



| State | Legislation (effective date)(see note below)                  | Information and Guidance   | Restrictions on Owners   | Owner Treatment  | Credit for Other State PTETs  | PTE Tax Rate                     | Non-resident required to file if PTET elected and no other income from state?      | Applicable years  |
|-------|---|--|--|--|---|----------------------------------|--|---|
| AL    | Acts 2021-1 (p 43) amended by Acts 2021-423                   | <a href="#">Electing Pass-Through Entities</a>                         | None. 2021 Ala. H.B. 170, §10(b)(1)  | Refundable credit  | Ala. Code § 40-18-21(a)(1)  | 5.00%                            | No. Ala. Code § 40-18-24.2(b)(2)   | Tax Year 2021 - No end date   |
| AR    | <a href="#">HB 1209 (2021)</a>                                | <a href="#">Pass-Through Entity Tax</a>                                | None. A.C.A. § 26-65-102   | Income exclusion. Owners can be held liable for unpaid PTET      | S shareholders only? A.C.A. § 26-51-504                             | 4.90%<br>2.45% on cap gains      | No. A.R.S. § 26-65-103(b)(4)   | Tax year 2022 - No end date   |
| AZ    | <a href="#">SB 1783 (2021)</a>                                | <a href="#">The Pass-Through Entity Tax Election</a>                   | All owner types allowed, but only individuals, trusts and estates are included in computation of tax. A.R.S. § 43-1014               | Non-refundable credit with 5-year carryover                      | A.R.S. § 43-1071(G)   | 2.98%                            | Yes. A.R.S. § 43-301(B)  | Tax year 2022 - No end date   |
| CA    | <a href="#">AB 150 (2021) amended by SB 113 and SB 851</a>    | <a href="#">Pass-through entity (PTE) elective tax</a>                 | All owner types allowed, but only individuals, trusts and estates are included in computation of tax. Cal. Rev. & Tax. Code § 19902. | Non-refundable credit with 5-year carryover                      | CRTC § 18006  | 9.30%                            | Yes. Cal. Rev. & Tax. Code § 18507   | Tax years 2021 - 2025, or if fed is repealed. (Cal. Rev. & Tax. Code § 19906)   |
| CO    | <a href="#">HB 1237 (2021)</a>                                | <a href="#">SALT Parity Act</a>  | All owner types allowed, but unitary C corporations are excluded from computation of the tax. C.R.S. § 39-22-342                     | Refundable credit  | PTE claims the credit. C.R.S. § 39-22-346                           | 4.40%                            | No. C.R.S. § 39-22-601(1)(a)(IV)   | Beg. Jan. 1, 2018 - For any year where limitation on the deduction applies (C.R.S. § 39-22-343(2))  |
| CT    | <a href="#">Ch. 228z (2018)</a>                               | <a href="#">Pass-Through Entity Tax Information</a>                    | None C.G.S. § 12-699   | Refundable credit of 87.5% of PTET                               | C.G.S. § 12-699(g)(1)(B)  | 6.99%                            | No, if PTE credit satisfies liability. See Pass-through Entity Tax Information     | Beg. Jan. 1, 2018 - No end date   |
| GA    | <a href="#">HB 149 (2021)</a>                                 | <a href="#">HB 149 Pass Through Entity Tax FAQ</a>                     | None O.C.G.A. §48-7-23(b) as amended by HB 412 (2023)  | Income exclusion to the extent PTET was paid                     | Taxed PTE income excludable. O.C.G.A. §48-7-27(d)                   | 5.75%                            | No. Ga. Comp. R. & Regs. r. 560-7-3-.03(9)(d)                                      | Tax year 2022 - No end date   |
