



## 2023 Montana Net Operating Loss (NOL) for Individuals, Estates, and Trusts

Form NOL  
V1 6/2023

[15-30-2119, MCA](#), and [ARM 42.15.318](#), [ARM 42.30.106](#)

### Before You Start

**NONRESIDENTS:** In 2021, a Montana District Court found that a nonresident could carryover a Montana loss from prior years, despite not having incurred a federal NOL. This decision is currently on appeal to the Montana Supreme Court and the Department will update NOL guidance for nonresidents as it may change following this decision.

### Form Changes

As a result of legislation (see Legislative Changes below), the Montana NOL deduction and carryover beginning in Tax Year 2024 has been repealed. The following schedules have been removed: the Class A NOL Tracking Table, Class A/B Carryover Determination Schedule, and the NOL Carryover Table.

### Legislative Changes

Tax Year 2023 is the final year a Montana NOL deduction may be claimed. As a result of legislation passed in 2021 (Senate Bill 399), this deduction is repealed as of Tax Year 2024.

Accordingly, taxpayers will not have to compute their NOL carryover for Montana purposes. Instead, beginning in Tax Year 2024, NOL carryovers are included in the calculation of a taxpayer's Montana taxable income as a part of a taxpayer's federal taxable income.

Only taxpayers carrying back a loss from a farming business or that have a Montana source excess business loss will complete a NOL form.

### Montana Net Operating Loss (NOL) and Federal NOL

A Montana NOL arises when the sum of business deductions reduces Montana taxable income below zero. If your Montana taxable income is different than your federal taxable income, your Montana NOL may differ from your federal NOL.

In general, you have an NOL for Montana income tax purposes if you have an NOL for federal income tax purposes. Both NOLs are computed similarly. See IRS Publication 536 for detailed information about calculating the federal NOL.

The Montana NOL calculation takes into account Montana additions and subtractions to Federal Adjusted Gross Income and Montana itemized deductions. Therefore, taxpayers must use any nonbusiness Montana additions and nonbusiness Montana subtractions to arrive at the Montana taxable income to determine a Montana NOL.

If you are filing separately from your spouse on the same form, complete a separate Form NOL for the spouse(s) that incurred the NOL.

### MT NOL Deductions

The federal Tax Cuts and Jobs Act of 2017 added limitations to NOL deductions stemming from losses incurred after December 31, 2017, creating two classes of NOL deductions, called Class A NOL deductions and Class B NOL deductions for the purpose of these instructions.

The CARES Act of 2020 does not change this designation because any NOL incurred after December 31, 2017, may still be carried over to tax years beginning after December 31, 2020, and the limitations suspended for tax years beginning before January 1, 2021 will apply.

Tax Year 2023 is the last year that any Montana Class A and Class B NOL deductions may be claimed.

### NOL Incurred in a Tax Year Before January 1, 2018 ("Class A NOL")

Montana Class A NOL deductions designate NOL amounts that arose from losses incurred in a tax year beginning before January 1, 2018.

In general, Class A NOL amounts may be carried back two years and forward 20 years, with longer carryback periods for farming losses.

## **NOL Incurred in a Tax Year After December 31, 2017 (“Class B NOL”)**

Montana Class B NOL deductions designate NOL amounts that arose from losses incurred in tax years beginning after December 31, 2017, and before December 31, 2023. Class B NOL amounts cannot be carried back, unless they were incurred in 2018, 2019, and 2020 under the CARES Act of 2020 or as a result of a farming business. Class B NOLs can only be carried forward through December 31, 2023, but are limited to 80 percent of taxable income starting with tax years beginning after December 31, 2020.

If you are a nonresident individual, estate, or trust, you may have a Montana source loss on your Form 2, Nonresident/Part-year Resident Ratio Schedule, which can generally only be used if you have a federal NOL.

## **Change in Filing Status and/or Marital Status**

If your marital or filing status has changed, you must follow the federal rules and instructions for change of filing status when computing Montana NOL carrybacks, carryovers, and refund limits. If you are married filing separately on the same form, you must complete separate Class B NOL schedules, including carryback and carryover schedules.

