

R865. Tax Commission, Auditing.

R865-3C. Corporation Income Tax.

R865-3C-1. Allocation of Net Income Pursuant to Utah Code Ann. Section 59-7-204.

(1) In general, the provisions of Section R865-6F-8 shall be applied to determine net income attributable to Utah for corporation income tax purposes.

(2) If a corporation derives income from sources within this state, but does not maintain an office within this state from which sales are negotiated or effected, the gross receipts attributable to Utah shall include all receipts of the corporation:

(a) for the performance of a service if the purchaser of the service receives a greater benefit of the service in this state than in any other state;

(b) for the sale of goods delivered to this state or shipped to a purchaser within this state, regardless of the F.O.B. point or other conditions of the sale;

(c) from a royalty in connection with real property if the real property is in this state;

(d) from other income in connection with real or tangible personal property if the real or tangible personal property is in this state; and

(e) in connection with intangible property if the intangible property is used in this state.

KEY: taxation, corporation tax

Date of Enactment or Last Substantive Amendment: April 12, 2012

Notice of Continuation: March 21, 2007

Authorizing, and Implemented or Interpreted Law: 59-7-204