| HI    | <a href="#">SB 1437 (2023)</a>                                | <a href="#">TIR No. 2023-03 (AMENDED)</a>                              | None. SB 1437 Section 2  | Non-refundable credit with no carryover                          | See proposed § 235-51.5(f)  | 11.00%                           | No. HRS § 235-51.5(c) (Sec 2 of SB 1437)   | Tax year 2023 - No end date   |
| IA    | <a href="#">HF 352 (2022)</a>                                 | <a href="#">Pass-Through Entity Tax</a>                                | None. 422.16C(1)(b)  | Refundable credit of 94% of PTET (PTET is deductible to owners.) | See Iowa Code § 422.8(b) as amended by Section 115 of HF2641 (2020) | 8.53% for 2022<br>6.00% for 2023 | No. Iowa Code § 422.16C(6)   | Tax year 2022 - Applies only if the federal limitation applies (422.16C(2))   |
| ID    | <a href="#">HB 317 (2021)</a>                                 | <a href="#">Pass-Through Entities</a>                                  | None. Idaho Code § 63-3026B  | Refundable credit  | Idaho Code § 63-3029(3)   | 6.00%                            | No. Idaho Code § 63-3026B(5)   | Tax year 2021 - No end date   |
| IL    | <a href="#">SB 2531 (2021)</a><br><br><a href="#">SB 2407</a> | <a href="#">Pass-through Entity Information</a>                        | None. 35 ILCS 5/201(p)   | Refundable credit  | 35 ILCS 5/201(p)(7)   | 4.95%                            | No, if PTE credit satisfies liability. See Pass-through Entity Information, FAQ 27 | Tax years ending on or after Dec. 31, 2021, and beginning before Jan. 1, 2026, or until the fed limitation no longer applies (i.e., if it is removed before 1/1/26) (35 ILCS 5/201(p)(1) and (p)(10)) |
| IN    | <a href="#">SEA 2</a>   | <a href="#">PTET election form and guidance</a>                        | None. New IC 6-3-2.1-2(1)  | Refundable credit  | IC 6-3-3-3(d) as added by SEA 2 (2023)                              | 3.23%                            | No. I.C. § 6-8.1-5-2(l) (mandatory composite covers filing requirement)            | Tax year 2022 - No end date   |
| KS    | <a href="#">HB 2239 (2022)</a>                                | <a href="#">Small Business/Sub-S SALT Parity Act - FAQs</a>            | All owner types allowed, but only individuals are included in the computation of the tax. 2021-2022R H.B. 2239 (Enrolled) Sec. 2(c)  | Refundable credit  | K.S.A. § 79-32,111(c)   | 5.70%                            | No.K.S.A. § 79-3220(a)(3)  | Tax year 2022 - No end date (Kansas Notice 22-16)   |
| KY    | <a href="#">HB 360 (2022) and HB 5 PTET modifications</a>     | <a href="#">New Pass-through Entity Tax Forms Available for Filing</a> | None. HB 5 Sec 9   | Refundable credit  | KRS 141.070(4) - KY election may be required.                       | 4.50%                            | Yes. KRS 141.180   | Tax year 2022 - No end date   |
| LA    | <a href="#">SB 223 (2019)</a>                                 | <a href="#">Guidance on the Pass-Through Entity Election</a>           | None, but only individuals are eligible to take the income exclusion. La. Rev. Stat. § 47:287.732.2                                  | Income exclusion to the extent PTET was paid                     | La. Rev. Stat. § 47:33.A(7)   | 4.25%                            | Yes. No guidance   | Tax year 2019 - No end date   |