## **Montana Class B NOL Schedule**

Use the Class B NOL Schedule to determine if you have a Montana **farming** business loss in 2023. This schedule helps you apply the limitations on nonbusiness capital losses and ordinary nonbusiness deductions that exceed nonbusiness income and business capital losses used to calculate an NOL.

There are two columns, Column I and Column II. Resident individuals, estates, and trusts use Column I only. Nonresident individuals, estates, and trusts must complete both Columns I and II.

Report the corresponding Montana source income, loss, and adjustments in Column II.

## **Column I—NOL**

**Line 1a—Enter your Montana Adjusted Gross Income.** Individuals enter the amount from Form 2, line 14. Estates and trusts enter the amount from Form FID-3, line 24 (Montana taxable income).

**Line 1b – Enter your standard deduction or itemized deductions.** Individuals enter the amount from Form 2, line 15. Estates and trusts add the amounts from Form FID-3, lines 13 (charitable contributions), 21 (Montana income distribution deduction), and 23 (exemption).

**Lines 2 and 3—Calculate your nonbusiness capital losses and gains.** These are losses or gains reported on the federal Schedule D that are not attributable to, or derived from, a trade or business.

**Line 6—Nonbusiness deductions.** Enter your deductions and subtractions that are not related to your trade or business or your employment as a positive number. Examples of nonbusiness deductions include:

- Health Savings Account deduction
- Deductions for payments on behalf of a self-employed individual to an SEP, SIMPLE or qualified plan
- Alimony paid
- IRA deduction
- Archer MSA deduction
- Montana subtractions that are considered nonbusiness, e.g., exempt interest and mutual funds from federal bonds and obligations; or, state income tax refunds included on Form 2
- Most itemized deductions (except for casualty and theft losses)
- Montana standard deduction (if you do not itemize your deductions)

Do not include the deduction for Montana personal exemptions for you, your spouse, or your dependents.

Do not enter an amount in Column II.

**Line 7—Nonbusiness Income.** Only enter income that is unrelated to your trade or business or employment. Examples of nonbusiness income include:

- Interest and dividend income
- Taxable federal and state income tax refunds
- Alimony received
- Gains from the sale of a personal residence to the extent it is recognized in Federal Adjusted Gross Income
- Gains or losses from the sale of assets not used in a trade or business
- Taxable IRA distributions, pensions, and annuities
- Taxable Social Security benefits
- Income or losses from a trust or estate
- Montana additions to the Federal Adjusted Gross Income that are considered nonbusiness

**Lines 11 and 12—Business capital losses and gains.** These are the capital gains and losses attributable to or derived from a trade or business before any capital loss limitation and without regard to any Section 1202 exclusion from your federal Schedule D.

**Line 17—Adjustment for Section 1202 Exclusion.** Enter any gain you excluded under Section 1202 on the sale or exchange of qualified small business stock from federal Schedule D, Form 8949, Part II, Code Q.

**Line 19 through line 22—Adjustments for Capital Losses.** Your amount deductible for capital losses is limited based on whether these losses are business capital losses or nonbusiness capital losses.

**Nonbusiness capital losses.** You can deduct your nonbusiness capital losses (line 2) only up to the amount of your nonbusiness capital gains without using any Section 1202 exclusion (line 3). If your nonbusiness capital losses are more than your nonbusiness capital gains without using any Section 1202 exclusion, you cannot deduct the excess.

**Business capital losses.** You can deduct your business capital losses (line 11) only up to the total of:

- Your nonbusiness capital gains that are more than the total of your nonbusiness capital losses and excess nonbusiness deductions (line 10), and
- Your total business capital gains without regard to any Section 1202 exclusion (line 12).

**Line 23—Montana NOLs from other years.** You cannot deduct any NOL carryovers or carrybacks from other years. Enter the total amount of your NOL deduction for losses from other years that you reported on Form 2, Montana Subtractions Schedule, line 22. Estates and Trusts, use Form FID-3, Schedule B, line 7.

