

**FORM 320  
2024**

**New Jersey Corporation Business Tax  
Grow New Jersey Assistance Tax Credit**

Name as Shown on Return	Federal ID Number	Unitary ID Number, if applicable <b>NU</b>
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**Read the instructions before completing this form**

**Combined Return Filers**

- ☐ The taxpayer is included as a taxable member on a New Jersey combined return. See instructions.  
Fill in oval if member is **not** sharing its credit with other members of the group. ☐

**Part I Qualifications**

1. Does the taxpayer have written approval from the New Jersey Economic Development Authority to receive a Grow New Jersey Assistance tax credit? ..... ☐ YES ☐ NO
2. Has the taxpayer received a tax credit certificate issued by the New Jersey Division of Taxation? ..... ☐ YES ☐ NO  
Check the box to indicate a copy of the certificate has been submitted to the Division of Taxation ..... ☐

**Note:** If the answer to question 1 or 2 is "NO," do not complete the rest of this form. The taxpayer is **not** eligible for this tax credit. Otherwise, go to Part II.

**Part II Calculation of the Available Credit**

3. Enter the approved credit amount as reported on the tax credit certificate for the current privilege period or tax year .....	3.	
4. Grow New Jersey Assistance Tax Credit carried forward from prior year.....	4.	
5. Total credit available (add lines 3 and 4) .....	5.	

**Part III Calculation of the Allowable Credit Amount and Carryforward  
(Combined return filers DO NOT complete Part III. Continue with Part IV.)**

6. Enter tax liability from page 1, line 2a of CBT-100 or CBT-100S.....	6.	
7. Other tax credits used by taxpayer on current year's return (see instructions): (a) _____ (b) _____ (c) _____ (d) _____ Total	7.	
8. Subtract line 7 from line 6. If zero or less, enter zero .....	8.	
9. Allowable credit for the current tax period. Enter lesser of line 5 or line 8 here and on Schedule A-3, Part I of CBT-100 or CBT-100S.....	9.	
10. Amount of credit carryforward to following year's return (subtract line 9 from line 5).....	10.	

Name as Shown on Return		Federal ID Number		Unitary ID Number, if applicable <b>NU</b>	
<b>Part IV Calculation of Allowable Credit Amount and Carryforward – Combined Return Filers ONLY</b>					
<b>Section A – ALL Combined Return Filers</b>					
11. Enter the group tax liability from Schedule A, Section II, Part III, line 4a, column (c) of CBT-100U...				11.	
12. Other tax credits used by combined group on current year's return (see instructions):					
(a) _____					
(b) _____					
(c) _____					
(d) _____					
Total				12.	
13. Subtract line 12 from line 11. If zero or less, enter zero .....				13.	
14. Allowable credit for the current tax period. Enter the lesser of line 5 or line 13. <b>If sharing</b> , also enter in the member's column of Schedule A-3, Part I of the CBT-100U .....				14.	
<b>If SHARING credit, complete line 15.</b>					
<b>If NOT sharing credit, skip line 15 and complete Section B.</b>					
15. Amount of credit carryforward to following year's return (subtract line 14 from line 5).....				15.	
<b>Section B – Combined Return Filers NOT Sharing Credit</b>					
16. a) Enter combined group tax liability from line 11 .....			16a.		
b) Divide line 16a by the combined group allocation factor from Schedule J, line 9 .....			16b.		
c) Member's share of combined group tax liability – Multiply line 16b by member's allocation factor from Schedule J, line 9 .....				16c.	
17. Other tax credits used by taxpayer on current year's return (see instructions):					
(a) _____					
(b) _____					
(c) _____					
(d) _____					
Total				17.	
18. Subtract line 17 from line 16c. If zero or less, enter zero .....				18.	
19. Allowable credit for the current tax period. Enter the lesser of line 14 or line 18 here and in the member's column of Schedule A-3, Part I of the CBT-100U .....				19.	
20. Amount of credit carryforward to following year's return (subtract line 19 from line 5).....				20.	

## Instructions for Form 320 Grow New Jersey Assistance Tax Credit

### Purpose of this Form

This form must be completed by any taxpayer that claims a tax credit as provided for in the Grow New Jersey Assistance Tax Credit Act, [N.J.S.A. 34:1B-242 et seq.](#), against the tax due pursuant to [N.J.S.A. 54:10A-5](#).

The Grow New Jersey Assistance Tax Credit is available to businesses creating or retaining jobs in New Jersey and making a qualified capital investment at a qualified business facility in a qualified incentive area as defined in the Grow New Jersey Assistance Act. This includes affiliates of the business located in the qualified business facility and tenants that are businesses in the qualified business facility. The capital investment requirements, employment requirements, and amount of the credit vary by qualified investment area and industry type.

Partnerships are not allowed the credit directly, but the amount of credit of each partner shall be determined by allocating to each partner that proportion of the credit of the business that is equal to the partner's share, whether or not distributed, of the total distributive income or gain of the partnership for its tax period ending within or with the partner's tax period, or that proportion that is allocated by a partnership agreement.