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| MA    | <a href="#">HB 4009 (2021)</a>   | <a href="#">Elective pass-through entity excise</a>   | All owner types allowed, but only individuals, trusts and estates are included in computation of tax. Mass. G.L. c. 63D, § 1 | Refundable credit of 90% of PTET   | Directive 19-01  | 5.00%  | Yes. Mass. G.L. c. 62C, § 6   | Tax year 2021 - Only applicable for years the SALT deduction is in effect (Mass. G.L. c. 63D:3)  |
| ME    | <a href="#">PROPOSED LD 1891</a>   | None at this time   | None. Proposed §§ 5186 and 5187  | Refundable credit of 90% of PTET   | Proposed § 5187(9)   | 7.15%  | No. Proposed § 5187(4)  | No end date  |
| MI    | <a href="#">HB 5376 (2021)</a>   | <a href="#">Flow-Through Entity Tax</a>   | None. MCL 206.813; MCL 206.805   | Refundable credit  | Business income from outside the state is not taxed. MCL 206.115       | 4.25%  | Yes. See FTE Tax Implementation Notice, II-E                                  | Tax year 2021 - For any year where limitation on the deduction applies (MCL 206.847)   |
| MD    | <a href="#">SB 0523 (2020)</a>   | <a href="#">FAQs on Maryland PTET</a>   | None. Md. Code, Tax-Gen. § 10-102.1  | Refundable credit  | Md. Code, Tax-Gen. § 10-703(d)(2)                                      | 8.00%, unless has an entity member- then 8.25% | Yes. Md. Code, Tax-Gen. § 10-806  | Tax year 2020 - No end date  |
| MN    | <a href="#">HF 9 (2021)</a>  | <a href="#">Pass-Through Entity (PTE) Tax</a>   | PTEs with other PTEs or corporations as owners cannot make the election. Minn. Stat. § 289A.08, Subd. 7a(a)(2)               | Refundable credit  | Minn. Stat. § 290.06, Subd. 22(g) and (h)                              | 9.85%  | No. Minn. Stat. § 289A.08, Subd. 7a (j)                                       | Tax years beginning after Dec. 31, 2020 - Expires at the same time and on the same terms as section 164(b)(6)(B) (Minn. Stat. § 289.08 Subd 7a(l)) |
| MO    | <a href="#">HB 2400 (2022)</a>   | <a href="#">Pass-Through Entity Tax FAQs</a>  | None. Mo. Rev. Stat. § 143.436(2)(1)   | Nonrefundable credit with unlimited carryover  | Mo. Rev. Stat. § 143.436(9)  | 5.40%  | No. RSMo Section 143.436.6  | Tax years ending on or after Dec. 31, 2022 - No end date   |
| MS    | <a href="#">HB 1691 (2022)</a>   | <a href="#">Updated Guidance on Pass-Through Entity Election</a>  | None. 2022R Miss. H.B. 1691 Sec. 1; Notice 80-22-001   | Refundable credit (as amended by Laws, 2023, ch. 440, HB 1668, § 1, eff. 1/1/2023)   | Notice 80-22-001   | 5.00%  | Yes. Miss. Code § 27-7-26(1)(c)   | Calendar year 2022 - No end date   |
| MT    | <a href="#">SB 554</a>   | <a href="#">Montana Pass-Through Entity Tax</a><br><br><a href="#">Pub. 4 - Pass-Through Entity Tax Guide</a> | None. SB 554, Section 1  | Refundable credit. SB 554, Section 4   | MCA § 15-30-2302   | 6.75% before 2024<br>5.9% after 2023           | No. SB 554, Sec. 2(6)   | Tax years beginning after Dec. 31, 2022 - No end date  |
| NC    | <a href="#">SB 105 (2021) (pp 594-599) enacted, and SB 174 modification bill enacted</a> | <a href="#">Important Notice Regarding North Carolina's Recently Enacted</a>                                  | PTEs with C corp owners are ineligible to elect N.C.G.S. § 105-154.1(a) as amended by SB 174 (2023)                          | Income deduction if PTE complies with provisions   | N.C. G.S 105-153.9(d), as amended by SB 174 (2023)                     | 4.99%  | No. See B6 of linked guidance   | Tax year 2022 - No end date  |
| NE    | <a href="#">LB 754 (2023) (p 33 et seq.)</a>   | <a href="#">Nebraska Pass-Through Entity Tax (PTET)</a>   | None   | Refundable credit Neb. Rev. Stat. § 77-2727(6)(g)  | Neb. Rev. Stat. § 77-2730  | 6.84% before 2023<br>6.64% for 2023            | No. Neb. Rev. Stat. § 77-2727(6)(e)   | Tax year 2018 - No end date  |