**Line 24.** If line 24 is more than zero, you do not have an NOL. If line 24 is less than zero, this is your Montana NOL for the year.

## **Column II—Montana Source Losses (Nonresident/Part-Year Resident)**

If Column I, line 24 shows an NOL and your Montana source income for the NOL year is less than zero, your Montana NOL from Column I may include Montana source losses. Complete Column II to determine if you have a Montana source loss to report on Form 2, Nonresident/Part-Year Resident Ratio Schedule or Form FID-3, Schedule F.

If Column I, line 24 is zero or more, skip Column II. You do not have a Montana NOL, or your Montana NOL does not include Montana source losses.

**Line 1a.** Enter your Montana source losses reported on Form 2, Nonresident/Part-Year Resident Ratio Schedule, line 16. Estates and trusts use Form FID-3, Schedule F, Column B, line 14.

**Line 1b.** If you are a nonresident or part-year resident individual, estate, or trust, enter 0 (zero).

**Lines 2 through 5.** Follow the instructions for Column I, but limit the reporting to items of income and losses included on Form 2, Nonresident/Part-Year Resident Schedule. Estates and trusts enter the amounts from Form FID-3, Schedule F.

**Line 6.** Nonresident or part-year resident individuals, estates, or trusts, enter 0 (zero).

**Lines 7 through 22.** Follow the instructions for Column I, but limit the reporting to items of income and losses reported on Form 2, Nonresident/Part-Year Resident Schedule. Estates and trusts report the amounts from Form FID-3, Schedule F.

**Line 23.** Individuals, report the amount of Montana source NOLs from your Form 2, Nonresident/ Part-Year Resident Ratio Schedule, line 15. Estates and trusts report the amount of Montana source NOLs from Schedule F, Column B, line 13.

**Line 24.** If line 24 is zero or more, you do not have any Montana source losses included in your Montana NOL.

## Farming NOL Carryback Schedule

If you do not have a loss from a farming business, do not complete this schedule.

Use the Farming NOL Carryback Schedule to determine the amount of loss from a farming business incurred in 2023 that you may carry back.

See IRS Publications 225 and 536 for more information about farming businesses and the carryback limitations.

## Waiving the Carryback Period for Farming Losses

You can choose not to carry back your NOL from a farming business by checking the box in the waiver section on Form 2, page 2 for individuals and Form FID-3, page 7 for estates and trusts. You must make this election before the due date (including the extended due date) of your 2023 tax return. If you have more than one NOL from a farming business, you must make a separate election for each one.

If you have elected to not carry back your farming loss, do not complete this schedule. Montana NOL carryforwards are repealed beginning with Tax Year 2024.

## How to Claim Refunds from Carryback Years

You can claim a refund by filing an amended income tax return. You must file an amended return for each year to which you can apply a farming NOL to. Complete the Farming NOL Carryback Schedule with each amended return to determine how much of your farming loss can be applied and carried over.

## How to Complete the Farming NOL Carryback Schedule

Complete a column for each tax year of your NOL carryback period starting with the earliest year. If line 9 on that column is more than zero, carry this amount to line 1 of the column for the next year.

The Montana farming loss reported in the carryback periods may include NOL deduction amounts from previous years. For example, the 2022 Class B Montana NOL deduction and Class A Montana NOL deduction may have been used to refigure your Montana taxable income, therefore the only Montana NOL deduction to remove from your taxable income is the 2023 Montana NOL deduction.

**Important note for nonresidents and part-year residents:** Complete the Farming NOL Carryback Schedule for the amounts reported on Class B NOL Schedule, Column I, and complete another schedule for the amounts reported on Column II.

The Montana NOL you carry back from Class B NOL Schedule, Column II is limited to the Montana source income reported on the 2021 and 2022 Form 2, Nonresident/Part-Year Resident Ratio Schedules for individuals or Form FID-3, Schedule F for estates and trusts.

## Farming NOL Carryback Schedule— Line Instructions

**Line 1.** Enter the carryback amount from Column I, line 24 of the Class B NOL Schedule. Nonresidents and part-year residents enter the carryback amount from Column II, line 24.

