limitations--Assessments**  
**Statute of Limitations--Refunds**

State	Assessment Limitation Period	Refund Limitation Period
AK	3 years. Caution: Exceptions apply	Later of 3 years from the time return was filed or 2 years from the time the tax was paid
AL	Later of 3 years from return due date or date return filed. Caution: Exceptions apply	Later of 3 years from date return filed or 2 years from payment date. Caution: 2 years from payment date if timely return not filed
AR	Later of 3 years from actual return filing or due date	Later of 3 years from filing date or 2 years from payment
AZ	Later of 4 years from the return due date or filing date. Caution: 6 years if 25% understatement of Arizona gross income; no limit for fraud	Later of 4 years from return filing or due date
CA	Later of 4 years from return filing or due date. Caution: No time limits if no return is filed; other exceptions apply	Later of 4 years from return filing (or due date) or 1 year from tax overpayment. Caution: 2 years from final IRS determination; other exceptions apply
CO	Federal limit + 1 year. Caution: may be waived and extended; no limit if no return filed or fraud cases; other exceptions apply	Federal limitation period + 1 year
CT	3 years after later of return due date or date received. Caution: extended to 6 years under specified conditions and time limits are eliminated entirely for failure to file return or in cases of fraud and tax evasion	3 years after due date of original return
DC	3 years after return filed. Caution: Exceptions apply	Later of 3 years from return due date or from date tax paid
DE	3 years. Caution: Exceptions apply	Later of 3 years from the last filing date or 2 years from date of tax payment. Caution: Exceptions apply
FL	Later of 3 years from return due date or return filing. Caution: 5 years before 1999, and any time if taxpayer fails to make a payment or file, or files a fraudulent return.	3 years from payment of tax. Caution: 2 years for claims for refunds due to a change on the taxpayer's federal tax return.
GA	3 years from return filing. Caution: Other exceptions apply	Later of three years from payment date or return filing due date
HI	Later of 3 years from return due date or return filing. Caution: In the case of a false or fraudulent return with intent to evade tax or liability, or of a failure to file return, the tax or liability may be assessed or levied at any time	Later of three years from the time the return was filed or from the due date prescribed for the filing of the return, or within two years from the time the tax was paid.
IA	3 years from the date the return was filed or was due. Caution: 6 years if underpayment is in excess of 25%	three years from the due date of the payment on which the refund is claimed; or one year from the date of actual payment; or three years from the due date of the return for a year in which a net operating loss or capital loss occurred, if a carryback of the loss resulted in an overpayment

		for an earlier year; or within 6 months of final federal change
ID	Later of 3 years from return due date or filing date . Caution: Or 1 year after final determination of federal change. Tax can be assessed at any time if no return is filed or return is false or fraudulent.	3 years after later of return due date or actual return filing date
IL	3 years after return was filed. Caution: 6 years if underpayment is more than 25%	three years after the date the return was filed, or one year after the tax was paid, whichever is later
IN	Later of 3 years from return filing or return due date. Caution: If adjusted gross income tax is understated by at least 25%, limitation is 6 years; no limit for assessment if fraudulent, unsigned, or substantially blank return filed	Later of 3 years from return filing or payment date
KS	Later of 3 years after original return was filed, tax was paid, or 1 year after amended return was filed	Later of three years from the date that the original return was due or two years from the date the tax was paid.
KY	4 years from return due date. Caution: Different assessment periods apply for entities that understate taxable net income and/or omit an amount properly includable in taxable income, have their federal tax liability adjusted following audit, fail to file a Kentucky corporation income tax return or file a fraudulent Kentucky corporation income tax return	4 years from later of return filing due date or date tax was actually paid
LA	3 years after December 31 of year tax is due . Caution: However, the prescription period starts to run again when the return is filed, and the tax reported on the return prescribes in three years after December 31 of the year in which the return is filed.	Later of three years after December 31 of the year the tax became due or one year after the date the tax was paid. Caution: Special rules apply for overpayment attributable to NOL carryback
MA	3 years from later of the date the return was due or was filed. . Caution: There is no limit if no return was filed. However, to balance considerations of taxpayer compliance and appropriate agency resource allocations, the commissioner may assess the taxpayer with respect to returns due during the most recent seven years.	The later of 3 years from return due date or 2 years from the date the tax is paid. Caution: If a return that is required was not timely filed. In all other circumstances the latest within three years from the date the return was due without regard to extensions; two years from the date the tax was assessed or deemed assessed; or one year from the date the tax was paid.
MD	Later of 3 years from return due date or return filing. Caution: Other exceptions apply	Later of three years from original return due date or two years from payment date. Caution: Other exceptions apply
ME	Later of 3 years from date on which return was filed or was required to be filed. . Caution: Assessment period can be longer in certain circumstances	Later of three years from the time the return was filed, whether or not the return was timely filed, or three years from the time the tax was paid.
MI	4 years after the return due date or the filing date, whichever is later. Caution: 2 years after discovery of fraud or failure to notify Department of Treasury of any change in federal tax liability	4 years from due date of return
MN	3-1/2 years after the date the return is filed. Caution: 6 -1/2 years if there is a large omission of income; no statute of limitations if a return is not filed or if the return is false or fraudulent	3.5 years from the due date of the return. Caution: or one year from the date of an order assessing tax, from the date of an order determining an appeal, or from the date of a return made by the Commissioner, whichever later; 7 years if overpayment is caused by failure to deduct a loss caused by bad debts or worthless securities.