| NJ    | <a href="#">SB 3246 (2019)</a>   | <a href="#">Pass-Through Business Alternative Income Tax (PTE/BAIT)</a>                                       | None. N.J.S. § 54A:12-2  | Refundable credit  | N.J.S. § 54A:4-1(f)  | 5.675% - 10.900%                               | Yes. See PTE/BAIT FAQs  | Tax year 2020 - No end date  |
| NM    | <a href="#">HB 1002 (2020)</a>   | <a href="#">Pass-Through Entity</a>   | None, but income allocable to exempt orgs and unitary C corporations is excluded from the tax. HB 1002 (2020) Sec. 3. FAQs   | PTE income is exempt, except for unitary corporate partners. Statute is silent on owner liability and conditions of exemption, but Department's FAQs indicate exemption does not apply if tax is not paid. | Business income from outside the state is not taxed. NMSA 1978 § 7-4-3 | 5.90%  | No. HB 1002 Sec. 1  | Tax year 2022 - No end date  |
| NY    | <a href="#">Article 24-A</a>   | <a href="#">Pass-through entity tax (PTET)</a>  | None, but only individual partners are included in the computation of the tax. N.Y. Tax Law § 860                            | Refundable credit  | N.Y. Tax Law § 620(b)  | 6.85% - 10.90%                                 | Yes. N.Y. Tax Law § 651(a)(3)   | Tax year 2021 - no end date  |



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| NYC   | <a href="#">S 8009 (2022)</a>   | <a href="#">New York City pass-through entity tax (NYC PTET)</a>   | None, but only city residents are included in the computation of the tax. N.Y. Tax Law § 867  | Refundable credit                                       | Credit is taken against state tax  | 3.876%                          | Not applicable   | Tax year 2022 - No end date   |
| OH    | <a href="#">SB 246 (2022)</a><br><a href="#">PTET OSTC modifications enacted in HB 33 (2023, elective for 2022)</a> | <a href="#">Electing Pass-Through Entity: IT 4738</a>  | None, but note that C corporation owners will not be entitled to the PTET credit. O. R.C. 5747.38   | Refundable credit                                       | For 2023, elective for 2022 HB 200 - R.C. 5747.01(A)(36), (41), and (S), 5747.05, 5747.11, and 5747.13; and also Section 803.310 - allows the credit     | 5.00% (3.00% in 2023 and later) | No. O.R.C. 5747.08(L)  | Tax year 2022 - No end date   |
| OK    | <a href="#">HB 2665 (2019)</a>  | <a href="#">PASS-THROUGH ENTITY TAX EQUITY ACT</a>   | None. 68 O.S. § 2355.1P-4(F)  | Income subtraction to the extent PTET paid              | Business income from outside the state is not taxed. 68 O.S. § 2358(A)(5)  | 5.00%                           | No. 68 O.S. § 2355.1P-4(E)   | Tax year 2019 - No end date   |
| OR    | <a href="#">SB 727 (2021)</a>   | <a href="#">Pass-Through Entity Elective (PTE-E) Tax</a>   | All owners must be individuals or pass-through entities that are owned entirely by individuals. SB 727 (2001) Sec. 3(1); FAQ #4   | Refundable credit                                       | ORS 316.082(1)   | 9.90%<br>9.00% under \$250K     | Yes. ORS 316.362(1)(b)   | Applies to tax years beginning on or after Jan. 1, 2022 and before Jan. 1, 2026 and to which federal limitation is not applicable. See SB 2083 (2023) |