**Line 2.** Enter your Montana taxable income from Form 2, line 17. Estates and trusts enter the amount from Form FID-3, line 24. Nonresidents and part-year residents, this amount is your Montana source income from your Form 2, Nonresident/Part-Year Resident Ratio Schedule for the corresponding tax year. Nonresident estates and trusts use the Montana source income from Form FID-3, Schedule F.

**Line 3—Net Capital Loss Deduction.** Enter the loss amount as a positive number, if any, as shown (or as previously adjusted) from Form 1040, Schedule D, line 21. Nonresidents and part-year residents will enter the Montana source loss amount as a positive number, if any, as shown (or as previously adjusted) from Form 2, Nonresident / Part-Year Resident Ratio Schedule or Form FID-3, Schedule F for the corresponding year.

**Line 4—Section 1202 Exclusion.** Enter any gain as a positive number that you excluded under Section 1202 on the sale or exchange of qualified small business stock.

**Line 5—Adjustment to Montana Adjusted Gross Income.** If you entered an amount on lines 3 or 4, or if you changed your Montana filing status, you must recalculate certain income and deductions.

These include:

- The special allowance for passive activity losses from rental real estate activities
- IRA deductions
- Student loan interest deduction
- Tuition and fees deduction
- Montana taxable Social Security benefits
- Excludable savings bond interest
- Excludable employer-provided adoption benefits
- Montana partial pension, annuity, and IRA exemption

For purposes of calculating your adjustment to each of these items, your Montana Adjusted Gross Income is increased by the total of the amounts on lines 3 and 4, and any other changes you made if you amended your return.

**Line 6—Adjustment to Montana Itemized Deductions.** Skip this line if, for the applicable carryback year, you:

- Did not itemize deductions
- Did not change your Montana filing status on your amended return; or
- The amounts on lines 3 and 4 are zero.

Otherwise, complete lines 10 through 32. Enter on the amount from line 32 on line 6.

**Estates and trusts.** Recompute the deductions shown (or as previously adjusted) on Form FID-3, line 15a, and any casualty or theft losses shown (or as previously adjusted) on federal Form 4684, Casualties and Thefts, line 18, by substituting modified adjusted gross income (see below) for the adjusted gross income of the estate or trust.

Subtract the recomputed deductions and losses from the deductions and losses previously shown and enter the difference on line 6.

**Line 7.** Enter the exemption(s) for the tax year above.

**Line 8—Modified taxable income.** Add lines 2 through 7. If zero or less, enter 0 (zero).

**Modified adjusted gross income for estates and trusts.** For purposes of calculating casualty or theft losses, determine your modified adjusted gross income by adding the total of the amounts from lines 3 and 4 to the adjusted gross income previously used to calculate these losses.

**Line 9—Farming NOL Carryover.** Report the amount on line 9 in the 2021 column on line 1 of the 2022 column. Tax Year 2022 is the last year the Montana NOL carryover deduction applies. The Montana NOL carryover deduction is repealed beginning in Tax Year 2024.

## Adjustment to Itemized Deductions (for Individuals)

This section helps you determine the adjustments applicable to the itemized deductions using the Montana modified adjusted gross income as required by statute. It requires the use of figures that were reported on Form 2, Itemized Deductions Schedule. If you change your filing status when you amend your return you must adjust your itemized deductions accordingly.

**Line 10—Montana Adjusted Gross Income before Class B NOL deduction.** This is the Montana Adjusted Gross Income for the corresponding tax year. This amount may include a Class A NOL.

**Line 19—Recalculated Mortgage Insurance Premiums.** If line 12 is more than \$100,000, complete the Mortgage Insurance Premiums Deduction Worksheet below. If line 12 is \$100,000 or less, do not complete the worksheet. Instead, enter the amount from line 18 on line 19 and enter \$0 on line 20.