The tax credit can be applied to 100% of the tax liability. The unused amount of the annual credit can be used during a 20-year carryforward. The business may also apply for a tax credit transfer certificate with the Division of Taxation to transfer unused tax credits from the Grow New Jersey Assistance Program from any year to sell the unused tax credits to another business. The tax credits must be sold for no less than 75% of the value of the tax credits, and the purchaser is subject to the same limitations and conditions as the seller of the tax credits.

The credit amount may first be taken by the tax certificate holder, i.e., the original recipient, for the tax period *for which* it was issued, for the tax period *in which* it was issued, or for any tax period during the commitment period set forth in the incentive agreement with the Economic Development Authority. The tax certificate holder may transfer the tax credit amount on or after the date of issuance for use by the transferee, i.e., the credit purchaser, for the tax period *for which* it was issued, for the tax period *in which* it was issued, or for any of the next three successive tax periods. The tax certificate holder or transferee may first use the credit against tax liabilities for the tax period in which it was issued or for a succeeding tax period **without being required to amend the tax return** for the tax period for which the credit was issued. No more than the amount of tax credits equal to the total credit amount, divided by the duration of the tax credit term, in years, may be taken in any tax period. See [N.J.S.A. 34:1B-247\(k\)](#). An *original recipient* or *tax credit purchaser* can carry forward any unused portion of the tax credit for 20 years from the tax period *for which* the certificate was issued regardless of which tax period the credit is first claimed against.

A taxpayer may not carry over any amount of unused credit to a privilege period or tax year during which a corporate acquisition, with respect to which a taxpayer was a target corporation, occurred or during which the taxpayer was a party to a merger or a consolidation.

Parts III and IV are used to calculate the allowable credit and carryforward. Taxpayers filing Forms CBT-100 or CBT-100S complete Part III and CBT-100U filers complete Part IV.

Taxpayers that purchased the tax credit through the Economic Development Authority tax benefit transfer program may also claim the credit using this form and are bound by the rules and limitations in the applicable credit transfer statute for the credit program.

Taxpayers may sell back tax credits to the state under the Division of Taxation tax credit purchase program. For more information, see [Director's Tax Credit Purchase Program](#).

For more information, see [Grow New Jersey Assistance Tax Credit](#).

### Combined Return Filers

If filing a combined return, this form must be completed by the member that earned (purchased) the credit. All combined return filers must check the combined return filers box at the top of the form and complete Part IV, Section A.

**Members Opting Not to Share.** In general, tax credits are earned by a member of the combined group and are shareable with the combined group. However, members are not required to share their credits. See [N.J.S.A. 54:10A-4.6.i](#) and TB-90(R), *Tax Credits and Combined Returns*. In addition to Section A, members that choose not to share must also complete Part IV, Section B and fill in the oval at the top of the form to indicate they are not sharing the credit.



Taxpayers must include the appropriate credit form in the year the credit was earned even if they are not claiming the credit on their tax return.

### Part I – Qualifications

To be eligible for the tax credit, the answer to questions 1 **and** 2 must be "YES." If the answer to question 1 or 2 is "NO," the taxpayer is **not** entitled to the Grow New Jersey Assistance Tax Credit.

A completed Form 320 must be included with the CBT-100, CBT-100S, or CBT-100U return to validate the claim. A copy of the tax credit certificate and a copy of the completed Form 320 must be submitted by mail to the New Jersey Division of Taxation, CBT Refunds/Tax Credits, PO Box 259, Trenton, NJ 08695-0259. Failure to submit this documentation by mail will result in the delay and/or denial of the tax credit claimed.

**Note:** Transferees answer "YES" to questions 1 and 2.

## **Part II – Calculation of Available Credit**

**Line 3** – The amount of the tax credit is equal to the amount reported on the tax credit certificate that was issued by the New Jersey Division of Taxation.

## **Part III – Calculation of the Allowable Credit Amount and Carryforward (for CBT-100 and CBT-100S Filers only)**

For CBT-100 and CBT-100S, filers, the allowable Grow New Jersey Assistance Tax Credit for the current tax period is calculated in Part III. Combined return filers do not complete Part III, and must complete Part IV instead.

**Line 7** – Taxpayers claiming multiple credits must list any credits already applied to the tax liability to ensure accuracy of the calculation for maximum credit allowable.

## **Part IV – Calculation of the Allowable Credit Amount and Carryforward for Combined Return Filers**

For CBT-100U filers, the total and allowable Grow New Jersey Assistance Tax Credit for the current year is calculated in Part IV. All combined return filers must complete Section A. Members that choose not to share their credit must also complete Section B.

### **Section A – To be completed by ALL combined return filers**

This section calculates the amount of credit allowable for the group. If a member chooses not to share their credit with the group, Section A must still be completed to ensure the credit allowed for the member does not exceed the amount that would otherwise be allowed against the group tax liability.

**Line 12** – Combined groups claiming multiple credits must list any credits already applied to the group tax liability to ensure accuracy of the calculation for maximum credit allowable.

### **Section B**

This section is used to calculate the amount of credit allowable for members that choose not to share their credit with the group. Section B is completed based on the member's share of the group tax liability. The amount of the credit is also limited to the amount that would otherwise be allowed against the group tax liability if the member had been sharing the credit.

**Line 17** – Members claiming multiple credits must list any credits already applied to the member's tax liability to ensure accuracy of the calculation for maximum credit allowable.