| PA    | <a href="#">PROPOSED SB 659</a><br><br><a href="#">PROPOSED HB 1584</a>   | None at this time  | None.   | Refundable credit                                       | Current law (72 PS 7314) allows a credit for taxes paid by an S corporation, but not a partnership. SB 660 would amend this section to add partnerships. | 3.07%                           | Yes. No guidance   | No end date<br><br>No end date  |
| RI    | <a href="#">Gen. Laws § 44-11-2.3</a>   | <a href="#">Pass-through Entities</a>  | None. Rhode Island G.L.1956 § 44-11-2.3   | Credit (no indication of refundable or carryover)       | R.I. Gen. Laws § 44-11-2.3(e)  | 5.99%                           | Yes. R.I. Gen. Laws § 44-30-51(a)(3).  | Tax year 2019 - No end date   |
| SC    | <a href="#">SB 627 (2021)</a>   | <a href="#">SC REVENUE RULING #21-15 Active Trade or Business Income – Annual Election by Pass-Through</a>                                   | A PTE will not be eligible to make the election if it has a C corporation, S corporation, or other "non-qualified owner" in its ownership structure. A PTE is a "qualified entity" if it has an individual, trust (not subject to corporate tax), or partnership (with only "qualified owners") in its ownership structure tax. S.C. Code § 12-6-545(G)(1) FAQ #6 | Income exclusion to the extent PTET paid                | Business income from outside the state is not taxed. S.C. Code § 12-6-2210   | 3.00%                           | Yes. S.C. Code § 12-6-4910(1)(d)   | Tax year 2020 - No end date   |
| UT    | <a href="#">HB 444 (2022)</a>   | <a href="#">FAQs – 2022 House Bill 444 – Federal State and Local Tax Deduction Workaround</a>  | None. Utah Code § 59-10-1402; FAQs  | Nonrefundable credit with 5-year carryover              | See FAQs   | 4.85%                           | Yes. Utah Code § 59-10-502(2)  | Tax years beginning on or after Jan. 1, 2022, but before Dec. 31, 2025. (Utah Code § 59-10-1403.2)(2)   |
| VA    | <a href="#">HB 1121 (2022)</a>  | <a href="#">Elective Pass-Through Entity Tax Guidelines</a>  | All owner types allowed, but tax is computed on only the income of natural persons, estates or trusts. Va. Code § 58.1-390.1  | Refundable credit                                       | Code of Virginia § 58.1-332(C)   | 5.75%                           | Yes. Code of Virginia § 58.1-341(A)(2)   | Tax years beginning on or after Jan. 1, 2021, but before Jan. 1, 2026 (Va. Code § 58.1-390.3(A)(1))   |
| VT    | <a href="#">PROPOSED S. 45</a>  | None at this time  | Limited to PTEs with only natural persons as owners. Prop. § 5921b(a)(2)  | Refundable credit of 90% of PTE Prop. § 5921c           | See proposed amendments to 32 V.S.A. § 5825(c)   | 2nd highest marginal rate, 7.6% | No. Proposed § 5921b(f)  | Until later of Dec. 31, 2025 or date federal limitation is repealed or otherwise abrogated  |
| WI    | <a href="#">71.21 Partnerships and LLCs</a><br><br><a href="#">71.365(4m) S Corporations</a>                        | <a href="#">Pass-Through Entity-Level Tax: Partnerships</a><br><br><a href="#">Pass-Through Entity-Level Tax: Tax-Option (S) Corporation</a> | None. Wis. Stat. § 71.21(6)(a).   | Income exclusion. Owners liable if PTE does not pay tax | Wis. Stat. § 71.07(7)(b)(2) and (3)  | 7.90%                           | No. See Partnership Partner Reporting Q9 and Wis. Stat. § 71.03(2)(a)2, § 71.21(6)(b), and § 71.365(4m)(b) | Tax year 2019 - No end date   |
| WV    | <a href="#">SB 151 (2022)</a>   | <a href="#">Elective Pass-Through Entity Tax</a>   | None. W. Va. Code §11-21-3a   | Refundable credit (all bills),                          | W. Va. Code § 11-21-20   | 6.5% for 2022<br>5.12% for 2023 | No. See FAQs at link   | Tax year 2022 - No end date   |