## Mortgage Insurance Premiums Deduction Worksheet—Line 19

1 Enter the total premiums you paid for qualified mortgage insurance for a contract issued after December 31, 2006	1
2 Enter the amount from line 18	2
3 Enter \$100,000	3
4 Is the amount on line 2 more than the amount on line 3?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If No. Your deduction is not limited. Enter the amount from line 18 on line 19 and enter 0 (zero) on line 20. Do not complete the rest of this worksheet.	
If Yes. Subtract line 3 from line 2. If the result is not a multiple of \$1,000, increase it to the next multiple of \$1,000. For example, increase \$425 to \$1,000, increase \$2,025 to \$3,000, etc.	4
5 Divide line 4 by \$10,000. Enter the result as a decimal. If the result is 1.0 or more, enter 1.	5
6 Multiply line 1 by line 5.	6
7 Recalculated mortgage insurance premiums deduction. Subtract line 6 from line 1. Enter the result here and on line 19.	7

**Line 25—Recalculated Charitable Contributions.** Recalculate your charitable contributions using line 23 as your adjusted gross income unless, for any preceding tax year:

- You entered an amount other than zero on line 24; and
- You had any items of income or deductions based on adjusted gross income that are listed in the instructions for line 6 above.

For Montana NOL carryback purposes, you must reduce any charitable contributions carryover to the extent that the NOL carryover on Tax Year 2021 Column, line 9 is increased by any adjustment to charitable contributions.

## Montana Excess Business Loss

Taxpayers are subject to the federal excess business loss limitation (EBL) for tax years beginning after 2020 and before 2027. Business losses of more than \$289,000 (\$578,000 if filing jointly) are limited to that amount. Taxpayers with federal losses in excess of these amounts are subject to the Montana EBL.

Your federal EBL adjustment is reported in your Federal Adjusted Gross Income on Form 2, Schedule 1, line 8o.

**Residents:** If you are married filing separately on the same form, your EBL adjustment must be recalculated and assigned to the spouse who incurred the loss. Report your federal EBL adjustment from Schedule 1, line 8o on Form 2, Subtractions Schedule, line 22. Then, use federal Form 461 to calculate your Montana EBL adjustment using the single filing threshold. Report your Montana EBL adjustment on Form 2, Additions Schedule, line 14.

Do not make any adjustments to your EBL adjustment if you are a resident using the same filing status as reported on your federal return.

**Nonresidents:** Your Montana EBL is based on your Montana sourced income/loss reported on the Form 2 Nonresident/Part-year Resident Ratio Schedule. The resulting Montana EBL adjustment is added back to your Montana source income.

Additionally, if you are married filing separately on the same form, your EBL adjustment must be recalculated and assigned to the spouse who incurred the loss. Follow the instructions for resident taxpayers above to determine your EBL adjustment for a single taxpayer, then use that information to compute your Montana EBL.

Use Montana Limitation on Business Losses Schedule to determine the Montana EBL.

# **Nonresident Limitation on Montana Business Losses Schedule Line Instructions**

**Lines 1 through 12.** Complete Limitation on Montana Business Losses Schedule in the same manner as the federal Form 461, but only report Montana source income and loss. Individuals use the corresponding Montana source income and loss reported on Form 2, Nonresident/Part-Year Resident Ratio Schedule to complete lines 1 through 12. Estates and trusts use the corresponding Montana source income and loss reported on Form FID-3, Schedule F to complete lines 1 through 12.

**Line 15.** Enter the federal EBL from your federal Form 461.

**Line 17.** Enter the federal filing status threshold that corresponds with your Montana filing status. If you are married filing separately on the same form, use the filing status threshold for a single taxpayer.

**Line 19.** If the resulting figure on this line is a negative amount, then it is your Montana EBL. Although it is a loss, you will report this figure as a positive number on Form 2, Nonresident/Part-year Resident Ratio Schedule, line 13. Estates and trusts enter this amount on Form FID-3, Schedule F, line 13.