MO	3 years from return filing. Caution: 6 years, if at least 25% of income is omitted; 1 year after the director becomes aware of a change in federal taxable income	Later of 3 years from return filing or 2 years from payment. Caution: 6 months after expiration of assessment period extension; 1 year from amended filing due to federal change; if the claim is based on new worthlessness of debt or of securities, 7 years from the date the return for the year involved was due.
MS	Later of 3 years from return due date or return filing. Caution: Other exceptions apply	Three years from return due date or previously granted extension due date. Caution: Other exceptions apply
MT	3 years from date return was filed	Later of 3 years of last day for filing return, or 1 year of date overpayment is determined
NC	Later of 3 years after return due date or return filing. Caution: Exceptions apply.	Later of 3 years after return due date or 6 months after paying tax
ND	Later of 3 years from return due date or return filing date. Caution: Exceptions apply	Later of 3 years after return due date or return filing. Caution: Exceptions apply
NE	3 years from return filing date	3 years from filing or 2 years from payment, whichever is later
NH	3 years from filing or due date, whichever is later	3 years from due date or 2 years from payment, whichever is later
NJ	4 years from return filing date. Caution: Exceptions apply	4 years from payment
NM	3 years from end of calendar year in which payment of the tax was due. Caution: 10 years where there is fraud; other exceptions apply	3 years from the end of the calendar year in which the payment was originally due or the overpayment resulted
NV	N/A	N/A
NY	3 years from return filing date. Caution: At any time if no return or fraudulent return filed or failure to report federal changes	Later of 3 years from filing or 2 years from payment
OH	3 years. Caution: Exceptions apply; including doubling of period if sham transaction (ORC Section 5703.56)	3 years. Caution: Exceptions apply including one year for change resulting from federal adjustment
OK	Later of 3 years from return due date or return filing . Caution: No time limit if taxpayer fails to make a payment or file, or files a fraudulent return. Two years from filing an amended federal return.	3 years from payment date
OR	3 years after filing return. Caution: 5 years if 25% or more of the gross income was omitted from the return	Later of 3 years of filing the return or 2 years of payment
PA	18 months after tax report filed. Caution: One year for agricultural co-ops. For assessments after 12/31/2007, three years after tax report filed	3 years from payment
RI	Later of 3 years from due date or actual date return was filed. Caution: Exceptions apply	3 years after paying tax
SC	Later of 3 years from return filing or due date. Caution: Exceptions apply	Later of 3 years from date return filed, 2 years from date taxes were paid
SD	N/A	N/A
TN	3 years from December 31 of year return was filed	3 years from December 31 of year payment was made
	4 years after the tax becomes due and payable. Caution: 4 year limitation does not apply if false	Later of 4 years after the tax is erroneously paid,

TX	or fraudulent report with an intent to evade the tax filed, no report filed; or report with information that contains a gross error filed	or before 6 months after a jeopardy or deficiency assessment becomes final
UT	3 years from filing of return. Caution: No limit if no return filed or fraud cases; other exceptions apply	3 years from overpayment date. Caution: Refunds from NOL carrybacks, federal changes have different periods; other exceptions apply
VA	3 years after return was filed. Caution: No limitation if no return filed, false return filed or failed to comply with federal change	3 years of the due date of the return or within 60 days from the federal change, whichever is later
VT	Later of 3 years from return due date or return filing. Caution: No limit if no return filed or fraud cases; other exceptions apply	3 years after return due date. Caution: Different for those arising from federal changes; other exceptions apply
WA	N/A	N/A
WI	4 years from filing date. Caution: 6 years for substantial underreporting; no limit for evasion or nonfiling	4 years
WV	3 years from return filing. Caution: No time limit if no return is filed; other exceptions apply	later of 3 years from return due date or, 2 years from tax payment . Caution: 2 years from tax payment if no return was filed; other exceptions apply
WY	N/A	N/A

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