**Questions?** Call us at (406) 444-6900, or Montana Relay at 711 for the hearing impaired.



# 2023 Montana Net Operating Loss (NOL) for Individuals, Estates, and Trusts

[15-30-2119, MCA](#), and [ARM 42.15.318](#), [ARM 42.30.106](#)

Form NOL  
V1 6/2023

Calendar year 2023, or tax year beginning \_\_\_\_\_, 2023 and ending \_\_\_\_\_

First name, middle initial, and last name	Social Security Number
Spouse's first name, middle initial, and last name	Spouse's Social Security Number
Entity Name (if fiduciary)	Federal Employer Identification Number

## Class B NOL Schedule

	I NOL	II Montana Losses
1a Column I: Montana Adjusted Gross Income; Column II: Montana source income. (See instructions)	1a	
1b Standard deduction or itemized deductions taken on Form 2. (Estates and trusts, enter the charitable deduction reported on FID-3, line 13.)	1b	
1c Individuals must subtract line 1b from line 1a. Estates and trusts must add lines 1a and 1b.	1c	
2 Nonbusiness capital losses before limitation. Enter as a positive number.	2	
3 Nonbusiness capital gains (without regard to any Section 1202 exclusion).	3	
4 If line 2 is more than line 3, enter the difference; otherwise, enter 0 (zero).	4	
5 If line 3 is more than line 2, enter the difference; otherwise, enter 0 (zero).	5	
6 Nonbusiness deductions. (See instructions)	6	
7 Nonbusiness income other than capital gains. (See instructions)	7	
8 Add lines 5 and 7.	8	
9 If line 6 is more than line 8, enter the difference; otherwise, enter 0 (zero).	9	
10 If line 8 is more than line 6, enter the difference; otherwise, enter 0 (zero). Do not enter more than the amount on line 5.	10	
11 Business capital losses before limitation. Enter as a positive number.	11	
12 Business capital gains (without regard to any Section 1202 exclusion).	12	
13 Add lines 10 and 12.	13	
14 Subtract line 13 from line 11. If zero or less, enter 0 (zero).	14	
15 Add lines 4 and 14.	15	
16 Enter the loss, if any, from line 16 of your Schedule D (Form 1040 or 1040-SR). Estates and trusts enter the loss, if any, from line 19 (column 3), of Schedule D (Form 1041). Enter as a positive number. If there is no loss on that line (and no Section 1202 exclusion), skip lines 16 through 21 and enter the amount from line 15 on line 22.	16	
17 Section 1202 exclusion. Enter as a positive number.	17	
18 Subtract line 17 from line 16. If zero or less, enter 0 (zero).	18	
19 Enter any loss, from line 21 of your Schedule D (Form 1040 or 1040-SR). Estates and trusts, enter any loss from line 20 of Schedule D (Form 1041). Enter as a positive number.	19	
20 If line 18 is more than line 19, enter the difference; otherwise, enter 0 (zero).	20	
21 If line 19 is more than line 18, enter the difference; otherwise, enter 0 (zero).	21	
22 Subtract line 20 from line 15. If zero or less, enter 0 (zero).	22	
23 NOL deduction for losses from other years. Enter as a positive number.	23	
24 NOL. Combine lines 1c, 9, 17, and 21 through 23. If the result is less than zero, enter here. If the result is zero or more, you do not have an NOL.	24	

First name, middle initial, and last name	Social Security Number
Spouse's first name, middle initial, and last name	Spouse's Social Security Number
Entity Name (if fiduciary)	Federal Employer Identification Number

**Farming NOL Carryback Schedule****2023 NOL Applied to  
Tax Year 2021****2023 NOL Applied to  
Tax Year 2022**

Complete the 2021 column before the 2022 column

- 1 NOL deduction. (See instructions) Enter as a positive number.  
 2 Montana taxable income before any Class B NOL carryback  
     (See instructions). Estates and trusts, increase this amount by the sum of  
     charitable deduction and income distribution deduction.  
 3 Net capital loss deduction. (See instructions)  
 4 Section 1202 exclusion. Enter as a positive number.  
 5 Adjustment to Montana Adjusted Gross Income. (See instructions)  
 6 Adjustment to Montana itemized deductions. (See instructions)  
 7 Individuals, enter deduction for exemptions.  
     Estates and trusts, enter exemption amount.  
 8 Modified taxable income. Add lines 2 through 7. If zero or less, enter 0 (zero).  
 9 Subtract line 8 from line 1. If zero or less, enter 0 (zero).

**This is your farming NOL carryover.**

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**Adjustments to Itemized Deductions**

Complete lines 10 through 32 for the carryback years for which you itemized deductions only if line 3 or 4 above is more than zero.

- 10 Montana Adjusted Gross Income without the NOL deduction for the NOL year  
     entered above.  
 11 Add lines 3 through 5  
 12 Add lines 10 and 11. This is your modified adjusted gross income.  
 13 Medical expenses from Form 2, Itemized Deductions Schedule, line 1a  
     (or as previously adjusted).  
 14 Medical expenses from Form 2, Itemized Deductions Schedule, line 1  
     (or as previously adjusted).  
 15 Multiply line 12 by 7.5% (0.075)  
 16 Subtract line 15 from line 14. If zero or less, enter 0 (zero)  
 17 Subtract line 16 from line 13  
 18 Mortgage insurance premiums from Form 2, Itemized Deductions Schedule  
     (or as previously adjusted).  
 19 Refigured mortgage insurance premiums (See instructions)  
 20 Subtract line 19 from line 18.  
 21 Modified adjusted gross income from line 12  
 22 Enter as a positive number any NOL carryback from a year before 2023 that  
     was deducted to figure line 10  
 23 Add lines 21 and 22 (add back previous year's Class A NOL)  
 24 Charitable contributions (including any carryovers) from Form 2, Itemized  
     Deductions Schedule (or as previously adjusted)  
 25 Refigured charitable contributions (See instructions)  
 26 Subtract line 25 from line 24  
 27 Casualty and theft losses from federal Form 4684, line 18 (or as previously adjusted)  
 28 Casualty and theft losses from federal Form 4684, line 16 (or as previously adjusted)  
 29 Multiply line 21 by 10% (0.10)  
 30 Subtract line 29 from line 28. If zero or less enter "0" (zero).  
 31 Subtract line 30 from line 27  
 32 Combine lines 17, 20, 26, and 31. Enter the result here and on line 6 above.

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First name, middle initial, and last name	Social Security Number
Spouse's first name, middle initial, and last name	Spouse's Social Security Number
Entity Name (if fiduciary)	Federal Employer Identification Number

## Nonresident Montana Limitation on Business Losses Schedule

### Part I Montana Total Income/Loss Items

- 1 Reserved for future use. 1
- 2 Enter amount from Form 2, Nonresident/Part-Year Resident Ratio Schedule, line 6. 2
- 3 Enter amount from Form 2, Nonresident/Part-Year Resident Ratio Schedule, line 7. 3
- 4 Enter amount from Form 2, Nonresident/Part-Year Resident Ratio Schedule, line 8. 4
- 5 Enter amount from Form 2, Nonresident/Part-Year Resident Ratio Schedule, line 10. 5
- 6 Enter amount from Form 2, Nonresident/Part-Year Resident Ratio Schedule, line 11. 6
- 7 Reserved for future use. 7
- 8 Any other Montana source income, gain, or losses from a trade or business not reported on lines 1 through 7. 8
- 9 Combine lines 1 through 8. 9

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### Part II Montana Adjustment for Amounts Not Attributable to Trade or Business

- 10 Enter any Montana source income or gain reported on lines 1 through 8 that is not attributable to a trade or business. (See instructions) 10
- 11 Enter any Montana source losses or deductions reported on lines 1 through 8 that are not attributable to a trade or business. (See instructions) 11
- 12 Subtract line 11 from line 10. 12

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### Part III Montana Limitation on Losses

- 13 If line 12 is a negative number, enter it here as a positive number. If line 12 is a positive number, enter it here as a negative number. 13
- 14 Add lines 9 and 13. 14
- 15 Enter amount from federal Form 461, line 14. 15
- 16 Divide line 14 by line 15. This is your Montana EBL ratio. 16
- 17 Federal filing status threshold (\$289,000 (\$578,000 if filing jointly)). 17
- 18 Multiply line 16 by line 17. 18
- 19 Add lines 14 and 18. 19

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